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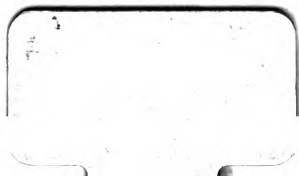
MASSALLE

SCIENCE AND THE WORKINGMEN

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# Science and the Workingmen

—BY—

**FERDINAND LASSALLE,**

.....  
A TRANSLATION OF

“Die Wissenschaft und die Arbeiter”

BY

**THORSTEIN VEBLEN,**

THE UNIVERSITY OF CHICAGO,

.....  
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# SCIENCE AND THE WORKINGMEN.

BY

FERDINAND LASSALLE.

An argument in his own defense before the Criminal Court of Berlin on the charge of having publicly incited the unpropertied classes to hatred and contempt of the propertied classes.

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A Translation of

**"DIE WISSENSCHAFT UND DIE ARBEITER."**

BY

THORSTEIN VEBLEN,

The University of Chicago.

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## Prefatory Note.

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As on an earlier occasion, in the case of the defense which he proposed making before the Rhenish jury, Lassalle had put his proposed defense in print before the date set for the trial, so also as regards the address which is here reprinted.

This is the argument in refutation of the absurd charge that he had, in his *Workingmen's Programme*, seditiously incited the destitute classes to hatred and distrust of the well-to-do. And this address came near sharing the fate of the earlier one and remaining a written argument only, instead of an actually spoken address. In the course of the proceedings, which were held on the sixteenth of January, 1863, Lassalle was repeatedly called to order by the judge with the threat that he would be deprived of his right to speak if he proceeded in the manner in which he had begun. But Lassalle countered the threat by threatening in his turn wholly to retire from the defense and withdraw from the courtroom with his counsel if any restraint were imposed on his criticism of the indictment. And with this threat he carried his point. Lassalle, having offended the public prosecutor with comments which, however inoffensive in form, were, none the less, sufficiently disparaging in substance, the presiding judge in fact debarred him from further speech. Still, on appealing to the whole bench for a reversal of this

ruling, and putting forth the full force of his argumentative power in support of his appeal and in criticism of the president's action, he succeeded in securing a reversal of the action taken. He was allowed to bring his address to an end in the form in which he had written it. The indictment was, at best, but a specious fabrication, which was scarcely worth the honor which his attention conferred. Lassalle convincingly exposed its shallowness and, at the same time, confuted the public prosecutor, Schelling<sup>1</sup>, afterwards Minister of Justice von Schelling, out of the mouth of his own father, the philosopher Schelling. Yet he was found guilty and sentenced to four months' imprisonment under the law referred to above—that notorious passage in the Prussian code, then in force, relating to hatred and contempt. It may be added, the prosecution had moved for a penalty of not less than nine months' imprisonment.

The proceedings of this turbulent trial, as well as the preposterous decision of the court, is recited with critical comments by Lassalle in his pamphlets under the title of the "Lassalle Criminal Trial." These two pamphlets, taken together with his speech on "Science and the Workingmen," were published by Lassalle as making a collected whole. It should be said that the official version of the proceedings in court, as well as the published decision, by no means faithfully reproduce the incidents of the trial and the oral discussion.

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<sup>1</sup> Schelling, it seems, having got wind of what he was to expect, was not present at the trial but was represented by a substitute, Prosecutor Goltz.

The substance of the address requires no special comment. As regards its bearing on social and political questions, what has elsewhere been said of the *Workingmen's Programme* will apply here. In point of literary quality it is a masterpiece of forensic oratory. It is a point worth noting that in closing his address Lassalle alludes to the demagogical manœuvres which the government partisans were already at that time entering upon with a view to break up the forces of social reform. Against these endeavors at sowing discord he exclaims: "We, the bourgeoisie and workingmen together, are members of a single nation and will stand firmly together against our oppressors."

On the other hand, it was also this trial that afforded an occasion for Schultze-Delitsch, afterwards bitterly attacked by Lassalle, to break a lance for him on the floor of the Prussian House of Deputies. The occurrence and the occasion for it are of interest in going to show how, even at that time, the Prussian government endeavored to play off the workingman against the liberal bourgeois.

In the year 1862 the American war had brought about a serious depression in the cotton industry. The greater number of mills were compelled to shut down or to limit their operations. The consequences of this for the workingmen is plain enough. Throughout the cotton districts, unemployment and privation prevailed and threatened to develop into a state of utter destitution. The distress was particularly pronounced in the region of Reichenbach, in Silesia, and the manufacturers of this district accordingly, in August 1862, addressed a memo-

rial to the president of the district calling attention to the "critical situation" of affairs and begging him to take measures to remedy the prospective distress among the weavers during the succeeding winter. To this memorial the president of the district made a reply, and it is really worth while to unearth the words he used: "It is taken as a matter of course that the manufacturers, all and several, will first have done what is possible in the way of relieving the distressed weavers by their own means. This expectation seems the more reasonable since, for years past, the manufacturers have, as a general thing, been gaining, while the condition of the workingmen has remained in the same deplorable state." The president of the district, therefore, as he goes on to say, awaits such proposals as the manufacturers may make.

Such proposals they did not fail to make, and among other suggestions there was one to build a workhouse for the accommodation of the unemployed. This proved open to criticism, and the gentlemen presently received a second communication from the president of the district, to this effect:

"I apprehend that such a proposition on the part of the manufacturers will incur for them the hatred of the laboring population; and not without reason. The matter at issue is to preserve from starvation a numerous population which has, through no fault of their own, fallen into serious straits, and this population is one which has scarcely ever been in a position to lay by a penny for a time of need, and by whose work other men have grown rich. Does this call for a workhouse?"

This objection would have been very much to the

point if the president had been able to offer a better remedy. But there is nothing of that kind. The manufacturers were, one and all, liberals, and their leader and spokesman, Leonor Reichenheim, was, moreover, a progressist deputy; and the sole purpose of the president of the district was to read them all a lesson. It may be remarked, by the way, that this was the same president who afterwards brought the notorious Weavers' Delegation on the scene, and who called into being the still more notorious Weavers' Association, with State aid—to the total amount of 6,000 thalers.

Both of these responses of the president of the district were published in the *Provinzialzeitung für Schlesien* and, naturally enough, attracted no little attention. As may easily be imagined, the progressists were provoked, and they brought the matter to the attention of the Prussian Chamber of Deputies in the form of an interpellation. The matter was under consideration on the twenty-second of January 1863—just six days after Lassalle had been tried and sentenced to four months' imprisonment for an address which seems almost tame in comparison with the passages just cited. It was on occasion of this interpellation that Schultze-Delitsch upbraided the minister, who took the part of the president of the district, with tolerating this offense at the same time that Lassalle, whose address was of a purely scientific nature, was cited before the court. He, Schultze-Delitsch, felt called upon to call particular attention to this fact, although he by no means agreed with Lassalle.

So far as to this point. It is further to be remarked

that the public prosecutor, Schelling, in his thirst for vengeance, was not satisfied with the verdict obtained against Lassalle, but actually went the length of indicting him for "Contempt of the Solicitor General," committed in his defense at the trial. This indictment came up for action on the twentieth of April 1863, and procured for Lassalle a sentence of one month's additional imprisonment. Who would dare, after this, to question but that Herr Schelling got the upper hand of his antagonist?

The pamphlet published under the title: *Der Lassalle'sche Kriminalprozess, Zweites Heft*, contains a stenographic report of the proceedings in court, edited by Lassalle. In this pamphlet the reader will find, among other things, an account of the events that took place in connection with the confiscation of the *Arbeiter-Programm*, together with other information bearing on the occurrences that led up to the trial. *Der Lassalle'sche Kriminalprozess, Drittes Heft*, contains the recorded decision of the court, with critical notes by Lassalle. It is to be regretted that these notes are extended beyond necessity, so that the whole suffers from that fault. But the proof it affords of the fallaciousness of the court's finding is thoroughly convincing, so that Lassalle was fully justified in exclaiming at the close of his review: "Now, come on! Sentence me, if you like! Rather would I spend four months in prison than to change places with you—than to be such as you are."

Parts II. and III. of *The Lassalle Trial* will follow the part here printed, without further comment.

ED. BERNSTEIN.

Mr. President and Gentlemen of the Court:—

I shall have to make my beginning with an appeal to your indulgence. My defense will go somewhat into detail. It will, on that account, necessarily be somewhat long. But I consider myself justified in pursuing this course, first, by the magnitude of the penalty with which I am threatened under Section 100 of the Criminal Code—the full extent of this penalty amounting to no less than two years' imprisonment. In the second place, and more particularly, I consider my course justified by the fact that this trial by no means centers about a man and the imposition of a penalty.

You will, therefore, permit me, without further preliminary, to carry the discussion from the region of ordinary court-room routine to that higher level on which it properly belongs.

The indictment brought against me is an evil and deplorable sign of the times. It not only offends the common law, but it is a notable violation of the Constitution. This is the first count in the defense which I have to offer.

I. Article 20 of the Constitution reads: "Science and its teaching is free."

What may be the meaning of this phrase in the Constitution, "is free," unless it means that science and its teaching are not subject to the ordinary provisions of the Criminal Code? Is this expression, "Science and its teaching is free," perhaps to be taken as meaning "free

within the limits of the general provisions of the criminal code?" But within these limits every expression of opinion is absolutely free—not only science and its teaching. So long as they live within the general specifications of the criminal code, every newspaper writer and every market woman is quite free to write and say whatever they choose. This liberty, which is conceded to all expressions of opinion, need not and could not be proclaimed by a special article of the Constitution as a peculiar concession to "Science and its teaching."

To put such a construction upon this article of the Constitution amounts to reading it out of the Constitution, to so interpreting it that it has nothing to say,—which is in our time by no means a neglected method of quietly putting the Constitution out of the way.

Now, the first principle of legal interpretation is that a provision of law must not be so interpreted as to make it superfluous or absurd, or to virtually expunge it. This, of course, applies with peculiar force to an article of the Constitution. There can accordingly be no doubt, Gentlemen, that precisely this was the intention of this provision of the Constitution; namely, that the prerogative was to be conceded to Science that it should not lie under the limitations which the general criminal code imposes upon every-day, trivial expressions of opinion.

It is easy to understand that the legislature of any country will seek to protect the institutions of the country. In the nature of the case, the laws forbid inciting the citizens of a country to disorderly outbreak against the constituted authority.

Indeed, if we accept certain current views of law and



order we have no difficulty in understanding that the law may consistently forbid all such appeal to the passions as is designed to foster contempt and disregard of existing conventions, or to stir up sentiments of hatred and distrust in their populace through a direct appeal to the unstable emotions.

But what is in the eternal nature of things free, on which no limits must be imposed, the importance of which to the State itself is greater than that of any single provision of law, to the free exercise of which no provision of law can set bounds—that is the impulse to scientific investigation.

No situation and no institution is perfect. Such a thing may happen as that an institution which we are accustomed to consider the most unimpeachable and indispensable, may, in fact, be vicious in the highest degree, and be most seriously in need of reform.

Will anyone deny this whose view comprehends the changes which history records since the days of the Hindus or the Egyptians? Or even if he looks no further than the narrow space of the past one hundred years?

The Egyptian fellah warms the hearth of his squalid mud hut with the mummies of the Pharaohs of Egypt, the all-powerful builders of the everlasting pyramids. Customs, conventions, codes, dynasties, states, nations come and go in incontinent succession. But, stronger than these, never disappearing, forever growing, from the earliest beginnings of the Ionic philosophy, unfolding in an ever-increasing amplitude, outleaping all else, spreading from one nation and from one people to an-

other, and handed down, with devout reverence, from age to age, there remains the stately growth of scientific knowledge.

And what is the source of all that unremitting progress, of all that uninterruptedly, but insensibly, broadening amelioration which we see peacefully accomplishing itself in the course of history, if it is not this same scientific knowledge? And, this being so, science must have its way without restraint; for science there is nothing fixed and definite, to which its process of chemical analysis may not be applied, nothing sacred, no *noli me tangere*. Without free scientific inquiry, therefore, there is no outcome but stagnation, decline and barbarism. And, while free scientific inquiry is the perennial fountain-head of all progress in human affairs, this inquiry and its gradually extending sway over men's convictions, is at the same time the only guarantee of a peaceable advance. Whoever stops up this fountain, whoever attempts to prevent its flowing at any point, or to restrain its bearing upon any given situation, is not only guilty of cutting off the sources of progress, but he is guilty of a breach of the public peace and of endangering the stability of the State. It is through the means of such scientific inquiry and its work of painstaking elaboration that the exigencies of a progressively changing situation are enabled gradually, and without harm, to have their effect upon men's thinking and upon human relations, and so to pass into the life of society. Whoever obstructs scientific inquiry clamps down the safety valve of public opinion, and puts the State in train for an explosion. He prohibits science from finding out

the malady and its remedy, and he thereby substitutes the resulting convulsions of the death struggle for a diagnosis and a judicious treatment.

