

Marx's Critique of Hegel's Philosophy of Right

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Abstract: Marx's *Critique of Hegel's Philosophy of Right*, though often mentioned, has received surprisingly little sustained scrutiny. As a result, the text has often been associated with catchphrases and slogans (in particular those involving the image of an 'inversion' of Hegel's dialectic). These in turn have served to hide from view the complex argument that Marx mounts. Although the argument can seem tangled, largely because it simultaneously seeks to operate at a high level of generality and to engage in the fine detail of Hegel's exposition, it is both ambitious and consistent—if fragmentary. I focus on two fragments that Marx provides us with. First, by means of a critique of Hegel's defence of monarchy, Marx offers a fragment of political theory that amounts to an argument for radical democracy. Second, and connectedly, Marx offers a fragment of a more fundamental theoretical critique of Hegel's procedure in *Philosophy of Right*, which seeks to overturn Hegel's Platonizing dialectic. Throughout, the complex argument that is revealed is one that gives the lie to the slogans. Once we start to spell out this argument, we see that Marx's critique of Hegel is far more radical and far-reaching than the images of 'inversion' suggest.

Keywords: Hegel, Marx, philosophy of right, democracy, dialectic

Introduction

Marx's *Critique of Hegel's Philosophy of Right* (hereafter, *CHPR*)¹ of 1843 is the single most sustained stretch of engagement with Hegel in his corpus. One would be forgiven for thinking, given the widely acknowledged importance of Hegel for Marx, that detailed treatments of it abound in the literature. But this turns out not to be the case. Marx's text is much mentioned in the literature on Marx (and, to a lesser extent, in the literature on Hegel), but little examined in detail.² Instead of detailed examination of Marx's arguments, the literature is dominated by slogans and summaries that are supposed to capture—in a well-worn but insufficiently interrogated metaphor—Marx's supposed 'inversion' of Hegelian dialectic.³ These slogans and summary treatments signal not merely a missed opportunity.

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1 MEGA² I/2: 3–137/MECW 3: 3–129.

2 One exception is the chapter on *CHPR* in Leopold 2007. The most sustained discussions are those of Galvano Della Volpe (1980) and of those influenced by *dellavolpeanismo*, in particular Mario Rossi (1977) and, less voluminously, Lucio Colletti (see esp. Colletti 1975a). A powerfully lucid overview of *CHPR* is given in Colletti 1975b. See also the searching, but tantalizingly brief, treatment of *CHPR* in Theunissen 1994: 472–86. Some elements for a discussion of how Marx seeks to make good on Hegel's defects, and the relation of this effort to Aristotle, are usefully covered in Depew 1992.

3 As Dieter Henrich has aptly said, 'This talk of the inversion of Hegel's philosophy—talk that speaks Hegel's own language—should not be taken for more than an image and an indication of a problem' (Henrich 2010: 189). For a similar warning issued from a different perspective, see Althusser 2005.

They serve to cover over a set of profound and important difficulties surrounding just what dialectic might be—and how (and indeed whether) it could take a materialist form at all—where it is precisely a close engagement with the argument of *CHPR* that might offer a promise of progress.

In part this situation is due to the difficulties of Marx's text itself. It is long and detailed, but complex and repetitive. It seems to alternate frustratingly (as Marx himself admitted) between criticisms of a highly general nature and nit-picking over the minutiae of Hegel's exposition. Furthermore, it is a fragment that remained unpublished; and its unpublished status owes something to Marx's difficulties bringing it to any successful completion after long struggles with the material. Nevertheless, the difficulties have been exaggerated, and, as I intend to show here, the text repays careful unpicking of its lines of argument. The result will be to show up the usual slogans and summaries as profoundly misleading, and to open up the possibility of replacing them with a reading that does justice to Marx's complex and ambitious argument in this text—an argument that does indeed operate on two fronts, one highly general and the other highly specific, but that does so with a principled purpose. It will be essential to the reading offered here to examine how the general and specific strands interact as part of a unified critique of Hegel's theory of the state and of the philosophical procedures operative in it.

To claim that the text contains a cogent and complex argument does not involve denying the fragmentary status of Marx's critique. Marx effectively offers us two distinct theoretical fragments. First, he offers us a fragment of political theory. Marx's attack on Hegel's defence of monarchy produces as its result his own defence of radical democracy (what Marx takes to be the only form of democracy worthy of its name). What Marx defends might be called 'absolute representation': here each member of society represents each, so that all mediating representative institutions are annulled. That Marx should offer us only a fragment of political theory is instructive. The later Marx never repudiates the adherence to radical democracy articulated in *CHPR*, although he will drop the word 'democracy' itself, having judged it to have been distorted—and appropriated in this distorted form—by bourgeois liberals so as to be now irrecoverable from them. If Marx does not, in later work, give sustained attention to political theory, this should come as no surprise in light of the fragment that *CHPR* provides, since it reveals just how simply Marx's political theory can be stated. A human society is to be self-determining, through the mutual representation of each by each. Marx's subsequent priority becomes the more focused task of a critique of the categories produced by capitalism that stand in the way of absolute representation.

Secondly, Marx offers us a fragment of a critique of Hegel's Logic⁴ (or,

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4 I follow the convention of writing 'Logic' with a capital, and unitalicized, when referring to the part of Hegel's system with this title, as opposed to the two distinct executions of it.

equivalently, of Hegel's speculative philosophy, operative in the *Philosophy of Right* and throughout his system). This is a fragment in a literal sense: as Marx tells us at junctures in the text, the critique of Hegel's Logic was a larger task to be elaborated elsewhere.⁵ His critique of Hegel's Logic as offered here is also fragmentary in an intellectual sense: it merely hints at the general direction of such a critique. Not surprisingly, the literature is, as a result, particularly unclear—indeed, confused—on the basic thrust of this critique. Sometimes commentators are content merely to state that in Marx the Hegelian dialectic is 'inverted', as fits with the slogan that Marx turns Hegel 'the right way up', but the large question of how such a materialist dialectic could possibly work, given the immense difficulties of spelling out how Hegel's version is supposed to work, is then simply left aside.⁶ At the same time, there is disagreement among those commentators who have approached the text with greater seriousness, such as Michael Theunissen and Dieter Henrich, as to whether Marx possessed a profound understanding of Hegel's Logic (Theunissen) or fundamentally misunderstood it (Henrich).⁷

