

# Hegel in Support of Jewish Emancipation: A Deliberate Political Act?

Lars Fischer  
*University College London*

*Abstract:* Shlomo Avineri first suggested some forty years ago that Hegel's remarks in favor of Jewish emancipation in the *Philosophy of Right* were initially made in Heidelberg to support the majority of students within the *Allgemeine Burschenschaft* there who—against the general consensus within the *Burschenschaften* movement as a whole—insisted on the admission of Jewish students to their fraternity. While Avineri's account needs to be modified in some respects, the publication of the Wannemann transcript of Hegel's lectures in Heidelberg has since confirmed that these remarks were indeed made in Heidelberg and clearly did constitute a deliberate political act.

It is well known that Hegel supported the claim to Jewish emancipation, his highly critical notions of Judaism notwithstanding. Since Avineri first suggested it some forty years ago,<sup>1</sup> it also has become increasingly accepted that Hegel's support for Jewish emancipation was not of a purely theoretical nature. Rather, the remarks in his *Philosophy of Right* expressing that support were most likely first made in an attempt actively to support, during his tenure as a professor in Heidelberg (1816–1818), the majority of students within the *Allgemeine Burschenschaft* there who insisted on the admission of Jewish (and foreign) students to their fraternity. Avineri's argument essentially hinged on a form of credit by association: among those supporting the admission of Jewish students to the Heidelberg *Allgemeine Burschenschaft* the most prolific had been a mature Catholic student from the Rhineland, Friedrich Wilhelm Carové (1789–1852). Carové had been “on very close terms with Hegel,” so much so that he followed Hegel to Berlin in the autumn of 1818 where “Hegel tried, though unsuccessfully, to have him appointed as his assistant at the University.”<sup>2</sup> Carové himself had certainly attended Hegel's lectures on

the philosophy of right and “although no direct evidence is available, a strong case can be made for the claim that Hegel’s remarks about Jewish emancipation did have an impact on the students who attended his lectures.” Hegel’s remarks thus helped precipitate their determination to allow the admission of Jewish students to their fraternity.<sup>3</sup> In *Hegel’s Theory of the Modern State*, Avineri subsequently reaffirmed this notion.<sup>4</sup>

A look at two of the most likely points of departure for anyone seeking information on the matter today may suffice to demonstrate how widely accepted Avineri’s contention has become. Both Terry Pinkard, in his biography of Hegel,<sup>5</sup> and Yirmiyahu Yovel, in his *Dark Riddle: Hegel, Nietzsche, and the Jews*,<sup>6</sup> emphasize Carové’s reliance on Hegel in this matter. As Yovel put it, “the story of Hegel and Jewish emancipation has two moments—practical and theoretical.”<sup>7</sup> In his campaign for the admission of Jewish students to the *Burschenschaften*, Carové “needed the support and legitimization of his revered master, Hegel.” Hence, “given the master’s influence on his pupil, we may say that Hegel was not merely giving Carové advice but performing a political act himself.”<sup>8</sup>

Now, assuming this contention is correct, this “activism” on Hegel’s part surely deserves considerable emphasis. Admittedly, Hegel’s support of Jewish emancipation would be remarkable enough even if it had found its sole expression in remarks made in the lecture theatre without so immediate a connection to a concrete ongoing controversy raging in his immediate vicinity. On the other hand, one might then concede that “Hegel did once assert the desirability of the Jews being accorded civil rights” yet question, as Lawrence Stepelevich did in 1975, just how substantive this support actually was. After all, as Stepelevich, former editor of this journal and Avineri’s fiercest critic in this matter, noted, Hegel made this statement of support “in a footnote to an explanatory remark that was appended to a paragraph.”<sup>9</sup> It is surely a question of some relevance whether Hegel’s support of Jewish emancipation really did go far beyond such a comment and found its expression in a deliberate “political act.”

Interestingly enough, if we examine what evidence Pinkard and Yovel marshal to support their accounts of this issue we find that while Yovel refers us straight to Avineri, Pinkard draws on John Toews’s *Hegelianism*. Yet on the specific issue of the admission of Jewish students to the *Burschenschaften*, Toews again refers us back to Avineri.<sup>10</sup> It bears testimony to Avineri’s consummate skills as an intellectual historian that his suggestions regarding Hegel’s

“activism” in support of Jewish emancipation have withstood the test of time so well.<sup>11</sup> Nor, I hasten to add, is it the purpose of this paper to question the substance of his claim. Far from it. I do intend to clarify, modify, and partially correct individual aspects of his account. This paper’s main purpose, however, is to point to a fact that seems, rather remarkably, to have gone unnoticed, namely that one actual gap that did exist in Avineri’s line of argument was closed more than twenty years ago.

As Avineri himself pointed out, “as a book the *Philosophy of Right* was published only in 1820.” Yet “it was based on the Heidelberg lectures on the subject,” he argued, implying that one could therefore reasonably assume that Hegel had already made the remarks on Jewish emancipation found in the published *Philosophy of Right* in the lecture theatre in Heidelberg too.<sup>12</sup> When a new transcript of Hegel’s lecture course on the philosophy of right held in Berlin in 1818/1819 (the Homeyer transcript) was subsequently discovered and published, Stepelevich promptly pointed out that it did not contain Hegel’s remarks on Jewish emancipation. This, Stepelevich suggested, would seem to indicate that Hegel in fact did not make those remarks prior to 1820.<sup>13</sup> This was a questionable objection since the absence of a particular set of remarks from a particular transcript obviously vouches only for its absence from the transcript but not necessarily for the fact that the remarks were not made in the lecture theatre. As Avineri subsequently remarked elsewhere, the Homeyer transcript was in any case “the least detailed and the most cryptic of the different lecture notebooks” and “obviously not a verbatim report of Hegel’s lectures, but a summary.”<sup>14</sup>

Stepelevich’s objection was hence not conclusive. Even so, it would be extremely advantageous for our evaluation of Hegel’s possible “activism” in support of Jewish emancipation while in Heidelberg if we knew for sure whether Hegel did in fact make the remarks in question at the time or not. For all the discussions, though, that were generated by the 1983 publication of the subsequently discovered Wannemann transcript that actually covers Hegel’s lecture course on the philosophy of right in Heidelberg in the winter of 1817/1818,<sup>15</sup> this particular issue simply does not seem to have been revisited.<sup>16</sup> Yet, as I will show, the Wannemann transcript does in fact contain a passage stating Hegel’s support of Jewish emancipation. In the following I will begin with a brief outline, firstly, of the significance and origins of the *Burschenschaften* and, secondly, of their attitudes towards Jews. I will then discuss Carové’s role in the controversy of 1817/1818 regarding the admis-

sion or explicit exclusion of Jewish students from the *Burschenschaften*. This will lead on to a reconstruction of the interaction between Hegel and Carové and the exact nature of Hegel's intervention in this matter.

### *The Significance and Origins of the Burschenschaften*

Its initial spectacular rise in the 1880s and early 1890s notwithstanding, organized party-political antisemitism was only a limited success in Imperial Germany. The modern antisemitism emerging in the late 1870s made its real inroads elsewhere. It helped establish generally accepted terms of reference in Imperial German society that took for granted an array of anti-Jewish stereotypes and the conviction that a "Jewish Question" awaiting its definitive resolution really existed. More often than not, both self-avowed antisemites and self-avowed anti-antisemites agreed that there was a problem with the Jews. In large measure they even agreed on what that problem was. The real difference between them only emerged when it came to determining what should be done about the Jews. They differed in their prescriptions for, rather than their perceptions of, the alleged "Jewish Question." Consequently, antisemitism was in fact transmitted from Imperial Germany to the Weimar period (and beyond) not so much *via* a direct continuity of organized political antisemitism or explicitly antisemitic ideology but primarily "through the persistence of a cultural system of norms, vocabulary, and associations,"<sup>17</sup> many of which were not themselves avowedly antisemitic.

Student organizations played an important role in this process. Probably best known in this context is the *Verein Deutscher Studenten* (VDSt). It emerged in 1881 from the campaign mobilizing support amongst students for the infamous *Antisemitenpetition* that expressly called for the emancipation of the Jews to be revoked. The petition was signed by some 4,000 students which may not seem much but amounted to roughly a fifth of all German students at the time.<sup>18</sup> By contrast, the mainstream student fraternities, the *Burschenschaften*, tended to reject Jews out of snobbery and convention but did not necessarily think of antisemitism as an ideological priority. Yet this distinction made little difference when it came to the long-term perpetuation and reproduction of antisemitism among the student population (and thus among a crucial cross section of the future elite). For the *Burschenschaften* most certainly did subscribe to the already-mentioned "cultural system of norms, vocabulary, and associations" that was ultimately so much more important for the transmission of antisemitism from Imperial Germany to the Weimar

period than any direct continuity of self-avowed ideological antisemitism. Consequently the role of the *Burschenschaften* in this process was perhaps even more important than that of the VDSt.

From a post-1945 perspective, it is sometimes difficult to appreciate just how integral a feature of student life in Germany the *Burschenschaften* actually were for much of the nineteenth and the first half of the twentieth century. Indeed, by the end of the nineteenth century they were considered so crucial to the student experience that Jewish students began to establish their own counter-fraternities. Throughout the twentieth century the (non-Jewish) *Burschenschaften* have stood firmly on the far right of the political spectrum. They formed an overtly antirepublican, antidemocratic and antisemitic bloc in the Weimar Republic and most of them enthusiastically welcomed the National Socialist regime. The picture for the nineteenth century is a little more complex. In the period spanning roughly from the 1840s to the early 1880s the *Burschenschaften* also accommodated students identifying with a rather more liberal mainstream. It was with Imperial Germany's postliberal turn after 1879 that the *Burschenschaften* began their continuous march to the extreme political right. There is no comprehensive or inevitable continuity, then, between the initial orientation of the *Burschenschaften* as they emerged in the immediate post-Napoleonic era and the clear-cut profile they displayed with increasing consistency from the 1880s onwards. There is, however, a remarkable continuity of susceptibilities and predispositions between the two.