Unrestrained freedom of scientific teaching is, accordingly, not only an inalienable right of the individual, but, what is more to the point, it is, primarily and most particularly, a necessity of life to the community; it involves the life of the State itself.

Therefore has society formulated the provision that "Science and its teaching is free," without qualification, without condition, without limits; and this proviso is incorporated into the Constitution, in order to make it plain that it must remain inviolate even at the hands of the lawgiver himself, that even he must not for a moment overlook or disregard it. And so it serves as pledge of the continual peaceable development of social life down to the remotest generations.

Does a question present itself at this point, Gentlemen? Am I setting up a new and unheard-of theory on this head? Am I, possibly, misconstruing the wording of the Constitution in order to extricate myself from an embarrassing criminal process?

On the contrary, nothing is easier than to prove to you from the evidences of history that this provision of the Constitution has never been taken in any other sense; that for long centuries before the days of the Constitution this theory has been current among us in usage and practice; that it is by ancient tradition a characteristic feature of the culture of all Germanic peoples.

In the days of Socrates, it was still possible to be indicted for having taught new gods (*καινῶν θεῶν*), and

Socrates drank the hemlock under such an indictment.

In antiquity all this was natural enough. The genius of antiquity was so utterly identified with the conditions of its political life, and religion was so integral an element in the foundations of the ancient State, that the ancient mind was quite incapable of divesting itself of these convictions, and so getting out of its integument. The spirit of antiquity must stand or fall with its particular political conventions, and, in the event, it fell with them.

Such being the spirit of those times, it follows that any scientific doctrine which carried a denial of any element of the foundations of the State was in effect an attack upon the nation's life and must necessarily be dealt with as such.

All this changes when the ancient world passes away and the German peoples come upon the scene. These latter are peoples gifted with a capacity to change their integument. By virtue of that faculty for development that belongs to the guiding principle of their life, viz: the principle of the subjective spirit,—by virtue of this, these latter are possessed of a flexibility which enables them to live through the most widely varied metamorphoses. These peoples have passed through many and extreme transformations, and, instead of meeting their death and dissolution in the process, they have by force of it ever emerged on a higher plane of development and into a richer unfolding of life<sup>1</sup>.

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<sup>1</sup> The criteria which are here appealed to as working the differences of spiritual constitution between the so-called

The means by which these peoples are able to prepare the way for and to achieve these transmutations through which they constantly emerge to that fuller life, the rudiments of which are inborn in them, is the principle of an unrestrained freedom of scientific research and teaching.

Hence it comes that this instinct of free thought among these peoples reaches expression very early, much earlier than the modern learned world commonly suspects. We are mistakenly in the habit of thinking of free scientific inquiry as a fruitage of modern times. But among these peoples that instinct is an ancient one which asserts that free inquiry must be bound neither by the authority of a person nor by a human ordinance; that, on the contrary, it is a power in itself, resting im-

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Germanic peoples and the peoples of antiquity are to-day questioned at more than one point. And quite legitimately so. Considered as peoples simply, the Greeks or Romans were scarcely less capable of development than the Germanic peoples. That their States, their political organizations, collapsed because of the decay of certain institutional arrangements peculiar to the social life of the times, that is a fortune in which the states of antiquity quite impartially have shared with the various States of the Germanic world. Political structures in general are capable of but a moderate degree of development. If the development proceeds beyond this critical point the result, sooner or later, is a historical cataclysm, whereby the old State is supplanted by a new form of social organization resting on a new foundation. As elements in this new foundation there may be comprised new religious or new ethical notions, but, in a general way, it is to be said that, except in the theocratic States, the role

mediately upon its own divine right, superior to and antedating all human institutions whatever.

“Quasi lignum vitæ,” says Pope Alexander IV. in a constitution addressed to the University of Paris in 1255. “Quasi lignum vitæ in Paradiso Dei, et quasi lucerna fulgoris in Domo Domini, est in Sancta Ecclesia Parisiensis Studii disciplina.” “As the tree of life in God’s Paradise and the lamp of glory in the house of God, such in the Holy Church is the place of the Parisian corporation of learning.” To appreciate the import of these words of the holy father, it should be borne in mind that in the Middle Ages all things whatever lived only by virtue of a corporate existence, so that learning existed only as incorporated in a university.

It would be a serious mistake to believe that the uni-

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played by religion is only of secondary importance even in antiquity.

Socrates was not the first nor the only one in Greece who had taught “new gods.” That he in particular was called on to drink the hemlock was due to reasons of State policy, which had but a very slight and unessential relation to the acts of sacrilege of which he was accused. It may be added that this Greek promulgator of new gods is among the German peoples fairly matched by John Huss and thousands of other victims of religious persecution.

Lassalle’s mistake lies in this, that he seeks the motor force of development in the “spirit” of the nations, instead of looking for an explanation of their spiritual life in the peculiar circumstances which condition their development. But, in spite of this, it must be said that his conclusions as bearing upon the modern situation are for the most part substantially sound. [Editor.]

versities of the Middle Ages rested that prerogative of scientific censure—*censura doctrinalis*—to which they laid claim in such a comprehensive way, upon these and other like papal or imperial and royal decrees of establishment. Petrus Alliacensis, a man whom the University of Paris elected as its *magnus magister* in 1381, and who afterwards wore the archiepiscopal and also the cardinal's hat, tells us that not *ex jure humano*, not from human legislation, but *ex jure divino*, from divine law, does science derive its competence to exercise the *censura*; and the privileges and charters granted by popes, emperors and kings are nothing more than the acts of recognition of this prerogative of science that comes to it *ex jure divino*, or, as an alternative expression has it, *ex jure naturali*, by the law of nature. And in this, Petrus Alliacensis is substantially borne out by all the later scholastics.

Gentlemen, we are in the habit of giving ourselves airs and of looking down on the Middle Ages as a time of darkness and barbarism. But in so doing we are frequently in the wrong, and in no respect are we more thoroughly in the wrong than in passing such an opinion upon the position of science in the Middle Ages. Frequent and most solemn are the cases in which recognition is made of the right of science to raise her voice without all regard to king and pope, and even against king and pope.

We have recently witnessed a conflict between the government and the house of deputies as to the meeting of expenditures not granted by the house. An impression has been diligently spread abroad through the

country that this is an unheard of piece of boldness and a subversive assumption of power on the part of the house of deputies, and indeed there have not been wanting deputies who have been astonished at their own daring, and have taken some pride in it.

But, on the other hand, Gentlemen, in February 1412, the University of Paris, which was in no way intrusted with an oversight or a control of this country's fiscal affairs, took occasion to address a memorial to the King of France, Charles VI., as it said: "pour la chose publique du votre royaume"—on the public concerns of the realm. And in this memorial the university subjects the fiscal administration of the country, together with other branches of the administration, to a drastic criticism, and passes a verdict of unqualified condemnation upon it. This *rémonstrance* of the University of Paris rises to a degree of boldness, both in its demands and in its tone, that is quite foreign to anything which our house of deputies has done or might be expected to do. It points out that the revenues have not been expended for the purposes for which they were levied—"on appert clairement, que les dictes finances ne sont point employées à choses dessus dictes," &c.—and it closes this its review with the peremptory demand: "Item, et il fault savoir, où est cette finance,—“Now, we have a right to know what has become of these funds.” It describes the king's fiscal administration, including the highest officials, the finance ministers, gouverneurs and treasurers, as a gang of lawless miscreants, a band of rogues conspiring together for the ruin of the country. It upbraids the king himself with having packed the parliament of Paris,



and so having corrupted the administration of justice. It points out to him that his predecessors carried on the government by means of much smaller revenues: “au quel temps estoit le royaume bien gouverné, autrement que maintenant.”—“when the country was well governed, as is not the case to-day.” The rémonstrance goes on to picture the burdens which rest upon the poor, and to demand that these burdens be lightened by means of a forced loan levied upon the rich. And the rémonstrance closes with the declaration that all this, which it has set forth is, in spite of its length, but a very inadequate presentation of the matter, in so much that it would require several days to describe all the misgovernment the country suffered.

The university rests its right to make such a rémonstrance upon this ground alone,—that it is the spokesman of Science, of which all men know that it is without selfish interest, that there are neither public offices nor emoluments in its keeping, and that it is not concerned with these matters in any connection but that of their investigation; but precisely for this reason, it is incumbent upon Science to speak out openly when the case demands it.

And the conclusion to which it comes is of no less serious import than this: It is the king's duty, without all delay (*sans quelque dilacion*) to dismiss all comptrollers (*gouverneurs*) of finance from office, without exception (*sans nul excepter*), to apprehend their persons and provisionally to sequestrate their goods, and, under penalty of death and confiscation of property, to forbid all com-

munication between the lower officials of the fisc and these comptrollers.

If you will read this voluminous rémonstrance, Gentlemen—you may find it in the annals of that time by Enguerrand de Monstrelet (liv. I. c. 99, Tom. II. p. 307 *et seq.*, ed. Douët d'Aroy)—you can not avoid seeing that, had this memorial been promulgated in our time, *e. g.*, by the University of Berlin, there is scarce an offense enumerated in the code but would have been found in it by the public prosecutor. Defamation and insult of officials in the execution of their office, contempt and abuse of the government's regulations and the disposition taken by the officials, *lèse majesté*, incitement of the subjects of the State to hatred and disrespect—and, indeed, I know not what all would be the offenses which our prosecutors would have discovered in the document. It is less than a year since, according to the newspapers, a disciplinary inquiry was instituted with respect to a memorial of a very different tenor, wherein one of our universities declined the mandatory suggestions addressed to the university by the ministers in regard to a given appointment.

But, at that earlier day, in the dark ages, such was not the custom. On the other hand, in compliance with the university's demands, the treasurer of the crown, Audry Griffart, together with many others of the high officers of finance, was taken into custody, while others avoided a like fate only by escaping into a church vested with the right of asylum.

That was in 1412. But already eighty years before that date there occurred another, and perhaps even more

significant case, which I may touch upon more briefly. Pope John XXII. promulgated a new construction of the dogma of *visio beatifica* and had it preached in the churches. The University of Paris,—*nec pontificis reverentia prohibuit*, says the report, *quominus veritati insistereat*,—“reverence of the holy father prevented not the University from declaring the truth”—, although the matter then in question was an article of the faith and lay within a field within which the competence of the pope could not be doubted, still the university, on the twenty-second of January 1332, put forth a decree in which this construction of the dogma was classed to be erroneous.

Philip VI. served this decree upon the pope, then resident at Avignon, with the declaration that, unless he recanted as the decree required, he would have him burned as a heretic. And the pope, in fact, recanted, although he was then on his death-bed. All of which you may find set forth in Bulas, *Historia Universitatis Parisiensis* (Paris 1668, fol. Tom IV, pag. 375 *et seq.*).

These instances, which might be multiplied at will, may suffice to show how unqualified was the freedom of science even in early days, constrained by no punitive limitation at the hands of pope or king; for, be it remembered, in the Middle Ages, science had, as I have before remarked, only a corporate existence in its bearers, the universities. So that the view for which I speak has practically been accepted as much as five hundred years back, even in Catholic times and among Latin peoples.

But now comes Protestantism and creates its political structure, which it erects on precisely this broad principle

of free thought and free research. This principle has since that epoch been the foundation upon which our entire political life has rested. A protestant State has no other claim to existence than precisely this—cannot possibly exist on other ground. When has there, since that time, been talk of a penal prosecution in Prussia on account of a scientific doctrine?

Christian Wolf, at Halle, popularized the Leibnitzian philosophy, and it was then brought to the notice of the soldier-king, Frederick William I., that, according to Wolf's teaching of pre-established harmony, deserting soldiers did not desert by their own free will but by force of this peculiar divine arrangement of a pre-established harmony<sup>1</sup>; wherefore this doctrine, being spread abroad among the military, could not but be very detrimental to the maintenance of military discipline. It is true, this soldier-king, whose regiments were his State, was incensed at all this in the highest degree, and that he forthwith, in November 1723, issued an order-in-council against Wolf, ordering him on penalty of the halter, to leave Prussian ground within twice twenty-four hours—and Wolf was obliged to flee. But, inasmuch as the king's *lettres de*

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<sup>1</sup> According to this doctrine, the motions of the "Monads"—animistically conceived units of which the entire universe, organic or inorganic, was held to be constituted—were (by the fiat of God at the creation of the world) bound in a preordained sequence, in such a manner that all these motions constitute a comprehensive, harmonious series. Wherefore, all events whatever that may take place, take place as the necessary outcome of the constitution of these monads moving independently of one another.

*cachet* in that time permitted no appeal, they are also passed over in history as being devoid of interest or historic significance. It may be added that the soldier-king had simply perpetrated a gratuitous outrage, and had not set the claims of law and right aside. He threatened to hang Wolf, and this threat he could have carried out with the help of his soldiers. Even brute force is not devoid of dignity when it acts openly and above-board. He did not insult his courts by asking them to condemn scientific teaching. It did not occur to him to disguise his act of violence under the forms of law.

