

*On the Jewish Question* – interpretive essay

Rights – which are nothing but enforced privileges - can be divided into two categories: egoistic rights and species-being rights. But what is the difference between these two? Egoistic rights, obviously, deal with the individual and his rights as a sovereign entity divorced from the rest of the world; species-being rights, on the other hand, deal with the individual who is part of his community rather than estranged from it on a universal level.

But what does this mean in direct and simple language?

Egoistic rights, as evident from the root word, have to do with man's propensity for letting his ego dictate that his rights revolve around 'I' and, thus, that these rights should limit the interactions others may have upon him. The egoistic man believes that his rights should somehow bestow some form of special privileges which his status as a citizen cannot. The egoistic man believes that his rights supersede his rights as citizen; he believes that because he is a sovereign entity he can place himself, or his particular group, above the community.

If individuals were, indeed, isolated phenomenon which had no effect on others around them then such a mindset would be acceptable. However, it is absurd to believe that individuals, who are not isolated, should place their or their respective groups rights above their fellow citizen's rights – or above their own rights as citizens. No matter how sovereign people may be they are still citizens in a greater whole and, therefore, can achieve their aims by working to improve their rights as citizens. Much like the trickle-down theory of economics, by working for their rights as citizens they will gain their egoistic rights, which they believe to be superior.

By working against their own citizen-status egoistic society is estranging itself more and more from itself and from society as a whole. There is no moral high ground in saying, “Yes, I am a citizen. Yes, I am a part of you. But, I claim these rights for me and my own instead of for us as partners in society.” By viewing themselves as an independent whole within the whole egoists are doing nothing but subjecting themselves to the various dangers and burdens that come with hermit life. Adherence to their own illusory views and laws puts them in a position to become defenseless later on when the rest of egoistic society fails to acknowledge them any longer.

Egoistic society knowingly and willfully commits self-abandonment when it walks down the path of 'my rights' and not 'our rights' , when it forgets it is the whole that allows for the individual in civil society. And since egoists forget that they are a part, as well as a whole, they do not realize that they are incapable of receiving rights, and that the other side is incapable of bestowing them. But why is one unable to receive and the other unable to give? It is because they have become mutually exclusive in the framework of society.

By positing itself as independent - with its own laws and privileges - egoist society is, in effect, saying that it does not require rights to be bestowed upon it. By viewing themselves as estranged persons and not citizens they are tacitly admitting that they are outside the influence of civil society. As such, how can they ask for and receive rights from an entity they do not associate themselves with? How can they demand particular privileges from the whole when the whole cannot view them as parts of itself? And on the other side of the coin, how can society grant any sort of rights or emancipation to estranged persons or groups? By virtue of being a whole it can only recognize and affect those that encompass it, it can only emancipate those who accept themselves as part of something greater. In the end one side is incapable of emancipation due to cultural and mental isolation, while the other side of

incapable of emancipating because its sphere of influence does not, can not, extend to those who consider themselves as separate spheres.

As it is, the rights of civil man, egoistic man, are nothing but the rights of man to split from his fellow man. These egoistic rights allow man to stake out specific boundaries around himself, boundaries which prohibit others from affecting him and give him the ability to act entirely in self-interest.

Now, having broken down egoistic rights it is time to take a glance at their antithesis, species-being rights. The idea of species-being originates with Fauerbach, a German philosopher who put forward that man's defining characteristic was his ability to not simply see himself as an individual but also as a member of a species – as a social being. This concept of species-being can be taken one step further and applied to species-being rights as an alternative to egoistic rights.

If egoistic rights are the rights of 'I' and self-interest then it follows that species-being rights are the rights of 'we' and communal-interest; they are at complete odds with each other and one can know the other by turning each on its head. Therefore, if egoistic rights flow from negative freedom – the freedom from the interference of others - then species-being rights must flow from positive freedom – the freedom to associate with others. Instead of granting freedom *from* others, species-being rights grant the freedom to *be* with others. These positive rights remove the stakes from the boundaries that civil society has erected to alienate us from each other; these human rights attempt to sway us from our atomistic tendencies and strengthen our species-characters.