It is now widely accepted that conventional German historiography grossly overrated the role of German nationalism (rather than territorial patriotism and/or straightforward anti-French or anti-Napoleonic sentiment) in the so-called Wars of Liberation of 1813–1815. Even so, the anti-Napoleonic struggle was beyond doubt an important impulse for the evolution of German nationalism and exerted a strong formative influence on it. The emergence of the *Burschenschaften* as a new type of student fraternity was in many ways paradigmatic for this process and its ambiguities. Previously, student fraternities had generally been organized according to the students' territories of origin. The *Burschenschaften*, by contrast, emphasized the need for all German students to unite in one organization and further the cause of all-German unification.

This call for the establishment of an all-German nation state obviously questioned the status quo within the German Federation established by the

post-Napoleonic settlement of 1815. In this sense, the orientation of the *Burschenschaften* movement had a subversive quality to it. As is well known, it was the radicalization of some of its member groups that promptly provided the pretext for the Karlsbad Decrees of 1819 that radically curtailed political freedoms in the German Federation and, not least, led Hegel to indulge in extensive self censorship when preparing his *Philosophy of Right* for publication. On the other hand, in their quest to define what being German actually meant the *Burschenschaften* obviously faced an acute lack of much positive contemporary content. Hence their need to define themselves in opposition to some other was particularly pronounced. Their emergence from the anti-Napoleonic struggle in any case saddled the *Burschenschaften* from the outset with a deep-seated distrust, and often hatred, of everything French, everything Napoleonic and, in most cases, the revolutionary concepts and values of 1789 as a whole. On the positive side, they professed a deep-seated love for a romanticized and almost entirely invented Germanic/Teutonic tradition of which (somewhat ironically) Christianity was considered an integral part.

Put simply: the fact that the *Burschenschaften* were seen as subversive and treated accordingly by the authorities in *Vormärz* Germany by no means implies that their political orientation was in any way inherently emancipatory. Needless to say, the general orientation of the *Burschenschaften* militated against the specific concept of Jewish emancipation on at least three counts. Jewish emancipation was predicated, firstly, on the revolutionary principle of equal citizenship and, to make things worse, it had been imposed by Napoleon on many of the territories within the former Holy Roman Empire. It granted full citizenship rights, secondly, based on political rather than ethnic criteria of belonging and it granted them, thirdly, to non-Christians.

Now, any suggestion of a direct continuity of antisemitism (in the sense of modern political antisemitism) throughout the history of the *Burschenschaften* movement would constitute an obvious anachronism. Attitudes towards Jews among the early *Burschenschaften* can obviously only tell us something about the prehistory of modern political antisemitism. Yet that, in and of itself, does not get the early *Burschenschaften* off the hook. Whenever attempting to chart the history of antisemitism proper prior to the Shoah we need to gauge its societal relevance and virulence by confronting two factors in the equation. On the one hand, we need to examine the concepts and policies formulated and propagated by antisemitic ideologues and movements. On the other hand, we need to understand the factors that render segments of

society susceptible to antisemitic ideology and help preserve Jewry (or those identified as Jewish) in the public consciousness as a readily identifiable entity that can serve as a foil for antisemitic projections. Anti-Jewish attitudes and practices within the early *Burschenschaften* are of interest, then, not because they could demonstrate that the *Burschenschaften* were “antisemitic” from their inception. They are significant because they help us understand one of the processes predisposing nineteenth-century German student culture in a way that allowed modern political antisemitism to make the massive inroads it did then make among German students in Imperial Germany. Conversely, active opposition to these attitudes and practices—such as the opposition of Carové and Hegel and the student faction they sought to influence and support—is significant because it represents a counter-tradition that potentially could have rendered this particular seed bed of ideological antisemitism barren, had it taken hold.

#### *The Early Burschenschaften and the Jews*

The perceptions of, and attitudes towards, their Jewish fellow students prevalent among those who determined the political profile of the early *Burschenschaften* has been the object of some controversy. Prior to 1945 the agenda underlying attempts to either downplay or strongly emphasize anti-Jewish animosity within the early *Burschenschaften* by no means invariably conformed to our post-Shoah sensitivities. Both in Imperial Germany and especially in the Weimar period we come across something of a role reversal (from our point of view). On the one hand, self-avowed antisemites within and beyond the *Burschenschaften* would stress emphatically that the very concept of *Burschenschaft* was indeed inextricably linked to a strong anti-Jewish impulse from the outset. On the other hand, anti-antisemites would question the importance of anti-Jewish sentiments and practices for the early *Burschenschaften* in an attempt to deny the antisemitic majority within the *Burschenschaften* its claim to this historical precedent as a source of legitimacy.<sup>19</sup>

To complicate matters even further, after 1945 those segments of left-wing historiography generally enamoured with antiestablishment politics in any shape or form and inclined to take the degree of repression to which any given initiative or movement was subjected as an automatic measure of its radicality and subversiveness have sought to salvage the “Jacobin” remnants among parts of the early *Burschenschaften* movement. To do so they were, of course, forced to downplay anti-Jewish attitudes and practices or, for that

matter, the prevalence of chauvinistic sentiments within that movement more generally. It was primarily the “professorial mentors” of the movement, rather than the membership at grassroots level, so the argument goes, who were obsessed with these nationalist and anti-Jewish notions.<sup>20</sup> In this scheme of things, incidentally, Carové has repeatedly been enlisted in an attempt to emphasize the alleged ideological diversity of the early *Burschenschaften* movement.<sup>21</sup>

Now, to be sure, the emerging *Burschenschaften* did not all expressly exclude Jews from the outset. As Herman Haupt, the leading historian of the *Burschenschaften* who was himself closely affiliated with the movement, explained, the debate on the admission or exclusion of Jewish students was initiated and urged on primarily by the ultra-radical fraternity in Gießen. It did not, however, become a prominent issue until the aftermath of the *Wartburgfest*, the infamous all-German gathering of politicized students in October 1817.<sup>22</sup> The *Burschenschaft* in Jena, for instance, “benefited” directly from the presence of one of Hegel’s arch-enemies, the staunchly chauvinistic philosopher, Jakob Friedrich Fries (1773–1843), and was soon to emerge as the second centre within the movement aggressively promoting the exclusion of foreigners and Jews. Yet even it did not take the formal decision to refuse Jewish students the right to join until 7 March 1818 (when it was carried by a vote of 147 to 2).<sup>23</sup>

Haupt’s contention tallies well with the memorable contemporary letter by a Jewish student from Jena quoted by Uriel Tal at the outset of his study on “Young German Intellectuals on Romanticism and Judaism.” Writing on 25 October 1817, the student explained that

never in my life have I been asked so often, so intensively, so persistently, about my being a Jew, as during the last week. It was the week—as, of course, you remember—of that great event at Wartburg. . . . Some pitied me for being doomed to be a Jew, others accused me; some insulted me, others praised me for it. . . . but all my Kameraden were constantly aware of it.<sup>24</sup>

The explicit and formal exclusion of Jewish students did not become a major issue of debate within the emerging *Burschenschaften* movement until the *Wartburgfest*, then. That said, much of the rhetoric that accompanied the emergence of the *Burschenschaften* from the outset would in any case have made them sufficiently unattractive for Jewish students to deter them from applying for membership in the first place.<sup>25</sup> This certainly held true of the *Wartburgfest* itself.<sup>26</sup> It was convened for 18 October 1817 to commemorate both Napoleon’s defeat in the vicinity of nearby Leipzig in 1813 and the

tercentenary of Luther's publication of his ninety-five theses in Wittenberg and subsequent refuge in the Wartburg. Hence the gathering was not only unlikely to appeal to many Jewish students but seems by and large to have deterred Catholic students too. Carové himself did attend, praising the "intellectual freedom [*geistige Freiheit*]" the students owed to the challenge raised by the "fireball [*Feuergeist*]" Luther.<sup>27</sup> Yet even his close friend and fellow Catholic, Ferdinand Walter (1794–1879), later a professor of law in Bonn, despite Carové's attempts to persuade him otherwise, "instinctively" felt that the *Wartburgfest* would not be an event he wanted to attend.<sup>28</sup>

That the admission (or not) of Jewish students to the *Burschenschaften* did subsequently become a major issue resulted in large part from the aggressively anti-Jewish rhetoric that featured prominently at the *Wartburgfest*, most dramatically perhaps in the context of the ritual book burning. There is also a rather more pragmatic reason, though, why the issue gained substantially in prominence at this juncture: the *Burschenschaften* represented at the *Wartburgfest* agreed to begin deliberations on a generally binding statute for the all-German union of *Burschenschaften*. If the admission of Jewish students had not been governed by an unequivocal and explicit prescription before, then the drafting and agreement of a joint statute clearly would create the need for unitary regulations on the matter.

As Avineri rightly pointed out, this specific issue was, of course, indicative of "a wider struggle about the nature of the *Burschenschaften*."<sup>29</sup> On the one hand were those whose top priority was that the *Burschenschaften* be German. For them, as already indicated, "being Christian and being German became identical." Apart from being Christian, being German lacked much positive contemporary content. It implied identification with a romanticized and almost entirely invented Germanic/Teutonic tradition and unrelenting rejection of anything and everything French, including the values of the revolution of 1789. Hardtwig has pointed to the "corresponding consequences" this had "for the inclination towards antisemitism among the *Burschenschaften*."<sup>30</sup> On the other hand were those for whom, to pinch a formula from another context, the *Burschenschaften* should be national in form but emancipatory and universal in content. For the latter, being national primarily hinged on the notion that students should become organized in a form that transcended the particularism of the German-speaking territories. Yet this notion too was underpinned by a romantic nationalism that was determined not to be outdone in its disgusted rejection of the recent Napoleonic occupation.