Moreover, no sooner had Frederick the Great ascended the throne, thirty-first of May 1740, than he, six days later, sixth of June 1740, sent a note to the Councillor of the Consistory, Reinbeck, directing the recall of Wolf. Even Frederick William I. had repented of his violence against Wolf and had in vain, in the most honorable terms, addressed letters of recall to him. But Frederick the Great, while he too had use for soldiers, was no soldier-king, but a statesman. The note to Reinbeck runs: "You are requested to use your best endeavor with respect to this Wolf, who is a person that seeks and loves the truth, who is to be held in high honor among all men, and I believe you will have achieved a veritable conquest in the realm of truth if you persuade Wolf to return to us."

So it appears, then, that also this conflict serves only to add force to the ancient principle that scientific research and the presentation of scientific truth is not to be bound by any limitations or by any considerations of expediency, and must find its sole and all sufficient justification in itself alone. This principle hereby achieved

a new lustre and gained the full authentication of the crown.

Even the existence of God was not shielded from the discussion of science. Science was allowed, as it is still allowed, to put forth its proofs against his existence. The provisions of the new penal code bear only upon blasphemous utterances, such revilings of God as may offend those who believe otherwise, not upon the denial of his existence.

For many decades before the days of the Constitution the unquestioned liberty of science on Prussian ground had served the antagonists of Prussia as their supreme recourse, their chief boast and proudest ornament. You will remember the extraordinary sensation created by the case of Bruno Bauer, the Privat Docent on the theological faculty at Bonn, whom it was attempted to deprive of his *licentia docendi*<sup>1</sup> at the ominous instance of the absolutist-pietistical Eichhorn ministry, because of his peculiar doctrine concerning the gospel. This was the first case during the present century in which an assault has been attempted upon the freedom of scientific teaching, and even this was an infinitely less heinous one than the present. The faculties of the university were deeply stirred, and for months together official pronouncements swarmed about the town; men of the highest standing, such as Marheinecke and others, declared that protestantism and enlightenment were threatened in their very foundations in case such usurpation, hitherto unheard of in Prussia, were allowed to take its course. And even

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<sup>1</sup> Permission to teach.

such expressions of opinion as reached a conclusion subservient to the ministerial view based their conclusion on the ground that the case in question concerned a *licentia docendi* in the theological faculty, with the fundamental principles of which Bauer's doctrines were incompatible. They took care expressly to declare that had the question concerned a *licentia docendi* in any one of the non-theological faculties, in a philosophical faculty, *e. g.*, the decision must necessarily have been reversed. No one, not even Eichhorn himself, harbored the conceit that this doctrine and its teaching was to be dealt with by the criminal court. A teacher who spread abroad scientific teachings subversive of theological doctrines was deprived of the opportunity to proclaim his teaching from a theological chair; but to call in the jailer to suppress him—to that depth of subservience to absolutism had no one at that time descended. *A*lás, that Eichhorn, the much berated, could not have lived to see this day! With what admiration and with what gratification would he have looked upon his "constitutional" successors!

Even in the days of Eichhorn's pietistical absolutism, with its *ecclesia militans* of obscurantism, there survived so much of a sense of decency regarding the ancient traditions as to exempt the liberty of scientific teaching from the indignity of that preventive censure which in those days rendered repressive legislation superfluous. In their search for some tenable and tangible criterion of the scientific character of any publication, the men of that time, it is true, hit upon a somewhat absurd one in making the test a test of bulk—books of more than

twenty forms were exempt from censure. But however awkward the outcome, the aim of the provision is not to be denied.

These ancient traditions, with more than five hundred years of prescriptive standing; this principle which prevailed by usage and acceptance among all modern peoples long before it was embodied in legal form; this primordial deliverance of the spiritual life of the Germanic nations is the substantial fact which our modern society has now finally embodied in Article 20 of the Constitution and so has constituted a norm for the guidance of all later law-givers, in other words: "Science and its teaching is free."

It is free without qualification, without limits, without bolts and bars. Under established law everything has its limitations,—every power, every function, every vested authority. The only thing which remains without bounds or constituted limitation, whose privilege it is to overspread and to overlie all established facts, in such boundless and unhindered freedom as the sun and the air, is the irradiating force of theoretical research.

Scientific theory must be free even to the length of license. For, even if we could speak of a license in science and its teaching,—which, by the way, is most seriously to be questioned,—this is by all means a point at which an attempt to guard against abuse in one case would be liable in a million instances to put a check upon the blessings of rightful use. If any given measures of State, or any given class institutions, were shielded from scientific discussion, so that science might not teach that the arrangements in question are inadequate or detri-



mental, iniquitous or destructive,—under these circumstances, what genius could there be of such comprehensive reach, so far overtopping the spiritual level of all his contemporaries and all succeeding generations, as even to surmise the total extent of the loss which would thereby be sustained? What fruitful discoveries and developments, what growth of spiritual power and insight would be stifled in the germ by one such rigid interdict upon abuse; and what violent convulsions and what decay might not come upon the State in consequence of it?

The question is also fairly to be asked: what is legitimate use and what is abuse of science? Where lies the line between them, and who determines it? This discretion would have to lie, not with a court of law, but with a court made up of the flower of scientific talent of the time, in all departments and branches of science.

However enlightened your honorable body may be—and indeed the more enlightened the more unavoidably—this proposition must appeal to you as beyond question. What am I saying? The flower of the scientific talent of the time? No; that would not answer. The scientific genius of all subsequent time would have to be included; for how often does history show us the pioneers of science in sheer contradiction with the accepted body of scientific knowledge of their own time! It may take fifty, and it may often take a hundred years of discussion in scientific matters to settle the question as to what is true and legitimate and what is abuse.

In point of fact, there has hitherto been not an

attempt, since the adoption of the constitution, to bring an indictment against any given scientific teaching.

Gentlemen, since 1848—since 1850—we have here in Prussia had many a sore and heavy burden to bear, and our shoulders are lame and tired with the bearing of them. But even under the Manteuffel-Westphalen administration, and until to-day, we have been spared this one indignity, of being called upon to see a scientific doctrine cited before the court.

The keenest attacks, attacks which, taken by themselves, might easily have been subject to criminal prosecution, have suffered no prosecution in any case where they have been embodied in a scientific work and when promulgated in the form of a scientific doctrine.

I am myself in a position to testify on this point. It is not quite two years since I published a work in which, I believe, I have succeeded in contributing something to the advancement of your own science, Gentlemen,—the science on which the administration of justice is based. The work of which I speak is my “System of Acquired Rights.” (*System der erworbenen Rechte.*) In this work I take occasion to say (Vol. I, page 238): “Science, whose first duty is the most searching inquiry and concise thinking, can on this account in no way deprive itself of the right to formulate its conceptions with all the definiteness and concision which the clearness of these conceptions itself requires.” And proceeding on this ground I go on, in the further discussion, to show that the agrarian legislation of Prussia subsequent to 1850 is nothing else—to quote my own words literally—than a robbery of the poor for the benefit of the wealthy landed aristocracy.

cracy, illegal and perpetrated in violation of the perpetrators' own sense of equity.

How easy would it not have been, if the expressions had occurred elsewhere than in a scientific treatise, to find that they embodied overt contempt of the institutions of the State and incitement to hatred and disregard of the regulations of the government. But they occurred in a scientific treatise—they were the outcome of a painstaking scientific inquiry,—therefore they passed without indictment.

But that was two years ago.

In return for the accusation which has been brought against me, I, in my turn, retort with the accusation that my accusers have this day brought upon Prussia the disgrace that now for the first time since the State came into existence scientific teaching is prosecuted before a criminal court. For what can the public prosecutor say to my accusation, since he concedes the substance of my claims, since he is compelled to acknowledge that science and its teaching is free, and therefore free from all penal restraint? Will he contend, perhaps, that I do not represent science? Or will he, possibly, deny that the work with which this indictment is concerned is a scientific work?

The prosecutor seems to feel himself hampered by the fact that he has here to do with a scientific production, for he begins his indictment with the sentence: "While the accused has assumed an appearance of scientific inquiry, his discussion at all points is of a practical bearing." The appearance of scientific inquiry? And why is it the appearance only? I call upon the prosecutor

to show why only the appearance of scientific inquiry is to be imputed to this scientific publication. I believe that in a question as to what is scientific and what not, I am more competent to speak than the public prosecutor.

In various and difficult fields of science I have published voluminous works; I have spared no pains and no midnight vigils in the endeavor to widen the scope of science itself and, I believe, I can in this matter say with Horace: *Militavi non sine gloria*.<sup>1</sup> But I declare to you: Never, not in the most voluminous of my works, have I written a line that was more carefully thought out in strict conformity to scientific truth than this production is from its first page to its last. And I assert further that not only is this brochure a scientific work, as so many another may be that presents in combination results already known, but that it is in many respects a scientific achievement, a development of new scientific conceptions.

What is the criterion by which the scientific standing of a book is to be judged? None else, of course, than its contents.

I beg you, therefore, to take a look at the contents of this pamphlet. Its content is nothing else than a philosophy of history, condensed in the compass of forty-four pages, beginning with the Middle Ages and coming down to the present. It is a development of that objective unfolding of rational thought which has lain at the root of European history for more than a thousand years past; it is an exposition of that inner soul of things resident

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<sup>1</sup> I have fought not without glory.

in the process of history that manifests itself in the apparently opaque, empirical sequence of events and which has produced this historical sequence out of its own moving, creative force. It is, in spite of the brief compass of the pamphlet, the strictly developed proof that history is nothing else than the self-accomplishing, by inner necessity increasingly progressive unfolding of reason and of freedom, achieving itself under the mask of apparently mere external and material relations.

In the brief compass of this pamphlet, I pass three great periods of the world's history in review before the reader; and for each one I point out that it proceeds on a single comprehensive idea, which controls all the various, apparently unrelated, fields of development and all the different and widely-scattered phenomena that fall within the period in question; and I show that each of these periods is but the necessary forerunner and preparation for the succeeding period, and that each succeeding period is the peculiar and immanently necessary continuation, the consequence and unavoidable consummation of the preceding period, and that these together, consequently, constitute a comprehensive and logically inseparable whole.

First comes the period of feudalism. I here show that feudalism, in all its variations, rests on the one principle of control of landed property, and I also show how at that time, owing to the fact that society's productive work to a preponderating extent consisted in agriculture, landed property necessarily was the controlling factor, that is to say, the feature conditioning all political and social power and standing.

And I beg you, Gentlemen, to take note with what a strict scientific objectivity of treatment, how free from all propagandist bias, I proceed with the discussion. If there is any one datum which lends itself to the purposes of that propagandist bias which the public prosecutor claims to find in this pamphlet—namely the incitement of the indigent classes to hatred of the wealthy—it is the peasant wars. If there is any one fact which has hitherto been accepted, in scientific and in popular opinion alike, and more particularly among the unpropertied classes, with the fondest remembrance, as a national movement iniquitously put down by the strong hand of violence, it is the peasant wars.

Now, unmoved by this predilection and this shimmer of sentiment, with which the science and the popular sense have united in investing the peasant wars, I go on to divest these wars of this deceptive appearance and show them up in their true light, — that they were at bottom a reactionary movement, which, fortunately for the cause of liberty, was of necessity doomed to failure.

Further: If there exists in Germany an institution which, as a question of our own times, I abominate with all my heart as the source of our national decay, our shame and our impotence, it is the institution of the territorial State.

Now, the pamphlet in question is so strictly scientific and objective in its method, so far removed from all personal bias, that I therein go on to show that the institution of the territorial State was, in its time, historically a legitimate and revolutionary feature; that it was an ideal advance, in that it embodied and developed the con-

cept of a State independent of relations of ownership; whereas the peasant wars sought to place the State, and all political power and standing on the basis of property.

I then, further, go on to show how the period of feudalism is succeeded by a second world-historic period. I show how, while the peasant wars were revolutionary only in their own delusion, there begins almost simultaneously with them a real revolution, namely that accumulation of capitalistic wealth which arose through the development of industry. This wrought a thoroughgoing change in the whole situation,—a change which reached its final act, achieved its legal acceptance, in the French Revolution of 1789, but which had in point of fact for 300 years been imperceptibly advancing toward its consummation.

I show in detail, which I need not here expound or recapitulate, what are the economic factors that were destined to push landed property into the remotest background and leave it relatively powerless, by making the new industrial activity the great lever and the bearer of modern social wealth. All this took place by force of the new instruments of production and the new industrial methods which they brought in.

I show how this capitalized wealth, which has come forward as an outcome of this industrial development and has grown to be the dominant factor in this second period, must in its turn attain the position of prerogative as the recognized qualification of political competence, as the condition of a voice in the councils and policy of the State; just as was at an earlier time the case with landed property in relation to the public law

of feudalism. I show how, directly and indirectly in the control of opinion, in the requirement of bonds and stamp duties, in the public press, in the growth of individual taxation, etc., capitalized wealth, as a basis of participation in public affairs, must work out its inherent tendency with the same thoroughness and the same historical necessity as landed property had done in its time.

