CHAPTER TWO

GERMAN CORPORATIST DOCTRINES BEFORE 1870

Corporatism, as a conscious theoretical movement, made its first appearance in Germany immediately in the wake of the French Revolution, at a time when nationalist and conservative antipathy to the works of Robespierre and Bonaparte was calling forth strenuous intellectual efforts to defend the nation's traditional estates and corporations in opposition to the new scheme of political and economic organization that had just made a spectacular debut on the banks of the Seine. Prior to 1789 the "old corporative order" had commonly been taken for granted in central Europe, for German society, even after the rise of the absolute monarchies, had retained intact a large assortment of characteristically medieval institutions,[1] and political thinking had been but little affected by the currents of individualism and rationalism that had been stirring so vigorously in other parts of Europe during the seventeenth and eighteenth centuries.[2]

The French Revolution figured in two major respects as

[1] J. H. Clapham, *The Economic Development of France and Germany, 1815–1914* (3 ed. Cambridge, 1928) 82–3.

[2] Reinhold Aris, *History of Political Thought in Germany from 1789 to 1815* (London, 1936) 21 f.

a catalyst of corporatist thinking in Germany. Carrying forward the work begun by the absolute monarchy of the Bourbons, it swept away the surviving remnants of medieval pluralism. At the same time it proclaimed legal equality and abolished the social distinctions embodied in the medieval regime of personal status. It sought to realize "the rights of man and of the citizen," and this use of the singular (*de l'homme, du citoyen*) was significant, for it served to put particular stress upon individual men rather than upon groups or categories of men. Only the extreme terms of political society—the citizen and the state—were recognized, the effect being to exclude all intermediate units like the family, the occupational or professional group, the religious community, or the economic, political and cultural entity exemplified by the feudal estate. The classic definition of this "atomistic" concept was contributed by Rousseau himself in his dictum that "the general will achieves its purest expression when all citizens confront the state as individuals and are not bound together in lesser associations [*associations partielles*]." [3] Revolutionary legislation was conceived in this spirit. The guilds were abolished, and a decree of June 17, 1791—the famous Le Chapelier law—made all private combinations illegal. Previously, on March 17 of the same year, a law establishing unrestricted freedom of occupation had opened all careers to talent. Complete equality of all citizens before the law was proclaimed, and feudal dues involving personal services were swept away.

Among the educated classes in Germany the Revolution was at first greeted with varying degrees of acclaim. But as the trend of French events became more clear increasing hostility began to be manifested, not only by those who saw their interests directly threatened by the revolutionary program but

[3] *Le Contrat social,* Livre II, Ch. 3.

eventually also by many who had been vociferous in applauding the downfall of the old regime in France. This latter opposition was in part the product of humanitarian, traditionalist and religious revulsion against the events of the Terror, augmented in some quarters by disillusionment at the spectacle of Napoleon's military dictatorship arising in the bosom of liberty and equality. After 1806, especially, all types of anti-revolutionary sentiment were powerfully reinforced by an upsurge of German nationalism directed against the foreign conqueror and aiming at a vindication of the nation's political and cultural individuality.[4]

Fichte's Closed Commercial State

Johann Gottlieb Fichte (1762–1814) typified many aspects of this general development, and particularly the emergence of militant national sentiment. Coming from a plebeian background, he had won a youthful reputation as Kant's most brilliant disciple, and he had been an enthusiastic partisan of the most extreme Jacobinism.[5] During the first years of the new century, however, and especially during the struggle against Napoleon, Fichte progressively abandoned the rationalistic, individualistic political ideal of his youth and early manhood, evolving in its place an organic conception of the state that eventually became almost theocratic in spirit. Between 1796 and 1813, in the course of his transition from a point of view

[4] R. Aris, *op. cit., passim;* G. P. Gooch, *Germany and the French Revolution* (2 ed. London, 1927); F. Meinecke, *Weltbürgertum und Nationalstaat* (7 ed. Munich and Berlin, 1928) Chs. 1–12.

[5] His first published works were devoted to a savage attack on the princely despots who imagined that they could stifle the new spirit of liberty by suppressing freedom of thought and discussion: *Die Zurückforderung der Denkfreiheit von den Fürsten Europas* (1793) and *Beiträge zur Berichtigung der Urteile des Publikums über die französische Revolution* (1794).

that approached philosophic anarchism [6] to one that closely resembled Hegel's absolute state in the service of the world spirit, Fichte developed a number of ideas that were destined to have an important impact upon subsequent corporatist thinking in Germany. The most noteworthy of these ideas were set forth in a remarkable little book, published in 1800, in which Fichte proclaimed the virtues of a "closed commercial state." [7] The scheme of political and economic organization outlined in this treatise had much in common with the egalitarian social ideal of Babeuf, but it also had many strong affinities to medieval times, and embodied certain features which were to arouse the admiration of not a few corporatist critics of liberal individualism and later of Marxian socialism.

Departing from his earlier conviction that social harmony and universal well-being would follow automatically if a regime of complete economic freedom could be established, Fichte posited that the government of his "closed commercial state" must assume responsibility for seeing to it that every man received his due (*das Seinige*).[8] This responsibility arose out of a special *Eigentumsvertrag*, which formed part of the general social contract, by virtue of which the "sphere of free activities" was equitably apportioned among various natural *Stände*. The earliest and most general division was that estab-

[6] *Vorlesungen über die Bestimmung des Gelehrten*, in *Sämmtliche Werke*, ed. J. H. Fichte (Berlin, 1834–46) VI, 306: "The state proceeds to its own annihilation; the purpose of all governments is to render government superfluous." *Cf.* also 315, 318.

[7] *Der geschlossene Handelsstaat*, in *Sämmtliche Werke*, III, 387–513. The contemporary influence of this work was slight, for the public generally regarded it as a piece of utopian speculation. Fichte seems, nevertheless, to have intended it as a body of practical proposals, indicating as much in his prefatory dedication of the book to the Prussian minister, von Struensee.

[8] *Ibid.*, 402–3.

lished between primary production and manufacturing, the estate of "producers" receiving an exclusive right to engage in the production of crude materials, and that of the "artisans" gaining a similarly exclusive right to work up the natural products delivered to them by the producers. A third estate, that of the "merchants," came into existence when the first two sought to avoid the inconvenience of negotiating directly with one another, and reciprocal rights and duties were established among all three by a new contract. Each of the principal estates was then subdivided into "trades" and "callings," an exclusive sphere of activity being allotted to each by virtue of a contract with all the others.[9]

"All those contracts derive objective validity from the specific laws of the state, and it is the duty of the government to watch over their observance." In particular, it was the state's prime responsibility to maintain the economic balance of the nation with a view to achieving complete independence of foreign countries. In practice it would be especially important to prevent the number of artisans, merchants and other "non-producers" from rising above a level determined by the productivity of agriculture—that is, by the available food supply. Entry into any trade or profession must accordingly be made conditional upon the granting of special permission by the public authorities, and applicants would have to be refused such permission if the quota for a given trade had been filled. Further, the state should insist that essential occupations be filled before permitting entry into those devoted to luxury goods and services.[10]

In terms highly suggestive of the famine economy of a medieval town, as well as of the total war economy of a twentieth-century nation-state, Fichte then went on to sketch

[9] *Ibid.*, 403–7.
[10] *Ibid.*, 408–9.

a series of measures by means of which the closed commercial state ought to regulate economic life so as to provide a suitable livelihood for every citizen—planning and control of the volume of production, compulsory buying and selling at fixed prices, control of quality by setting examinations for prospective craftsmen, state-managed warehouses as a safeguard against crop failures and, finally, prohibition of privately conducted foreign trade and substitution of a state monopoly aiming at the highest possible degree of autarchy.[11]

A particularly interesting consequence of the scheme of "directed economy" prevailing in Fichte's closed commercial state was that he regarded the regulation of prices primarily as a means for adjusting the distribution of individual incomes in such a way that everyone would receive enough—but neither too much nor too little—to enable him to live according to his station in society. Such a distribution was to be brought about by fixing all prices from producer to consumer so that only a pre-determined margin of profit could accrue at each sale. Although the *Eigentumsvertrag* had accorded to each citizen a categorical claim to an equal share in the total social revenue,[12] Fichte proceeded rather brusquely to override this egalitarian principle when he came to consider the actual distribution of income in his closed commercial state. In explanation of this apparently illogical behavior, he fell back upon the argument that "relative equality" would, after all, be more just, because its result would be "to give to each one the kind of strength and well-being which he needs to maintain himself in his particular trade. Thus, for example, the man who occupies himself with deep philosophical speculation . . . would not have his essential needs in any

[11] *Ibid.*, 413, 410, 428 ff., 476, 480, 421.

[12] *Ibid.*, 403: "Whatever is available for consumption [*das Vorhandene*] shall be equally divided among all."

way satisfied if he had to subsist on a plowman's diet." [13] Each man possessed, that is, only an equal right to be maintained in a manner appropriate to his social function—a principle which several centuries earlier had formed a central element in the medieval scholastics' doctrine of a "just wage."

In *Der geschlossene Handelsstaat* a significant alteration of Fichte's views regarding occupational freedom is also to be discerned. In his lectures on "The Vocation of the Scholar" (1794) he had announced his conviction that the ultimate aim of human society should be the ethical perfection of all its members, each of whom possessed, as a human being, an equal right to develop his talents and capabilities to the fullest possible extent.[14] In 1800, however, he assigned to the government of his closed commercial state the power to exclude applicants from overcrowded professions and to conscript workers into occupations where more hands were desired. Once having entered an occupation in the closed commercial state, moreover, one would not be allowed to leave it at will.[15] Thus, as in Plato's *Republic,* a rigid separation of social strata (or functional groups) was to be maintained.