While it has to be remembered that Marx offers us only a fragment of a critique of Hegel's Logic, it is nonetheless possible to discern the direction of this critique with some accuracy if close attention is paid to the argument of the text. As will be substantiated below, Marx's charge of 'mysticism' against Hegel's Logic (and thereby against his speculative philosophy as operative in *PR*) does not consist merely of opposition to Hegel's idealism. Nor is the problem of mysticism limited to that of 'apriorism' (determining reality without recourse to empirical input) or 'emanationism' (the production of reality by the Idea). Marx's critique of mysticism strikes more deeply, aiming to undercut the very intelligibility of Hegel's claim to be pursuing *dialectic* at all. Marx's fragment of a critique of Hegel's Logic offers us the beginning of an attack on Hegel's dialectic as collapsing into Platonic *diairesis* ('division'), sharing the latter's defects (in particular, arbitrariness). This opens up many possibilities, among them the idea pursued by Galvano Della Volpe that Marx might be offering to supplant Hegel's pseudo-dialectic with a genuine dialectic. Whether or not Della Volpe's proposal is right, the present contribution to an interpretation of Marx's text can be read as an injunction to reopen the questions posed by *dellavolpeanismo*.⁸

5 See especially the remark at MEGA² I/2: 98/MECW 3: 88.

6 It is instructive to compare the laudable effort to focus on fundamental, even basic, questions about Hegel's dialectic in Horstmann 1978, and the difficulties encountered. For a general discussion of the problematic state of recent literature on dialectic in Hegel and Marx, see Lange 2016.

7 See Theunissen 1994: 472–486, Henrich 2004, and the discussion in §5 below.

8 For a rare engagement with Della Volpe from outside the sphere of his Italian followers, see Longuenesse 2007: 78–82. Longuenesse, bafflingly, accuses Della Volpe of a 'misunderstanding', which 'consists in reading Hegel's Logic as a theory of knowledge' (78) and says that his 'demonstrations [...]

To append one more remark about how the following interpretation may be understood: following preliminaries (§§1–3), we will, first, investigate (in §4) Marx's execution of the (relatively easy) task of showing up Hegel's procedure as involving arbitrariness and bad-faith argumentation, even by its own lights; second, we will turn (in §5) to the deeper question of just what diagnosis Marx is attempting to offer of the flawed conception of mediation in Hegel that produces these effects.

1. Hegel's doctrine of the state in outline

This is not the place to attempt an outline of Hegel's *Philosophy of Right* (hereafter, *PR*) as a whole, or of the place of his doctrine of the state within it. Nevertheless I will draw attention to some salient features of the text for the purposes of an interpretation of *CHPR*.⁹

The topic of *PR* is the will or, equivalently, freedom. For Hegel to speak of the will or of freedom are two ways of specifying the same topic. To be a will—to be determined only by willing as such—is to be free. *PR* begins from what Hegel takes to be initial appearances—freedom is a matter of seizing hold of my environment and appropriating it to myself as I see fit. (This is 'abstract right'.) This conception is inadequate, according to Hegel, since abstract right presupposes 'morality'—my being able to stand behind my actions as a subject who can claim, and be in turn imputed, responsibility for them. But 'morality', it turns out, can exist only in the context of 'ethical life' (*Sittlichkeit*), a complex structure of social relations. Ethical life, the crown of freedom, itself consists of a triad: the family (ethical life's element of 'naturalness'), civil society (a nexus of relations between subjects seeking their own ends in competition with one another: the 'system of needs'), the state.¹⁰ Only in the state is the 'actuality of concrete freedom' (*PR* §260) attained. In other words, freedom presupposes participation in the state (and presupposed this all along). The account that Hegel offers of such participation is highly complex, requiring a demonstration of the integration of the particular modes of the system of needs (i.e., of us as self-seeking individuals) within the state, characterized by universality, by means of a series of crisscrossing mediations.

Hegel's account of the state is divided into two parts. The first part deals with the 'internal constitution'—the framework of some individual state. What Hegel offers here is essentially a defence of the idea that the

sometimes verge on the comical' (81). Whatever else may be said about Longuenesse's claims, they are sufficient to demonstrate that her acquaintance with Della Volpe's project is at best cursory.

9 For more on Hegel's *Philosophy of Right* and its doctrine of the state, see Schuringa (forthcoming).

10 Michael Theunissen plausibly proposes (1994: 477) that the structure abstract right–morality–ethical life replicates the structure being–essence–concept in the Logic.

various powers of the state (the monarchical, executive and legislative powers) form an organic whole: these various powers are organically interconnected, mutually supporting each other and contributing to a joint life to which each is indispensable. The second treats of the 'external constitution', which is concerned with the relationship of a state to other states.

As part of his attempt to demonstrate the integrity of the internal constitution by means of various complexly interacting mediations, Hegel mounts a defence of an 'estates constitution', as opposed to a representative constitution. An estate is a particular walk of life. (This is not the same thing as a class: the agricultural estate, for instance, might straddle both landowners and farm labourers.) An estates constitution has such walks of life represented in an estates assembly, in which delegates of the various estates sit (as opposed to representatives of the citizenry merely *qua* citizens). This will become important in Marx's radical account of representation.

As we shall see, one of Marx's chief concerns will be the way in which Hegel seeks to make good on his claim to be able to give an organic account of the state.

2. Marx's text

CHPR is a fragment, dealing with §§261–313 of Hegel's text. It thus deals with a sizeable chunk of Hegel's treatment of the 'internal constitution'. Hegel's treatment begins at *PR* §257, and it is likely that Marx's manuscript began with a discussion of that paragraph; the first few pages are lost.¹¹

In some respects it is unsurprising that this unfinished and unpublished¹² torso of text has tended to attract summaries and cursory remarks rather than sustained engagement from commentators. It is at first sight unwelcoming and even baffling, thanks to its incomplete state. It is reasonable to suppose that Marx's failure to complete it, and thus to publish it, flowed from his failure to find a way of carrying out the project to his satisfaction. He had for a long time harboured the idea of publishing a critique of Hegel's *Philosophy of Right*: the text we have is the outcome of a long, and ultimately unsuccessful, struggle.¹³ As Marx

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11 It is sometimes said that Marx wrote the text on his honeymoon. In fact, the composition of *CHPR* occupies a much longer period (see the editorial material at MEGA I/2: 571–82, corroborating the date of March–August 1843 originally proposed by Ryazanov).