And this second period, which has completed its three hundred and fifty years, as I further go on to show, is now essentially concluded. With the French Revolution of 1848 comes the dawning of a new, a third historical period. By its proclamation of universal and equal suffrage, regardless of property qualifications, this third period assigns to each and every one an equal share in the sovereignty, in the guidance of public affairs and public policy. And so it installs free labor as the dominating principle of social life, conditioned by neither the possession of land nor of capital.

I then develop the difference in point of ethical principles between the bourgeoisie and the laboring class, as well as the resulting difference in the political ideals of the two classes. The aristocratic principle assigned the individual his status on the basis of descent and social rank, whereas the principle for which the bourgeoisie stands contends that all such legal restriction is iniquitous, and that the individual must be counted simply as such, with no prerogative beyond guaranteeing ~~him the unhindered~~ opportunity to make the most of his capacities as an individual. Now, I claim, if we all were by native gift equally wealthy, equally capable, equally well educated, then this principle of equal op-



portunity would be adequate to the purpose. But since such equality does not prevail, and indeed cannot come to pass, and since we do not come into the world simply as undifferentiated individuals, but endowed in varying degree with wealth and capacities, which in turn result in differences of education; therefore, this principle is not an adequate principle. For, if under these actual circumstances, nothing were guaranteed beyond the unhindered opportunity of the individual to make the most of himself, the consequence must be an exploitation of the weaker by the stronger. The principle for which the working classes stand is this, that free opportunity alone will not suffice, but that to this, for the purposes of any morally defensible organization of society, there must be added the further principle of a solidarity of interests, a community and mutuality in development.

From this difference between the two classes, in point of ethical principle, follows, as a matter of course, the difference in political ideals.

The bourgeoisie has elaborated the principle that the end of the State is to protect the personal liberty of the individual and his property. This is the doctrine put forth by the scientific spokesmen of the bourgeoisie. This is the doctrine of its political leaders, of liberalism. But this theory is in a high degree inadequate, unscientific and at variance with the essential nature of the State.

The course of history is a struggle against nature, against need, ignorance and impotence, and, therefore, against bondage of every kind in which we were held under the state of nature at the beginning of history.

The progressive overcoming of this impotence,—this is the evolution of liberty, whereof history is an account. In this struggle we should never have made one step in advance, and we should never take a further step, if we had gone into the struggle singly, each for himself.

Now the state is precisely this contemplated unity and co-operation of individuals in a moral whole, whose function it is to carry on this struggle, a combination which multiplies a million fold the force of all the individuals comprised in it, which heightens a million fold the powers which each individual singly would be able to exert.

The end of the State, therefore, is not simply to secure to each individual that personal freedom and that property with which the bourgeois principle assumes that the individual enters the state organization at the outset, but which in point of fact are first afforded him in and by the state. On the contrary, the end of the state can be no other than to accomplish that which, in the nature of things, is and always has been the function of the state,—in set terms: by combining individuals into a state organization to enable them to achieve such ends and to attain such a level of existence as they could not achieve as isolated individuals.

The ultimate and intrinsic end of the State, therefore, is to further the positive unfolding, the progressive development of human life. In other words, its function is to work out in actual achievement the true end of man; that is to say, the full degree of culture of which human nature is capable. It is the education and evolution of mankind into freedom.

As a matter of fact, even the older culture, which has become the inestimable foundation of the Germanic genius, makes for such a conception of the State. I may cite the words of the great leader of our science, August Böckh: "The concept of the State must," according to him, "necessarily be so broadened as to make the State the contrivance whéreby all human virtue is to be realized to the full."

But this fully developed conception of the State is, above all and essentially, a conception that is in a peculiar sense to be ascribed to the working classes. Others may conceive this conception of the State by force of insight and education, but to the working classes it is, by virtue of the helpless condition of their numbers, given as a matter of instinct; it is forced home upon them by material and economic facts.

Their economic situation necessarily breeds in these classes an instinctive sense that the function of the State is and must be that of helping the individual, through the combined efforts of all, to reach a development such as the individual in isolation is incapable of attaining.

In point of fact, however, this ethical conception of the State does not set up any concept that has not already previously been the real motor principle in the State. On the contrary, it is plain from what has already been said, that this, in an unconscious way, has been the essential nature of the State from the beginning. This essential character of the State has always in some measure asserted itself through the logical constraint of the course of events, even when such an aim has been absent from the conscious purposes of the State, even

when opposed to the will of those in whose hands the power of control had rested.<sup>1</sup>

In setting up this conception of the working classes as the dominant concept of the State, therefore, we do nothing more than articularly formulate what has all along, but obscurely, been the organic nature of the State, and bring it into the foreground as the consciously avowed end of society.

Herein lies the comprehensive unity and continuity of all human development, that nothing drops into the course of development from the outside. It is only that that is brought clearly into consciousness, and worked out on the ground of free choice, which has in substance all along constituted the obscurely and unconsciously effective organic nature of things.

With the French Revolution of 1848 this clearer consciousness has made its entry upon the scene and has been proclaimed. In the first place, this outcome was symbolically represented in that a workman was made a member of the provisional government; and, further, there was proclaimed universal, equal and direct suffrage, which is in point of method the means whereby this conception of the State is to be realized. February 1848, therefore, marks the dawning of the historical period in which the ethical principle of the work-

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<sup>1</sup>In order to avoid a repetition of what has already been said, it may be briefly remarked that to-day this whole view of the nature of the State is seen to be, not something learned from past history, but something read into the history of the past.—[Editor.]

ing classes is consciously accepted as the guiding principle of society.

We have reason to congratulate ourselves upon living in an epoch consecrated to the achievement of this exalted end. But, above all, it is to be said, since it is the destined course of this historical period to make their conception the guiding principle of society, it behooves the working classes to conduct themselves with all moral earnestness, sobriety and studious deliberation.

Such, expressed in the briefest terms, is the content and the course of argument of the disquisition in question.

What I have sought to accomplish in that argument is nothing else than to explain to my auditors the intrinsic philosophical content of the historical development, to initiate them into this most difficult of all the sciences, to bring home to them the fact that history is a logical whole which unfolds step by step under the guidance of inexorable laws.

One who gives himself up to work of this kind is entitled to address your public prosecutor in the words of Archimedes, when, at the sacking of Syracuse, he was set upon, sword in hand, by the savage soldiery while drawing and studying his mathematical figures in the sand: "Noli turbare circulos meos."<sup>1</sup>

To enable me to write this pamphlet, five different sciences, and more than that, have had to be brought into co-operation and had to be mastered: History in

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<sup>1</sup> Don't disturb my circles.

the narrower sense of the term, Jurisprudence and the History of Law, Political Economy, Statistics, Finance, and, last and most difficult of the sciences, the science of thought, or Philosophy.

What a paragon of scientific erudition must the public prosecutor be, in whose eyes all this is not sufficient to lend a publication the attribute of scientific quality.

But the indictment itself, when it is more closely examined, is seen to assign the ground on which this work is held to lack the requisite scientific character. The indictment says: "While the accused, Lassalle, has been at pains to give himself the appearance of scientific method in this address, still the address is after all of a thoroughly practical bearing."<sup>1</sup>

So it appears, then, that, according to the public prosecutor, the address is not scientific because it is claimed to have a practical bearing. The test of scientific adequacy, according to the public prosecutor, is the absence of practical bearing. I may fairly be permitted to ask the public prosecutor — and it is a Schelling whose signature this indictment bears—where he has learned all this. From his father? Assuredly not. Schelling the elder assigns philosophy no less serious a task than that of transforming the entire cultural epoch. "It is conceived to be too much,"<sup>2</sup> says he in formulating an anticipated objection, "to expect that philo-

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<sup>1</sup> Obgleich sich der Angeklagte Lassalle bei diesem Vortrage den Schein der Wissenschaftlichkeit gegeben hat, so hat derselbe doch—eine durch und durch praktische Tendenz."

<sup>2</sup> *Philosophie der Offenbarung*, Vol. III., p. 11.

sophy shall rehabilitate the times.” To this his answer is: “But when I claim to see in philosophy a means whereby to remedy the confusion of the times, I have, of course, in mind not an impotent philosophy, not simply a product of workman-like dexterity, but a forceful philosophy which can face the facts of life, philosophy which, far from feeling itself impotent before the stupendous realities of life, far from confining itself to the dreary business of simple negation and destruction, draws its force from reality and, therefore, reaches effective and enduring results.”

The public prosecutor, with his brand-new and highly extraordinary discovery, will scarcely find much comfort with the other men of the science.

In his address to the German people, Fichte<sup>1</sup> tells us: “What, then, is the bearing of our endeavors even in the most recondite of the sciences? Grant that the proximate end of these endeavors is that of propagating these sciences from generation to generation, and so conserving them; but why are they to be conserved? Manifestly only in order that they in the fulness of time shall serve to shape human life and the entire scheme of human institutions. This is the ulterior end. Remotely, therefore, even though it may be in distant ages, every endeavor of science serves to advance the ends of the State.”

Now, Your Honor and Gentlemen of the Court, if I were to spend further speech in the refutation of this discovery of the public prosecutor—that impracticabil-

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<sup>1</sup> *Gesammte Werke*, Vol. VII., p. 394.

ity is the test of science—I should be insulting your intelligence.

In the pamphlet in question my aim was the thoroughly practical one of bringing my readers to a comprehension of the times in which they live, and thereby permanently to affect their conduct throughout the course of their life and in whatever direction their activity may lie.

Now, then, what characteristic of scientific work is it which the public prosecutor finds wanting in all this? Is it, perhaps, that it falls short in respect of bulk? Is it the circumstance that this work is only a pamphlet of less than fifty pages, instead of comprising three folio volumes? But when was it decided that the bulk of a work, instead of its contents, is to be accepted as a test of its scientific character? Is the public prosecutor prepared, for instance, to deny that the papers presented by the members of the Royal Academy at their sessions are scientific productions? But nearly all of these are shorter than this of mine.

During the past year, as speaker for the Philosophical Society at the celebration of Fichte's birthday, it was my fortune to present an address in which I dealt intimately with the history of German metaphysics. That address fills only thirty-five pages as against the forty-four pages of the present pamphlet. Is the public prosecutor prepared to deny the character of science to that address because of its brevity?

Who will not, on the contrary, appreciate that the very brevity imposed by circumstances makes the scientific inquiry contained in this work all the more difficult and the more considerable? I was compelled to con-



dense my exposition within the compass of a two-hours' address, a pamphlet of forty-four pages, at the same time that I was obliged to conform my presentation of the matter to an audience on whose part I could assume no acquaintance with scientific methods and results. To overcome obstacles of this kind and, at the same time, not to fall short in point of profound scientific analysis, as was the case in the present instance, requires a degree of precision, close application and clarity of thought far in excess of what is demanded in these respects in the common run of more voluminous scientific works.

I return, therefore, again to the question: What is the requirement of science with respect to which this address falls short? Is it, perhaps, that it offends the canons of science in respect of the place in which it was held?

This, in fact, touches the substantial core of this indictment, and, at the same time, the sorest spot of the whole. This address might well—so runs the prosecutor's reflection—have been delivered wherever you like—from the professor's chair or from the rostrum of the singing school, before the so-called élite of the educated people; but that it was actually delivered before the actual people, that it was held before workingmen and addressed to workingmen, that fact deprives it of all standing as a scientific work and makes it a criminal offense,—*crimen novum atque inauditum*.<sup>1</sup>

I might, of course, content myself with the answer that the substance of an address, and therefore its scientific character, is in no way affected by the place in which

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<sup>1</sup> A new and unheard-of crime.

it happens to have been delivered, whether it is in the Academy of Science, before the cream of the learned world, or in a hall in the suburbs before an audience of machinists.

But I owe you, Gentlemen, a somewhat fuller answer. To begin with, let me express my amazement at the fact that here in Berlin, in the city where Fichte delivered his immortal popular lectures on philosophy, his speeches on the fundamental features of the modern epoch and his speeches on the German nation before the general public, that in this place and day it should occur to any one to fancy that the place in which an address is delivered has anything whatever to do with its scientific character.

The great destiny of our age is precisely this—which the dark ages had been unable to conceive, much less to achieve—the dissemination of scientific knowledge among the body of the people. The difficulties of this task may be serious enough, and we may magnify them as we like,—still, our endeavors are ready to wrestle with them and our nightly vigils will be given to overcoming them.

In the general decay which, as all those who know the profounder realities of history appreciate, has overtaken European history in all its bearings, there are but two things that have retained their vigor and their propagating force in the midst of all that shriveling blight of self-seeking that pervades European life. These two things are science and the people, science and the workingman. And the union of these two is alone capable of invigorating European culture with a new life.

The union of these two polar opposites of modern society, science and the workingman,—when these two join forces they will crush all obstacles to cultural advance with an iron hand, and it is to this union that I have resolved to devote my life so long as there is breath in my body.