Fichte's closed commercial state was the first coherent expression in Germany of an economic and social point of view grounded in eighteenth-century rationalism but diametrically opposed at many points to that of the French Revolutionaries. As such it became an object of veneration for many later critics of "atomistic" individualism in politics and of laissez-faire in economics, furnishing inspiration and support to those who, whether from the "right" or from the "left," took fundamental issue with the proposition that political co-

[13] *Ibid.,* 417 f.

[14] *Sämmtliche Werke,* VI, 320. Moreover, "the choice of an estate (*Stand*) is a free choice; hence no man ought to be forced into an estate, nor ought any man to be excluded from the estate of his choice."

[15] *Sämmtliche Werke,* III, 423.

hesion, economic justice and social harmony were most likely to be realized by allowing full scope to the free play of individual forces. Furthermore, in deriving the state from a social contract entered into by naturally constituted functional groups rather than by isolated, undifferentiated individuals, Fichte foreshadowed an idea that was to figure subsequently as a central element in corporatist social philosophy. Homage was appropriately paid to his closed commercial state, therefore, by a long succession of later contributors to the German corporatist tradition, among whom may be mentioned Hegel, Baader, Marlo, Schäffle, Rathenau, Moellendorff, Spann and Sombart, each discovering in Fichte's ideal commonwealth some features that corresponded with his own corporatist social ideal.

In addition, Fichte's direct influence upon the immediately ensuing stage in the development of corporatism in Germany —the "estates" philosophy of certain Romantic political theorists—was profound. As a pioneer of the organic conception of the state he contributed heavily to the thought of his pupil Friedrich Schlegel, as well as to that of Schlegel's friend Adam Müller. The attack which Fichte leveled against the individualism of the Enlightenment during the last decade of his life thus furnished an indispensable philosophic point of departure for the Romantic generation. Indeed, it is perhaps only a slight exaggeration to say that "without his ideas the social philosophy of German Romanticism would have been unthinkable." [16]

Adam Müller's Organic *Ständestaat*

Like Fichte in his Jacobin period, many of the German Romantics were at first filled with enthusiasm for the French

[16] J. Baxa, *Einführung in die romantische Staatswissenschaft* (2 ed. Jena, 1931) 11.

Revolution. Novalis, the brothers Schlegel, Görres and Adam Müller were all ardently sympathetic with the cause of liberty, equality and fraternity upon its first appearance. But as their initial mood of humanitarian optimism passed away, there occurred a profound change in their attitude. They continued to think of themselves as apostles of individual freedom, but they came to detest what they described as the "mechanical" and "atomistic" individualism of the Revolution. By eliminating legal distinctions among citizens, by interpreting equality as uniformity of treatment, the French Revolutionaries had, as these Romantics believed, destroyed individuality, which for them was the true essence of freedom. Only by recognizing inequality and by accepting its social consequences in the form of privileges, constituted authority and social hierarchy, could the freedom of the individual to be himself be fully realized.

For the generation that had grown to maturity under the spell of Herder, moreover, the unique genius of the German nation stood above all single personalities. That nation itself was not only endowed with an individuality of its own; it was an organic union of many lesser and contributory "personalities"—families, communes, corporations, guilds, estates, religious communities, universities and a host of others. The phenomenon of a nation, they held, could not be explained simply as the product of a deliberate contract arising out of the rationally calculated self-interest of individual citizens; they followed Burke in concluding that such a union of infinitely varied component parts could only be the product of a slow growth during many generations of common experience and feeling. They were desirous moreover of establishing a strong state that would be able to vindicate the individuality of the German nation against foreign encroachment, but the French model did not appeal to them because it seemed to rest upon

an artificial and harmful dichotomy between individual and community. Instead they favored the insertion of a pluralistic scheme of *Stände* in which individual forces might initially be drawn together and harmonized with a view to their more effective ultimate utilization as sustaining elements of the state.

Adam Müller (1779–1829) was the only member of the German "Romantic school" to occupy himself exclusively with political speculation, possibly because he completely lacked artistic talent of any sort. As a youth Müller had been a strong partisan of the Revolutionary cause, and for a brief period he had also been considerably impressed by the force of Adam Smith's teachings. These loyalties proved transitory, however, and by 1800 his Jacobin zeal had entirely evaporated, together with his enthusiasm for *The Wealth of Nations*. Like many of his Romantic friends, he soon came to the conclusion that the Protestant Reformation had been a regrettable departure from the glorious religious tradition of medieval Germany, and in 1805 he was received into the Roman Catholic Church. By 1807 he was joining in an embittered attack, led by the irreconcilable Prussian Junker, von der Marwitz, upon Stein's reform program. As a consequence of this episode he was barred from a post in the Prussian civil service; but Austria took him in, and he thenceforth lent his pen and his eloquence to the support of legitimacy. In 1826 he was rewarded with a patent of nobility at the instance of Metternich himself, who on that occasion informed the Emperor that:

> In the past twenty years he has employed his talents as an author on behalf of good and right, of the monarchical principle and of religion in such measure that . . . by this means many waverers have been strengthened, many strays led back to the true way and also many won for the good cause who but for the penetrating

word of truth would have adhered to the tirelessly active party of the innovators.[17]

The organic conception of state and society as it had been developed by Fichte, Schelling and Schleiermacher furnished Müller with the major premises for his out-and-out assault upon the individualistic political ideal of the Enlightenment and Revolution. He scornfully repudiated the notion that men were equal in endowment or in value to society. Freedom, to his way of thinking, could therefore flow only from the imposition of a restrictive social discipline under which each man would be enabled to express his own individuality by exercising the function appropriate to him in the organic hierarchy of nature.

"Nothing," he maintained, "can be more opposed to freedom . . . than the notion of external equality." The French egalitarians were, he felt, destroying freedom by setting aside "all the individuality, all the variety, of the nation," for true freedom was "nothing else but the universal striving of extremely diverse natures after growth and life." [18] Moreover:

> If the separate components of civil society were not endlessly unequal and varied there could be no state, for the state was surely not established once and for all by one original compromise that reconciled and united all conflicting elements; rather, it is itself a continuing process of compromise, reconciliation and agreement among these elements.[19]

The state, therefore, was "not a mere factory, a farm, an insurance office or a commercial company"; it was "the inner union of all physical and moral needs, of all physical and

[17] Quoted in R. Butler, *The Roots of National Socialism* (New York, 1942) 69.

[18] *Die Elemente der Staatskunst* (1809), in *Die Herdflamme Sammlung*, ed. Othmar Spann (Jena, 1922) I, Part I, 151.

[19] *Ueber König Friedrich II und die Natur, Würde und Bestimmung der preussischen Monarchie* (1810), cited in Baxa, *op. cit.*, 185 f.

spiritual wealth, of the whole inner and outer life of a nation, in a great, energetic, eternally active and living whole." "It is also a union of many successive generations; it is not merely infinitely great and *innig* in space, it is also immortal in time." "It is the totality of human affairs." [20]

In order to find the true principle of freedom, Müller insisted, one must turn to nature, to the origins of communal life at the stage when the *Rechtsidee* of freedom first began to be realized in the family. "In every family, nature has established the basic scheme of inequality characteristic of human life; that is to say, the most sharply contrasted forms of freedom: elders and young people, husband and wife." Hence to conform with the law of nature the same scheme must be repeated in the state, which was "the family of all families." In the political community the estates corresponded to the elements of the family—the clergy to the elders and the laity to the young people. Among the laity, in turn, the nobility corresponded to the wife and the commoners to the husband.[21]

Each estate was endowed with its own characteristic form of property—the clergy held theirs as corporate property, the nobles as entailed family property, and the commoners as individual private property. Furthermore, each estate occupied a special position relative to the cosmos of nature. The commoners engaged in material creation and transformation, giving motion to "the motley, rich but transitory life upon the earth's crust." The life-mission of the nobility was bound up with nature, "with the soil and its permanence," while that of the clergy embraced the infinite and eternal glories of Heaven. Considered together, these estates represented "the three generic types [*Grundgestalten*] of freedom which of themselves can both limit and guarantee one another by means

20 *Die Elemente der Staatskunst*, I, Part I, 37, 48, 60.
21 *Ibid.*, 190, 368, 370. *Cf.* also 116.

of their reciprocal opposition . . . because each stands for one eternal element in human nature." Likewise, "through the truly corporative opposition [*wahre Standesopposition*] of nobles and commoners . . . the power of the sovereign is simultaneously limited and created, for only through continual limitation can real power come into being." [22]

Among the three estates the highest rank belonged to the clergy. In political life the priest's essential function was that of mediation—within the nation it was his task to conciliate differences between the two other estates and in general to uphold the unity of society by fostering Christian feeling; in international affairs the clergy had the duty of mediating between states and of maintaining respect for the law of nations. To perform these tasks the clergy required a rich endowment of worldly goods and of "other instruments of power."

Müller held a similarly exalted view of the place in society appropriate to the second estate, that of the hereditary landholding nobility. The moral basis of this estate was "self-sacrifice on behalf of the whole community, on behalf of the state." It was of the essence of nobility "to live, to suffer, to care for others, to keep oneself pure from every taint of the vulgar, . . . to show how infinitely one values the whole which one serves as a single member." "The nobility ought to represent the moral and spiritual power in the state, for thus the nobility plays its part in that great marriage called the state, the same part as that played by the wife in marriage as we ordinarily understand it." [23]

Müller's silence concerning the political vocation of the third estate may be left to speak eloquently for itself. The special province of the commoners, besides, was pre-eminently that of economics. The four basic occupations of economic life

[22] *Ibid.*, 287, 301, 319, 189.
[23] *Ibid.*, 288, 109.