However, this strand within the *Burschenschaften* movement maintained that the values of the revolution, even though they had subsequently been perverted and betrayed, nevertheless formed an essentially positive legacy. While the former rapidly emerged as the unchallenged majority within the movement it soon transpired that the latter were “confined almost exclusively to Heidelberg.”<sup>31</sup>

#### *Carové and the Allgemeine Burschenschaft*

Carové was beyond doubt the most prolific and vocal representative of the second, subsequently defeated trend. Having abandoned a legal career to return to university as a mature student, Carové had come to Heidelberg at the beginning of the winter semester of 1816/1817 (at the same time as Hegel). He stayed there, attending Hegel’s lectures throughout his four semesters in Heidelberg, until the end of the academic year 1817/1818. As already mentioned, he then left to join Hegel in Berlin.<sup>32</sup>

At the time of Carové’s arrival in Heidelberg a *Burschenschaft* had not as yet been established there. That said, a handful of rival factions, among them associates of the staunchly Germanic and anti-Jewish *Burschenschaft* in Gießen, had already spent some time quibbling over the possible character of a prospective *Burschenschaft* in Heidelberg. Carové, rather older and more experienced than most of his fellow students, soon made an impression and was subsequently able to exert a crucial influence on the process leading to the establishment of the Heidelberg *Burschenschaft*. At a meeting in January 1817 he held a programmatic speech on his vision of the *Burschenschaft*. On 23 February he presented the draft of a statute (*Burschenbrauch*) to a follow-up gathering. This was subsequently carried at a meeting on 27 February at which the *Allgemeine Burschenschaft* was officially founded.<sup>33</sup> Throughout this process Carové had emphasized repeatedly and with verve that in order to fulfil their purpose the *Burschenschaften* needed to be universal (*allgemein*) in character and therefore open to all *Burschen*, i.e. to all enrolled students. Hence, from its inception in early 1817 the Heidelberg *Allgemeine Burschenschaft*, as its name was designed to make clear, had been *open for foreign and Jewish students*. Now, the Hegelian underpinnings of Carové’s strong emphasis on the (ideally) universal nature of the *Burschenschaft* are indeed conspicuous. Even so, Hegel’s specific remarks on Jewish emancipation in his philosophy of right clearly cannot have played a role at this particular juncture because Hegel only made these remarks a year later.

In October 1817, on his way to the *Wartburgfest*, Carové had three of his programmatic speeches on the purpose of the *Burschenschaften* printed in Eisenach for distribution at the gathering.<sup>34</sup> It would seem that he also intended to present a draft based on the Heidelberg *Burschenbrauch* to the *Burschenschaften* assembled in Eisenach as the basis for a joint all-German statute. On their arrival in Eisenach, three *Burschen* who had transferred to Heidelberg in the previous semester (Kahl, Lauteren, and Ernst Welcker) immediately alerted their associates from Gießen and Jena to the fact that Carové intended to table a draft statute at the meeting. As Welcker wrote to his brother, he and his associates did not want a joint statute to be discussed at this point, let alone “one tabled by a pompous and vain cold fish [*aufgeblasener, eitler und gemüthloser Mensch*]” like Carové.<sup>35</sup> In the event, apparently as a result of an intervention by the Gießen and Jena *Burschenschaften*, Carové’s draft was not discussed in Eisenach. Instead it was decided that drafts should subsequently be submitted for discussion at a convention (*Burschentag*) convened for Easter 1818 in Jena.

On the second day of the *Wartburgfest*, 19 October 1817, Carové did speak to the *Burschen* assembled in Eisenach, though.<sup>36</sup> Just how small a minority within the emerging movement he represented, even at this point, is made amply clear by the muted response.<sup>37</sup> His speech has repeatedly been praised in the literature for its clarity and elegance. Indeed, it has occasionally been singled out as the best speech given at the *Wartburgfest* in terms of its form and presentation.<sup>38</sup> The response to its content, however, is another matter altogether. Perhaps a particularly telling example is the contemporary report by Hans Ferdinand Maßmann (1797–1874). Speaking “clearly and without notes,” Carové had “said a lot about the times we live in, about the correct way of understanding them and how justice must now prevail in the freedom of the regained fatherland etc.”<sup>39</sup> That was all Maßmann had to say on Carové’s speech. This is all the more remarkable, given that Maßmann himself clearly belonged to the radically Germanic *Burschen* and was among the initiators of the ritual book burning during the *Wartburgfest*. His comments therefore hint at the possibility that Carové’s speech may well simply have gone sufficiently over the heads of those present to arouse neither support nor opposition on any substantial scale. We might add that Carové certainly did not explicitly raise the issue of Jewish students in his speech as Pinkard’s account might suggest.<sup>40</sup> He did so at best indirectly by maintaining his strong emphasis on the universal character the *Burschenschaften* should have.

Following the disappointing experience of the *Wartburgfest*, Carové apparently amended his draft in an attempt to make it more generally acceptable.<sup>41</sup> Haupt points out, for instance, that Carové incorporated a detailed discussion of the concept of honour in the theoretical considerations prefacing his draft statute. A similar discussion also featured prominently in the *Ehrenspiegel* (the statute of the Gießen *Burschenschaft*). According to Haupt, Carové's position on the matter in fact demonstrated an "extremely close affinity" to that taken by the *Ehrenspiegel*.<sup>42</sup> Early in 1818 (the preface is dated January 1818), Carové then published this revised version of the draft as *Entwurf einer Burschenschafts-Ordnung und Versuch einer Begründung derselben*.<sup>43</sup> The *Entwurf* may have sought to accommodate opposing positions and indicate a possible compromise. Even so, Carové did not waver on the issue of the admission of Jewish students. Not only did §20 of the revised draft statute state that *all* students were eligible to apply for membership. Carové in fact added a footnote expressly referring to foreign and Jewish students as a case in point and explaining why those seeking to exclude them were misguided.<sup>44</sup>

None too surprisingly, Carové's *Entwurf* did not become the basis of the subsequent deliberations. Instead the *Burschentag* that met in Jena from 29 March to 3 April 1818 based its discussion on nineteen articles drafted by the Jena *Burschenschaft*.<sup>45</sup> Section six of this draft stipulated that only Christian Germans should be able to join.<sup>46</sup> As Avineri already pointed out, Carové himself did not attend the *Burschentag*. Instead his close associate, Theodor von Kobbe (1798–1845), a man of some subsequent literary fame, mainly as a humorist, represented his position as best he could. Consequently, §6 was moved but an additional clause agreed that allowed individual *Burschenschaften* to grant membership to Jewish students if they so wished.<sup>47</sup> In fact, however, §6 did not come into force in this form. The *Burschentag* decided that the statute agreed in Jena over Easter should have draft character and be discussed in preparation of a final decision at a subsequent *Burschentag* in the autumn.<sup>48</sup>

If the *Allgemeine Burschenschaft* in Heidelberg had hoped to sway the entire movement towards an acceptance of Jewish students it now obviously needed to reconsider its options. It is at this point that Avineri's narrative picked up. He mistakenly assumed that the ensuing controversy within the *Allgemeine Burschenschaft* concerned the decision to admit Jewish students in the first place. As we saw, this decision had in fact been taken when the *Allgemeine Burschenschaft* was established in early 1817. The controversy in

the summer of 1818 resulted from the need to decide whether or not the *Allgemeine Burschenschaft* should defy the consensus that had emerged at the *Burschentag* in Jena by continuing to insist on the right of Jewish students to be admitted.

### *Hegel's Role*

Avineri's account took for its point of departure the then fairly recent publication of material relating to one of the students in Heidelberg who had actively opposed the admission of Jewish students, Gustav Asverus (1798–1843).<sup>49</sup> Asverus only spent the summer semester of 1818 in Heidelberg. Coming there from Jena in April 1818 one can well imagine the culture shock he must have encountered when approaching the *Allgemeine Burschenschaft*. In a letter dated 24 May 1818, Asverus complained to an associate in Jena (Karl Ludwig Loholm), that the *Burschenschaft* in Heidelberg was a universal (*allgemeine*) one that was prepared to admit Jews and foreigners. This was a “ghastly [*schauderhaft*]”<sup>50</sup> state of affairs. As Avineri related, Asverus had gone on “to inform his correspondent that he and some of his friends . . . were breaking away from the fraternity.”<sup>51</sup> Asverus explicitly singled out Carové as the “stupid cur [*dumme Hundsfott*]” who was to blame for this development. Interestingly enough, Asverus explained that he had “already hated” Carové “towards the end in Jena,” but now hated him all the more. This clearly indicates that Carové was already firmly established as a bogey man, at least within the Jena *Burschenschaft*, by the time Asverus left Jena in the spring of 1818.<sup>52</sup>

Asverus's subsequent letter to Loholm of 9 June 1818, in which he complained how accustomed the *Burschenschaft* in Heidelberg was to “the ideas of universality and pure rationality” obviously pointed in the same direction. Avineri hence concluded that Asverus's “gibe about the ‘universality’ of the fraternity now that it had Jewish members,” gave a clear indication “that the arguments for the admission of Jews followed the lines of Hegel's argument . . . as maintained in his *Philosophy of Right* and his remarks about the Jews which must have been familiar to the students who attended those lectures the previous term.”<sup>53</sup> After all, the one occasion on which Hegel had held lectures on the philosophy of right during his tenure in Heidelberg had been in the winter semester of 1817/1818, “i.e., in the period immediately preceding”<sup>54</sup> the controversy at hand. This conflict obviously reflected “a clear-cut division

between the pro-Hegelian students, led by Carové, who favored the admission of Jews, and the anti-Hegelians, led by Asverus, who opposed it.”<sup>55</sup>

As we saw, Avineri also drew attention to the fact that this controversy had repercussions far beyond Heidelberg and was in fact “waged within the context of a wider struggle about the nature of the *Burschenschaften*.”<sup>56</sup> On this plane too there could be “no doubt that the general controversy about the nature of the movement moved along pro- or anti-Hegelian lines, with Carové’s antinationalistic outlook ascribed by his contemporaries to his orthodox Hegelianism.”<sup>57</sup> Against this background it seemed clear to Avineri that “a strong case can be made for the claim that Hegel’s remarks about Jewish emancipation did have an impact on the students who attended his lectures on the *Philosophy of Right* and that their decision” to admit Jewish students to the *Burschenschaft* “was a way of starting charity at home.”<sup>58</sup>

As already mentioned, Hegel lectured on the philosophy of right in the winter semester of 1817/1818, in the period exactly spanning the gap between the *Wartburgfest* in October 1817 and the *Burschentag* in Jena over Easter 1818. Hegel’s remarks on Jewish emancipation would therefore have been made in the run-up to the *Burschentag* in Jena. Assuming Hegel did indeed mean these remarks as an intervention into this debate his focus would thus have been not so much the situation in Heidelberg itself, where Carové’s position was fairly unassailable at the time and the admission of Jewish students not immediately under threat. Rather, his remarks would have served to encourage the *Allgemeine Burschenschaft* to articulate its stance as forcefully as possible within the emerging all-German union of *Burschenschaften*.