But, Gentlemen, is this view something new and entirely unheard-of in the realm of science? Let us see what Fichte himself, in his addresses to the German people, has to say to the cultured classes, to whom he addresses these words: “It is particularly to the cultured classes of Germany that I wish to direct my remarks in the present address, for it is to these classes I hope in the first place to make myself intelligible. And I implore these classes, then, as the first step to be taken, to take the initiative in the work of reconstruction, and so, on the one hand, atone for their past deeds, and, on the other hand, earn the right to continued life in the future. It will appear in the course of this address that hitherto all the advance in the German nation has originated with the common people, and that hitherto all the great national interests have, in the first instance, been the affair of the people, have been taken in hand and pushed forward by the body of the people; so that to-day for the first time does it happen that the initiative in the cultural advance of the nation is committed to the hands of the cultured classes, and if they will but accept the commission it will be the first time when such has been the case. It will presently appear that it is quite impossible for these classes to determine how long the matter will yet rest in their discretion, how long the

choice will yet be open to them whether to take the initiative in this matter or not, for the whole matter is nearly ripe to be taken in hand by the people, and it will be carried out by men sprung from the body of the people, who will presently be able to help themselves without assistance from us.”<sup>1</sup>

Fichte, then, knew and proclaimed this fact, that the realization of all the great national interests in the past has been the work of the common people and has never been carried out at the hands of the cultured classes. That, in spite of this knowledge, he turned to the cultured classes is due, as he himself says, to the hope he had of first and most readily making himself understood by them. It is because, in his apprehension, for the presentment of the matter to the people, the whole was, so he says, “only approaching readiness and maturity,” but not yet ready and mature.

That it is possible to-day to do what in Fichte’s time was recognized as the only fruitful thing to do, but, at the same time, as not then ready to be done, and therefore too serious to be undertaken,—this expresses the whole short step in advance that has been accomplished in Germany during the past fifty years; for you will seek in vain for the slightest progress on the part of the German government.

Fichte himself, in the passage cited, says that this advance is coming in the near future. This “near future” proves to have been fifty years removed, and I trust, Mr. President and Gentlemen of the Court, that you will

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<sup>1</sup> *Ges. Werke*, Vol. VII., p. 278.

all consider a fifty-years' interval long enough to satisfy the requirements of the "near future."

But the men who, undeterred by all the difficulties of the task, put all their energies into this stupendous undertaking of carrying scientific knowledge and scientific habits of thought among the body of the people,—are they fairly open to the accusation of having sought to incite the indigent classes to hatred of the well-to-do? Do they not thereby really deserve the thanks and the affection of the propertied classes, and of the bourgeoisie above all?

Whence arises the bourgeoisie's dread of the people in political matters?

Look back, in memory, to the months of March, April and May, 1848. Have you forgotten how things looked here at that time? The power of the police was broken; the people filled all the streets and public places. And all streets, all public places and all the people in the hands of Karbe, Lindenmüller and other reckless agitators like them,—men without knowledge, without intelligence, without culture, thrown into prominence by the storm which stirred our political life to its depths. The bourgeoisie, scared and faint hearted, hiding in their cellars, trembling every instant for fear of their property and their lives, which lay in the hands of these coarse agitators, and saved only by the fact that these agitators were too good-natured to make such use of their power as the bourgeoisie feared they would. The bourgeoisie, secretly praying for the re-establishment of the police power and quaking with a fright which they

have not yet forgotten, the recollection of which still leaves them incapable of taking up the political struggle.

How came it that in a city which proudly calls itself the metropolis of intelligence, in so great a city, in the home of the most brilliant intellects,—how came it that the people here for months together could be at the disposal of Karbe and Lindenmüller and could tremble before them in fear for their life and property. Where was the intelligence of Berlin? Where were the men of science and of insight? Where were you, Gentlemen?

A whole city is never cowardly.

But these men reflected and told one another: The people do not understand our ways of thinking; they do not even understand our speech. There is a great gulf between our scientific views and the ways of the multitude, between the speech of scientific discussion and the habits of thought of the people. They would not understand us. Therefore the floor belongs to the coarsest.

So they reflected and held their peace. Now, Gentlemen, are you quite sure that a political upheaval will never recur? Are you ready to swear that you have reached the end of historical development? Or are you willing to see your lives and property again at the mercy of a Karbe and a Lindenmüller?

If not, then your thanks are due to the men who have devoted themselves to the work of filling up that gulf which separates scientific thought and scientific speech from the people, and so to raze the barriers that divide the bourgeoisie and the people. Your thanks are due these men, who, at the expense of their utmost

intellectual efforts, have undertaken a work whose results will redound to the profit of each and all of you. These men you should entertain at the prytaneum, not put under indictment.

The place in which this address was held, therefore, can also not afford ground for exception as to its scientific character.

I have now shown you conclusively that the production is a scientific work.

But if, contrary to all expectation, this should still be questioned, although I do not for a moment consider it possible that it should be questioned by men as enlightened as you are, Mr. President and Gentlemen of the Court; now, in such a case, I seek refuge in the privilege which is accorded every cobbler and which you can all the less deny me, viz., to submit a question of workmanship in my trade to the award of men expert in the trade.

In the last resort, the question as to the scientific character of a given work is a question for the men of the trade, and therefore a question which may not be decided on a basis of common education and common culture alone, and therefore also not by a court of law. The question at issue does not concern jurisprudence, with which you are necessarily familiar, but it concerns other sciences with which you may well be unfamiliar, although, as a matter of chance, you may, in your private capacity, not your capacity as jurists, also be acquainted with these matters.

It is true, you may answer this question in the affirmative, your competence extends that far. For in very

many cases is the scientific character of a given work manifest, even to the commonly instructed intelligence.

But to pass a negative opinion in the face of the expert testimony to which I provisionally appeal as a subsidiary recourse;<sup>1</sup> to that your competence does not extend, for the nicer question, whether in a given case the most profound researches of science may not, with a view to their readier apprehension, be presented in a facile and popular form, whether this fact of a facile presentation may not itself mark a peculiarly high achievement of scientific endeavor, in which all traces of the struggle, all difficulties and all the refractoriness of the materials handled have been successfully eliminated and the whole has in the outcome been reduced to the simplest and clearest terms; where the result presented is a scientific work of art, which, in the words of Schiller, has risen above the limitations of human infirmity and moves with such ease and freedom as to give the impression that it offers but the free play of the auditor's own unfolding thought; to decide with confidence whether you have to deal with a scientific work of this class, and to decide it with that certainty and security that is required in order to pass a sentence, that is something of which none but men trained in the science are capable.

This question, therefore, I beg that the following gentlemen:

Privy Counsellor August Böckh,

Efficient Privy Counsellor Johannes Schultze, formerly Director of the Ministry of Public Worship,

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<sup>1</sup> In case it becomes necessary.



Professor Adolf Trendelenburg,  
Privy Counsellor and Chief Librarian Dr. Pertz,  
Professor Leopold Ranke,  
Professor Theodor Mommsen,  
Privy Counsellor Professor Hanssen,

all members of the Royal Academy of Science, and as specialists capable of judging in the matter, be constituted a subsidiary tribunal to pass on the question whether the address in question is not in the strict sense a scientific production.

But, if such is found to be the case, then, as I have already explained, it has nothing to do with the penal code.

I have permitted myself to go exhaustively into an exposition of this, my first ground of defense, because, for the sake of the country itself and the dignity and liberty of science, and for the sake of establishing once for all a precedent which shall bar out all similar endeavors of the public prosecutor in the future, it is incumbent on me to adjure you to acquit me under Article 20 of the Constitution.

But it is not that recourse to this article is necessary to protect my person from the penalty of the law.

For, even were it held that the present case comes within the competence of the penal code, the law appealed to has in no wise been violated, and the paragraph cited by the public prosecutor has no application.

Even this one exception alone would suffice to set the indictment aside; viz., that no objection is taken to any given passage in which the specified offense is alleged to occur; so that the prosecution proceeds wholly on

an allegation of bias, and in the baldest manner. The indictment runs against a bias; that is all. But a bias is not actionable.

But I am not to be permitted to dispose of my defense in so easy a manner. The accusation of having endeavored to incite the poor to hatred of the rich is an accusation of such a kind that, apart from all question of punishment, it is likely to injure any citizen's name and fame. This accusation is of such character that, even if it is formally disproven on legal ground, it may still leave the accused an object of suspicion. You will, accordingly, Mr. President and Gentlemen of the Court, take it simply as evidence of the respect I bear you when I now go on to clear my honor in your sight, with the same solicitude as that with which I have defended my freedom. To this end it is necessary for me to present the grounds of fact, as painstakingly as I have presented the grounds of law, on which this accusation is to be quashed, and you will, therefore, I am sure, hear me with the same forbearance if this second part of my defense turns out to be but little briefer than the first.

I am accused of having violated Section 100 of the penal code. This section reads as follows: "Any person who endangers or jeopardizes the public peace by publicly inciting the subjects of the State to hatred or to contempt of one another, is liable to punishment by a fine of not less than 20 and not more than 200 thalers, or by imprisonment of not less than one month and not more than two years."

This section of the law specifies three different con-

ditions, which must be found to concur if it is to be applicable.

I. There must be incitement to hatred or to contempt;

II. This incitement must be directed to the detriment of given classes of the subjects of the State, and I am accordingly accused by the public prosecutor of having incited the class of the unpropertied against the class of the propertied;

III. This incitement must be of such a nature as to endanger the public peace.

These three conditions must concur, must combine, if the section of the law is to apply,—and not one of these conditions occurs.

As to I. There must be incitement to hatred and contempt; there can in the case before you be no question of this point, and for several reasons.

1. The offense specified in Section 100 can not be committed except there be an intention to incite to hatred and contempt. A contingent incitement to hatred and contempt, an incitement by inadvertence, is in this case not conceivable. If such a contingent incitement, an unintended incitement to hatred and contempt, were conceivable, what would not the consequences be? We have, all of us, for instance, recently read certain speeches delivered in the upper house, which have, we will say, filled me,—and not me alone, Gentlemen, but along with me a very large part of the nation— with hatred and contempt to the point of distraction. Does it follow that the public prosecutor could take action against the speakers in question? He is not com-

petent to do so, even aside from the political prerogative of the speakers, for, although such has been the effect of these speeches, the purpose of these gentlemen was assuredly not to stir up hatred and contempt. But it is equally true that no one can deny that the purpose of my address was to impart knowledge. The most that the public prosecutor can allege is that it was a matter of indifference to me if the knowledge imparted stirred up hatred and contempt,—an allegation without significance, since there is no such thing as an incitement to hatred and contempt by inadvertence.

But, in point of fact, a deliberate incitement of this kind is in the present case absolutely excluded for another reason, which at the same time establishes that the address in question could not even have had the effect of stirring up hatred and contempt. I, therefore, in order to prevent repetition, beg to present this reason in connection with the second, viz.: that my address could not have the effect of causing hatred and contempt.

I have, therefore, to say, as the second count under this head, that this address can not possibly have had the effect of stirring up hatred and contempt, and *a fortiori* can not have had that intention.

On what grounds alone can hatred and contempt be deserved?

On the ground of viciousness, which in turn is an attribute of voluntary human actions alone.

But in this address of mine, I show that the dominance of this principle of the bourgeoisie, against which I am by the public prosecutor accused of inciting to

hatred and contempt, is but a stage of economic and ethical development, which is the outcome of historical necessity, and that its non-existence is an utter impossibility and that it therefore has all the character of natural necessity that belongs to the developmental progress of the earth.

Do we hate Nature because we have to struggle with her? Because we have to strive to guide her processes and improve her products?

But there is the further question: How has the public prosecutor understood my pamphlet?

The fundamental idea of my address is that the dominance of the bourgeoisie has in no wise been produced, consciously and by their own motion, intentionally and in a responsible manner, by the propertied class as persons or individuals. On the contrary, the bourgeois are but the unconscious, choiceless, and therefore irresponsible products, not the producers of the situation as it stands and as it has developed under the guidance of quite other laws than the direction of personal choice. Even their reluctance to surrender this their mastery I refer back to the laws of human nature, whose character it is to hold fast to whatever is and to account it necessary. But a doctrine which goes the length of denying the propertied class all responsibility for the existing state of things, which makes them a product instead of the producers of this state of things—this doctrine the public prosecutor construes to have incited to hatred and contempt of these persons.

For, be it noted, we have here to do with persons and

classes of persons, under section 100, not with institutions established by the State, as under section 101.

No workingman has got so faulty an understanding of my address as the public prosecutor, and I leave it to him to say whether this is due to his lack of understanding or to his lack of will to understand.

But, more than all this, I go on to show that the dominance of the idea of the bourgeoisie is a great historic move in the liberation of humanity; that it was a most potent moral and cultural advance; that in fact it was the historically indispensable prerequisite and transitional stage through development out of which the idea of the working class was to emerge.

I therefore must be said to reconcile the working class to the dominance of the bourgeoisie as an historical fact by showing the logical necessity of this dominance. I reconcile them to it, for a comprehension of the rationality of what restricts us is the fullest possible reconciliation to it.