—agriculture, urban production, commerce and intellectual production—corresponded, Müller thought, to the four main elements in the wealth of a nation—land, labor, money and culture—and also to the four elements of the family, in which "creative nature is represented by the wife, labor by the husband, the exploitation of physical capital by the young people and that of spiritual capital by the elders":

> Complete economic life consists of the individual development and reciprocal interaction of the four economic estates—the clergy, the nobility, the productive *Bürgerschaft* and a genuine estate of merchants—though this last estate is yet to be created—that is, of a *Lehr-, Wehr-, Nähr-, und Verkehr-Standes.*[24]

Müller regretted that the commercial classes could not yet be regarded as an estate, owing to the fact that hedonistic motives governed their behavior to the virtual exclusion of supra-individual values. He attributed this state of affairs to the medieval clergy's "neglect" of worldly affairs, which had left the whole field of economics to be pre-empted by the individualist principle. As a consequence, "spiritual interests are today pushed aside; the 'mercantile' element is everywhere supreme; where once the clergy stood the merchants now rule; in the place of God they install Gold. . . . The future task of political economy is to reduce commerce to its proper sphere and to bring it once more into balance with the other estates."

Consistency in matters of detail was not one of Müller's virtues, and further elaboration upon his ideal *Ständestaat* would be unrewarding. Enough has been said, however, to indicate the general bearing of his ideas upon the subsequent evolution of corporatist doctrine. His ideal was, broadly speaking, the theocratic, hierarchical and pluralistic society of the

[24] *Ibid.*, I, Part II, 33 f., 41. *Cf.* also 120 ff.

Middle Ages, or rather his inexact notion of what that society had been like. (He was apparently unaware, for instance, of the gross anachronism he was perpetrating when he superimposed upon his quasi-feudal structure a sovereign national state that absorbed "the totality of human affairs.") While he himself had little interest in practical politics his writings, at least by implication, upheld the political, economic and social *status quo*. Thus his organic estates doctrine provided intellectual foundations for political conservatism as well as for agrarian and handicraft opposition to economic and social change. His ideas profoundly influenced the thinking of conservatives like Friedrich J. Stahl and Ernst Ludwig von Gerlach in their resistance to liberal constitutionalism. Müller's hostility to "plutocracy" and to laissez-faire economics was a source of inspiration to "feudal socialists" like Marlo and Rodbertus, besides contributing important elements to the social critique developed by academic "state socialists" and by "Christian socialists" of both faiths in the second half of the century. Finally, as the hero of Othmar Spann and his twentieth-century "neo-romantic" or "universalist" school, Müller became an early patron saint of National Socialism, though he fell into neglect after 1933 when the Hitler regime turned its attention to practical exigencies of power.

The Estates of Hegel's Civil Society

By 1815 German political thought had taken long strides away from the individualism of the Enlightenment and of the French Revolution. The path toward an "organic" in contrast to the "atomistic" concept of state and society had been marked out by Fichte, Schelling and Schleiermacher, and had been enthusiastically explored to its farthest reaches by Adam Müller and his Romantic friends. It remained for Georg Wilhelm

Friedrich Hegel (1770–1831) to construct in the early years of the Restoration a monolithic intellectual synthesis out of the heterogeneous assortment of vague and often incoherent notions critical of "atomistic" individualism that had been steadily accumulating in German political speculation since the turn of the century. An integral part of the Hegelian system was a classic statement of the philosophic grounds underlying many a subsequent expression of the generic corporatist ideal.

The summation of Hegel's mature thought on political and social organization is to be found in his *Outline of Natural Right and Political Science,* first published in 1821 and republished in 1833, with the inclusion of a substantial body of notes and additions gleaned by students from the master's lectures, as *Fundamentals of the Philosophy of Right.*[25] It has been aptly observed that one of the great merits of this work was "to express the growing complexity of the problem of political organization in the ideal sequence of its factors: the Individual, Society, the State." [26] The insertion of "civil society" as an intermediate factor between the two extreme terms, "individual" and "state," which the preceding age had so perilously set face to face, was one of Hegel's most momentous contributions to nineteenth-century political theory. In Hegel's "civil society" individuals were neither "self-sufficient" nor "autonomous," for social life, taking its departure from the family, implied a whole series of progressively broadening associations to give adequate expression to its many specific forms and manifestations. Thus while Hegel's state—the ultimate, most universal expression of the associative im-

[25] *Naturrecht und Staatswissenschaft im Grundrisse* (Berlin, 1821) ed. E. Gans as *Grundlinien der Philosophie des Rechts* (Berlin, 1833).

[26] G. de Ruggiero, *The History of European Liberalism* (London, 1927) 229.

pulse—was thoroughly monistic in conception, his "civil society" was a pluralistic structure, embracing a multitude of families, geographical communities, corporations, estates and similar subsidiary groups.

Hegel distinguished three estates in civil society, each corresponding to one main sphere of human activity. A "substantial, natural estate" occupied itself with agriculture and depended directly upon the soil for its livelihood. The estate of industry found its vocation in manufacturing and commerce. The third or "general" estate included the educated, professional classes of the nation, and its business was primarily to look after the interests of society at large in carrying on the actual work of government.

Each estate had its own characteristic mode of life which in turn was reflected in a distinctive psychology. The agricultural estate lived in accordance with a primordial code of natural morality rooted in the patriarchal family and in *"substantielle Gesinnung."* [27] The industrial estate, in which Hegel included craftsmen, artisans and merchants, was essentially a *"reflektierender Stand,"* by which Hegel meant that the city dweller, cut off from direct communion with nature and from direct dependence upon forces beyond human control, came to rely solely upon himself and to think almost exclusively in terms of himself as an individual. Dependent for his livelihood mainly upon his own skill and diligence, "the individual in the industrial estate is referred to himself. . . . Consequently the sense of freedom and order has arisen chiefly in cities." [28] In order that the members of the "general estate" might labor selflessly for the common weal, it was essential either that they should enjoy independent sources of income

[27] *Grundlinien der Philosophie des Rechts, Zusatz* to Par. 203; *Cf.* also Par. 199 and Par. 200.

[28] *Ibid., Zusatz* to Par. 204; Par. 205.

or that the state should make provision for satisfying their direct material wants by paying them salaries.

Both the agricultural estate and the general estate were by their nature sufficiently imbued with a sense of universality, but the industrial estate was too much preoccupied with the particular; that is, with individual interests and concerns. Therefore its members required to be directed toward the universal, and this could happen only when they acquired some principle of cohesion which would be for them what the family was for the cultivators and what the public interest was for the general estate. Such a principle of cohesion Hegel discovered in the *Korporation*. He noted with regret that "in modern times the corporation has been superseded, the intention being that every individual should look after himself. . . . It is, however, needful to provide the ethical man with a universal activity that can stand above his private ends. This universal aim, which the modern state does not always furnish, is supplied by the corporation." [29] In the corporation "the particular, self-seeking purpose becomes part of something truly universal."

There should be a corporation for every branch of industrial and commercial activity, and each corporation ought to embrace all the individuals engaged in a given trade. Under the general supervision of the state each corporation should have the responsibility for defending the professional interests of its members, for providing vocational training and for extending charitable aid to members in distress. In general it should "stand as a second family to its members." To each corporation a body of statutory privileges should be granted by the public authority, though these would not be "special" privileges in the sense of forming arbitrary exceptions to general laws. Rather the corporation's privileges would be "legal

[29] *Ibid.*, Par. 250; *Zusatz* to 255.

definitions of the inherently particular character of one essential branch of civil society." [30]

As Hegel conceived of the corporation, it would be the means not only of assuring to each member a secure livelihood appropriate to his station in life (a just wage), but also of conferring upon him a sense of social worth, a consciousness of full membership in society, and of fulfilling some purpose larger than that of his own personal advancement. "It is . . . recognized that he belongs to and has an active interest in a totality [*Ganzen*] which is itself a component member of society at large and which has interests and concerns that prompt it to serve the unselfish ends of this larger totality—thus the individual has his *honor* in his *estate*." [31]

Hegel laid particular stress upon the need, as he saw it, for placing some objective limit upon individual ambition in the pecuniary sphere, and he conceived of the corporation as a suitable instrument for bringing the exercise of "this so-called natural right of acquisition" within reasonable bounds. "The member of a corporation does not need to exhibit proof of his capacity nor to call attention to the size of his income and expenditure by any external means." The corporation would apply the principle of a suitable livelihood and by this means the "right to acquire by one's skill whatever is to be had" would be "freed from mere opinion and other random influences . . . and would be exalted to the level of a conscious effort to serve a common purpose." [32]

[30] *Ibid.*, Par. 251–252. Like Fichte, Hegel had difficulty in deciding whether or not individuals should have full freedom to choose their occupations. In principle, he declared for unabridged free choice (Par. 262 and *Zusatz*), but he felt that once a choice had been made it should be binding for life (Par. 207), and he made some occupations—that of the land-owner, for example—hereditary (Par. 306–7).

[31] *Ibid.*, Par. 253. Emphasis in original.

[32] *Ibid.*, Par. 254; *Zusatz* to Par. 253.