12 The text was first published in 1927.

13 See the letter to Ruge, 5 March 1842 (MEGA² III/1: 22/MECW 1: 382–3): 'Another article which I also intended for the *Deutsche Jahrbücher* is a criticism of Hegelian natural right, insofar as it concerns the *internal political system*. The central point is the struggle against *constitutional monarchy* as a

comments regarding *CHPR* in the 1844 Paris Manuscripts, seeking to explain the failure of his efforts to publish the *Critique* as announced in the *Deutsch-französische Jahrbücher*: 'While preparing it for publication, the intermingling of criticism directed only against speculation with criticism of the various subjects themselves proved utterly unsuitable, hampering the development of the argument and rendering comprehension difficult'.¹⁴

The text that we have poses three kinds of challenge, in ascending order of seriousness. The first is that the text points beyond itself to material that Marx never provided. It contains references to parts of a projected critique that Marx never carried out. For instance, it is clear that Marx's intention had been to provide a critique of the sections in *PR* on civil society as well as those on the state. It is not clear how these would have related to the text that we have.

A second issue is that this text is the product of a sustained *Auseinandersetzung* with Hegel on Marx's part the true scale and reach of which we can only guess at. It is clear that Marx engaged deeply with Hegel's Logic in the period between the completion of his doctoral dissertation (April 1841) and his abandonment of *CHPR* (around September 1843). Marx was preparing himself for an academic career in which the teaching of Hegel's Logic was going to be a major part. It is also plausible that Marx laboured at various versions of a critique of *CHPR* over the period 1842–43, of which the text we have is only the most advanced product. What has come down to us in the form of *CHPR* is likely something like a synthesis of previous attempts that at the same time exceeds those earlier attempts in terms of ambition. Marx seems to have persevered with his *Auseinandersetzung* with Hegel even while working for the *Rheinische Zeitung*, so that what we have is only the tip of an iceberg, if a fragmentary and jagged tip.¹⁵ This generates a substantive issue that I will return to: what is the critique of Hegel's Logic operating in the background of Marx's concerns in this text?

The third, and by far the most significant issue, is that of the interweaving of extremely general concerns and highly specific ones that Marx alludes to in the Paris Manuscripts as having spelled problems for the prospects for publication of the text. It is true that Marx's shifting between these levels of generality threatens to make the text irredeemably perplexing for the reader. (Leopold doubts that its

hybrid which from beginning to end contracts and abolishes itself.' The manuscript referred to, presumably a predecessor to *CHPR*, is not extant.

14 MEGA² I/2: 325/MECW 3: 231. A text called 'Critique of Hegel's Philosophy of Right. Introduction', did, of course, make it to publication in the *Jahrbücher* (MEGA² I/2: 170–83/MECW 3: 175–87).

15 It should also be noted that philosophical concerns continuous with Marx's engagement with Hegel's theory of the state run through the journalistic writings of 1842 and early 1843. See the superb unpublished PhD thesis by Martin McIvor (2004).

arguments can really be straightened out in the end.¹⁶) I maintain, on the contrary, that these varying strands, and their interplay, can be made sense of. A key to success here is to eschew the attempt to *separate* a set of general concerns from a set of more specific ones, and to see them instead as interconnected. Marx is so concerned to delve into the details of, for instance, the function of the 'estates element' in Hegel's picture of the state because he sees this as a means of exhibiting the confusion that he thinks governs his overall approach. Marx does not merely think that Hegel's account of how the 'estates element' mediates between different powers of the state is mistaken: it exhibits, in concrete detail, the problems with Hegel's appeal to mediation as such. In that sense Marx's exhibiting the defects of the specific mediations performed by the 'estates element' is an illustration of his general attack on Hegel's appeal to mediation.

3. The 'Hegel–Marx connection'

There is an ever-growing literature, in recognition of the significance of Hegel for Marx, on the 'Hegel–Marx connection'.¹⁷ But it can hardly be maintained that there has crystallized from this literature anything like a clear picture of the relation in which Marx stands to Hegel. Commonplaces abound. One such commonplace is that Marx turned Hegel 'the right way up'. This image does appear, twice, in *CHPR*, and Marx harks back to it in the famous Afterword to the second edition of *Capital* Vol. 1. In *CHPR* Marx says that 'the true way [der wahre Weg] is stood on its head',¹⁸ and speaks of Hegel as one 'who inverts everything [der alles umkehrt]'.¹⁹ The 1873 Afterword Marx replicates the image, and relates it back to his work on *CHPR* 30 years earlier:

My dialectical method is fundamentally [der Grundlage nach] not only different from the Hegelian, but directly opposed to it. For Hegel the process of thought, which he even transforms into an independent subject, under the name of 'the Idea', is the demiurge of the actual—and the actual is merely the external appearance of the Idea. With me the reverse is true: the ideal is nothing but the material [das ... Materielle] transferred and translated into the human head.

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¹⁶ Leopold 2007: 21.

¹⁷ See e.g. a collection of essays published with this title (Burns and Fraser 2000).

¹⁸ MEGA² I/2: 43/MECW 3: 40. Wherever I quote English translations, they are tacitly emended where appropriate.

¹⁹ MEGA² I/2: 96/MECW 3: 87.

I criticized the mystificatory side of the Hegelian dialectic nearly thirty years ago, at a time when it was still the fashion. [...]The mystification which the dialectic suffers in Hegel's hands by no means prevents him from being the first to present its general forms of motion in a comprehensive and conscious manner. With him it is standing on its head. It must be inverted [Man muß sie umstülpen], in order to discover the rational kernel within the mystical shell.²⁰

These passages seem to confirm a number of commonplaces. Marx wants to 'invert'²¹ Hegel so as to turn idealist dialectic into materialist dialectic.²² As they stand, however, such slogans are empty. What could it possibly be for idealistic dialectic to land on its feet?²³ What is it about idealistic dialectic that allows it to count as invertible in the first place?