And if I proceed, further, to show that the idea of the bourgeoisie is not the highest stage of the historical development, not the perfect flower of advancing improvement, but that beyond it lies yet a higher manifestation of the human spirit, and that this ulterior phase rests on the former as its base—does this mean that I incite to hatred and contempt of the former?

The working class might as well hate and despise themselves and all human nature, whether in their own or in their neighbors' persons, because it is the law of human nature to unfold step by step and to proceed to

each succeeding stage of development from the indispensable vantage ground of the phase preceding.

If I had any predilection for homiletical discourse, Gentlemen, I should be quite justified in saying that I have exhorted the working classes to a filial piety toward the bourgeoisie, in that I have shown that the dominance of the bourgeoisie was the indispensable prerequisite and condition by transition out of which alone the idea of the working class could come forth. For even if the son, by grace of a freer and fuller education and a larger endowment of personal force, strives to place himself above the level on which his father stood, still he never forgets the source of his own blood and the author of his own being. How deep in the mud is it the intention to thrust the noblest of all the sciences in bringing this charge of criminal instigation against the doctrine that history is an unfolding evolution of reason and human liberty?

It was for long incomprehensible to me how the public prosecutor could use such words as instigation to hatred and contempt in this connection. In the end I have been able to explain this fact to myself only on this one supposition. The public prosecutor must have endeavored in reading this address, to put himself in the place of a working man and has then come to feel that he would in such a case be moved to hatred.

The public prosecutor, then, is sensible that he would hate.

Now, Gentlemen, I might say that this would be attributable to the peculiarity of his temperament, and that he had no call to generalize and go beyond that. But

I will lend a hand to the public prosecutor in this perplexity. I will bring the charge against myself in a more telling form than he has been able to do. I will formulate it as the facts of the case require that it must be formulated if it is to be preferred at all. And in so doing, the more pointedly I may be able to bring to light the essential nature of the charge, the more utterly shall I annihilate it.

This is what the public prosecutor should have said:

It is true this address held by Lassalle appeals to the intellect of the auditors, not to their practical impulses or their emotions. It is accordingly true also that this address does not come within the sphere of competence of the penal code.

But in a person endowed with the normal complement of human sensibility, cognition, will and emotion are not so many insulated pigeonholes which stand in no relation to one another. Whenever the one compartment is full it flows over into the next. Will and emotion are servants of the intellect and are controlled by it.

Lassalle, it is true, has not a word to say of hatred and contempt; he is simply occupied with a theoretical exposition of how certain arrangements, for instance, the three-class suffrage, is pernicious. I am unable to confute this teaching. But I have this to say with respect to the organic unity of human nature, that if the doctrine is true then it follows that every normally constituted working man must come to hate and distrust not only these arrangements and institutions but also those who profit by them.

Such is the logical framework on which this indict-



ment must proceed. This is the line of argument which, avowedly or not, by logical necessity comes to expression in this indictment.

It is not I, but the public prosecutor speaking from the eminence of his curule chair, who proclaims to the working classes the awful doctrine: You must hate and distrust.

It is not for me, it is for the public prosecutor to square himself with the bourgeoisie.

But what is my answer to the public prosecutor and his indictment which charges me with his own offense?

My answer is a four-fold one:

In the first place a full recognition of the inadequacy or the viciousness of a given institution must arouse in any person of normal sensibility an enduring purpose to change such an institution, if possible, and the arousing of such an undying purpose in my hearers has necessarily been the aim of my scientific investigation, as it necessarily is the end of all scientific work. But such a purpose, so long as it does not utter itself in an illegal manner, is absolutely unconstrained by law. The like is true of all effort to arouse such a purpose, so long as it does not resort to illegal means. But such a purpose to amend the shortcomings of any established arrangement, is by no means the same thing as hatred and contempt of the arrangement in question; since these shortcomings are a matter of historical growth, of historical necessity; since, indeed, they may even be, in effect, a factor in the work of liberation, and a factor of the gravest consequence and of the most beneficial effect for cultural growth. Further reasons to the like effect

have already been recited and I will not take up your time with their repetition and further development. Here, then, is the first hiatus in the public prosecutor's argument.

In the second place, if it actually follows in any given case that hatred and contempt is, for a normally constituted human being, the necessary consequence of a scientific knowledge of the facts, such hatred and contempt could by no means be laid under penalties by the legislator.

Whatever institution is so vicious that knowledge of it necessarily excites hatred and contempt, that institution should be hated and despised.

The legislator lays penalties upon such hatred and contempt as are but the effects produced by blind emotions and passions. But he has not imposed penalties upon human reason and the moral constitution of man. He consequently does not impose penalties upon hatred and contempt which are the necessary outcome of these two features of human nature. The public prosecutor construes section 100 to the effect that the legislator has therein intended to prohibit the use of reason and prescribe the moral nature of man. But such a purpose has not entered the thoughts of the law-giver. No court will put such a construction upon the law as to make the legislator the avowed enemy of intelligence and science,—and here come into bearing again all the arguments of my defense directed to Article 20 of the Constitution. The only meaning of these arguments in this connection is that even if science and its teaching were not by Article 20 of the Constitution exempt from the

application of the criminal code, still section 100, except it be construed to intend the utter destruction of human nature, can not be leveled against such hatred and contempt as is the necessary outcome of scientific knowledge.

In the third place, hatred and contempt of a given institutional arrangement or expedient is by no means the same thing as hatred and contempt of those persons who profit by the arrangement in question; whereas section 100 deals only with hatred of persons,—so that we have here the third break in the public prosecutor's argument, and it is a veritable *saltomortale*.

In the fourth place I have to present an argument of fact. The prosecutor's argument presents the most remarkable *quid pro quo*<sup>1</sup> that has ever come to light in a legal discussion. The point which I here touch upon constitutes the transition to the second part of my argument, showing that all proof touching the second condition to be fulfilled by the indictment is wanting; viz.: that even if there were ground for speaking of hatred and contempt in this connection, it is still quite plain that there has been no instigation to hatred or contempt of those against whom I am charged with having incited to hatred and contempt.

As to this second part of the indictment: I am accused of instigating the unpropertied classes to hatred and contempt of the propertied classes.

"By this presentation," says the indictment, "working men will plainly be incited to hatred and contempt

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<sup>1</sup> Confusion of one thing with another.

of the bourgeoisie, that is to say, the unpropertied classes will be inflamed against the propertied classes.” And after having in this way, quietly and by subreption, introduced this its definition of the term “Bourgeoisie,” the indictment goes on to formulate its final charge as follows:

“It is accordingly charged that the above named citizen, F. L., (1), by his lecture etc., and (2) by publishing the pamphlet containing this same lecture, has publicly instigated the unpropertied classes of the State’s subjects to hatred and contempt of the propertied classes.”

It is true, in my address I speak of the “bourgeoisie.” But what is my definition of this term? It will be sufficient to cite a single passage which contains the definition of “bourgeoisie” as used by me in this pamphlet. This will show what an incomprehensible, unheard-of, uncharacterisable *quid pro quo* the public prosecutor has attempted to impute to me in charging me with instigating the unpropertied classes to hatred and contempt of the propertied classes.

On page 20 of this pamphlet is the following passage, quoted literally:

“I have now reached the point, Gentlemen, where it becomes necessary that, in order to avoid a possible gross misapprehension of what I have to say, I explain what I mean by the term ‘bourgeoisie’ or ‘great bourgeoisie,’ as the designation of a political party—that I define what the word ‘bourgeoisie’ means in my use of it,

“The word ‘bourgeoisie’ might be translated into German by the term *Bürgerthum* (citizenship, or the body of citizens). But that is not the meaning actually attached to the word. We are all citizens—workingmen, petty burghers, commercial aristocracy and all the rest alike. On the other hand the word ‘bourgeoisie’ has, in the course of historical development, come to designate a particular political bias and movement which I will now go on to characterize.

“At the time of the French Revolution, and, indeed, even yet, that entire body of subjects which is not of noble birth, was roughly divided into two sub-classes: First the class comprising those persons who, wholly or chiefly, get their income from their own labor and are without capital, or are, at the most, possessed of but a moderate capital which affords them the means of carrying on some employment from which they and their families derive their subsistence. This class comprises the workingmen, the lower middle classes (*Kleinbürger*), the citizen class and also the body of the peasants. The second class is made up of those persons who have the disposal of a large property, of a large capital, and who are producers or receivers of income on the basis of their possession of capital. These latter might be called the great burghers or commoners, or the capitalist gentry. But such a great burgher or capitalist gentleman, is not by reason of that fact a bourgeois. No commoner has any objection to raise because a nobleman in the bosom of his

family finds comfort in his pedigree and in his lands. But when, on the other hand, this nobleman insists on making such pedigree or such landed property the basis of a peculiar importance and prerogative in the State, when he insists on making them a ground for controlling public policy, then the commoner takes offense at the nobleman and calls him a feudalist.

“The case is entirely similar as regards the distinctions in respect of property within the body of commoners.

“That the capitalist gentleman in his chamber takes pleasure in the high degree of comfort and the great advantage which large wealth confers upon its possessor,—nothing can be more natural, simpler or more legitimate than that he should do so.”

Incidentally, then, Gentlemen, so far am I in this pamphlet from instigating the unpropertied classes to hatred and contempt of the wealthy, that, on the contrary, I expressly declare myself for the legitimacy of such property. I explicitly declare that the satisfaction taken in the advantages and amenities which flow from such wealth are the most natural and legitimate things in the world.

Let me now go on with the definition referred to:

“The workingmen and the lower middle class, that is to say the class without capital, may be wholly justified in demanding that those by whose hands all that wealth which is the pride of our civilization is produced, whose hands have brought forth all these products without which society could not live for a single day—it may well be demanded that

these should be secured an ample and unfailling income, and thereby be given an opportunity for some intellectual development, and that they be by this means put in the way of a truly human manner of life. But, while I am free to say that the working classes are fairly within their rights in making these demands of the State, and to stand out stiffly for their demands as being the essential purpose for which the State exists, yet the workingman must never allow himself to forget that all property that has once been acquired and is legally held must be considered lawful and inviolable.”

Such, then, is the manner and degree of my instigation of the unpropertied class to hatred and distrust that I incontinently preach to them the inviolability and sacredness of all property acquired by the wealthy classes, and exhort them to respect it.

But I go on to say:

“In case the man of means is not content with the material amenities of large wealth, but insists that possession of wealth, of capital, be made the basis of a control to be exercised over the State, a condition of participation in the direction of public policy and of the direction of public affairs, then and only then does the man of means become a bourgeois; then does he make the fact of property a legal ground of political power; then does he stand forth as representative of a privileged class aiming to put the imprint of its prerogative upon all social features and institutions, just as truly as

the nobility of the Middle Ages did with respect to the basis of their privilege, landed property.”

Accordingly, in my use of the term, as I have explicitly and painstakingly defined it, the man of means, the man of the upper-middle class, is a bourgeois in case he proceeds to set up the essentially harmless and inoffensive fact of his large property as a legal condition of participation in the direction of public affairs; in short, when he proceeds to set up the ownership of capital as a legal and political prerogative, and so abolishes the equality of the propertied and the unpropertied classes before the law, and thereby infringes upon the liberty and further growth of the people, in the interest of accumulated wealth and continued upper-class mastery. Only under these circumstances, as I particularly point out, does the bourgeoisie become a privileged class, which it otherwise, in spite of all inequality of wealth, is not.

In my pamphlet I point out how all this has its effect through the census rating whereby admission to a share in the direction of public policy, through eligibility to any legislative body, is so limited by property qualifications as to make the possession of capital a prerequisite. I point out further that this effect follows equally whether the property qualification is open and above-board or underhand, and finally that the existing three-class system of elections, dating back to 1849, amounts to such an underhand, disguised property rating.

The point at which the pamphlet strikes, therefore, albeit in a purely theoretical way, is the three-class system of elections. It makes no attack upon the prop-



ertied classes, whose accumulated wealth, on the contrary, I am repeatedly at pains to define as wholly incontestable, inoffensive, inviolable and perfectly lawful.

This three-class system of elections is one of our political institutions.

Now, this being the case, why has not the public prosecutor indicted me under section 101 of the criminal code, "for having exposed the measures of the State to hatred and to contempt"? To be sure, if the prosecutor had chosen to make this charge, I should have known how to answer him. To go into this matter to-day would be superfluous, for I am not accused of this offense, and my defense would be drawn out endlessly if I were to defend myself against charges that have never been brought against me.

But why, among all impossible charges, does the public prosecutor choose to bring precisely the most impossible? Why does he make this substitution as to the point of my attack? I point out that the three-class system of elections is an injustice because it makes an essentially innocent difference in wealth a legal qualification for participation in the direction of public affairs; whereupon this envenomed accusation is brought against me that I have instigated the unpropertied classes to hatred and contempt of the propertied.

Is there, then, no remedy, Gentlemen, against such a public defamation of one's name and fame?

Can we say that among us the introduction of the three-class system of elections is to be laid at the door of the propertied classes or the commonalty? Something of that kind might be said of the French bourgeoisie.