The corporations, the mediums through which the urban population achieved "conscious and reflective ethical reality" as an industrial estate, required in turn to have their limited and finite ends integrated and harmonized with the universal purpose of society at large. This integration required "the higher superintendence of the state," acting through its external police system:

> Otherwise the corporations would become fossilized . . . and would sink to the level of a wretched guild system [*Zunftwesen*]. The corporation rightly conceived, however, is not an exclusive guild; it is rather the means of giving ethical content to a single branch of industry and of absorbing it into a realm where it can gain strength and honor.[33]

It is not difficult to see in Hegel's "civil society" an idealized description of the essentially rural and handicraft society in which he lived. His estate of cultivators, in a fashion reminiscent of the Physiocratic system, formed the broad base of the social pyramid. Social organization as he described it was an order in which the landed nobility, the learned professions and the urban guilds were arranged in an ordered hierarchy which, for all its pretensions to eternal and universal significance, bore a strong medieval and feudal stamp. Even his "general estate" was clearly modeled upon the Prussian bureaucracy, and was to be drawn from the landed nobility and from the educated professional classes.

Yet it would scarcely be permissible to describe the Hegelian synthesis as an uncritical exaltation of the existing political and social order, and it would be still less legitimate to characterize it (as Müller's ideal might well be characterized) as the product of a nostalgic yearning for the glories of a bygone day. Hegel was too much a child of the rational, humani-

[33] *Ibid., Zusatz* to Par. 255; Par. 256; *Zusatz* to Par. 270.

tarian Enlightenment and too keenly aware of the forces making for change in modern society to embrace a completely rigid, static scheme of social differentiations or to endorse a wholly authoritarian political order. He was keenly disturbed by the rise of what he regarded as a potentially anti-social spirit of individualism, but he did not regard this new spirit as reprehensible in itself, fearing only that if one-sidedly emphasized at the expense of the community it could become a highly destructive, disintegrating force. His corporatist ideal was thus essentially the expression of his attempt to harmonize the demands of the individual with the principle of social cohesion. Thus Hegel's "civil society" was to be simultaneously a fountainhead of inspiration for both individualists and collectivists, as well as for many later corporatists who sought, like Hegel, to achieve a synthesis of the two extreme points of view.

New Preoccupations of Corporatist Theory, 1830–1848

Prior to 1830 the authors of corporatist theories had generally refrained from making specific application of their ideas to contemporary political and economic issues. Fichte and Hegel had been almost exclusively concerned with defining the abstract nature of the state and had dealt only incidentally with practical aspects of the governmental process. Müller likewise had shown little interest in the detailed issues of contemporary politics. So far as economic life was concerned, all three had entertained prejudices against many characteristically modern tendencies which they epitomized in the rise of an "acquisitive spirit," but none had considered these tendencies sufficiently important to warrant more than passing attention. Nor was this neglect unnatural in view of the character of contemporary movements aiming at political change, and in view of the extremely slight advances which

had been made by industrial capitalism in most parts of the Germanic Confederation.

The revolutionary movements of 1830 and the British Reform Bill of 1832, however, registered important advances for liberalism in some other parts of Europe, and gave heart to those in Germany who had espoused the causes of individual liberty and parliamentary government. Though for most of Germany the industrial revolution was still in the future, the factory system was beginning to appear in some localities, while improved transportation and customs reform were opening the way for a gradual expansion of large-scale commerce. The years between 1830 and 1848 thus witnessed a more active stirring of new forces in political and economic life, and corporatist doctrines of the period reflected these developments. During this period two central preoccupations came to dominate the thinking of the outstanding contributors to corporatist theory. The first of these preoccupations was mainly a product of traditionalist resistance to the political program of liberalism. The second took the form of an attack, advanced simultaneously by social radicals and by social conservatives, against the free play of individual forces in economics.

Most of the political "estates" doctrines elaborated between 1830 and 1848 borrowed heavily from earlier critiques of "atomistic" popular representation and "monistic" state sovereignty, contributing relatively little that was fundamentally new. Philosophers of monarchy by divine right, drawing their arguments largely from the "organic" conception developed by Fichte, Müller and Hegel, continued to stress the historic rights and privileges of the feudal *Stände,* assigning to these the constitutional function of "mediating" between the articulate forces of national life and the sovereign prince.

On the economic side, however, two notable developments

occurred. Christian humanitarians (particularly Catholics) began to express alarm at some of the deleterious effects which nascent industrialism was having upon social morality, and attributed these evils to the growing influence of a hedonistic outlook. The second noteworthy development was the diffusion in Germany of ideas stemming mainly from early nineteenth-century French socialist thought. The bearing of each of these two developments upon the evolution of corporatist doctrines in Germany is illustrated in the respective contributions to the critique of liberal economy made by Franz Baader and Karl Marlo.

Franz Baader and Corporatist Social Reform

While Adam Müller and other Romantic political theorists were glorifying the spirit of the medieval corporative order as they conceived it, and while they were elaborating an intellectual validation of the old regime of estates as it had been before the French Revolution and before the enlightened despots, another Romanticist, Franz Xaver von Baader (1765–1841),[34] was turning his attention to the new social problems of industrialism. His solution to the evils brought about, as he thought, by individualism, materialism, liberalism and capitalism was a direct antecedent of the corporatist doctrine developed in greater detail by Ketteler and by subsequent Social Catholic corporatists in the second half of the century.

Baader was born into a South German Catholic family of strong pietist convictions. As a young man, studying to be-

[34] The following biographical details are drawn largely from the "Lebensbild" contributed by Johannes Sauter to his collection, *Franz von Baaders Schriften zur Gesellschaftsphilosophie,* in *Die Herdflamme Sammlung,* XIV (Jena, 1925) 565–653; *cf.* also Sauter's article, "Franz von Baaders romantische Sozialphilosophie" in the *Zeitschrift für die gesamte Staatswissenschaft,* LXXXI (1926) 449–481.

come a mining engineer, he lived for several years (1794–1796) in England and Scotland where he acquired an intimate first-hand knowledge of British industrial conditions in the early stages of development of the modern factory system. His journals show that during his stay in Britain he also found opportunity to read widely in English philosophy and political theory, particularly in the works of Locke, Hobbes, Berkeley, Adam Smith, Hume and Godwin. After considerable intellectual perturbation, he came to the conclusion that the rationalism of the two preceding centuries had been a hollow deception; and by 1796, when homesickness and a longing for "civilization" drew him back to Germany, he had become a thoroughgoing Romantic. He discovered Fichte and Schelling and was enchanted by the intellectual and emotional vistas they opened. Keeping up his scientific interests, he became an outstanding authority on mining technology and was appointed *Oberstbergrat* in the royal Bavarian civil service, an office which gave him supervision over all mining and metallurgical matters in that kingdom. His house in Munich became a favorite haunt of many princes and leading statesmen of the Germanic Confederation after 1815, and he enjoyed the full confidence of the Bavarian crown prince who in 1825 ascended the throne as Ludwig I.

In 1828, with the assistance of a circle of like-minded friends, he founded a review entitled *Eos,* the purpose of which was to crusade for a new "organic" social order and to defend the "Christian-Germanic cultural ideal" against liberalism in science and in society. Deeply religious from childhood, Baader remained throughout his whole life a firm defender of the Catholic Church and an irreconcilable foe of the Enlightenment, to which he traced the origins of individualism, materialism and economic liberalism. Christian love, he insisted, and not reason or individual self-interest, was "the organizing

principle" in human society, the bond that prevented men from dissolving into anarchy. If this bond grew weak, then hatred, "the disorganizing or anorganic principle," would gain the ascendancy, bringing about social polarization. Their sense of community having been destroyed, all men would then live either as despots or as slaves.[35]

The egalitarian principle, he felt, was totally subversive of genuine communal values. "All association presupposes inequality; among equals there can occur only addition or aggregation. Association . . . is essentially a continuing inner process through which external inequality is compromised" by the power of love.[36] Like Adam Müller he rejected the social contract as a ridiculous notion, "practically impossible and historically false," and he was continually denouncing the "atomistic" or "mechanical" conception of society which he attributed especially to Adam Smith, to Tom Paine and to the French Revolutionaries. Without God's help, he insisted, men were incapable of forming an enduring community based on love and justice; hence *"omnis potestas a Deo."* He was convinced that in order to attain true social harmony:

> Every part must have its prescribed or ordained place in relation to the whole, from which it follows that no part . . . may take upon itself the act of ordination. . . . This unity [*Einigung*] must come about as the result of subordinating all the parts to the unifying agency [*Einende*]. Without an organic social hierarchy, without power, authority and subordination, . . . therefore, no organism can subsist.[37]

According to Baader, the development of human society fell into three stages, of which the first two were preparatory for the third: (1) "civil society," in which law appeared as the

[35] *Schriften zur Gesellschaftsphilosophie,* 55; also 31 f.
[36] *Ibid.,* 8 f.
[37] *Ibid.*

expression of unity; (2) "political society," in which authority emerged as monarchical power; and (3) "natural society," theocratic in spirit, where only love would prevail. This final stage would be complete when men had achieved an ideal commonwealth infused with charity, forbearance and brotherhood, and when they were governed by the divinely ordained principles of authority, hierarchy, subordination, and status —that is, in an organic *Ständestaat*.[38]

Baader's hostility to the doctrines of Smith, Malthus and Ricardo dated from his residence in Britain, and it had been strongly reinforced by his reading of Fichte's *Closed Commercial State*. As early as 1801 he had written an essay [39] in which he had argued against suppression of the guilds and had warmly defended Fichte's economic nationalism. In the latter connection he had adduced grounds for protectionism which were strikingly similar to the productivity thesis later made famous by Friedrich List. In another article, published in 1802, he had roundly abused Adam Smith's "politico-economic system of so-called freedom or passivity" and had demanded active state intervention in the social sphere "in order to protect each estate and each citizen in his property and in his livelihood." In the absence of such protection, Baader contended, the citizen would be left "half in a state of nature—half an outlaw." [40]

This point of view he developed in greater detail as time went by, and in 1835 he summarized his social and economic views in a brochure which bore the rather formidable title:

[38] J. Baxa, *Einführung in die romantische Staatswissenschaft* (2 ed. Jena, 1931) 252.