Egoistic society attempts to portray its own estranged version of man as the real authentic man, as man at his most natural. But, as both Fauerbach and Marx believed, it is man in his contact with others and in his social relations that man was most authentic. It is man joined with his fellow man, not isolated and divorced, that formed the real basis for human nature. As such, every time the state or civil society fabricates new negative rights it does so at the expense of man's humanity: negative rights push the human species to extinction in the abstract sense. At the most, the state should be nothing more than the “intermediary between man and human liberty,” and not bestow rights upon certain individuals or groups, or rights that allow for societies inside societies. The state, which is nothing but the general of the masses made particular, should be more in line with what the American founders had envisioned, an organ to protect the rights that all people have intrinsically: the state should only protect man's species-rights.

However, in a society where the civil and political spheres are exclusive, if not antagonistic, the state may not be able to protect or implement what it defines. This situation arises when the two spheres are so distinct and exclusive – when the civil no longer gives form and content to the political – that the concept of freedom splits into two parts. What use is the state's formal proclamation of man's rights if it is unable to effectively enforce them. The independence of the civil sphere from the political sphere, and vice versa, effectively neutralizes man's species-rights because of civil society's content difference from political society. Due to this content difference a “state may be a *free* state without man himself being a *free* man.” In other words, the people's formal freedoms, which are granted by the state, are meaningless when civil society's cultural mindset and beliefs about its own effective freedoms differ from political society's. The only way to reconcile these two opposites is to, unfortunately, have a social revolution.

Social revolutions by their very nature will cause a political revolution as they impose their general will onto the particular of the political will, thus changing the basic elements of the political

sphere to match that of the civil sphere. Social, and inevitable, upheaval is the only way to bring the two sides of the same coin together: civil and political, effective and formal. As it so happens, these two freedoms, effective and formal, form the basis of human and political emancipation.

Emancipation, much like freedom, comes in two flavors, which coincide with reality and the ideal. Emancipation comes in the form of political and human emancipation, each of which belong to mutually exclusive spheres. It is because of the mutual exclusivity of the two spheres, political and civil, that emancipation must be broken into two separate parts. This separation of the whole also means that society must emancipate itself – the actual individuals that compose it – in order to emancipate others for it cannot give to others what it does not have for itself.

Political emancipation is the outward manifestation of emancipation, the emancipation of people in an abstract and top-level way. What does that mean? Much like formal freedom, political freedom is an ideal goal with no inherent connection to social reality. It seeks to free man in a roundabout fashion, not through man himself but through an abstract entity called the state.

Accordingly, political emancipation only develops to the fullest when the state that is applying it is also developed to its fullest. In undeveloped, or non-existent, states this emancipation resolves itself into particulars with no general characteristic. True political emancipation cannot be attained when the state is only capable of handing it out piecemeal. Developed political emancipation requires the state to dispose of any particular attitudes, such as religious, and assume a more inclusive attitude – the state must act like a *political* state.

However, even with a fully developed state political emancipation presupposes, and requires, political participation by the people in order to realize its formal rights. How can political emancipation affect those that are not a part of the political establishment? The simple fact that such emancipation can apply *only* to those with a presence – if only indirect – in the political sphere helps to undermine its credibility and usefulness. So long as participation in an alien sphere is required to achieve even this idealized freedom political emancipation will forever be resigned from actual human emancipation.

But what is it, exactly, that creates this impenetrable barrier between political and human emancipation? A broad answer would be the independence of the political sphere from the civil sphere, the separation of content from form. But why does this independence limit the reach and feasibility of formal emancipation? It is precisely because of this independence that action in one does not presuppose or require action in the other. The state may divorce itself from any particular aspect of civil society by giving no credence or privilege but that in no way divorces man himself from any particular aspect of society. Take religion, for example. Were the government to disavow any state religion and proclaim that everyone was free from religious influence it would be an empty proclamation. While the state's institutions may blind themselves in an abstract fashion from religion, this in no way keeps actual people in actual civil society from feeling the effects of their religious neighbors. Blindness in one area presupposes sight in the other, emancipation in one presupposes the lack of it in the other.

It is this blindness and presupposition that differentiates human from political emancipation. Marx used the United States as an example of a state politically emancipated from religion yet still profoundly religious at the social level – it had not yet become emancipated on a human level. While the people as a group may institute a *political* institution which holds equality as its basis they cannot overcome the inequality which forms the basis of their *civil* institutions. The political building of equality is built upon a foundation of inequality that cannot support it.