In France the property qualification and rating was introduced as long ago as the revolutionary *Assemblée Constituante*. But the like has not been done by the German.

When the Prussian bourgeoisie came into power through the March revolution of 1848 it introduced universal and equal suffrage by the law of the eighth of April 1848. The German bourgeoisie at St. Paul's Church, Frankfort, enacted universal equal suffrage.

The three-class system of elections which we now have, was arbitrarily imposed, imposed by the government.

Now, why does the public prosecutor shelter the government behind the backs of the Prussian bourgeoisie? *A tout seigneur tout honneur!*<sup>1</sup>

It is the Prussian government, not the propertied classes, that must for all time and in the eyes of all people bear the responsibility of this arbitrarily imposed three-class system of elections.

But, whatever may have been the reasons which decided the public prosecutor to make this very singular substitution of grievances in his indictment—and we may perhaps presently come to find out what his reasons were—at any rate, this second ground of the indictment also fails. There has been no incitement against the propertied classes of the community; there has been no instigation against those against whom I am accused of instigating to hatred and contempt.

The third ground on which the indictment is brought,

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<sup>1</sup> Honor to whom honor belongs!

the charge of having endangered the public peace, fails likewise.

As to this third count:

Section 100 says: "Any person who endangers the public peace by publicly inciting the subjects of the State to hatred or to contempt of one another is to be punished."

Now, when the State speaks of the public peace it can not be taken to mean peace of mind, for the State is not a pietistic overseer concerned about the subjects' peace of mind and the general sphere of spiritual edification. What it looks to is the peace of the streets. This is made quite plain by the phrase, "public peace."

The like is plain from all principles of law. Subjective states of mind do not concern the State; it is concerned with overt actions alone. It has accordingly, no concern with hatred and contempt or with instigation thereto in so far as they are a matter of subjective sensibility only; but such instigation is subject to penalties only in case it is of such a nature as to lead to overt action. This is very patently indicated by the legislator in making use of the expression, "Any person who endangers public peace." The legislator says not anyone who "disturbs," but anyone who "endangers." If, in the contemplation of the law, any incitement whatever to hatred and contempt were punishable; if, in the contemplation of the law, the public peace were to be "endangered" through the mere incitement to such subjective sentiments; then the law would necessarily have said: any person who disturbs the public peace by inciting. If such had been the phrasing of the law, then

it might perhaps be held that such disturbance always follows when instigation to hatred and contempt is made.

“Endanger” means to bring about the possibility of a disturbance, and by his choice of this term, therefore, the legislator has shown us that in speaking of the public peace he has not in mind a harmony of sentiments—which in the case contemplated must already have been disturbed, not simply endangered—but the peace of the streets. He has shown that he does not consider that a disturbance of the public peace necessarily has arisen in case of incitement, to subjective sentiments of hatred and contempt. Consequently not every case of such incitement is held to be punishable, but only those cases in which the peace of the streets is in danger of being disturbed. In other words the penalty follows only when the incitement to hatred and contempt attains such a pitch as to become dangerous, that is to say, liable to result in overt unlawful acts. Section 100 is accordingly not to be taken to say that any person who incites to hatred and contempt endangers the public peace and is therefore subject to punishment. Such an interpretation would be wholly fallacious, on juridical as well as on grammatical grounds. Its meaning is that any person who puts the public peace in jeopardy through inciting to hatred and contempt—that is to say in case the incitement is of such a nature that it necessarily carries danger to the public peace—such a person is subject to the penalties of this law. In making use of the term “endanger,” therefore, the law defines the crime of incitement to this effect, that it must be incitement of such a kind that it at least may

lead to overt action—to the endangering of the peace of the streets—otherwise it is not punishable.

To show how far my action falls short of this third criterion, how little the alleged instigation is of the kind which might, even conceivably, lead to tangible action in the way of endangering the political peace, the peace of the public highways—to this end let me simply point out that in this address I am occupied with a discussion of periods of historical development of secular duration, and at the close I make the explicit statement that in the advance of a historical dawning one or two decades count but as a single hour in the revolution of a natural day.

So that we have here to do with an indictment which meets the requirements of the law at not a single point; whereas in order to an adequate charge, the several counts should concur, should combine and bear one another out.

It has frequently happened that indictments have been made in which some one count has not been well taken. But an indictment of which not even a single count proves to come within the contemplation of the law,—such an indictment deserves a special, and in every sense of the word a peculiar, place on honor in the temple of jurisprudence.

However, *audiatur et altera pars*.<sup>1</sup> Let us take one last look at the motivation which the indictment offers. In so doing it is possible that we shall find that in what I have been saying I have, by some highly ingenious

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<sup>1</sup> Hear also the other side.

artifice of exposition, succeeded in concealing the legally offensive features of my action; or on the other hand it may turn out that the totally nugatory character of this indictment will by this means be brought out in even more startling fashion than has yet appeared.

There is one sentence in this indictment which serves as underpinning to the whole structure. This sentence may, therefore, be expected to be of selected timber. The preamble of the document says: "The leading ideas of this address are as follows:—" and then, having given an ostensible resumé of these ideas, it goes on to the following effect: "By these expositions, and by the frequently recurring allusions to an imminent social revolution, the working men will manifestly be provoked to hatred and contempt of the bourgeoisie; that is to say the unpropertied classes will be stirred up against the propertied, whereby the public peace will be endangered, particularly since the address contains a direct appeal to make the mastery of the working class over the other classes of society the end of their endeavors, to be pursued with the most ardent and consuming passion."

This is the only passage in the document that is of the nature of a legal motivation. Let us look more closely into this sentence. This is a sentence which might give the asthma to a person with weak lungs, and it is so constructed as to hide its total lack of substance from any superficial view under a shimmering verbiage and a confusion of ideas. If you will look more closely into this passage, Gentlemen, you will be astonished at the quantity of juristic monstrosities, ab-

surditities, misstatements and misconstructions of fact which it contains.

Now, whereby, according to this passage, have I accomplished my alleged incitement to hatred and contempt? "By these expositions," says the document. That is to say by a purely theoretical, purely objective exposition of historical events; by what the indictment itself designates as the exposition of my leading ideas; by nothing else, therefore, than the scientific doctrine simply. It is by this means that I am alleged to have incited to hatred and contempt. The indictment may shift and turn as it likes; it can not escape the avowal that its accusation runs against nothing else than purely scientific arguments,—against science and its teaching.

But the passage goes on to add an "and." By these expositions *and* by the frequently recurring allusions to an imminent social revolution is the instigation alleged to have been effected.

What are these allusions to an imminent social revolution? Where are they to be found? Why does not the public prosecutor cite them? I call upon him to do so. But he can not cite them. There is no passage in this pamphlet which will bear out his insinuations on this point.

It is true, throughout this pamphlet I make frequent use of the words "revolutionary" and "revolution"; although I do not speak of an "imminent social revolution," as the public prosecutor alleges. What I speak of is a social revolution which supervened in February 1848. But with this word, "revolution," the public prosecutor hopes to crush me. For he, taking the word in

its narrower legal sense alone, cannot read this word, „revolution,” without conjuring up before his fancy the brandishing of pitchforks. But such is not the meaning of the word in its scientific use, and the consistent use of the term in my pamphlet might have apprised the public prosecutor of the fact that the term is there employed in its alternative, scientific signification. So, for instance, I speak of the development of the territorial principality as a “revolutionary” phenomenon.

And so again, on the other hand, I expressly declare that the peasant wars, which, assuredly, were sufficiently garnished with violence and bloodshed,—I declare these wars to have been a movement which was revolutionary only in the imagination of those who participated in them, whereas they were in reality not a revolutionary, but a reactionary movement.

The progress of industry which took place in the sixteenth century, on the contrary, I repeatedly and constantly characterize as a “really and veritably revolutionary fact” (page 7), although no sword was drawn on its account. Likewise I characterize (page 7), the invention of the spinning jenny in 1775 as a radical and effectual revolution.

Is this an abuse of language, or am I hereby introducing a novel use of words in making use of the term “revolution” in this sense,—in that I apply it to peaceful developments and deny it to sanguinary disturbances?

The elder Schelling says (*Untersuchungen über das Wesen der menschlichen Freiheit* Vol. VII, p. 351): “The happy thought of making freedom the all in all of Philosophy has not only made the human intellect free



as regards its own motives and effected a greater change in this science in all directions than any earlier revolution," etc. The elder Schelling, at least, does not, like the public prosecutor's fancy, see pitchforks flashing before his eyes at the sound of the word "revolution." Applying the word, as he does, to the effects wrought by a philosophical principle, he takes it, as I do, in a sense which has no relation whatever to physical violence.

What, then, is the scientific meaning of this word "revolution," and how does revolution differ from reform? Revolution means transmutation, and a revolution is, accordingly, accomplished whenever, by whatever means, with or without shock or violence, an entirely new principle is substituted for what is already in effect. A reform, on the other hand, is effected in case the existing situation is maintained in point of principle, but with a more humane, more consequent or juster working out of this principle. Here, again, it is not a question of the means. A reform may be effected by means of insurrection and bloodshed, and a revolution may be carried out in piping times of peace. The peasant wars were an attempt at compelling a reform by force of arms. The development of industry was a full-blown revolution, accomplished in the most peaceable manner; for in this latter case an entirely new and novel principle was put in the place of the previously existing state of affairs. Both these ideas are developed at length and with great pains in the pamphlet under consideration.

How comes it that the public prosecutor alone has failed to understand me? Why is all this unintelligible to him alone, when every workingman understands it?

Now, even suppose that I had spoken of an "imminent social revolution," as in point of fact I did not; would, I, therefore, necessarily have been talking of pitchforks and bayonets?

Professor Huber is a thoroughly conservative man, a strenuous royalist, a man who, on the adoption of the constitution of 1850, voluntarily resigned the professor's chair which he held in the University of Berlin, because, if I am rightly informed, he had scruples about subscribing to it; but at the same time he is a man who is with the deepest affection devoted to the welfare of the working classes, who has given the most painstaking study to their development and has written most excellent works upon that subject, particularly upon the history of industrial corporations or labor organizations. After having shown that the labor organizations of England, France and Germany already have in hand a capital of fifty million thalers, Professor Huber says in this latest work (*Concordia*, p. 24):

"Under these circumstances and under the influences herein at work, and in view of the historical facts above indicated in outline, it is to be hoped that I need enter no disclaimer against Utopian daydreams of a universal millenium when I say that not only is a very substantial reform of the existing political conditions of the factory population practicable in such a measure as to bring about an elevation of their entire social and economic situation, but such a reform is to be looked for as in the natural course of things the assured outcome of the growth of labor organizations."

Here we have a prediction of a thoroughgoing social transmutation spoken of as the assured outcome of the labor-organization movement working out its effects simply within the lines of the peaceable and conventional course of things. But how if I, with all the stronger reason, had spoken of a prospective social change that might be expected to result from the combined force of the two factors, organized labor and universal suffrage?

But how can I be held accountable for the public prosecutor's literary limitations? for his lack of acquaintance with what is going on all around us in modern times and what science has already accepted and made a matter of record? Am I the scientific whipping-boy of the public prosecutor? If that were the case, the punishment which it would be for you, Mr. President and Gentlemen of the Court, to mete out to me would be something stupendous.

But all that apart, how can an allusion to an imminent social revolution, even to a pitchfork revolution, constitute an instigation to hatred and contempt of the bourgeoisie? And this is, after all, what the public prosecutor must be held to allege in the passage cited, and this in fact is what he does allege. Hatred and contempt can be aroused against any man only by his own acts and their publicity. But how can anything done by Peter excite the hatred and contempt of Paul? If any one were to tell us: "The workingmen are going to get up a social revolution," how could that remark arouse hatred and contempt of the bourgeoisie? The passage in question, then, shows itself to have been one that makes no sense, either in point of grammar or in

point of logic. It is not only untrue with a threefold untruth, but it is contradictory and meaningless. At least it is quite unintelligible to me.

I have as great difficulty in understanding the public prosecutor's language as he has in understanding mine. The Greeks were in the habit of calling anyone *barbaros* (a barbarian) who did not understand the current speech. So the public prosecutor and I are both barbarians, the one to the other.