[39] "Berichtigung des öffentlichen Urteils über den naturrechtlichen Gründe gegen die Aufhebung der Zünfte" in *Schriften zur Gesellschaftsphilosophie, op. cit.*, 1–8.

[40] "Ueber das sogenannte Freiheits- oder passive Staatswirtschaftssystem" in *Schriften zur Gesellschaftsphilosophie*, 9–21.

"Concerning the Present Disproportion between the Propertyless Man, or Proletarian, and the Possessing Classes of Society in Relation to its Adjustment, Both in Material and in Intellectual Respects, Considered from the Standpoint of Right." [41] Starting from the premise that "any power in society, from whatever source it may derive its strength, becomes dangerous to the existing order and to its organs only when it is excluded from incorporation or representation in the organism as a whole," [42] this work was remarkable both as an adumbration of a number of socialist conclusions in the field of economics and as an anticipation of the attitude toward social reform later adopted by Ketteler.

The modern wage-earner in France and England had, in Baader's opinion, been reduced to a condition of slavery worse than that of the helots of ancient Greece. Technical innovations, the factory system and the specialization of production had greatly augmented the worker's capacity to create wealth. Instead of becoming more comfortable and less precarious, however, the wage-earner's life grew ever more wretched and insecure because the employers, thanks to a conspiracy among themselves to keep wages down, alone benefited from the enhanced productivity of labor. In consequence wealth was becoming more and more highly concentrated in fewer and fewer hands, giving rise to appalling contrasts between luxury and squalor which Baader thought must eventually undermine the existing social order and provoke revolution if not corrected. He was all the more prone to fear these consequences because, as he put it, "the priest has

[41] "Ueber das dermalige Missverhältnis der Vermögenslosen oder Proletärs zu den Vermögen besitzenden Klassen der Sozietät in Betreff ihres Auskommens, sowohl in materieller als intellektueller Hinsicht, aus dem Standpunkte des Rechts betrachtet," in *Schriften zur Gesellschaftsphilosophie*, 319–38.

[42] *Ibid.*, 337.

yielded his position as teacher of the people to the modern self-help demagogue." As a result, the proletariat was increasingly being "cut off from the consolation of religion," and would end by being "bound to the social order by ties neither of the heart nor of the stomach." [43]

In view of this state of affairs it was incumbent upon the public authority to intervene on behalf of a better distribution of wealth. The proletarian must be accorded his "just share" of the greatly enlarged social wealth which he had helped to produce. "He has a right to his share (*Quote*)—that is, to a less needy and less insecure existence—and the adequate remuneration of labor should . . . be no less a concern of wise *Staatshaushalt* than the quality of the goods produced."

Although Baader's idea was clearly that of a medieval "just wage," he did not believe that his aims could be attained merely by reviving the old guild system. He had little sympathy for those "who still dream and enthuse over the idea of bringing back the Middle Ages and who would by a stroke of the pen restore the defunct forms of that world order." Neither would private welfare work or police repression suffice to alleviate poverty or to ward off its revolutionary consequences. Adequate reform could come only from energetic governmental action designed to "raise again the price and value of nature (land) and of labor (man), which have been forced down too far." [44]

In addition the clergy—"now fallen into social nullity"—"must once more be invested with its primitive office, the diaconate [*Diakonat*], which was to occupy itself with the material assistance and care of the poor." Priests must also

[43] *Ibid.*, 328 f.
[44] *Ibid.*, 326, footnote.

become the advocates of the dispossessed in the "assembly of estates," where the workers would otherwise have no real representation, even under a parliamentary regime like the British or French. The performance of these functions, Baader felt, would give the clergy sufficient popular prestige to counter the influence of liberal demagogues among the poor.[45]

The decay of the "old corporative constitution," Baader felt, had opened the way for the growth of a "mechanical" and soul-destroying tyranny exercised by the modern state over the social organism. A vast multiplication of governmental functions had been set in motion when the administration ceased to deal with constituted estates and began to deal directly with private citizens. He regretted, therefore, that "a number of recent *Staatskünstler*" had thought themselves entitled to "declare war on all corporations by reason of the degeneration of single corporations or estates," for he was convinced that some organizational buffer must be maintained between the sovereign power and the individual subject of the state. "If the action of the sovereign falls directly, without mediation, upon the individual it necessarily operates oppressively and despotically upon him; not so, however, if the individual feels the same action indirectly [*vermittelt*] as a member of an estate or corporation." [46]

In all likelihood Baader did not greatly influence the thought or behavior of his contemporaries. His circle of friends and acquaintances embraced a fairly large number of eminent persons, but outside this relatively narrow group his writings and ideas seem to have had only a very restricted circulation during his own lifetime. In 1865, however, at a time when interest in Social Catholic reform ideas was being stimulated by the literary and forensic activity of Ketteler, a sec-

[45] *Ibid.*, 332.
[46] *Ibid.*, 23–5.

ond edition of Baader's *Grundsätze der Societätsphilosophie*[47] was brought out. There is good reason, therefore, to believe that Baader may have contributed appreciably to the anti-liberal, antisocialist outlook of Ketteler's corporatist followers.

Karl Marlo and "Social Federalism"

A new, democratic current appeared in German corporatist thought during the revolutionary months of 1848. The "federalism" propounded by Karl Georg Winkelblech (1810–1865)[48]—better known by his literary name as Karl Marlo—reflected the misgivings of many independent craftsmen and small property owners with respect to the advance of capitalist economy and of economic liberalism in much the same way that Proudhon's contemporary writings expressed many of the anxieties of similarly placed groups in France. Like Proudhon, too, Marlo drew heavily upon the ideas of Sismondi, Fourier, St. Simon, and Louis Blanc. In addition, his admiration for Fichte's closed commercial state was unstinted and he owed something to Savigny's "German historical school" of jurisprudence as well as to Stahl's religious ideal of the state. In Marlo's thought these elements blended to produce a combination of political radicalism and social conservatism, for he was simultaneously a left-wing republican and a stanch defender of Germany's traditional *Mittelstand* against

[47] A collection of articles, notes, letters, journals and other papers, first published in 1837 in fifteen volumes by Baader's disciple Franz Hoffman, who was a professor of philosophy at the Catholic University of Würzburg until his death in 1881.

[48] The standard biography of Marlo is the two-volume work by W. E. Biermann, *Karl Georg Winkelblech* (*Karl Marlo*) (Leipzig, 1909). See also E. Allix, *L'œuvre économique de Karl Marlo* (Paris, 1898); S. Grabski, *Karl Marlo als Sozialtheoretiker*, in *Berner Beiträge zur Geschichte der Nationalökonomie*, No. 12 (Bern, 1898).

the inroads both of "plutocracy" and of "communism."

Marlo was a native of Rhenish Hesse, and his early years were devoted to the study and teaching of industrial chemistry. His interest in social problems dated from 1843, when his humanitarian sensibilities were profoundly stirred, during a tour of Scandinavia, by the wretched conditions prevailing among workers in the Norwegian dye industry. On his return to Germany he set to work with the aim of mastering the science of political economy, and began assembling materials for a vast synthesis of individualism and socialism that would chart a path beyond "Manchesterism" while avoiding the rationalistic and egalitarian pitfalls of "French communism." The manuscript of this work was largely complete when the stirring events of 1848–49 absorbed Marlo's attention and delayed its publication.[49]

He took an active part in public affairs after March, 1848, figuring as a foremost leader and spokesman of the handicraft workers' movement that took shape in the spring and summer of that year and culminated in a series of congresses convened to draw up memorials to the National Assembly. His ideas were endorsed in substance by the first of these gatherings, the Hamburg Congress of North German Handicraft Workers early in June, but his influence waned when the growing antagonism between masters and journeymen came to a head in the ensuing months. Although his sympathies lay more with the journeymen than with the masters, he failed to identify himself completely with either group and eventually lost the support of both.[50]

[49] Biermann, *op. cit.*, I, 200–212. Marlo's great work was entitled *Untersuchungen über die Organisation der Arbeit, oder System der Weltökonomie.* It was eventually published in four volumes, three of which appeared during Marlo's lifetime (Kassel, 1850–59), and the last posthumously, after Schäffle and other *Kathedersozialisten* developed an interest in "federalism."

[50] Biermann, *op. cit.*, II, 6–8.

The central dogma of Marlo's social philosophy was man's inalienable "right to work," a right which he, with Fichte and the French reformers, held to be the most elementary prerequisite to the development of the human personality. In modern times this right had been progressively undermined both in theory and practice. The liberal state, triumphant in England and France, had realized "freedom for the rich," and "with us also capital is daily adding to its preponderance over labor." [51] Economic liberals and devotees of Roman law had rightly attacked the monopolistic abuses of the medieval guilds, but it had been an error to abandon them entirely, as the French had done, in favor of the "pernicious principle of free competition." The experience of sixty years of complete occupational freedom in France had been sufficient to reveal its unwholesome consequences, for it had spawned an arrogant "money nobility" simultaneously with a disaffected proletariat. Fortunately for mankind, "German leisureliness" had left a healthy *Mittelstand* largely intact in central Europe; hence Germany, with the aid of reconstructed corporative institutions, "will be in a position, by utilizing the combined intelligence of all its industrially active citizens, to furnish all nations—not even excluding praiseworthy France—with the key to the social problem." [52]

He warned his followers, however, that the well-intentioned lawyers gathered in the *Paulskirche* might easily be led astray through ignorance of real life unless the "qualified workers" made it plain that they wanted "a universal organization of labor" instead of "industrial freedom" on the one hand and "halfway regulation" on the other. For "the *Mittelstand* must come to enjoy the shield which it now lacks," and "nothing

[51] Speech delivered at the Hamburg Congress of North German Handicraft Workers, June 2, 1848. Reproduced in Biermann, *op. cit.*, II, 57 ff.