This would tally well with Pinkard’s account of Hegel’s initial support of the *Burschenschaften*.<sup>59</sup> After all,

to the extent that the dynamic of modern life seemed to be moving toward making explicit those principles to which he thought modern life had implicitly committed itself, he could expect that the *Burschenschaft* movement, whatever its momentary travails and misguided youthful exuberance . . . would eventually have to transform itself in the direction that his philosophy outlined.<sup>60</sup>

Pinkard in fact suggests that, “in 1817, it no doubt seemed to Hegel . . . that the *Burschenschaft* movement itself would likely be led by Hegelians.”<sup>61</sup> This assumption surely would be inconceivable in this form had it not been for Hegel’s close contact to Carové and sympathy with the efforts of Carové and his supporters. Clearly, then, Hegel assumed that “what is rational, must

happen” among the *Burschenschaften* too and he seems to have believed this at least until the *Burschentag* of Easter 1818.

Of course, it is virtually indeterminable to what extent Hegel’s public expression of support, in the lecture theatre, for the stance of Carové and his supporters genuinely may have influenced the students involved with the *Allgemeine Burschenschaft* in Heidelberg. The following data might at least help to develop a purely quantitative sense of proportion in this respect. The university in Heidelberg had a total of 382 students during the winter semester of 1817/1818.<sup>62</sup> Asverus reports that the vote not to exclude Jewish and foreign students following the Easter *Burschentag* in Jena was carried by a vote of 80 to 36.<sup>63</sup> This means that close to a third of the students took part in the vote and therefore must have been associated with the *Burschenschaft*. As far as the attendance at Hegel’s lectures is concerned, one of Carové’s supporters, Richard Rothe (1799–1867), later a professor of theology in Bonn and Heidelberg, reported to his parents on 1 June 1817 that Hegel had “numerous” listeners in the summer semester of 1817.<sup>64</sup> We know that at this time seventy students attended Hegel’s lectures.<sup>65</sup> Rothe subsequently reported that Hegel’s lectures on the philosophy of right in the winter semester of 1817/1818 were “jam-packed,”<sup>66</sup> which surely suggests that the number of students attending then was rather larger than seventy. This would imply that roughly a quarter of the students enrolled at the time heard Hegel’s lectures on the philosophy of right (which were scheduled for one hour six mornings a week).<sup>67</sup>

The reports of former students who witnessed Hegel’s tenure in Heidelberg that are available to us all have one thing in common: they emphasize how challenging Hegel’s lectures were.<sup>68</sup> This may indeed mean that the students who heard Hegel’s remarks on Jewish emancipation in the lecture theatre did not necessarily fully grasp how Hegel had reached his conclusions on this particular issue or their full systematic implications. Even so, the remarks on Jewish emancipation as such were perfectly understandable and unequivocal in their own right and must have aroused considerable attention under the circumstances.

As Avineri rightly pointed out, there can in any case be absolutely no doubt that contemporaries (friend and foe alike) clearly interpreted the stance propagated by Carové and those associated with him as an outflow of Hegel’s influence over them. Two additional examples may suffice to underscore this. Writing to Asverus in early June in response to his complaints

about the “universal” *Burschenschaft* in Heidelberg, Loholm confirmed that “all the cosmopolites, be they Herr Hegel or Carové, are fools. Because of their ideas and abstractions they entirely overlook or do not know reality, or are mad.”<sup>69</sup> Rothe, on the other hand, reported home in August 1818 that “opposed a *diametrico* to the Germans within the *Burschenschaft* are the so called philosophers or Hegelians.” He hastened to add that the latter by no means “harp on about their philosophy” in the meetings of the *Burschenschaft*. Rather, they “speak and behave in a perfectly decent manner and never see more than is really there yet also have eyes for what [really] is there. The Germans hate no one more than them, foremost among them Carové.”<sup>70</sup> Just how genuinely Hegelian in substance the support among Heidelberg’s students for the continued admission of Jewish students to the *Allgemeine Burschenschaft* and the attempt to prevent the all-German movement from adopting a statute excluding Jewish students actually was may be open to debate. But in an important sense this is really quite irrelevant because it is beyond doubt that this support was identified not only by its opponents but also by its proponents as Hegelian in origin and motivation. Assuming Hegel was indeed trying to nurture this motivation with his remarks, this “political act” would seem, at least in the short term, to have been a considerable success story. Yet this success was in fact short-lived.

#### *The Schism in the Allgemeine Burschenschaft and Subsequent Developments*

The decision of the *Allgemeine Burschenschaft* in Heidelberg not to alter its regulations in order to exclude Jewish students was made prior to 12 May 1818. We know this because Asverus’s diary<sup>71</sup> notes for the evening of 12 May the meeting of some of those opposed to the continued admission of Jews at which they (apparently fifteen in all) decided consequently to secede from the *Allgemeine Burschenschaft*. “For we believe,” they subsequently informed their former fellow *Burschen*,

that the fatherland should be our top priority, that it is our duty to educate ourselves in a fatherlandish fashion, separate from all aliens [*Fremden*] who cannot grasp this notion with us. We also consider it a matter of considerable urgency to express publicly that the primary goal of our association is a fatherlandish one. . . . Our motto is not like yours: peace and pleasure but pleasure in struggle.<sup>72</sup>

Yet this schism in fact lasted barely a month. Loholm, for one, responded to Asverus’s letter with stern words censoring his friend’s despondent with-

drawal.<sup>73</sup> The majority of the *Allgemeine Burschenschaft* in the meantime, in response to the statement they had received from the secessionists, devised a compromise formula. It stated that “our *Burschenschaft* is designed to be a German one and its prime purpose is our German fatherland. But the foreigners and Jews shall not be excluded and can join if they acknowledge our designated purpose as supreme.”<sup>74</sup> Hence the secessionists saw themselves compelled, “unfortunately” as Asverus commented to Loholm on 9 June,<sup>75</sup> to rejoin the *Allgemeine Burschenschaft*. As Rothe reported to his parents in August 1818, the minority had returned “with sour faces” and now opposed everything proposed by the majority on principle.<sup>76</sup> In any case, the festivities in commemoration of the battle of Waterloo on 18 June 1818 already marked the first public appearance of the reunited *Allgemeine Burschenschaft* in Heidelberg.<sup>77</sup>

The subsequent *Burschentag*, the so-called constituent *Burschentag*, met in Jena from 10 to 19 October 1818. It finally agreed on an all-German statute. By this time the situation in Heidelberg had already begun to change considerably. Hegel and Carové had left for Berlin and Kobbe had moved to Kiel. The Heidelberg delegates attending the constituent *Burschentag* were by no means staunch supporters of Carové’s course. It is all the more remarkable that they nevertheless upheld Heidelberg’s opposition to §6 of the statute initially agreed at the Easter *Burschentag*. Apparently supported by delegates from Königsberg<sup>78</sup> and Breslau, they managed to have §6 scrapped.<sup>79</sup> Instead the statute now stipulated more generally that the purpose of the *Burschenschaften* was the “Christian-German education [*Ausbildung*] of all intellectual and physical faculties to serve the fatherland.” At the same time it was again agreed that the individual *Burschenschaften* remained free to admit Jews if they so wished.<sup>80</sup> At the *Burschentag* itself the delegates from Heidelberg even rejected this concept of “Christian-German education” as too narrow and exclusive. Yet this opposition had no immediate practical implications and subsequently evaporated. The *Allgemeine Burschenschaft* in Heidelberg was by this time well on its way into the mainstream of the all-German movement. A year later, on 15 December 1819, it finally ceased to be *allgemein* and abandoned Carové’s legacy, when it formally decided no longer to admit foreign and Jewish students.<sup>81</sup>

*The Missing Link*

The whole argument so far is obviously predicated on the assumption that Hegel did actually speak out in favor of Jewish emancipation in the lecture theatre in the spring of 1818 in the first place. Avineri was in no position to answer this question definitively. But it was in no way unreasonable of him to suggest the likelihood of Hegel having remarked on the matter when lecturing on the philosophy of right in Heidelberg, given that it featured in the published *Philosophy of Right*. As I indicated in the introduction, Avineri's hunch has since been borne out by the discovery of the Wannemann transcript covering the actual lecture course on the philosophy of right that Hegel held in Heidelberg in the winter semester of 1817/1818. Yet not even Avineri himself seems to have examined the Wannemann transcript for confirmation of his earlier contentions regarding Hegel's support of Carové. In a brilliant and engaging review article published in this journal, Avineri emphasized the extent to which the now available transcripts of the lecture courses given before 1820 "bear out that Hegel's original philosophy of right was a much more liberal and open-ended system than the volume which he eventually published."<sup>82</sup> He discussed three issues as cases in point: Hegel's notions on the relationship between the rational and the actual, on poverty in civil society, and on princely power.<sup>83</sup> Avineri did not, however, return to the specific issue of Hegel's remarks on Jewish emancipation.