Whatever may be said in favour of reading Marx, beyond 1843, as a 'materialist', opposed to Hegel's 'idealism', Marx's approach to Hegel in *CHPR* is quite clearly not that of 'inverting' idealism as this is commonly understood. The passages quoted above continue as follows:

The true way is stood on its head. The simplest thing becomes the most complicated, and the most complicated the simplest. What ought to be the starting point becomes a mystical outcome, and what ought to be the rational outcome becomes a mystical starting point.²⁴

Hegel, who inverts everything, turns the executive power into the representative, into the emanation, of the monarch.²⁵

Even at face value, these statements seem to involve something other (or more) than the inversion of Hegel's idealism: they seem to be making a complaint about how Hegel argues, what he goes on to *do*. And

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20 MEW 23: 27/*Cap.* I: 102.

21 Hans Friedrich Fulda (1974) makes a great deal of the use of the word *umstülpen* in the Afterword passage: the metaphor here, as Fulda suggests, is that of turning a glove inside-out. In other words, what becomes inner becomes outer, and vice versa. This is helpful in breaking the spell of the overly simple metaphor of 'inversion' as supposedly sufficient to capture the relation between Hegel's dialectic and that of Marx. But it is only a beginning in this direction.

22 Note also Marx's reference to 'the materialist basis of my method' in the Afterword (MEW 23: 25/*Cap.* I: 100).

23 Note that Lenin explicitly thinks that 'Hegel is materialism which has been stood on its head', and so he resolves to 'cast aside for the most part God, the Absolute, the Pure Idea, etc.' (quoted Colletti 1973: 24). But what is the basis for thinking that it is a materialist inversion that Hegel stands in need of? Colletti gives compelling arguments for regarding the effective identity of the 'dialectics of nature' found in Engels and Lenin with Hegel's speculative philosophy as a mark of their complicity in an idealism essential to dialectic as it is found in Hegel. Colletti concludes that Lenin "'tried" to read Hegel "materialistically" precisely at the place where the latter was ... negating matter' (Colletti 1973: 25; ellipsis in the original).

24 MEGA² I/2: 43/MECW 3: 40.

25 MEGA² I/2: 96/MECW 3: 87.

Marx characterizes Hegel's failure as a failure to maintain the *philosophical standpoint*: 'in expounding the legislature Hegel everywhere falls back from the philosophical standpoint to that other standpoint where the matter is not dealt with *in its own terms*.'²⁶ It is not then, that Marx simply associates philosophy with idealism, and seeks to reject that; he takes himself to be holding himself to the philosophical standpoint, where Hegel fails to do so.

An important thing to note about Marx's approach is that, his frequent satirical jibes at Hegel's expense notwithstanding, he takes Hegel's ambition in *PR* very seriously. Far from seeking simply to reject Hegel's project, he is interested in thinking it through.²⁷ This, again, Marx seeks to do simultaneously at a level of great generality and at a level of fine detail. And not without reason: the whole point is to offer a kind of symptomatology of Hegel's procedures, not simply to enter an objection to a construal of the state by means of 'idealist' dialectic.

The core of Marx's critique is that Hegel is guilty of 'mysticism', a charge repeated frequently in the text. This charge is easily misunderstood, and is often read as an accusation of an ontological idealism or of 'emanationism'. It is, however, directed at Hegel's manner of arguing, not (simply) against some supposed idealist or emanationist starting assumption, and must be read against the background of Marx's appreciation of Hegel's project. Marx sums up this appreciation in the comment that 'It is a great advance to treat the political state as an organism and therefore to look upon the variety of powers [*Gewalten*] no longer as something [in]organic, but as a living and rational differentiation'.²⁸

What Hegel sets out to do is to derive the interconnection of the component parts of the state from the Idea. But he fails to execute the task he has set himself. In fact he merely *asserts* the derivation. He says that some contrast or conflict is resolved at the level of the Idea, but this puts the logical cart before the real horse. Again, Marx's complaint is not directed at the idea that a logical account of the state could be given. It is that logic is being prioritized over reality in a specific way: the Logic is treated as if *already* containing the requisite mediations: 'predestined by the "nature of the concept", sealed in the sacred registers of the Santa Casa (of the Logic)'.²⁹ But, Marx challenges Hegel, why think this?

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26 MEGA² I/2: 124/MECW 3: 114. Cf. Marx's insistence on a *philosophical* standpoint, in opposition to what he takes to be Hegel's standpoint (MEGA² I/2: 130/MECW 3: 120–1): 'One is not looking at *election* philosophically, i.e., in its specific character, if one takes it at once in relation to the *monarchical* or *executive power*'.

27 Depew 1992 helpfully emphasizes the sense in which what Marx offers is an immanent critique of *PR*. Depew remains innocent, however, of the ways in which Marx's purpose is to comprehensively overturn Hegel's procedures.

28 MEGA² I/2: 12/MECW 3: 11.

29 MEGA² I/2: 15/MECW 3: 15. The reference to 'Santa Casa' is to the Inquisition's prison in Madrid as figuring in Schiller's *Don Carlos*.

One way Marx spells out the charge of mysticism is in terms of the 'reversal of subject and predicate'. This is an allusion to a Feuerbachian criticism of Hegel with which Marx was familiar.³⁰ The logical Idea gets to be the subject, instead of real human beings or other components of reality. This has the further effect of making *reality* seem like the mere *appearance* of what's really real: the Idea. But how does logic get to be the real driving force? Note that Marx's complaint is not that Hegel falsely denies the ontological status of material beings, or that his Logic illegitimately makes a priori claims about the latter. The issue is the mismatch between Hegel's rigorous logical ambitions and the slapdash way in which he merely *asserts* that some mediation explains empirical reality—that should make us suspicious. The trouble is not that Hegel wants to give us the logic of the state, but that his execution of this task is inadequate:

The truly philosophical criticism of the present state constitution not only shows up contradictions as existing; it *explains* them, it comprehends their genesis, their necessity. It considers them in their *specific* significance. But this *comprehending* [Dieß *Begreifen*] does not consist, as Hegel imagines, in recognising the features of the logical concept everywhere, but in grasping the specific logic of the specific object [Gegenstandes].³¹