[52] *Ibid.*

short of *a comprehensive guild-constitution* [*Zunftverfassung*] *embracing all branches of industry* can protect Germany from the fate of France and England and from the perils of communism. . . . In place of the old, artificial guild system we must install a new, natural one." Furthermore, in order to assure to each member of society, "without regard for special rights, . . . a means of livelihood [*Erwerbssphäre*] corresponding to his capacity for work," a comprehensive scheme of social legislation must be instituted for all Germany. In preparing these laws it was essential that full consultation of all affected interests should take place through the medium of "a social chamber (social parliament). . . . which will submit its resolutions to the political chamber (political parliament)—in the hands of which lies the ultimate authority to determine all aspects of the political and social order—for final enactment." A special election law should ensure that "all social estates" and "all types of vocational activity [*Berufsgeschäfte*]" would be proportionately represented in the social parliament.[53]

Marlo's detailed proposals for the reorganization of economic life [54] provided for a complicated scheme of social checks and balances designed to permit the harmonious coexistence of public, private and co-operative enterprise, and to stabilize their respective spheres. Each type of enterprise would be assigned a sector of the national economy upon which the others would not be permitted to encroach. The largest sector would be reserved for guild-like workers' associations enjoying collective rights of ownership and control over the productive facilities allotted to them. The state would

[53] *Ibid.;* italics in original.

[54] Most comprehensively outlined in the fourth volume of his *Untersuchungen über die Organisation der Arbeit, op. cit.,* Ch. 43, 379 *et seq.,* and appendix.

administer those few industries that were pre-eminently of a public character, and a strictly limited sphere would fall to the private entrepreneur. The state would maintain a general supervision, would protect the weak against the strong by means of social legislation, and would determine the broad aims of national economic policy; but it would as a rule refrain from detailed interference. The federated guilds would have a large measure of independent responsibility, for "self-government of industry" would replace bureaucratic centralization in economic life, and "an organic grouping [*Gliederung*] of producers" would simultaneously promote the common good and safeguard the well-being of each estate. Economic progress would then cease to be a socially disruptive force, for its operation would be socially controlled and its benefits equitably apportioned.

In Marlo's thinking there were strong traces of nostalgia for the age of the *Meistersinger,* and he could not reconcile himself to the disappearance of the independent artisans and handicraft workers whose interests he had so much at heart. At the same time, however, he was a friend of experimental science and invention, of popular education and of republicanism, and he was not opposed to economic or technological advance as such. But he was filled with humanitarian dismay at the growth of an industrial proletariat and as a fervent patriot he feared the consequences of the wage-earner's progressive alienation from the "organic" national community. He was not an uncritical defender of the guilds, and wished to do away with many of their worst features in order to reinvigorate them. This was also the position of the contemporary journeymen's movement, which demanded an easing of many traditional restrictions and sought to place limits upon the master's authority while clinging to the guild system itself and rejecting the principle of unconditional

Gewerbefreiheit.[55] Marlo was keenly disappointed when the collapse of the revolutionary movement was followed by the promulgation of a Prussian Industrial Ordinance (1849) that was almost a caricature of eighteenth-century rigidity.

With the triumph of reaction Marlo's political activity came to an end, and the remainder of his life was spent in seclusion. His ideas passed out of currency; but they were not completely forgotten, and the bulk of his monumental work was published, a volume at a time, during the 1850's. It seems, however, to have found few readers until the 1870's, when Albert Schäffle and his friends among the academic "state socialists" of Imperial Germany discovered many merits in Marlo's anti-liberal, anti-revolutionary social philosophy and adopted "federalism" as a synonym for the "positive social reform" which they were seeking to promote along somewhat similar corporative lines. A new edition of Marlo's *magnum opus* in the 1880's [56] testified to the revival of his popularity and helped to extend his influence. His literary fragments were still being collected and published as late as 1911 [57] by his admiring biographer Biermann, who in turn was active and influential in the evangelical social reform movement as well as in sympathetic academic circles.

Corporatist Currents, 1848–1870

The third quarter of the nineteenth century witnessed the advance in Germany of two political principles, both strikingly exemplified in the French Revolution, which had been and would continue to be focal points for corporatist criticism. For one thing, the centralized state continued steadily to draw additional departments of the national life into its sphere. At

[55] Clapham, *op. cit.*, 322–4.

[56] Tübingen, 1884–86 (4 vols.).

[57] *Aus Karl-Georg Winkelblechs literarischem Nachlass* (Leipzig, 1911).

the same time more and more scope was conceded to individualist forms of popular sovereignty. The aftermath of 1848 had seen at least the formal establishment in Prussia of a number of individual civil rights, including equality before the law, together with a scheme of representative institutions. Universal manhood suffrage was adopted for elections to the Diet of the North German Confederation in 1867; and, in 1870–71 the external and internal triumphs of Bismarck's *Realpolitik* set the seal of national unification upon monistic state sovereignty and parliamentary government.

Nor did these two tendencies encounter any very formidable resistance. Nationalism and liberalism actively furthered them, and the socialist movement of the period offered no principled opposition. Only among extreme conservatives, in some Catholic circles and in certain academic quarters were voices raised in dissent. Much of this opposition reflected particularist fears aroused by the prospect of Prussian domination, and was combined with *Grossdeutsch* sentiment against the exclusion of Catholic Austria from a united Germany. To an important extent, also, it sprang from an impulse to resist encroachment upon the spheres in which the two paramount estates of medieval society—clergy and nobles—had enjoyed virtual independence. Representatives of both these schools of opposition advanced corporatist conceptions of state and society which embodied the irreconcilable hostility of their authors to the growing ascendancy of secularism and democracy.

The "Neo-feudal" Attack on the Modern State: Ernst Ludwig von Gerlach

One of the most complete (if not the most systematic) expositions of the extremely conservative estates doctrine espoused during this period by noble "federalists" occurs in

the political philosophy of Ernst Ludwig von Gerlach (1795–1877), one of the principal founders of the Conservative party in Prussia and leader of the *Kreuzzeitungpartei* in the decade subsequent to 1848.[58] He was descended from one of the oldest families of the high Prussian nobility, though he himself had no agrarian connections and no zest for soldiering. Like his father, who had resigned a high administrative post out of antipathy for Stein's reform program, Gerlach was always something of a *"frondeur,"* glorying in the reproach that his program aimed at a revival of feudalism. During the revolutionary months he was extremely influential, together with Stahl and Bismarck, in the court "camarilla" that bolstered the king's determination to resist popular demands for a constitution. Gerlach was horrified at even the mild traces of liberalism in the Prussian constitution which Friedrich Wilhelm IV promulgated, against his advice, in December, 1848.

For the next ten years he led an uncompromising journalistic and parliamentary battle against that "unwise and illegal" document, seeking to obstruct its operation, to undermine its support and to amend or repeal its most objectionable clauses. His influence waned in the 1860's, however, when he refused to follow his party into Bismarck's camp. The Conservatives eventually repudiated him and deprived him of access to the party press when his attacks on the new Reich became too violent. Having lost virtually all his followers, he spent the last years of his parliamentary career as an Independent, elected

[58] Von Gerlach's ideas and their influence have been subjected to examination by a number of recent students, notably by Alfred von Martin, "Autorität und Freiheit in der Gedankenwelt Ludwig von Gerlachs" in *Archiv für Kulturgeschichte,* XX (1930) 155–82; much useful information is presented, also, in Jane W. Badger's unpublished Master's Essay, "Ludwig von Gerlach: A Study in Nineteenth-Century Prussian Conservatism" (1942; Burgess Library, Columbia University).

to the Prussian Chamber of Deputies by Catholic votes and usually voting with the Center.

Deeply influenced in his political philosophy by Burke, Adam Müller, Savigny, Haller and Stahl, Gerlach's ideal of liberty was "government according to law." He steadfastly denied, however, that law could be the product of conscious human will or reason. Rather it was an outgrowth of the nation's history, and represented the unfolding of God's purpose. The fundamental inequality of men and the consequent necessity for a hierarchical system of authority and of rights were likewise implicit in the divine ordinance of things. An individual, moreover, had no meaning except in relation to a social group like the family, the corporation, the church or the estate. The dissolution of these groups would result in the destruction of all authority and of all individuality, hence of all liberty, for "only a corporatively organized nation [*ständisch-gegliedertes Volk*] is capable of self-government":

> Out of an unorganized mass, out of a mere mob, out of a counting of heads can come no common will. . . . This can occur only when the will of the one is subordinated to the will of another, so that the criterion ceases to be mere election. . . . Functional differentiation is the essence of freedom, of capacity for collective action: it is the condition of independence.[59]

Gerlach and his friends in the *Kreuzzeitungpartei* made no secret of their admiration for the feudal scheme of *Stände,* which was for them "the quintessence and the mark of German law and German history over a thousand years," and they were inspired by the hope that "this corpse will revive and show itself capable of life." [60] Their ideal was a pluralistic society where the landed aristocracy would be the first in a

[59] From a speech in the Prussian *Abgeordnetenhaus, Protokolle,* 1874–5, I, 175.