Pöggeler, in his introduction to the Wannemann transcript, emphasized that Hegel had "adopted a very positive attitude to the newly formed student fraternities." He added that "it is specifically these Heidelberg lectures on the philosophy of right that show the extent to which political and educational considerations were involved in Hegel's work. . . . That his lectures influenced the political debates of the students," Pöggeler went on to argue, "is evident from the fact that F. W. Carové went over them with 'some' of his fellow students in the winter of 1818-1819."<sup>84</sup> Here Pöggeler seems to have confused two issues. As already mentioned, Hegel had hoped to see Carové appointed as his teaching assistant in Berlin. When the university refused to do so Carové nevertheless completed the teaching he had agreed with Hegel for that semester without pay.<sup>85</sup> This would have been in the winter of 1818/1819. Pöggeler's reference to the fact that Carové went over Hegel's lectures with "some" of his fellow students clearly points in another direction, though: Carové stated in his *curriculum vitae* submitted when applying for his degree in Heidelberg in the summer of 1818 that he had been going

over Hegel's lectures on the philosophy of right during the current semester (i.e. the summer semester of 1818) with "some" of his fellow students.<sup>86</sup>

From our point of view this is quite remarkable of course: not only did Hegel hold his lectures on the philosophy of right in the semester between the *Wartburgfest* and the Easter *Burschentag* in Jena and make his remarks on Jewish emancipation against the backdrop of the run up to the *Burschentag*. Carové, in turn, was going over these lectures with "some" of his fellow students in the semester following the *Burschentag*, the very semester in which Asverus and his associates sought to undermine the determination of the *Allgemeine Burschenschaft* to stick to its stance on the admission of foreign and Jewish students and temporarily seceded from the *Burschenschaft* due to this controversy. Conversely, the fact that Pöggeler assumes this activity on Carové's part to have transpired in the winter of 1818/1819 clearly indicates that he did not connect the influence thus exerted by Hegel's lectures to his tenure in Heidelberg.

Pöggeler then went on to explain that Carové had "received his degree under Hegel with a dissertation devoted to the statutes of the student fraternities. Hegel had also seen to it that Carové did not have to submit the compulsory piece in Latin. In this way," Pöggeler concluded, "Hegel supported the political aspirations of Carové, who opposed the exaggerated and anachronistic concept of duelling honor and sought the admission of Jewish students to the student fraternities."<sup>87</sup> The suggestion would be, then, that Hegel supported Carové's political aspirations, not by publicly backing him, but by acting behind the scenes in a manner that would make it easier for Carové to pursue his own agenda.

That this is the correct interpretation of Pöggeler's argument is all the more evident in the light of his earlier discussion of the issue. Hegel's remarks on Jewish emancipation in the philosophy of right were based on the assumption that "equality and freedom of conscience develop spontaneously in those entering the common culture," Pöggeler explained there. "In the same sense," he then added, "Hegel's pupil Carové called, while at Heidelberg, for the admission of foreigners and Jews to the student associations." Moreover, "at Hegel's instigation Carové received his degree at Heidelberg" for his *Entwurf* "in which these views were expressed."<sup>88</sup> Again there is no suggestion here that Hegel might have spoken out publicly in the lecture theatre in support of Jewish emancipation in order to back up Carové's cause.

We might note in passing that Hegel's treatment of Carové, as far as his graduation was concerned, was perhaps not quite as extraordinary as Pöggeler

seems to imply. In his introduction to the documents pertaining to Hegel's activities in Heidelberg, Nicolin noted that Hegel was generally inclined throughout his tenure in Heidelberg to view applicants' concerns favourably and to accommodate their special needs.<sup>89</sup> Given that Hegel was more familiar with Carové and his work than anyone else among his colleagues, it is hardly surprising that Hegel was asked to comment in the first instance on Carové's qualifications when he applied for a degree. Nor, surely, is it all that unusual that his colleagues subsequently did not question his evaluation. In his comments on Carové's *Entwurf*, Hegel conceded that it might seem inappropriate to submit a draft statute for the *Burschenschaften* movement in lieu of a dissertation. He then explicitly limited his comments to Carové's theoretical section on the concept of honour and duelling in the preface to the draft.<sup>90</sup> This section, Hegel argued, could stand on its own quite independently of the rest of the *Entwurf*, which he would entirely disregard in his evaluation; and it fully justified the decision to award Carové a doctorate. None too surprisingly, Hegel singled out as its foremost merit that it refuted the concept of honour and duelling developed by Fries in his *Handbuch der praktischen Philosophie*.<sup>91</sup> He felt compelled to state, Hegel explained, "that had Professor Fries submitted these notions [i.e. those developed in the *Handbuch*] as a treatise to the faculty in order to acquire a doctorate I would have declined [the application]." Carové's discussion of the issue, by contrast, was entirely appropriate and he should therefore receive his degree.<sup>92</sup> Whatever Hegel's genuine motives, then, Carové's support of Jewish emancipation played no direct role in the formal graduation proceedings.

Ilting's edition of the Wannemann transcript, finally, offers a synopsis detailing parallels between the published *Philosophy of Right* and the earlier lecture course on the philosophy of right given in Heidelberg. Ilting suggests only one parallel to Hegel's comments on §270 of the published version, namely in §71 of the Wannemann transcript.<sup>93</sup> This parallel does not, however, directly concern Hegel's remarks on Jewish emancipation.

Now, Hegel's comments on §270 of the published *Philosophy of Right* concern the relationship between the state and religion. The footnote containing his remarks about Jewish emancipation refers specifically to his suggestion that "a state which is strong because its organization is fully developed can," under certain circumstances, "even tolerate communities whose religion does not recognize even their direct duties towards the state." In the footnote he then initially discusses "Quakers, Anabaptists, etc.," stating that "towards

such sects, the state practises *toleration* in the proper sense of the word; for since they do not recognize their duties towards it, they cannot claim the right to belong to it.” Then, however, he goes on to reiterate that

[o]nly if the state is strong in other respects can it overlook and tolerate such anomalies, relying above all on the power of custom and the inner rationality of its institutions to reduce and overcome the discrepancy if the state does not strictly enforce its rights in this respect. For example, although it may well have been contrary to formal right to grant civil rights to the *Jews*, on the grounds that the latter should be regarded not just as a particular religious group but also as members of a foreign nation [*Volk*], the outcry which this viewpoint and others produced overlooked the fact that the Jews are primarily *human beings*; this is not just a neutral and abstract quality (see Remarks to §209), for its consequence is that the granting of civil rights gives those who receive them self-awareness as recognized *legal* [*rechtliche*] persons in civil society, and it is from this root, infinite and free from all other influences, that the desired assimilation in terms of attitude and disposition arises. [If they had not been granted civil rights,] the Jews would have remained in that isolation with which they have been reproached, and this would rightly have brought blame [*Schuld*] upon the state which excluded them; for the state would thereby have failed to recognize its own principle as an objective institution with a power of its own.

Hence, Hegel concluded, “while the demand for the exclusion of the Jews claimed to be based on the highest right, it has proved in practice to be the height of folly, whereas the way in which governments have acted has proved wise and honourable.”<sup>94</sup> Clearly, then, as Yovel rightly points out, Hegel’s support of Jewish emancipation “lacks warmth; it discloses no emotional sympathy, only political and philosophical ‘objectivity.’”<sup>95</sup> Nor of course can there be any doubt that his agenda was a staunchly assimilationist one.<sup>96</sup>

Amos Funkenstein, in a truly ground breaking but still oddly neglected essay that makes it painfully palpable just how brilliant an impulse giver we have lost in its author,<sup>97</sup> argued that “the only sound political theories of Jewish emancipation” were “those which, against the *consensus communis* argued for the disjunction of emancipation and assimilation.”<sup>98</sup> He identified Mendelssohn, Marx, and Herzl as the rare proponents of such sound theories and it is evident that Hegel most certainly does not fall into this category. Among those who did consider emancipation and assimilation to be inextricably linked we ought nevertheless to distinguish between those who assumed that unconditional emancipation would generate assimilation, on the one hand, and those who assumed that gradual emancipation presupposed incremental assimilation as part of a *quid pro quo*, on the other. Against the backdrop of

the Enlightenment and post-Enlightenment discourse on Jewish emancipation the former represented a minority from the outset and a dwindling one at that. Hence, the fact that Hegel's position locates him squarely within this dwindling minority remains remarkable in its own right.

It is evident that Hegel by no means credited Jewry with a particular aptitude to integrate into civil society. To his mind, the Jews deserved legal emancipation not because they were already to all intents and purposes fully integrated. Hegel saw the Jews not as one denomination within the nation but as a distinct religious and ethnic group. Yet they were entitled to emancipation all the same provided the state that emancipated them was firmly enough established to guarantee that "the power of custom and the inner rationality of its institutions" would ultimately overpower what currently still set the Jews apart. Indeed, by refusing the Jews emancipation the state would only make it all the easier for the Jews to keep setting themselves apart. It would thus betray its own purpose as an instrument of universalization. All his misgivings about Jewish particularity notwithstanding, then, Hegel obviously did not assume Jewry to be afflicted by a particularly pronounced inability to assimilate, as most of his contemporaries more or less automatically did. For them, Judaism and Jewry tended to be the one exception that defied and subverted all rules of perfectibility and universality. Hegel was far from free of the notions that fed into this exceptionalism. Yet his preconceptions do not seem to have clouded his judgement when it came to the concrete issue of Jewish emancipation.

One cannot help wondering whether this unusual position may not in part have resulted from his notion that Judaism had once been a valid partial expression of truth whose perfectible elements had not simply been negated but genuinely *aufgehoben*. Taken seriously, this notion may well have put him in a better position than most of his contemporaries to shed the conviction prevalent among them that empirical contemporary Jewry invariably shared historical Judaism's alleged lack of perfectibility. *Ex negativo*, Bruno Bauer, for instance, gives us an intriguing indication that Hegel's stance on Jewish emancipation may indeed have been linked to his historico-philosophical scheme of things. In his infamous *Die Judenfrage* (1842/1843), Bauer combined his stand against the granting of equal rights to Jewry with a dismissive attitude towards the ostensible Hegelian underpinning of his own argument. "Judaism too represented a truth once," he conceded at one point, only to continue: "but how many truths has history come up with since!"<sup>99</sup>

What, then, of the Wannemann transcript? As already indicated, it does indeed contain a passage supporting Jewish emancipation with an argument similar to that developed in the relevant footnote to §270 of the published version of the *Philosophy of Right*. We find this passage in Hegel's comment on §159 (at the beginning of the section on international law). "We are all born, *natus*, in such a way," Hegel explains there,

as to belong to our nation and to a greater or lesser degree share our people's specific natural character. This "belonging to one's people by nature," [in contrast with] entering a specific state of one's own free will as an individual, gives rise to a conflict, which must be eliminated.