I have pointed to one way in which Marx is *appreciative* of Hegel's project—i.e. he is appreciative of the idea that a philosophical exposition of the state should aim at exhibiting its organic unity. This is relatively straightforward. Less straightforward is Marx's appreciation of Hegel's account as correctly describing empirical reality. It is not as if Marx regards this as simply a virtue of Hegel's account: by describing empirical reality correctly, he shows up its contradictions in such a way as to call into question his entire portrayal of the state as unified and rational. But these two ways in which Marx appreciates what Hegel is up to are connected: it is precisely Hegel's pursuit of an organic picture of the

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30 Feuerbach tends to put this (as Marx does not) in terms of the rectification of speculative philosophy that will result when this reversal is, in turn, reversed. See Feuerbach's 'Preliminary Theses on the Reform of Philosophy': 'The method of the reformative critique of *speculative philosophy* as such does not differ from that already used in the *Philosophy of Religion*. We need only turn the *predicate* into the *subject* and thus as *subject* into *object* and *principle*—that is, only *reverse* speculative philosophy. In this way, we have the unconcealed, pure, and untarnished truth.' (GW 9: 244/*Fieri Brook*, p. 154)

31 MEGA² 1/2: 100/MECW 3: 91. Cf.: '[Hegel's] philosophical labour consists not in thinking embodying itself in political determinations, but in the evaporation of the existing political determinations into abstract thoughts. Not the logic of the matter, but the matter of logic is the philosophical moment. Logic does not [here] serve as proof of the state, but the state as proof of logic.' (MEGA² 1/2: 18/MECW 3: 18) And again, Hegel 'reproaches ordinary consciousness for not being content with this logical satisfaction, and for wanting to see logic transformed into true objectivity [Gegenständlichkeit] rather than actuality dissolve into logic by *arbitrary* [willkürliche] abstraction'. (MEGA² 1/2: 68/MECW 3: 64)

state, and what goes wrong in his failure to carry out that project, that produces Hegel's unwittingly acute account of the contradictions of the modern state that Marx seeks to overcome.

4. Radical democracy

Marx's critique of Hegel's defence of monarchy is an instance of these general criticisms—an instance with a distinct political upshot. Hegel has it that there must be, in the state, a final unifying power in which 'the different powers are bound together into an individual unity',³² and that this power must reside in a subject. Marx accepts both of these claims, but subverts Hegel's identification of the subject that wields this power with the monarch. Instead we, the people, are this subject.

Marx's argument is a simple one, but has far-reaching consequences. Hegel's claim that the return to an individual subject, as the culmination of the state, marks 'the immanent development of a science'³³ is unfounded. First, this is to return to an impoverished conception of subjectivity and freedom (as arbitrary caprice).³⁴ And second, the restriction to an *individual* (that is, one single individual, distinct from all others) is illicit.

Hence, because subjectivity is actual only as subject and the subject is actual only as one, the personality of the state is actual only as one person. A fine inference [Schluß]. Hegel might as well have concluded that because the individual human being is a unit, the human species is only a single human being.³⁵

On the contrary, according to Marx, 'the person is only the *actual idea* of personality in its genus existence [in ihrem Gattungsdasein], as *the persons*', free from restriction.³⁶ The 'moment of decision' is placed by Hegel in the hands of the 'person', restricted to the monarch. Importantly, this restriction is made *not* because Hegel refuses to recognize corporate persons: he speaks of a *moralische Person* at PR §279R. In a corporate person, according to Hegel, although such a person may be 'concrete in-itself' (*konkret in sich*), personality can figure only as an abstract moment. For Marx this is absurd: why wrench the moment of decision away from the concrete body of the people, in order to lodge it in the hands of a monarch who is the embodiment of an abstraction, 'monarchy' whose characteristic is subjective caprice?

32 MEGA² I/2: 20/MECW 3: 19, citing Hegel, PR §273.

33 MEGA² I/2: 27/MECW 3: 25, citing PR §279R.

34 See Foster 1935. See also Schuringa (forthcoming).

35 MEGA² I/2: 28/MECW 3: 26–27.

36 MEGA² I/2: 28/MECW 3: 27.

Hegel not only favours monarchy over democracy. He directly contests the notion of the 'sovereignty of the people'. He says this is a 'confused notion', 'rooted in the *wild* idea [*wüste Vorstellung*] of the *people*'.³⁷ But the boot is on the other foot, according to Marx. There is nothing 'wild' in the 'idea of the people'. The idea of the people is 'wild' only on the supposition that society is ordered by means of monarchy, not by itself. Hegel suggests that the people crumbles 'in the face of the developed idea', but Marx counters that monarchy will crumble in the face of a 'developed idea' of democracy.³⁸

The ultimate simplicity of Marx's argument comes to the fore when he states what democracy is. Where Hegel conceives a democratic constitution as privative with respect to monarchy, Marx finds it to be evident that the reverse is true: 'democracy is the truth of monarchy; monarchy is not the truth of democracy.'³⁹ Democracy is even the very *genus* 'constitution' (*die Verfassungsgattung*) itself, while monarchy is merely one species of this genus, and a defective one. Crucially, democracy, unlike monarchy, 'can be understood through itself [aus sich selbst]'.⁴⁰ For here 'the constitution appears as what it is, a free product of man'.⁴¹ And since in it 'the *formal* principle is at the same time the *material* principle', 'only democracy [...] is the true unity of the universal and the particular.'⁴² So democracy had, all along, provided for the unity that Hegel's account of the state strains towards.

If Marx is right that democracy is just the genus 'constitution', understood through itself by the people, then Hegel's troubles, in the section on the Legislature, about the revisability of the constitution are also helpfully dispensed with. The legislature can only implement the constitution not revise it, Hegel first wants to insist, but he has to admit that, after all, the constitution does get revised from time to time ('indirectly').⁴³ Marx's democracy avoids this problem, since it is upfront that the constitution is the self-determination of the people. It is therefore, quite simply, the people who determine what the constitution is.

This conception of democracy already brings with it the dissolution of the political state (that is, the state as an institution, distinct from

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37 MEGA² I/2: 29/MECW 3: 28, quoting *PR* §279R.