[60] Prussian *Herrenhaus, Protokolle,* 1851–2, II, 817.

hierarchy of closed estates and corporations. The king's authority would be limited by an Estates General, thus ensuring the reign of "eternal and historical law in church and state, in contrast to tyranny of every sort." There would then be no room for the "cult . . . which recognizes nothing higher than the laws of the state." "Law *from above,* in contrast to absolutism and to law *from below,* was the object of our struggles." [61]

To Gerlach's mind Bismarck's Reich was a "horror," combining the worst features both of absolutism and of popular sovereignty. In the vehemence with which he expounded this opinion he stood virtually alone after 1870, for his Conservative friends largely reconciled themselves to the new institutions, or were at least willing to reserve judgment. Many of them continued, however, to harbor a deeply ingrained hostility to the modern state and especially to its parliamentary institutions, and some never wholly abandoned the hope that it might one day be possible to eliminate the democratic franchise and re-establish a kind of "true constitutionalism" that would restore to Germany's landed aristocrats the "organic freedom" which they had enjoyed in the age of Friedrich Barbarossa.

Peripheral Tendencies: "Functional Representation"

Although Gerlach's critique of "the liberal era" probably represented the most influential single current of corporatist "estates" doctrine during the period 1848–1870, his ideas embodied no significant theoretical advance over the early nineteenth-century writers to whom he owed such a heavy intellectual debt. He was so thoroughly at odds with the prevailing cultural climate of his own day, moreover, that he

[61] Ernst Ludwig von Gerlach: *Aufzeichnungen aus seinem Leben und Wirken,* ed. J. von Gerlach (Schwerin, 1903) I, 234. Italics as in original.

could find congenial values only in the past. The same was true in some measure of the peripheral tendencies in German corporatist theory during the third quarter of the century, but a number of these theorists showed a stronger inclination to accept the central facts of the contemporary environment and to make these the point of departure for their attempts to grapple with various aspects of the problem of social organization. These ideas were for the most part academic in origin, and had neither direct relevance to nor influence upon current events, though some of them were to be extremely fruitful for the subsequent evolution of corporatist doctrines.

One of these tendencies was a more or less detached critique of the new political parties as they were developing during the 1850's and 1860's within the parliamentary institutions recently established in most of the German states. Few of the writers who contributed to this critique were men of strong partisan sympathies, and they tended to take a moderately conservative position on most political and social issues. Many were natives of southwestern and western Germany, where representative government had had a longer history and where many Catholics entertained *Grossdeutsch* sentiments that reflected distrust of secular nationalism and unitary state sovereignty as these were being preached and practiced under Prussian and liberal auspices. Noteworthy contributions to this critique of parliamentary government were made, in particular, by the philosopher of "pure realism" Karl-Christian Planck, a native of Württemberg,[62] by August Winter [63] and

[62] See especially his *Katechismus des Rechts, oder Grundsätze einer Neubildung der Gesellschaft und des Staates* (1852); *Testament eines Deutschen* (Tübingen, 1881, 2 ed. 1912); and the collection of his writings published by his daughter, Mathilde, under the title, *Der Berufsstaat nach der Rechtslehre K.-C. Plancks* (Jena, 1918).

[63] *Die Volksvertretung in Deutschlands Zukunft* (1852).

Karl Levita,[64] and by Catholic political writers like Ferdinand Walter [65] and Konstantin Frantz.[66]

All these critics found fault with the assumption that the territorial constituency furnished a satisfactory unit for popular election of legislators. They contended that by itself such a scheme could not possibly result in an "organic" consultation of the most responsible sections of public opinion. They argued further that to make all political decisions dependent upon the periodically expressed will of a simple numerical majority of the electorate was to endanger the rights and interests of minority groups, and they regretted that party leaders were as a rule obliged to pay more heed to the exigencies of vote-getting than to the formulation of constructive policies based on expert knowledge of actual social conditions. Perhaps with Marlo's notion of a "social parliament" in mind, they suggested that these weaknesses might be remedied by giving parliamentary representation to "functional" as well as to territorial groups. Either "vocational estates" (*Berufsstände*) should be directly represented in a second chamber of their own, or they should elect a proportion of the lower chamber. They hoped that in this way an objective weighing of "real interests" would be facilitated, thus moderating the demagogic consequences of "mechanical head-counting" and bringing more expert knowledge to bear upon specialized, technical problems of government.

These schemes for reforming the franchise along corporative lines were not taken very seriously during the constitutional debates of the 1860's, and in 1871 Bismarck designed the representative institutions of the new Reich after ortho-

[64] *Die Volksvertretung in ihrem organischen Zusammenhang im repräsentativen Staat der Gegenwart* (1850).

[65] *Naturrecht und Politik* (1863).

[66] *Vorschule der Physiologie der Staaten* (1857).

dox liberal-democratic models. It was not until he had spent more than a decade trying to master refractory parties in the Reichstag that he began to tire of the experiment. Meanwhile the spectacular electoral conquests of Social Democracy had given Schäffle and other "monarchical socialists" fresh reasons for desiring vocational counter-weights to a territorial parliament elected by universal manhood suffrage.[67] All these circumstances combined to give fresh vogue to older prescriptions for *"berufsständische Vertretung"* in the last years of the century. After 1900 a new academic school of "party sociologists" drew heavily upon earlier critics of parliamentary government and during the months when the Weimar Republic was being born Planck's idea of a *Berufsstaat* was energetically propagated by his daughter, Mathilde, and by proponents of *Deutsche Gemeinwirtschaft,* the corporatist doctrine developed after 1916 by Walther Rathenau and Wichard von Moellendorff.[68] Finally during the decade prior to 1933 the "occupational estates" school led by Heinrich Herrfahrdt continued to give publicity to the ideas of Planck, Winter, Levita, Walter and their contemporaries.[69]

Pluralism and "German Association Law"

A second intellectual current of the period 1848–1870 that was to impinge upon much subsequent corporatist thinking was the development of a pluralistic doctrine of sovereignty by jurists owing basic allegiance to the "German historical" conception of law stemming from Savigny. Hegel and his disciple Lorenz von Stein [70] had conceived of the state as an or-

[67] See below, pp. 119–59.

[68] See below, pp. 178, 186.

[69] See above, p. 9.

[70] See especially his *System der Staatswissenschaft* (Stuttgart and Augsburg, 1852–56) II, Section 1, "Der Begriff der Gesellschaft und die Lehre der Gesellschaftsklassen." See also P. Vogel, *Hegels Gesellschaftslehre und seine ge-*

ganization of organizations. Other pioneers of the pluralistic doctrine of sovereignty were the mystic Krause and his more lucid follower Heinrich Ahrens,[71] who saw men forming as many groups as they had common interests, the state being only the most comprehensive of a series of progressively broadening associations. Ahrens and his like-minded contemporaries Bahr, Gneist and von Mohl rejected universal suffrage because it rested upon "an exclusive antithesis between the individual and the state." They were likewise opposed to centralization and to multiplication of the state's functions, demanding both territorial and "functional" federalism, the latter to culminate in a professional and cultural chamber.[72]

The most complete, systematic elaboration of this pluralist conception appeared in the four monumental volumes which Otto von Gierke began to publish in 1868 under the title *Das deutsche Genossenschaftsrecht*.[73] Gierke's central thesis was that:

> Society does not exhaust itself in the state, but appears concomitantly in a variety of other communities, each with its own life-purpose: in the family, in the church, in the commune, in the corporation and in the international community.[74]

He never tired of insisting that every private association or corporative body possessed a real individuality of its own, and he bitterly attacked the "Roman and neo-Roman" idea that such associations could only lay claim to a fictitious personality expressly created for them by the state. To this "mechanical" viewpoint he opposed that of the "Germanic" Middle

schichtliche Fortbildung durch L. Stein, Marx, Engels, und Lassalle, in *Kant-Studien,* No. 59 (Berlin, 1925); R. Emerson, *State and Sovereignty in Modern Germany* (New Haven, 1928) 39–40.

[71] *Naturrecht* (1 ed. Paris, 1839; 6 ed. 1871); *Organische Staatslehre* (1850).

[72] Emerson, *op. cit.,* 39–40.

[73] Volume II appeared in 1873, III in 1881, and IV in 1913.

[74] *Das Deutsche Genossenschaftsrecht,* II (Berlin, 1873) 27.

Ages, when "the thought of concentrating the whole life of the community at a single point not only stood in sharp contrast to actual facts and popular opinions, but was also opposed in theory by . . . the medieval ideal of a harmoniously articulated, universal community whose structure from top to bottom was of the federalistic kind." [75]

From that time forward, however, "the antique concept of the state . . . worked, and worked unceasingly and with deadly certainty, until it had completely shattered this proud edifice of medieval thought." Modern doctrines of natural right, including "the system of ruler sovereignty and the system of popular sovereignty," had endeavored to "construe the 'right-subjectivity' of the state now in a centralistic, now in an atomistic, but always in a purely mechanical fashion." [76] These theories of the state "had nothing to say of groups that mediated between the state and the individual; . . . the domain of natural law was closed to the corporation (*Genossenschaft*), and its very existence was based upon the ground of positive law which the state had made and might alter at any time." The pernicious consequences of this development were that between "the sovereign state and the sovereign individual . . . all intermediate groups were at first degraded . . . and in the end obliterated." [77]

To a pluralistic order in which these intermediate groups would be resurrected, Gierke looked for a solution to many of the political and social problems of his day. Healthy political life would be possible only when the mass of "non-political" functions absorbed by the centralized state had been redistributed among the self-governing bodies best suited to

[75] O. von Gierke, *Political Theories of the Middle Age*, trans. by F. W. Maitland from extracts from Vol. I of *Das Deutsche Genossenschaftsrecht* (Cambridge, 1900) 95–6.