But this passage in the indictment which I have been analyzing brings up a third point at which I am alleged to have been guilty of inciting to hatred and contempt of the bourgeoisie. This is introduced with the word "particularly." The exposition and the allusions above spoken of are alleged to have incited to hatred and contempt, "particularly because the address contains a direct appeal to make the mastery of the working classes over the other classes of society the end of their endeavors, to be pursued with the most ardent and consuming passion." Suppose that such were the case; an exhortation addressed to a given class of society to pursue the vain ambition of a mastery over the other classes would be worthy of all reprobation, but it would still be legally permissible unless it urged to criminal acts. Every class in society is at liberty to strive for the control of the State, so long as it does not seek to realize its end by unlawful means. No political purpose is punishable, the means employed alone are. Now, the character of this prosecution, as a prosecution directed against a political bias, appears plainly and should be manifest to everyone in every line of the indictment, in that it con-

stantly charges incitement to the seeking of certain ends; it never attempts to show that criminal means have been employed, or that I have, in my address, urged the employment of such means. But even if I had been guilty of urging the working classes to resort to criminal means for gaining control over the other classes of society, then I could only have been indicted under Article 61<sup>1</sup>, or some other Article of the criminal code, but never under Article 100; or as having offended against that article by an instigation of the workingmen to hatred and contempt; for such an exhortation addressed to the working classes to make themselves masters of the other classes of society must have incited the workingmen to political ambition, but by no means to hatred and contempt of any third party. This ambition on the part of the workingmen could, of course, not have been fathered upon the bourgeoisie; and since responsibility for it could not have been put upon them, hatred and contempt of them could not have been aroused by the fact of such an ambition. It therefore appears again that this passage is quite devoid of grammatical and logical content. But upon what ground has the public prosecutor read into my address an exhortation urging to the pursuit of "mastery on the part of the workingmen over the other classes of society?"

All that I have to say in my pamphlet bearing on this head is that it is the destiny of the historical epoch beginning with February, 1848, to install the ethical principle of the working classes as the dominant

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<sup>1</sup> That is, for high treason.

principle of society, to make it the guiding principle of the State; the nature of this principle is expounded in my pamphlet, and I have already restated it in outline in the introductory part of my speech.

I repeatedly and explicitly express myself to the same effect. So I say (page 31) that, as in 1789 the revolution was a revolution of the third estate, so in this later case it was a revolution of the fourth estate, "which now seeks to erect its principle into the dominant principle of society and to permeate all institutions with it." Or again (p. 32): "Whoever, therefore, appeals to the principle of the working class as the dominant principle of society"; and, further, on the same page: "We have now to examine, in three several bearings, this principle of the working class as the dominant principle of society." And (p. 33): "Perhaps the idea of making the principle of the lowest class of society the dominant principle of the State and of society may seem to be a dangerous idea." I, then, proceed to develop, from page 39 onward, the difference between the ethical and political principle of the bourgeoisie and the ethical and political principle of the working class, and conclude on page 42 with the words: "This, then, is it, Gentlemen, that is to be characterized as the political principle of the working class," etc.

And because I present an exalted ethical principle, the noblest ethical principle which my intelligence is capable of grasping, the noblest ethical principle yet achieved by political philosophy, because I proclaim this as destined to become the guiding principle of the present period of history; because of this and because I bring

evidence to show that this principle, as being the expression of the natural instinct due to the economic situation of the working classes, is properly to be designated as the principle of the working classes,—this is what the public prosecutor has construed into an atrocious crime, and has accused me of urging the working classes to aim at making their own class the masters of the other classes of society.

The public prosecutor appears to believe that I aspire to see the propertied classes reduced to servitude under the working classes, that I would invert history and make the landed gentry and the manufacturers the servants of the workingmen.

But however widely we may differ in the use of language, however much we may mutually be barbarians to one another, could such a misapprehension, or anything approaching it, be at all possible?

I develop (p. 32) my view, explicitly and in detail, to the effect that this is precisely the characteristic mark of the fourth estate, that its principle contains no ground of discrimination, whether in point of fact or in point of law, such as could be erected into a domineering prerogative and applied to reconstruct the institutions of society to that end. The words I use are as follows (p. 32): Laborers we all are, in so far as we are willing to make ourselves useful to human society in any way whatever. This fourth estate, in the recesses of whose heart there lies no germ of a new and further development of privilege, is therefore a term coincident with the human race. Its concerns are, therefore, in truth the concerns of mankind as a whole; its freedom is the

freedom of mankind itself; its sovereignty is the sovereignty of all men." And I thereupon go on to say: "Therefore, whoever appeals to the principle of the working class as the dominant principle of society, in the sense in which I have presented this idea,—his cry is not a cry designed to divide the classes of society," etc. And while I, with all my heart and soul, am making an appeal for the termination of all class rule and all class antagonism, the public prosecutor charges me with inciting the laborers to establish class rule over the propertied classes.

I ask again: How is such an astonishing misunderstanding to be explained? Permit me once again to quote the father against the son:

"The medium," says Schelling (Vol. I, p. 243, *Abhandlungen zur Erläuterung des Idealismus der Wissenschaftslehre*)—"The medium whereby intellects understand one another is not the circumambient atmosphere, but the joint and common freedom whose movements penetrate to the innermost recesses of the soul. A human spirit not consciously replete with freedom is excluded from all spiritual communion, not only with others but even with himself. No wonder, therefore, that he remains incomprehensible to himself as well as to others, and wearies himself in his pitiable solitude with empty words which stir no friendly response whether in his own or in another's breast. To be unintelligible to such an unfortunate is a credit and an honor before God and man."

So says Schelling, the father.



Gentlemen, I have now reached the close of my argument. It were bootless to ask whether this charge could possibly have any weight with you, Mr. President and Gentlemen of the Court. But there was probably another design at the root of the prosecution. The political struggle between the bourgeoisie and the government has lately shown some slight signs of life. It has, not improbably, been thought that under these circumstances a prosecution for incitement of the unpropertied classes to hatred and contempt of the propertied classes would create an effective diversion; it was probably hoped that even if such an accusation were dismissed by you, still—you remember the ancient adage: *calumniare audacter, semper aliquit haeret*<sup>1</sup>—it would serve as a wet towel to bind about the slightly inflamed countenance of our bourgeoisie,—and so, with this in view, Gentlemen, I was selected as the scapegoat to be driven out into the wilderness. But even this design, Gentlemen, will fail.

It will fail shamefully through the mere reading of my pamphlet, which I most particularly commend to the bourgeoisie. It will fail before the force of my own voice; and precisely with this in view I felt called on to go so extensively into the facts of the case in my defense. We are all, bourgeoisie and laborers, members of one people, and we stand firmly together against our oppressors.

Let me now close. Upon a man who, as I have presented the matter to you, has devoted his life under the motto, "Science and the Workingmen," even a sentence

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<sup>1</sup> Calumniate boldly, some of it will always stick.

which may meet him on the way will make no other impression beyond that made upon a chemist by the breaking of a retort used by him in his scientific experiments. With a momentary knitting of the brow and a reflection on the physical properties of matter, as soon as the accident is remedied he goes on with his experiments and his investigation as before.

But I appeal to you that for the sake of the nation and its honor, for the sake of science and its dignity, for the sake of the country and its liberty under the law, for the sake of your own memory as history shall preserve it,<sup>1</sup> Mr. President and Gentlemen of the Court, acquit me.

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<sup>1</sup> Had the judges been able to realize with what force these words would come true, their verdict had no doubt been quite different from what it actually was. Still, our thanks are due to history for having preserved the name of Lassalle and with it the account of one of those occurrences which have contributed much to make the impartiality of the Prussian courts a byword of infamy with so many. [Editor.]

# A Book of Great Importance.

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History of the Commune of 1871. Translated from the French of Lissagaray, by Eleanor Marx Aveling. 8vo., 515 pp., clear and large type, cloth \$1.00.

## PRESS COMMENTS.

The International Publishing Co. have issued Lissagaray's "History of the Commune of 1871," as translated by Eleanor Marx Aveling, from the second edition, which the government would not allow to be published in France. For this English version Lissagaray made many emendations and extensive additions. The author was a soldier of the Commune, and knew more about it than any other person who has attempted to tell its story. He did it conscientiously and without prejudice, and his book is the only thorough and reliable history of the movement that we have.

*The Bookseller, Newsdealer & Stationer.*

Concerning the merits of the work we need say nothing, as it is well known as the only reliable and authentic narrative of this remarkable movement of 1871. The printing, paper and binding are all first class, and this edition is by far the best yet printed.

*The Coming Nation.*

Well bound, well printed, the type large and clear, and the typography of the best—all these things leave nothing to be desired.

Lissagaray was a forceful and impressive writer rather than a brilliant one. His pages are crowded with life. Every event and effect is that of a mighty panorama.

The work opens with a prologue, in which we are told how the Prussians got Paris. It is a remarkable story. In the thirty-six chapters that follow, the action never halts for a moment. The first attacks of the coalition of Paris, the formation of the Central Committee, the famous eighteenth of March, the proclamation of the Commune, the conspiracies against it, the massacres, the movement of hostile troops, the pitched battles, these and much more than these are told vividly and yet impartially. Of special interest is the chapter on the public services as conducted

by the revolutionists—finance, war, police, exterior, justice, education, labor and exchange.—Finally, we come to the appendix, where will be found original documents of great interest and value to the student. *Twentieth Century.*

The Commune rose and reigned and fell. It stands for sublime ideas and human progress, but martyrs could not purchase its triumph nor humanity combat inhumanity and all else that was arrayed against it. The Commune was overcome and its Council dissolved. The Versailles were victorious all along the line, and even the shops of tradesmen who supplied the Commune were given over to the blind fury and pillage of the soldiers. Jewels, wines, liqueurs, perfumery, disappeared into their knapsacks. The Tuileries were fired and flames flashed from a hundred windows. The Hotel de Ville fell before the fury of fire that was not controlled. The Pantheon and Montmartre were taken almost without a struggle, and in both places massacres took place immediately. Prisoners were shot down under the eyes and order of a Colonel.

St. Bartholomew's day was surpassed in murder, assassination and massacre, and under the legend of Petroleuses every woman badly dressed or carrying a milk can, pail, an empty bottle, was pointed out as a Petroleuse, her clothes were torn to tatters, and she was killed against the nearest wall with revolver shots. The entire book is a melancholy recital of savage butchery, from which we seek in vain for any sort of excuse, and in which we do not find one single bright spot.

*The New York Times—  
Saturday Reviews of Books and Art.*

The history of the Commune of 1871, translated from the French by Eleanor Marx Aveling, is not a book for one who knows nothing of the history of the Commune, but a most valuable one for those who have read the attacks upon the Communists, and wish to know their defense. The defense is presented with impassioned earnestness which gives to it a distinct literary quality. The first edition was issued in 1886. *The Outlook.*

We have here an authority. The translation seems to be well made throughout. *The Twentieth Century.*

# PRESS COMMENTS

ON

## THE SILVER CROSS.

From the French of EUGENE SUE.

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**The Silver Cross; or, The Carpenter of Nazareth** is the English translation of a novel of the time of Christ, by Eugene Sue. He paints vividly the scenes and incidents in the life of the Saviour that are mentioned in the Gospels, artistically filling in the backgrounds and environments, and thus giving to the story a peculiar value, but it was not written primarily for this purpose. It is a part of the great work of the author, "The Mysteries of the People," which, as the preface of this translation points out, though a work of fiction, "is the best universal history extant; better than any work avowedly on history, it graphically traces the special features of the several systems of class-rule as they have succeeded each other from epoch to epoch, together with the nature of the struggle between the contending classes."

*The Bookseller, Newsdealer & Stationer.*

Whatever may be one's religious (or irreligious) opinions, no candid reader of history can fail to find the life of the man Jesus interesting and admirable. This book is a historical novel founded upon the story of his life, his social teachings, and his persecution by the master class (Jewish and Roman alike), whose interests were threatened by his influence. The story is well told, in a characteristically French style, a style characteristic, too, of Eugene Sue.

*The Tocsin.*

*The Tocsin*, Minneapolis Minn.—By request, *The Tocsin* again calls attention to the translation of Eugene Sue's book, "The Silver Cross, or the Carpenter of Nazareth." A comrade writes of the book as follows:

To the Editor of *The Tocsin*:

Having read the above named book, I consider it so valuable an adjunct to our propaganda work that I would fain arouse the interest of our comrades everywhere to an appreciation of its importance. "The Silver Cross" is one of the

gems taken from Eugene Sue's masterpiece, "The Mysteries of the People," or "History of a Proletarian Family." This monumental work, which is history in the garb of fiction, shows the industrial development through which the race has passed with the accompanying systems of class rule and exploitation with which it was attended.

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No "inspired" writer ever set forth so graphic a portrayal of the Nazarene as does this "profane" work of the great Frenchman. The book divests Christ of the supernatural, and presents him in what the thinking must see is the true light.—John Hossack, Jersey City. *The Tocsin.*

The International Publishing Company has just issued "The Silver Cross, or the Carpenter of Nazareth," a translation from the French of Eugene Sue. It is a pathetic page from biblical history that, according to the preface, "holds the mirror up to the capitalist class—its orators, pulpiteers, politicians, lawyers, together with all its other menials of high and low degree—and by the reflection cast enlightens and warns." The book follows closely the lines appearing in the Bible, and varies from it only to find expression as a historical novel. The biblical outlines are filled out, and the picture is shaded by the larger detail that is gathered and the local color that is given to it by the charm of Eugene Sue.

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There are many who seldom read the Bible now, but reading the "Silver Cross" as we have it in this book from the hand of Eugene Sue, it will serve to show any such something of the wide range the Bible has, and may perchance re-awaken an interest that, for some reason, has, but should not have, waned in our time.

*The Brooklyn Daily Eagle.*

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