38 MEGA² I/2: 30/MECW 3: 29.

39 MEGA² I/2: 30/MECW 3: 29.

40 MEGA² I/2: 30/MECW 3: 29.

41 MEGA² I/2: 31/MECW 3: 29.

42 MEGA² I/2: 31/MECW 3: 30.

43 MEGA² I/2: 59/MECW 3: 55.

human society as such).⁴⁴ This sets it off from *both* monarchy *and* republic, in both of which an internal bifurcation is generated in each human being, into a *political* human being and an *unpolitical* human being (the human being as private individual).⁴⁵

So far Marx's argument has been quite straightforwardly made. But how, according to Marx, is the self-determination of the people to be effected? Marx returns to this question at the end of his lengthy and tortuous examination of Hegel's exposition of the legislature. In this section Marx presents a complex and elaborate critique of the multiple ways in which Hegel resorts to various 'mediations' in order to hold his picture of the state together. I will offer a general discussion of Marx's underlying critique of Hegel's appeals to mediation in the next section; I will not attempt to enter into the detail of Marx's critique of how this functions in Hegel's section on the legislature here. Suffice to say, for our purposes, that a prime instance of such mediation is the role Hegel ascribes to the 'estates element' (the part of the legislature in which the estates are represented). According to Hegel one of the principal roles of the estates element (though by no means its only one), is to mediate between the universality of the state and the particularity of civil society. As Marx summarizes this, 'In the "estates" all the contradictions of the modern state organisation coalesce. The estates are the "mediators" ["Mittler"] in all directions, because in all respects they are "hybrids" ["Mitteldinge"].'⁴⁶

Hegel, in his opposition to a representative constitution, in which the individuals who make up civil society are represented in the legislature by a system of 'one person one vote', favours a constitution that incorporates estates as a further element. The estates, briefly put, can mediate civil society and the state due to an equivalence between 'civil estate' and 'political estate'. But while there was indeed such an equivalence in the medieval period, the modern period is characterized, Marx points out, precisely by a disruption of this equivalence.⁴⁷ And so the identity of civil and political life cannot now be achieved in *that* way. Instead, Marx thinks, the point is to radically rethink the very idea of representation.

.....
44 Marx comments that here, as certain French radicals (the Saint-Simonians?) have realized, 'the *political state is annihilated [untergehe]*' (MEGA² 1/2: 32/MECW 3: 30). Throughout much of *CHPR*, Marx tends to suggest that he advocates the dissolution of the *political* state, specifically. But in so far as he maintains room for a state that is not political, this (it would appear) amounts to human society as such.

45 For Marx's rejection of republicanism, see MEGA² 1/2: 32–33/MECW 3: 30–31.

46 MEGA² 1/2: 73/MECW 3: 69.

47 Note, though, that Marx catches Hegel committing a Freudian slip of the pen when he notes that 'civil estate' and 'political estate' no longer have the same meaning: '*Language* itself, says Hegel, expresses the identity of *the estates of civil society* with the *estates in the political sense*—a "unity" "which moreover *formerly prevailed in fact*", and which, one must conclude, now no longer prevails.' (MEGA² 1/2: 78/MECW 3: 71)

Marx had maintained, earlier in the text, that the point of the constitution is just to express the will of the people—that this is what the word ‘constitution’ *means*. Hegel attempts to answer the question of representation as if it were a numbers game. The numbers count against direct participation, so we must settle for representation by a limited number of representatives (those who can sit in an assembly).⁴⁸ But Marx proposes to overcome the split between civil society and the state in a completely different way: by actualizing civil society as the state.

In this situation the significance of the *legislative* power as a *representative* power completely disappears. The legislative power is representation here in the sense in which *every* function is representative—in the sense in which, e.g., the shoemaker, insofar as he satisfies a social need, is my representative, in which every particular social activity as a *Gattung*-activity merely represents the *Gattung*, i.e., an attribute of my own nature, and in which every person is the representative of every other. He is here representative [*Repräsentant*] not because of something else which he represents [*vorstellt*] but because of what he *is* and *does*.⁴⁹

Representation is here neither direct nor indirect. We might call this a picture of ‘absolute representation’. It brings with it the dissolution of the state, and therewith the dissolution of civil society. Although Marx is less clear on this, it would seem that absolute representation could be interpreted implying electoral reform. But it would also seem that Marx wants to suggest that to achieve such electoral reform would be to overcome all institutions of voting, representation, and so on, in any traditionally recognizable form, since civil society and state would be dissolved at once. What will result are ‘*elections unlimited* both in respect of the franchise and right to be elected’.⁵⁰ In other words, the only meaning to be attached to ‘election’ is now seemingly that of the implementation of absolute representation.

5. Marx’s critique of Hegel’s logic

We have seen how Marx’s critique of Hegel’s defence of monarchy constitutes an argument for radical democracy. This specific argument is rooted in a wider attack on Hegel’s procedures, which seeks to block Hegel’s manner of appealing to logical ‘mediations’ taking place behind the back of reality. I now want to consider this wider attack—even if what Marx provides us with on this score remains fragmentary and exploratory.

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48 MEGA² I/2: 126/MECW 3: 116–17.

49 MEGA² I/2: 129/MECW 3: 119. I leave *Gattung* untranslated here, since the possible translations ‘genus’ and ‘species’ are each liable to misrepresent the generality that Marx has in view.

50 MEGA² I/2: 130–31/MECW 3: 121.

Much discussion of *PR* in Hegel scholarship has shied away from taking seriously the logical structure of that work. Anglophone scholarship has tended to play down, or dismiss, the claims of *PR* to logical status, attempting to ignore them in an effort to concentrate on the substantive doctrines of the work.⁵¹ Even among German-speaking scholars, however, the logical structure of *PR* has tended to be neglected, with the notable exception of papers by Dieter Henrich, Michael Wolff and (more recently) Klaus Vieweg.⁵²

Henrich's discussion is particularly useful for our purposes. Henrich provides a lucid overview of Hegel's claim that *PR* is structured as a set of interrelated syllogisms. He combines this with an appreciation of the Platonic basis of Hegel's conception and with a set of acerbic remarks about Marx's failure to appreciate what Hegel was doing.⁵³ This is useful, since I will want to exploit Henrich's perceptive remarks about the Platonic basis of Hegel's procedure in order to show that Marx, contrary to Henrich's aspersions, bases his critique precisely on his appreciation of what is problematic about this.