[76] *Ibid.*, 75, 73.

[77] *Ibid.*, 99–100.

exercise them. Only through genuinely independent *Genossenschaften,* moreover, could the craftsman, the small landholder, the wage worker and the consumer defend their interests against superior economic forces. Such bodies, Gierke hoped, would provide the means of overcoming the social antagonisms fostered by individualism and free competition.[78]

Gierke was also responsible for reviving interest in the federalistic doctrine of the Calvinist political theorist Johannes Althusius (1557–1638), on whom he wrote a celebrated monograph.[79] Althusius was the author of a treatise first published in 1603 under the title, *Politica methodice digesta atque exemplis sacris et profanis illustrata,* which achieved a fairly wide though not lasting influence during the early seventeenth century. The theory of the social contract and of popular sovereignty therein presented had been evolved with a view to vindicating the independence of the towns, and of the guilds within them, as against the territorial princes of the Holy Roman Empire. To this end Althusius had developed a complex scheme for integrating smaller units into a manifold hierarchy of authorities culminating in a supreme assembly of elected representatives. Gierke called Althusius' book the first systematic treatise on politics since the ancients, and did much to remedy what he considered to be the ill-deserved neglect into which it had fallen after the rise of absolutism.

Gierke's influence on his compatriots was considerable, and his followers were not confined to Germany. His ideas contributed profoundly to the outlook of the British Fabian and Guild Socialist movements in the years before 1914. In Germany the "*Genossenschaft* school" included jurists and social scientists of various political tendencies. One of Gierke's

[78] Emerson, *op. cit.,* 129 *et seq.*

[79] *Johannes Althusius und die Entwicklung der naturrechtlichen Staatstheorien* (Breslau, 1880; 4 ed. 1929).

most brilliant disciples was the democrat Hugo Preuss, who wrote certain pluralistic features into the Weimar Constitution; and Walther Rathenau's thought revealed many affinities to Gierke's basic conception. Some French and German neo-Thomists adopted elements of his "institutional" viewpoint, and National Socialist ideologists sought to present the various "fronts" of the Hitler regime as the natural articulations of a German *Volk* that had cast off all "Roman" corruption.[80]

The Residue of Corporatism, 1789–1870

In seeking to clarify the origins and importance of the varied array of contributions to corporatist theory between 1789 and 1870 it is essential to remember that the authors of those ideas were living in a society that had as yet been only superficially affected by modern industrialism. Until well past the middle of the century agriculture, handicraft and small-scale local trade continued to be the sources from which the great bulk of the population drew its livelihood. The great migration to the cities had begun, but before 1870 it had produced no spectacular results. Social institutions and the general configuration of social groups retained much of the character of an earlier time. Political life had as yet not been profoundly affected by any broad participation of the masses in its processes. Subsequent developments that would fundamentally change this state of affairs were being plainly foreshadowed toward the end of the period, but at least until 1850 the forces making for change had not been powerful enough to compel many radical departures from the older way of life.

Since they largely lacked first-hand experience of the great

80 Emerson, *op. cit.*, 129; F. Neumann, *Behemoth: The Structure and Practice of National Socialism* (New York, 1944) 450–1.

economic and political transformations that were going forward in other parts of western Europe, German social theorists of the early nineteenth century were understandably preoccupied with those aristocratic and corporative forms of organization which despite the impact of the French Revolution had persisted so tenaciously in most of central Europe. Political speculation after Kant, even when its dominant mood was not one of nostalgia for the imagined freedom and harmony of an earlier age, came to turn less upon the notion of an autonomous individual than upon Fichte's conception of society as a naturally evolved structure of organically differentiated groups. Adam Müller and other German Romantics adopted this organic conception and developed its anti-individualist, anti-egalitarian connotations under the influence of a conservative nationalist point of view that was profoundly hostile to the ideal of popular government, as well as to secular tendencies of the modern era in the direction of monistic state sovereignty. The estates and corporations of Hegel's civil society were the products of his effort to bridge the gulf between individual and community by inserting a pluralistic scheme of intermediate organizations between citizen and state.

Not until after 1830 did German corporatist thinking begin strongly to reflect detailed, practical concerns of political and economic life. The social consequences of laissez-faire industrialism in Great Britain and in other parts of western Europe evoked religious and humanitarian protests against the liberal ideal of a free play of individual forces in economic affairs. Christian moralists like Baader condemned what they felt to be the hedonistic outlook of economic liberalism. They attacked capitalist "exploitation" and advocated a return to the medieval principle of a just wage, the latter to be guaranteed by a modernized scheme of corporative industrial and po-

litical institutions. Marlo, in elaborating his proposals for social federalism, even more explicitly demanded that bounds should be set to the domain of the private capitalist entrepreneur. He was greatly disturbed by the inroads which the latter was making upon the economic spheres formerly reserved to Germany's traditional *Mittelstände,* and he looked to a new corporative order to preserve these independent craftsmen, tradesmen and small property-owners by securing to every man "the right to gain a livelihood through the exercise of his calling." This could be done, he thought, only by instituting a new "labor constitution" based on guild-like productive associations that could bring order into industrial relationships, call a halt to the terrifying progress of social polarization and give adequate expression to the "real" interests of producers through a social parliament of vocational estates.

Toward the middle of the century, as the liberal middle classes pressed more and more strongly for parliamentary institutions that would enlarge their influence in national affairs, organic estates doctrines drawn largely from Müller and other Romantic theorists became articles of common faith for conservatives and traditionalists. Champions of monarchy by divine right and of Junker preponderance upheld the ideal of a paternalistic sovereign drawing strength from voluntary consultation of the opinion of "the most valuable elements of the community"—the traditional *Landesstände* (nobles, clergy and yeomen) of Prussia. When liberal agitators began to appeal for support to the poorer sections of the population, conservative estates theorists like F. J. Stahl proposed that "a fourth estate of the dispossessed" should be incorporated in the feudal scheme as an alternative to "constitution-mongering" and *"Kopfzahl"* (head-counting). The ideas of Gerlach and his friends, and their activities in the parlia-

mentary arena after 1848, represented a continuation of this traditionalist opposition to popular sovereignty on the one hand and to state omnicompetence on the other, figuring as the most influential single current of corporatist doctrine during the interval between 1850 and 1870. Their ideal was a pluralistic and hierarchical organization of social groups (among which the landed aristocracy would occupy the place of honor) that would set limits to the authority of the secular state in order to protect the historic rights of the old feudal *Stände.*

Though they attracted little attention in their own day, some of the peripheral tendencies in German political thought during the period 1848–1870 contained ideas and attitudes that were to be of considerable importance in the subsequent evolution of corporatist thought. A number of academic critics of parliamentary government and of the emerging party system questioned the liberal assumption that an adequate expression of the popular will could be obtained from legislative bodies chosen purely on the basis of territorial constituencies. Possibly inspired by Marlo's demand for a social parliament, they developed schemes for reforming the franchise in order to give representation to functional as well as to territorial groupings of the population. Legislative assemblies chosen wholly or in part by *Berufsstände,* they argued, would moderate the excesses and remove the distortions of a system based on "mechanical head-counting" and would make possible a fuller application of expert knowledge to legislative problems while simultaneously increasing the likelihood of obtaining an "organic consultation" of the most responsible sections of public opinion. The "German historical school" of jurisprudence, culminating in Gierke's system of *Genossenschaftsrecht,* fostered the revival of medieval political philosophy with its emphasis on the individuality and independence of groups occupying an intermediate position between individual and

community. This pluralistic conception was the source of much subsequent corporatist criticism of the modern centralized state and supplied many telling arguments in support of both territorial and functional federalism.

The authors of the corporatist doctrines developed during the half-century after 1870 by Social Catholics, by Monarchical Socialists and by proponents of German Collective Economy were heavily indebted to earlier critics of atomistic individualism, laissez-faire capitalism and monistic state sovereignty. They made use of the organic conception to attack Manchester liberalism and with even greater vehemence to oppose the Marxian doctrine of class conflict. They adopted the premise, first articulated by Fichte and elaborated by the Romantics and by Hegel, that the nation was an organic union of many lesser communities rather than a simple aggregation of interchangeable human "atoms." They followed Baader and Marlo in quest of a political and economic order that would subordinate individual demands to communal purposes, that would mitigate the socially disruptive consequences of economic change and that would reconcile social conflicts without violent interruption of existing continuities. None of these later corporatists was inclined to stress whatever affinity his ideas may have had to Stahl's and Gerlach's frankly backward-looking political ideal, but the "neo-feudal" critique of étatisme and of parliamentarism found many approving echoes in corporatist thinking after 1870, as did the more "modern" theories of vocational representation and pluralistic sovereignty developed during the same period in academic quarters.

Each of the three principal corporatist doctrines evolved between 1870 and 1919 represented a distinctive combination of elements present in the residue of previous theories, and each was further particularized by the addition of new ele-

ments from the context of an increasingly urban, industrial and capitalist social environment. All three of these doctrines were, however, sufficiently indebted to earlier ideas to establish their common affiliation with a theoretical tradition that had become firmly implanted in German social thought before the full effects of the industrial revolution began to be directly felt and observed in central Europe.