The state cannot give true emancipation when its constituent parts – civil society and the individuals which constitute it – can not, and will not, give it to themselves and, hence, the state. In fact, the only means for political emancipation to match human emancipation is through a civil revolution; civil revolutions are the only way to actually revolutionize the political sphere since the latter is just an extension and the external face of civil society. The only way to abolish political differences and make formal freedom practical is by abolishing civil differences and all the individual biases that rob political emancipation of its power.

Political emancipation presupposes and requires that human emancipation be unattainable, while human emancipation does not require the same of political emancipation. In fact, a fully developed and *humanly* emancipated state requires that political emancipation follow in the footsteps of human emancipation. For people will only be free when the political man and the social man mirror each other instead of being separate facets. True freedom is only attainable when the real, social, man is taken to be the true man and dominates the false, political, man. Human emancipation comes when each side of man does not see the other as a necessary exception, but as crucial to his survival and to his goal of freedom.

Religion – seen from a political standpoint – stands in the way of human emancipation and true states. Religious states are not true states in the sense that they require the superficial aspect of a religion to support themselves, rather than their human cores. Religious states require religion as a prerequisite rather than admit their own imperfections require religion as a supplement. Such states view religion from a political perspective instead of a religious or human one; they do not view religion as the end but as the means to an end – the means to power. So in essence these religious states are irreligious from both a political and theological view; by clinging to political power they renounce their theological roots, and by clinging to religion they renounce their political character.

Religious states can also be viewed as false states if viewed with the supposition that true states can only be built upon democratic foundations. Theocracies, as a general rule of thumb, cannot be democratic because to be democratic would rob them of any social power they may have. Their social, and subsequent political, power rests not upon the participation of the whole but upon the undemocratic power of a few. True states require the sovereignty of every citizen, and the origins of power to be firmly within the realm of society and man himself.

As it stands, religious orders rely on the authority and sovereignty of a select few who claim to be chosen by a higher power than man himself, they are the complete antithesis of democracies. Religious states cannot function without this externality and false origin, while democracies *must* fall back upon the concept of the individual and universal sovereignty. With its characteristic lack of sovereignty and self-determination religion is inherently incapable of granting human emancipation. By accepting something other than himself as the source of rights and emancipation man puts his illusory, spiritual, self above his actual, species-being, self. His status as authentic man fades into the background and he relies more and more on political emancipation through external entities. Democracies, on the other hand, do not require the same illusions to complete themselves as states; they exist as the will of man given form and purpose. Democracies take the human core of religion, the idea of man, and extends it beyond the narrow confines of religious alienation and submission in order to create true states.

Emancipation can be further abstracted into the idea of particular versus general, of the masses versus the few. Human emancipation, which relies on pure democracy, can only be found when matters of the state are matters of the people, and the state becomes a general concern. Contrast this with

political emancipation, which does not necessarily require the permission of the people, which is a particular concern of the ruling class.

The particular state, like the particular person, cannot claim or give universal rights or emancipation if it does not speak for the whole. A state cannot claim universal rights or emancipation if it separates itself from that universality. In other words, it cannot give or take human emancipation if it favors political emancipation of the few(particular) and eschews human emancipation(general). Particular situations and affairs – and hence political emancipation – should “no longer [constitute] the general relation between the individual and state as a whole.” Political emancipation comes to be when the political sphere becomes the means to an end that is the civil sphere: the political sphere becomes a tool to shape civil society. In order for human emancipation to prevail over political emancipation civil sphere rights must be the means of creating and supporting the rights of the political sphere; the rights of the civil man must always trump the interests and rights of the political man.

This, however, presupposes that the state, and the spheres that comprise it, is democratic. It is only in a democracy that civil, species-being, man has the practical ability to direct the political, abstract, man; it is only in a democracy that human emancipation is capable of giving true content and form to political emancipation. In non-democracies the state can only deal with the effects and not the causes of any social instability. Their range of actions is limited by the fact that they are not given content, and, thus social power, from the masses. Whatever political rights decreed by such states would be toothless since it was not the civil sphere that birthed the rights into existence. The two sides of man see each other as necessary exceptions and, consequently, neither is able to achieve anything of significance.

It is only after a civil(human) revolution that the political-civil relationship is turned on its head and the proper civil-political relationship can emerge. Only a revolution can remove the political character of civil society and instead give political society a civil character.