It is impossible here to give an overview even of Hegel's basic aspirations in the *Logic*. Hegel's *Logic* is not concerned with formal logic (although a discussion of formal logic falls within its remit). It is intended to be an articulation of thought as such, something equivalent (as Hegel sees things) to an articulation of being as such; it is, in this sense, a logic that is at once a metaphysics. However that is to be understood, what matters for our purposes is that the *Logic* as a whole should be for Hegel the articulation of the *Idea*. The *Idea* generates all difference, whose principle of unity it is. This unity is achieved through an activity performed by the *Idea*, and it is this activity that must be conceived in terms of syllogism. And Hegel's striving for a *Vereinigungsphilosophie* ('philosophy of unification') was in his own mind directly modelled on Plato's *Timaeus*, where Plato, as Henrich puts it, 'had suggested an approach that also allowed the different moments as such to be conceptualized within a completed unity, one that could no longer be transcended in turn by any further postulated unity and would thus prevent the monistic idea from falling back into something merely indeterminate'.⁵⁴ Now, 'the kind of complete union that Plato [and, following him, Hegel] had in mind cannot be accomplished by a single syllogistic thought (syn-logism). For all syllogisms depend on the concepts that function as middle terms (*mediis terminis*)'.⁵⁵

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51 This attitude is articulated in particularly stark form by Allen Wood (1990: 4): 'Hegel totally failed in his attempt to canonize speculative logic as the only proper form of philosophical thinking'.

52 Henrich 2004; Wolff 2004; Vieweg 2017.

53 Henrich 2004: 246–7.

54 Henrich 2004: 243.

55 Henrich 2004: 244.

In a syllogism, the conclusion is reached by means of the mediation of the 'middle term'. Unlike the other two terms that appear in the syllogism (the 'extremes') the middle term appears in both premises of the syllogism. We can now see how it might be that Hegel aims to achieve the union that Henrich speaks of by moving through a series of syllogisms. If we designate the three terms of the syllogism as A, B, C, we can envisage a series of syllogisms in which the middle term shifts in the following way. We begin with A – B – C (with B the middle term, mediating between the extremes A and C). We then move through a series of syllogisms as follows: B – C – A, C – A – B, returning to A – B – C. A further salient feature of Hegel's triad of syllogisms is that they involve the shifting of the moments of universality, particularity and individuality: I – P – U, U – I – P, P – U – I.⁵⁶ As Hegel writes (*EL* §198R): 'It is only through the nature of this con-cluding [Zusammenschließens], or through this triad of syllogisms with the same terms, that a whole is truly understood in its organisation'. He continues:

Like the solar system, so in the practical sphere, for instance, the State is a system of three syllogisms. (1) The *individual* (the person) concludes himself through his *particularity* (the physical and spiritual needs, which when further developed on their own account give rise to civil society) with the *universal* (society, right, law, government). (2) The will or the activity of the individuals is the mediating [term] that gives satisfaction to their needs in the context of society, right, etc., and provides fulfilment and actualisation to society, right, etc. (3) But it is the universal (State, government, right) that is the substantial middle term within which the individuals and their satisfaction have and preserve their full reality, mediation, and subsistence. Precisely because the mediation concludes each of these determinations with the other extreme, each of them concludes itself with itself in this way or produces itself; and this production is its self-preservation.⁵⁷

Henrich thinks, unaccountably, that 'because Marx never explicitly questions the status of causal analysis' he fails to understand that Hegel's "'syn-logistic" system of mediations' is in play in his exposition of the state.⁵⁸ There is, however, ample evidence that Marx is not only aware of this, but gives sustained attention to it in his critique. Henrich falls prey to sloganizing about 'reversal' and 'turning upside down' when he complains as follows about Marx: 'A theory that was originally intended as a reversal of Hegel's position that would preserve the inner formal features of Hegel's own analyses thus ends up, instead, as a

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56 In the standalone *Science of Logic*, the order is: P – U – I, U – I – P, I – P – U. For discussion, see Wolff 2004: 319 n 7.

57 Hegel, TWA 8: 356/*EL*: 276–7.

58 Henrich 2004: 246, 247.

systematic distortion of the latter.⁵⁹ Henrich could not be more wrong. Marx nowhere offers to *reverse* Hegel's position in a way that preserves the 'inner formal features' of Hegel's exposition. He instead questions the inner structure of Hegel's account on the basis of a principled opposition to Hegel's methodology. This principled opposition springs from a rejection of the Platonizing tendencies in Hegel that Henrich identifies.

In a lengthy passage, Marx relentlessly pokes fun at Hegel's mediations. And it might seem that all he does is satirize Hegel. The interdependence of A – B – C, B – C – A, and C – A – B that is so crucial to Hegel's exposition gets this treatment: 'As if a man were to step between two fighting men and then again one of the fighting men were to step between the mediator and the fighting man'.⁶⁰ But there is more to this than satire. As Marx goes on to comment: 'It is strange that Hegel, who reduces this absurdity of mediation to its abstract, logical, and therefore unadulterated [unverfälschten], unshakeable [untransigibaren] expression, describes it at the same time as the *speculative mystery* of logic, as the rational relationship, as the syllogism of reason [Vernunftschluß].'⁶¹ Note that Marx does not attack mediation *as such* (the MECW mistranslates *diese Absurdität* as 'the absurdity' instead of 'this absurdity'). Marx does not simply rule the idea of mediation out of court, but questions the way Hegel anchors his mediations—whose absurdity is apparent on the surface—in an unquestionable logical bedrock. Doing so makes it seem as if extremes *ipso facto*, in virtue of being extremes, require mediation (and can be mediated). But this is not so: 'the one does not have in its own bosom the longing for, the need for, the anticipation of the other'.⁶² Marx does not deny that there can be such a thing as mediation of extremes; his point is that 'real extremes' exist.⁶³ 'Real extremes [Wirkliche Extreme] cannot be mediated precisely because they are real extremes. Nor do they require mediation, for they are opposed in essence.'⁶⁴ And that is not all. It is not just that Hegel disallows the possibility of real extremes, by

59 Henrich 2004: 247. Henrich here appears to fall foul of his own warnings, in a lecture of 1961, about the image of reversal (2010: 189).