A further [cause for] conflict would be whether a nation has the absolute right to constitute a state. That is the natural thing, but a nation can also fragment into several states although it is enfeebled if it does so. If by contrast several nations constitute one state, the state retains a certain weakness, which is only eliminated after centuries of amalgamation.<sup>100</sup> [It is] the same with the Jews. They have a religion of their own, which also contains a political ingredient in that they cleave to their religion and in conformity with it hold apart from all other peoples and may not even eat or drink with a non-Jew. Now insofar as the Jews have in their religion principles that preclude all links with other citizens and impede the unity of the state, [their exclusion from the state seems to be necessary]. However, custom and the impulse imparted by universal rationality to abandon these disharmonies make such exclusion unnecessary. It is custom that prevails over principle; this is why governments are justified in not taking consistent measures against this unyielding opposition. Moreover, their constitutions are too firmly established for such opposition to be capable of causing any harm.<sup>101</sup>

Although not entirely identical in its emphases and nuances, this passage clearly makes the same case in favour of Jewish emancipation as the later remarks in the published *Philosophy of Right*. *Prima facie* this earlier passage may seem even more muted in its support of Jewish emancipation than the later remarks. Yet the general logic is the same and the fact that Hegel's remarks about the extent of Jewish separatism were more pronounced in this earlier instance only throws the subsequent dialectical turn of his argument all the more sharply into relief. Again he emphasized that Jewry constituted not only a distinct religion but also a distinct nation. Yet in contrast to the later remarks where he merely stated *that* the Jews formed a distinct group, in the earlier version he expressly castigated their separatism, introducing as a case in point the way in which their dietary laws precluded them from eating and drinking with non-Jews. But then his argument takes the same turn as it does in the published version of the *Philosophy of Right*. Provided the state is firmly enough established, "custom and the impulse imparted by

universal rationality” would ensure that the Jews integrate into society. Hence they were entitled to emancipation, not because they had already assimilated but because emancipation would compel them to do so.

What is missing from this passage is the idea that the Jews are “primarily *human beings*” who, if they were emancipated, would gain “self-awareness as recognized *legal* persons in civil society.”<sup>102</sup> This is obviously a rather more subtle and sophisticated equalizer than the “power of custom.” Not that Hegel’s argument in this earlier version relied entirely on the latter. After all, he spoke of “custom and the impulse imparted by universal rationality.” Nor, as we saw, did “the power of custom” disappear from the published version. There it featured in conjunction with “the inner rationality of its [the state’s] institutions.” Even so, while the argument stops at this point in the Wannemann transcript the published version of the *Philosophy of Right* proceeds to spell out its implications in a distinct way. This may have been a genuine extension of Hegel’s argument. Then again, similar remarks may be missing from the earlier transcript simply because Wannemann failed to take them down (correctly). If Hegel’s thoughts on the matter really were still so much rawer in Heidelberg, one might wonder whether his desire to intervene actively in the controversy regarding the admission of Jewish students to the *Burschenschaften* led him to speak out before he had fully developed the systematic argument on which his support of Jewish emancipation would ultimately hinge. This would obviously underscore the “activist” nature of this intervention yet further. Indeed, one might suggest that this support was not in fact born of systematic considerations subsequently applied to a concrete controversy but that it was actually the controversy that led Hegel to incorporate the issue into his systematic thought in this way in the first place. Conversely, Hegel’s emphasis on the “self-awareness as recognized *legal* persons in civil society” in the published version may result simply from the fact that he touched on Jewish emancipation there as part of his discussion of the relationship between the state and religion. In the Wannemann transcript, by contrast, it featured at the beginning of the section on international law. Then again, international law may seem a peculiar context for the discussion of Jewish emancipation which might again suggest that Hegel brought the matter up at this point not so much because the flow of his lecture course called for it but because the controversy in the *Burschenschaften* was coming to a head. After all, in the published *Philosophy of Right* roughly a fifth of the text is still to come after §270. The Wannemann transcript, by contrast,

only has 170 paragraphs. The relevant comments on §159, in other words, were made very near the end of the lecture course which was completed on 14 March 1818<sup>103</sup>—almost exactly two weeks before the *Burschentag* met in Jena for its deliberations over Easter.

But at this point all this can be no more than speculation. To verify it we would need to revisit this discussion against the backdrop of a comprehensive and systematic comparison of the Wannemann transcript and the published *Philosophy of Right*. We would need to know whether the differences between the remarks on Jewish emancipation in both versions are typical for, or at odds with, general shifts in systematic emphasis between the transcript and the published *Philosophy of Right*. Such a comparison is complicated by at least two factors. Firstly, as already mentioned, a substantial part of the revision undertaken in preparation of the publication of the *Philosophy of Right* resulted from Hegel's fear that he might fall foul of the repressive climate following the Karlsbad Decrees. In other words, many shifts in emphasis between the two versions result not from some organic evolution of his systematic thought but from politically motivated self censorship. Clearly, though, his position on Jewish emancipation bucked this trend anyway since it became not less but more outspoken in the published *Philosophy of Right*. On the other hand, we are faced with the problem that in the earlier transcript the comments on the individual paragraphs are "in all probability largely the work of Wannemann" and "contain numerous significant weaknesses and awkwardnesses in the formulation of Hegel's ideas."<sup>104</sup> (Hegel dictated the text of the actual paragraphs to his students but obviously not his additional comments.) In any case, while I hope to be able to undertake this comparative contextualization of Hegel's remarks on Jewish emancipation in the Wannemann transcript and the published *Philosophy of Right* elsewhere, it lies beyond the scope of this article.

All this notwithstanding, there can obviously be no doubt that Hegel did indeed speak out in support of Jewish emancipation in the lecture theatre in Heidelberg. Let me repeat: Hegel's students would not have needed to understand all the systematic philosophical underpinnings and implications of these remarks to fully understand the main message. Hegel made these remarks at a time when the admission of Jewish students to the *Burschenschaften* was clearly a hot topic among his students. Given all the evidence reviewed here it therefore seems inconceivable that he should not have meant his comments as a deliberate "political act."

## Notes

1. Shlomo Avineri, "A Note on Hegel's Views on Jewish Emancipation," in *Jewish Social Studies* Vol. 25, No. 2 (1963), pp. 145–51. Hereafter Avineri, "Hegel's Views." I am extremely grateful to Professor Avineri, from whose published work I have benefited greatly throughout my studies, for corresponding with me on some of the issues raised in this article. Needless to say, he is in no way responsible for any possible shortcomings of this piece, though, and may well disagree with my conclusions.

2. *Ibid.*, p. 149.

3. *Ibid.*, p. 148.

4. Shlomo Avineri, *Hegel's Theory of the Modern State* (Cambridge: Cambridge University Press, 1972), p. 120, n. 12.

5. Terry Pinkard, *Hegel. A Biography* (Cambridge: Cambridge University Press, 2000), p. 398. Hereafter Pinkard, *Hegel*.

6. Yirmiyahu Yovel, *Dark Riddle: Hegel, Nietzsche, and the Jews* (Cambridge: Polity, 1998), pp. 89–94. Hereafter Yovel, *Dark Riddle*. Cf. also Yovel, "Sublimity and Ressentiment: Hegel, Nietzsche, and the Jews," in *Jewish Social Studies* NSer. Vol. 3, No. 3 (1997), pp. 1–25, here 11.

7. Yovel's distinction between the practical and theoretical dimensions of Hegel's stance on Jewish emancipation is a helpful one. His attempt to draw a contrast between the practical dimension as political and the theoretical dimension as "nonpolitical" (Yovel, *Dark Riddle*, p. 94), however, is, as Michael Mack has rightly pointed out, misguided. See Michael Mack, *German Idealism and the Jew. The Inner Anti-Semitism of Philosophy and German Jewish Responses* (Chicago: University of Chicago Press, 2003), p. 46. Hereafter Mack, *German Idealism*. This is a distinction that Hegel would not have recognized or accepted.

8. Yovel, *Dark Riddle*, pp. 91–92.

9. Lawrence S. Stepelevich, "Hegel and Judaism," in *Judaism* Vol. 24, No. 2 (1975), pp. 215–24, here 223. Hereafter Stepelevich, "Hegel."

10. John E. Toews, *Hegelianism: The Path Toward Dialectical Humanism, 1805–1841* (Cambridge: Cambridge University Press, 1980), p. 135. Hereafter Toews, *Hegelianism*.

11. Steven B. Smith, too, in his very useful article on "Hegel and the Jewish Question: In Between Tradition and Modernity," in *History of Political Thought* Vol. 12, No. 1 (1991), pp. 87–106 (hereafter Smith, "Hegel") makes an affirmative reference to Avineri's account.

12. Avineri, "Hegel's Views," p. 148, n. 17.

13. Stepelevich, "Hegel," p. 224, n. 33.

14. Shlomo Avineri, "The Discovery of Hegel's Early Lectures on the Philosophy of Right," in *Owl of Minerva* Vol. 16, No. 2 (1985), pp. 199–208, here 200. Hereafter Avineri, "Review."