60 MEGA² I/2: 97/MECW 3: 87.

61 MEGA² I/2: 97/MECW 3: 88.

62 MEGA² I/2: 98/MECW 3: 88.

63 *Dellavolpeanismo* made a great deal of this comment. As Colletti summarizes this, it seemed that Marx was recognizing, and restoring, the Kantian concept of *Realrepugnanz* (real opposition that is 'without contradiction'). But, as Colletti goes on to say, it is not ultimately unclear whether Marx is, in the end, properly understood as operating with the concept of *Realrepugnanz* rather than contradiction at certain critical junctures. Della Volpe makes much of the *CHPR* passage on 'real extremes'. But Marx also says in this text: 'Hegel's chief error is to conceive the *contradiction of appearances as unity in essence, in the Idea*, while in fact it has something more profound for its essence, namely, an *essential contradiction*' (MEGA² I/2: 100/MECW 3: 91).

64 MEGA² I/2: 97/MECW 3: 88.

insisting that *whatever pair of extremes you take*, a mediation awaits locked away in advance in the Logic. The other side of the coin is, as Marx goes on, that 'Hegel treats universality and individuality [Einzelheit], the abstract elements of the syllogism, as actual opposites'. This Marx calls 'the basic dualism of his logic'.⁶⁵ This enables us to get a better sense of what Marx means by accusing Hegel of *inversion*. Opposition is denied in reality, dissolved by the unity that logic provides; but it reappears as internal to that unificatory logic itself. The remedy for such inversion cannot, clearly, be a mere turning the right way up.

We can now start to see the depth of Marx's criticism of 'mysticism' (the surface of which we scratched in §3 above). It is not merely that Hegel inverts subject and predicate, or that he makes logic do the real work. The very conception of logic in play is one that Marx wants to overturn.⁶⁶

Marx finds Hegel, despite his best efforts, remaining caught within a Platonic emanationism. This can be criticized on its own terms, as Marx does in his *Notebooks on Epicurean Philosophy*:

In expounding definite questions of morality, religion, or even natural philosophy, as in *Timaeus*, Plato sees that his negative interpretation of the Absolute is not sufficient; here it is not enough to sink everything in the one dark night in which, according to Hegel, all cows are black; at this point Plato has recourse to the positive interpretation of the Absolute, and its essential form, which has its basis in itself, is myth and allegory.⁶⁷

Marx is struck by Plato's recourse to myth—something Gilles Deleuze is struck by, in a similar context, in *Difference and Repetition*.⁶⁸ It is the notion that the source of the unification of difference is a unity that generates difference out of itself that is, itself, a retreat into mythmaking. The reference to Hegel's critique of (presumably) Schelling in the Preface to the *Phenomenology of Spirit* is particularly pointed: whatever Hegel's emphasis on negativity, ultimately he can be doing nothing better than the conjuring trick of generating difference out of an indeterminate Absolute.

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65 Cf. MEGA² I/2: 93/MECW 3: 84: 'One may say that in his exposition of the syllogism of reason [des Vernunftschlusses] the whole transcendence and mystical dualism of his system is made apparent. The middle term is the wooden iron, the concealed opposition between universality and singularity'.

66 Marx's approach here—that of seeking to overturn Hegel's logic—indicates that readings which have him simply *react* to Hegel by beginning (as Feuerbach does, and in a certain way Schelling too) from the 'positive' (as what stands over against the ideal) cannot be right. A reading which, however subtle it may be in other ways, erroneously aligns Marx with Feuerbach/Schelling in this respect is that of Manfred Frank. (See Frank 1992.)

67 MEGA² IV/1: 105/MECW 1: 497.

68 Deleuze 2004: 73.

But it is not just that Platonic emanationism is questionable on its own terms. It blocks the road to the very thing Hegel wants: a dialectic by means of syllogistic mediation. Hegel's dialectic, in spite of his best intentions, falls back into Platonic *diairesis* ('division'). The problem with *diairesis* as a method, as Deleuze evocatively intimates and Della Volpe makes clear at length,⁶⁹ is that it pretends to scientific rigour but falls prey to charges of arbitrariness at the first hurdle. Take some highly general class: we are now to divide it. But by what principle is the division made? This can only be done on the basis of empirical differences—but it was those very differences that *diairesis* was supposed to ground in the first place. There cannot be any principled articulation of difference. There is something to Deleuze's pointed remark that, in Plato's case, what we get in consequence is mere 'ranking' (*amphisbētēsis*) in place of true opposition (*antiphasis*).⁷⁰

What would it be, then, to make good on Hegel's aspirations to a dialectic by means of syllogistic mediation? Such a dialectic cannot be an emanationism. It cannot be the Idea generating difference out of itself, only to itself do the work of mediating difference, on pain of amounting to nothing more coherent than mythical *diairesis*. It must allow for resistance—and thereby for real extremes (or, to put it another way, difference that persists).

It is not possible here to trace the long road travelled by Della Volpe in *Logic as a Positive Science*, in which Marx's critique of Hegel is complexly related to Aristotle's critique of Plato.⁷¹ It may or may not be that Marx is able to save the Principle of Non-Contradiction, in a superior form of dialectic to Hegel's, a dialectic in which mediation succeeds in playing the role that Hegel has in mind for it. What should have become clear, however, is Marx's aspiration: to provide the beginnings of a highly principled critique of Hegel's Logic as operative in *PR*. It will be worthwhile to direct renewed attention to the complex of problems involved in this. Despite the enormous emphasis in the literature on Marx's relationship to Hegel and its importance, this relationship has hardly been explored thus far with any seriousness. What is clear is that Marx does not turn Hegel 'the right way up' by inverting idealism into materialism. What is also abundantly clear is that it would be a mistake to read Marx as replicating the structure of Hegelian dialectic in his later work; his relationship to Hegel's philosophical procedures, as a reading of *CHPR* shows, is far more vexed, and more interesting, than that.⁷²

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69 Deleuze 2004, chapter 1; Della Volpe 1980.

70 Deleuze 2004: 72 (correcting the transliteration of Greek in the English translation).

71 See also the pursuit of this line of inquiry by Natali 1976.

72 I am grateful to Alec Hinshelwood and Martin Mclvor for invaluable discussions of this material.

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(R = 'Remark' where appended to a § number in one of Hegel's texts.)

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