15. G. W. F. Hegel, *Die Philosophie des Rechts. Die Mitschriften Wannemann (Heidelberg 1817/18) und Homeyer (Berlin 1818/19)*, ed. Karl-Heinz Ilting (Stuttgart: Klett-Cotta, 1983), hereafter Wannemann (Stuttgart); Hegel, *Vorlesungen über Naturrecht und Staatswissenschaft. Heidelberg 1817/18 mit Nachträgen aus der Vorlesung 1818/19. Nachgeschrieben von P. Wannemann*, ed. C. Becker, W. Bonsiepen, A. Gethmann-Seifert, F. Hogemann, W. Jaeschke, Ch. Jamme, H.-Ch. Lucas, K. R. Meist, and H. Schneider (Hamburg: Felix Meiner, 1983), hereafter Wannemann (Hamburg); English translation as Hegel, *Lectures on Natural Right and Political Science: The First Philosophy of Right. Heidelberg 1817–1818 with Additions from the Lectures of 1818–1819. Transcribed by Peter Wannemann*, trans. J. Michael Stewart and

Peter C. Hodgson (Berkeley: University of California Press, 1995), hereafter Wannemann (Berkeley).

16. This may in part be due to an increasing trend to underscore the significance of Hegel's personal dealings with Jews or individuals of Jewish extraction in Berlin (especially Eduard Gans) for a modification and mellowing of his stance not only on Judaism but also on contemporary Jewry (see, for instance, Pinkard, *Hegel*, pp. 584–85). This focus may have militated against a reexamination of the issue of Hegel's active support for the cause of Jewish emancipation while in Heidelberg. After all, the more emphasis one places on this support the less dramatic the impact of his experiences in Berlin might appear by comparison.

17. Shulamit Volkov, [Review] in *Tel Aviver Jahrbuch für deutsche Geschichte* Vol. 9 (1980): 545–46, here 546. Cf. also Volkov, "The Written Matter and the Spoken Word," in *Unanswered Questions*, ed. François Furet (New York: Schocken, 1989), pp. 33–53.

18. Peter Pulzer, "Die Wiederkehr des alten Hasses," in Steven M. Lowenstein, Paul Mendes-Flohr, Peter Pulzer, and Monika Richarz, *Deutsch-Jüdische Geschichte in der Neuzeit* Vol. 3 (Munich: C. H. Beck, 1997), pp. 193–248, here p. 203.

19. See, for instance, Oskar F. Scheuer, *Burschenschaft und Judenfrage. Der Rassenantisemitismus in der deutschen Studentenschaft* (Berlin: Verlag Berlin-Wien, 1927), p. 5. Hereafter Scheuer, *Burschenschaft*.

20. See, for instance, Helmut Asmus, "Die studentischen Burschenschaften in der Auseinandersetzung um die bürgerliche Umgestaltung Deutschlands," in *Studentische Burschenschaften und bürgerliche Umwälzung. Zum 175. Jahrestag des Wartburgfestes*, ed. Helmut Asmus (Berlin: Akademie Verlag, 1992), pp. 11–35, here p. 25. For a similar line of argument, though on an inordinately more sophisticated level, cf. Walter Grab, "Karl Follen und die nationalrevolutionäre Studentenbewegung der 'Urburschenschaft,'" in Grab, *Radikale Lebensläufe* (Berlin: Verlag Ästhetik und Kommunikation, 1980), pp. 105–23.

21. See, for instance, Willi Schröder, "Die Gründung der Jenaer Burschenschaft, das Wartburgfest und die Turnerbewegung 1815–1819," in *Studentische Burschenschaften und bürgerliche Umwälzung. Zum 175. Jahrestag des Wartburgfestes*, ed. Helmut Asmus (Berlin: Akademie Verlag, 1992), pp. 70–79, here p. 78.

22. Herman Haupt, "Die Jenaische Burschenschaft von der Zeit ihrer Gründung bis zum Wartburgfest," in *Quellen und Darstellungen zur Geschichte der Burschenschaft und der deutschen Einheitsbewegung* Vol. 1 (1910), pp. 18–113, here 45. Hereafter Haupt, "Jenaische Burschenschaft." Cf. also Scheuer, *Burschenschaft*, p. 8.

23. Haupt, "Jenaische Burschenschaft," 46.

24. Uriel Tal, "Young German Intellectuals on Romanticism and Judaism: Spiritual Turbulence in the Early 19th Century," in *Salo Wittmayer Baron Jubilee Volume* Vol. 2 (Jerusalem: American Academy for Jewish Research, 1974), pp. 917–38, here p. 917.

25. To what extent foreign and Jewish students were *actually* seeking admission to the *Burschenschaften*, thus making the issue of their admission a practical rather than a predominantly theoretical matter of principle, is a question the literature, by and large, does not even raise, let alone answer.

26. See Hans-Ulrich Wehler, *Deutsche Gesellschaftsgeschichte* Vol. 3 (Munich: C. H. Beck, 1995), p. 335.

27. Cited in Eduard Dietz, *Neue Beiträge zur Geschichte des Heidelberger Studentenlebens* (Heidelberg: Otto Petters, 1903), pp. 46–47. Hereafter Dietz, *Neue Beiträge*.

28. Ferdinand Walter, *Aus meinem Leben* (Bonn: Adolph Marcus, 1865), p. 122. Hereafter Walter, *Aus meinem Leben*.

29. Avineri, "Hegel's Views," 149.

30. Wolfgang Hardtwig, "Zivilisierung und Politisierung. Die studentische Reformbewegung 1750–1818," in Klaus Malettke, ed., *175 Jahre Wartburgfest. Studien zur politischen Bedeutung und zum Zeithintergrund der Wartburgfeier* (Heidelberg: Carl Winter, 1992), pp. 31–60, here p. 51.

31. Toews, *Hegelianism*, p. 136. On the marginality of this stance cf. also Helmut Berding, *Moderner Antisemitismus in Deutschland* (Frankfurt/Main: Suhrkamp, 1988), p. 65; Gerhard Schäfer, "Die frühe Burschenschaftsbewegung," in *Blut und Paukboden. Eine Geschichte der Burschenschaften*, ed. Dietrich Heither, Michael Gehler, Alexandra Kurth, and Gerhard Schäfer (Frankfurt/Main: Fischer, 1997), pp. 14–53, here p. 32.

32. Dietz, *Neue Beiträge*, p. 4; Friedhelm Nicolin, "Hegel als Professor in Heidelberg. Aus den Akten der philosophischen Fakultät 1816–18," in *Hegel-Studien* Vol. 2 (1963), pp. 71–98, here p. 89. Hereafter Nicolin, "Hegel in Heidelberg."

33. Dietz, *Neue Beiträge*, p. 5.

34. *Ibid.*, p. 33; Friedrich W. Carové, *Drei Reden, gehalten an die Burschenschaft zu Heidelberg und ein Gedicht über die Leipziger Völkerschlacht* (Eisenach: Bärecke, 1817); the three speeches are reprinted in Dietz, *Neue Beiträge*, pp. 5–10, 25–32.

35. Cited in Herman Haupt, "Karl Follen und die Gießener Schwarzen. Beiträge zur Geschichte der politischen Geheimbünde und der Verfassungs-Entwicklung der alten Burschenschaft in den Jahren 1815–1819," in *Mitteilungen des Oberhessischen Geschichtsvereins* NF Vol. 15 (1907), p. 37. Hereafter Haupt, "Karl Follen."

36. Friedrich W. Carové, *Rede gehalten am 19ten October 1817 zu denen, auf der Wartburg versammelten deutschen Burschen* (Eisenach: Bärecke, 1817); reprinted in Dietz, *Neue Beiträge*, pp. 34–47.

37. See, for instance, Paul Wentzcke, *Geschichte der Deutschen Burschenschaft* Vol. 1, *Quellen und Darstellungen zur Geschichte der Burschenschaft und der deutschen Einheitsbewegung* Vol. 6 (1919), p. 220. Hereafter Wentzcke, *Geschichte*.

38. Hans F. Maßmann, *Kurze und wahrhaftige Beschreibung des großen Burschenfestes auf der Wartburg bei Eisenach am 18ten und 19ten des Siegesmondes 1817 (Nebst Reden und Liedern)* Gedruckt in diesem Jahr (n.p., 1817), p. 30. Hereafter Maßmann, *Beschreibung*. Wentzcke, *Geschichte*, p. 219.

39. Maßmann, *Beschreibung*, p. 30.

40. Pinkard, *Hegel*, p. 398.

41. Scheuer, *Burschenschaft*, p. 13.

42. Haupt, "Karl Follen," p. 101; as Haupt does go on to point out, though, the major difference was, of course, that Carové was opposed to duelling while the *Ehrenspiegel* defended the practice. On the futile attempts of individuals within the *Burschenschaften* movement to argue against duelling see Ute Frevert, *Ehrenmänner. Das Duell in der bürgerlichen Gesellschaft* (Munich: C. H. Beck, 1991), pp. 142–43. Hereafter Frevert, *Ehrenmänner*.

43. Friedrich W. Carové, *Entwurf einer Burschenschafts-Ordnung und Versuch einer Begründung derselben* (Eisenach: Bärecke, 1818). Hereafter Carové, *Entwurf*.

44. *Ibid.*, pp. 196–97.

45. The main source for these deliberations are the minutes published in Theodor von Kobbe, *Humoristische Erinnerungen aus meinem academischen Leben in Heidelberg und Kiel in den*

*Jahren 1817–1819*, 2 Vols. (Bremen: Wilhelm Kaiser, 1840), Vol. 1, pp. 187–213. Hereafter Kobbe, *Erinnerungen*.

46. Scheuer, *Burschenschaft*, p. 15. As we saw earlier, the Jena *Burschenschaft* only formally ruled out the admission of Jewish students on 7 March 1818, three weeks before the *Burschentag*. It would seem that it was bringing its own house in order in preparation of the convention it was about to host.

47. *Ibid.*, p. 16.

48. Eduard Dietz, *Die Deutsche Burschenschaft in Heidelberg. Ein Beitrag zur Kulturgeschichte Deutscher Universitäten* (Heidelberg: Otto Petters, 1894), p. 24. Hereafter Dietz, *Deutsche Burschenschaft*.

49. Avineri, “Hegel’s Views,” p. 148. We might note in passing that soon after moving to Berlin Asverus fell under Hegel’s spell and was reconciled with Carové. Carové himself, as Avineri already noted (in “Hegel’s Views,” p. 151), maintained a lively (and vocal) interest in the issue of Jewish emancipation (and reform) throughout his life. He later also supported the campaign for the abolition of slavery (see Georg Weber, *Heidelberger Erinnerungen. Am Vorabend der Fünften Säkularfeier der Universität* [Stuttgart: Cotta, 1886], p. 179). I intend to discuss Carové in his own right more fully elsewhere.

50. Cf. Johannes Hoffmeister, ed., *Briefe von und an Hegel [Sämtliche Werke XXXVII–XXX]* (Hamburg: Felix Meiner, 1953), Vol. 2, p. 433. Hereafter *Briefe*.

51. Avineri, “Hegel’s Views,” p. 148.

52. *Briefe*, Vol. 2, p. 433.

53. Avineri, “Hegel’s Views,” p. 149.

54. *Ibid.*, p. 148.

55. *Ibid.*, p. 149.

56. *Ibid.*

57. *Ibid.*, p. 150.

58. *Ibid.*, p. 148.

59. On this cf. also Adolf Stahr’s comments of 1844, reprinted in *Hegel in Berichten seiner Zeitgenossen*, ed. Günther Nicolin (Hamburg: Felix Meiner, 1970), p. 178 [document 276]. Hereafter Nicolin, *Zeitgenossen*.

60. Pinkard, *Hegel*, p. 399.

61. *Ibid.*, p. 398.

62. Nicolin, “Hegel in Heidelberg,” p. 98.

63. *Briefe*, Vol. 2, p. 433.

64. Friedrich Nippold, *Richard Rothe. Ein christliches Lebensbild auf Grund der Briefe Rothe’s entworfen*, 2 Vols. (Wittenberg: Koelling, 1873/1874), Vol. 1, p. 45. Hereafter Nippold, *Rothe*.

65. Nicolin, “Hegel in Heidelberg,” p. 98.

66. Nippold, *Rothe*, Vol. 1, p. 65.

67. Nicolin, “Hegel in Heidelberg,” p. 94.

68. See for example, Nippold, *Rothe*, Vol. 1, pp. 45, 69; Kobbe, *Erinnerungen*, pp. 40–41, 92–93; Walter, *Aus meinem Leben*, p. 98. Cf. also Nicolin, *Zeitgenossen*, pp. 144, 158, 161, 179–83.

69. Cited in Paul Wentzcke, “Ein Schüler Hegels aus der Frühzeit der Burschenschaft. Gustav Asverus in Heidelberg, Berlin und Jena,” in *Quellen und Darstellungen zur Geschichte*

der Burschenschaft und der deutschen Einheitsbewegung Vol. 5 (1920), pp. 93–132, here pp. 102–03. Hereafter Wentzcke, “Ein Schüler Hegels.”

70. Nippold, *Rothe*, Vol. 1, p. 97.

71. Cf. Haupt, “Karl Follen,” p. 106, n. 1.

72. Cited in Wentzcke, “Ein Schüler Hegels,” p. 101.

73. *Ibid.*, p. 104.

74. Cited in Scheuer, *Burschenschaft*, p. 17.

75. *Briefe*, Vol. 2, p. 433; cf. also Wentzcke, “Ein Schüler Hegels,” p. 105.

76. Nippold, *Rothe*, Vol. 1, p. 96.

77. Haupt, “Karl Follen,” p. 106, n. 1.

78. As far as I can see the only source for the suggestion occasionally found in the literature that the *Burschenschaft* in Königsberg had also allowed the admission of Jewish students and opposed their exclusion is Heinrich Leo's *Meine Jugendzeit*. The reliability of Leo's account is, however, highly questionable. Leo states that he cannot recall whether delegates from Königsberg actually attended the Easter *Burschentag* in Jena. The *Burschentag* did however, in Leo's version of events, deal with a statement from Königsberg declaring that the Jewish students there had shown such dedication that it seemed inappropriate to exclude them. The majority had refused to compromise on the matter but given that the final decision on the all-German statute had been postponed until the autumn the *Burschentag* had refrained from expelling the Königsberg *Burschenschaft* and merely stipulated that it must admit no further Jewish students in the meantime (Heinrich Leo, *Meine Jugendzeit* [Gotha: Perthes, 1880], pp. 166–67). Leo's suggestion that the Königsberg *Burschenschaft* was lucky not to be expelled obviously makes no sense, given that the *Burschentag* had in fact, as we saw, agreed to leave it to the individual *Burschenschaften* to admit Jewish students if they so wished. Unless further evidence becomes available Leo's account should therefore be treated with considerable reservation.

79. None of the sources I have been able to access make any mention in connection with this dispute of the *Burschenschaft* in Bonn. It too apparently (initially) admitted Jewish students. Cf. Ulrich Wyrwa, “Burschenschaften,” in *Antisemitism. A Historical Encyclopedia of Prejudice and Persecution*, ed. Richard S. Levy, 2 Vols. (Santa Barbara: ABC Clio, 2005), Vol. 1, pp. 91–92.

80. Dietz, *Deutsche Burschenschaft*, pp. 24–25. Writing in 1894, Dietz (wrongly) claimed that this was the stance the *Burschenschaft* in Heidelberg had loyally adhered to ever since “and has also maintained in principle *vis-à-vis* the modern antisemitic fad [*Modeantisemitismus*].”

81. Dietz, *Neue Beiträge*, p. 71; Haupt, “Karl Follen,” p. 108.

82. Avineri, “Review,” p. 201.

83. *Ibid.*, p. 202.

84. Wannemann (Berkeley), pp. 1–43, here p. 21; Wannemann (Hamburg), pp. ix–xlvi, here p. xxvii.

85. Pinkard, *Hegel*, p. 443.

86. Nicolin, “Hegel in Heidelberg,” p. 88.

87. Wannemann (Berkeley), pp. 1–43, here p. 21; Wannemann (Hamburg), pp. ix–xlvi, here p. xxvii.

88. Otto Pöggeler, “Hegel's Interpretation of Judaism,” in *The Human Context* Vol. 6, No. 3 (1974), pp. 523–60, here p. 550. Hereafter Pöggeler, “Hegel's Interpretation.”

89. Nicolin, “Hegel in Heidelberg,” p. 72.

90. Carové, *Entwurf*, pp. 95–150.

91. Cf. Carové, *Entwurf*, 143–47; Jakob F. Fries, *Handbuch der praktischen Philosophie oder der philosophischen Zwecklehre* Vol. I: *Ethik, oder die Lehre der Lebensweisheit 1* (Heidelberg: Mohr und Winter, 1818), pp. 330–40, especially pp. 336–37; on Fries’s stance on duelling, cf. also Frevert, *Ehrenmänner*, p. 33.

92. Cited in Nicolin, “Hegel in Heidelberg,” p. 90.

93. Wannemann (Stuttgart), p. 92.

94. G. W. F. Hegel, *Elements of the Philosophy of Right*, ed. Allen W. Wood, trans. H. B. Nisbet (Cambridge: Cambridge University Press, 1991), pp. 295–96. Hereafter Hegel, *Elements*.

95. Yovel, *Dark Riddle*, p. 94. As Mack rightly emphasizes, though, for all his cold detachment, Hegel “did not contradict himself when he spoke out for the integration of the Jews into modern German society.” For Hegel the notion that “difference needs to be ignored and must not be discriminated against in a ‘modern,’ that is, ‘enlightened’ state” (Mack, *German Idealism*, p. 46) was as integral a part of his system as was his highly critical “ideational fiction” about Judaism. Equally valid is Mack’s caveat (*German Idealism*, pp. 52–53) that traditional christological supersessionism was not at the heart of what he terms Hegel’s radicalization of the “transcendentalist charge against Judaism” (*German Idealism*, p. 44). A profound tension nevertheless remains, though, even if that tension indeed did not constitute an immanent contradiction within Hegel’s system. Mack himself in fact stresses the “adverse effect” of Hegel’s “depiction of Jewishness.” To be sure, “Hegel’s devaluation of the differences between all particular cultures, religions, and peoples” had the potential to “diminish the prejudicial force of his fiction about rabbinic Judaism.” Yet his “attempt to translate the religious into the language of secular social theory” also “made his anti-Judaism open to political and pseudo-scientific revision” (*German Idealism*, p. 66).

96. Cf. Smith, “Hegel,” p. 104.

97. Cf. David Sorkin, “Emancipation, Haskalah, and Reform: The Contribution of Amos Funkenstein,” in *Jewish Social Studies* NSer. Vol. 6, No. 1: *Amos Funkenstein’s Perceptions of Jewish History: An Evaluation of His Work by His Students* (1999), pp. 98–110.

98. Amos Funkenstein, “The Political Theory of Jewish Emancipation,” in *Tel Aviver Jahrbuch für deutsche Geschichte* Beiheft 3 (1979): 13–28; reprint in Funkenstein, *Perceptions of Jewish History* (Berkeley: University of California Press, 1993), pp. 220–34, here p. 222.

99. Bruno Bauer, *Die Judenfrage* (Brunswick: Friedrich Otto, 1843), p. 81.

100. To my mind, this formulation makes Pöggeler’s (already cited) contention, that Hegel had assumed that “equality and freedom of conscience” would “develop *spontaneously* [my emphasis, L. F.] in those entering into the common culture” (Pöggeler, “Hegel’s Interpretation,” p. 550) seem rather questionable. This issue (which I cannot examine here) is, of course, of considerable import since it would suggest that Hegel not only held that emancipation should not presuppose assimilation but also that full emancipation should be granted even though Jewry would only gradually assimilate.

101. Wannemann (Berkeley), pp. 297–98.

102. Hegel, *Elements*, pp. 295–96.

103. Cf. Wannemann (Hamburg), pp. 265, 286; Wannemann (Stuttgart), p. 202; Wannemann (Berkeley), pp. 315, 47.

104. Wannemann (Berkeley), p. 47; Wannemann (Hamburg), p. 286.

