

Between Restoration and Revolution, National Constitutions and Global Law: an alternative view on the European century 1815-1914.

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Research Proposal

Industrial Society and the State: French and German Perspectives

The project I wish to outline is concerned on a general level with the problems involved in fitting together the concept of an exchange economy, potentially bounded by nothing save the projected extent of a global market, with that of the nation-state. This I take to be one way of formulating what is at stake in confronting the ‘language of economic efficiency’ with that of ‘social solidarity’, the second of the fields of tension identified for investigation as part of the overall research agenda. More particularly, I would like to re-examine some of the difficulties involved in framing the ‘social question’ in the 1830s and 1840s, and in so doing to ask why the concept of class should have proved so disruptive for political, social, legal and economic theory. My aim is not to rehearse the history of labour movements or to retread the well-worn path following the development of Marxism. Rather it is to place under scrutiny the apparent elective affinity between certain ways of thinking about economic development and the idea of representative government. This, I hope, should yield a more nuanced sense of what is in play in debates about the role of social legislation and the prospects for effective political management of the economy.

I envisage two points of departure for the project. The first concerns the nineteenth-century fate of a certain way of thinking about the interconnections between a society patterned on an extensive division of labour and a system of representative government that was most thoroughly explored by Emmanuel-Joseph Sieyès in his published and unpublished works and in his attempts to give form to such a system in the course of the 1790s. As recent work on his thought has shown, Sieyès’ contention was that if one wished to give a democratic cast to the Hobbesian idea of a representative sovereign, the initial move must be a re-evaluation of the idea of representation itself. Political representation, Sieyès argued, was only a special form

of the principle that underlay all social relations, the division of labour, with the corollary that the extension of the division of labour in society provided the basis for representative government. (Sonenscher, 2007; Pasquino, 1998). This idea finds many echoes in early nineteenth-century French thought. I wish to focus, however, on some of the divergent strands in social, political and economic theory that in the late 1820s and early 1830s were captured by the term *industrialisme*, variously associated with the political economist, Jean-Baptiste Say, his younger contemporaries, Charles Dunoyer and Charles Comte, and with the Comte de Saint-Simon and his followers (Dunoyer, 1827; Eckstein, 1827). Where these strands converged was around the idea that the concept of industry, broadly defined as productive activity, provided the underlying principle of social life, an idea readily associated with Sieyès' works, as with the political economy of Smith, and the broadly utilitarian currents of thought evident in France and Britain in the latter half of the eighteenth century. It was this background that gave the framework for a vision in which material and moral progress might follow hand in hand upon economic expansion. What I would like to suggest is that a study of the eclipse of this way of thinking in the face of the class-centred debates of the 1830s and 1840s may cast revealing light upon exactly what kind of challenge the social question posed for such a vision.

The central issues here are what it meant to talk of industry as the basis of social life, and the related, but distinct, question of what might be understood by the concept of 'industrial society'. We might think about the answer to the first question in at least two distinct, although far from incommensurable, ways. Firstly we might give it a utilitarian cast, supposing that it is intended to convey something about how a society founded upon economic exchange and the division of labour is bound together by the mutual needs of individuals. This would be consonant with the affiliation of the concept of industry with Sieyès' representative society; it would also suggest that *industrialisme* shared in some of the deep debts owed by eighteenth-century political economy to post-Grotian natural jurisprudence. It was no coincidence that when Friedrich List named the principal exponents of what he termed 'cosmopolitical economy', that is political economy considered as a branch of natural jurisprudence, he named Jean-Baptiste Say alongside François Quesnay and Adam Smith. This is certainly a helpful way of thinking about Say's political economy, which he saw as a

comprehensive social science capable of addressing itself to almost every facet of social relations. In his *Traité d'économie politique* (1803), Say argued that industry was productive of utility, which could be used as a master concept in the analysis of the production, distribution and consumption of social goods of all kinds. His later works, notably the *Cours complet d'économie politique pratique* (1828-29) were an elaboration of this idea. The works of Charles Comte, Say's son-in-law and the author of a *Traité de législation, ou exposition des lois générales suivant lesquelles les peuples prospèrent, dépérissent ou restent stationnaires* (1826-27) and a *Traité de propriété* (1834) that served as one of Proudhon's chief polemical targets, likewise betray this interest in utility-maximization as the key to social and economic progress. To what extent one might wish to draw parallels or explicit links with British or continental Benthamism remains unclear (Sigot, 2001; Blamires, 2008).

Secondly, however, one might also construe a society based upon industry as one in which the development of the productive capacities of the individual, which need not be construed in a particularly strongly sense, are posited as the goal of social life. This seems to permeate the works of Saint-Simon and his followers as much as it does that of Comte and Dunoyer. Indeed, for the Catholic publicist, Ferdinand d'Eckstein, this was the very essence of *industrialisme*, and one that allowed parallels to be drawn between Saint-Simon and J.G. Fichte's *Der geschlossenen Handelstaat*. (Eckstein, 1827). This too suggests roots in certain developments in late eighteenth-century natural jurisprudence, although it may be necessary to reflect on the question of how far this would seem to take us towards a meeting in uneasy tension of utilitarian and idealist currents of thought in post-Napoleonic France.

In any case we can point to two divergent visions of 'industrial society': Say's free market model, in essence taken up by Comte and Dunoyer, and Saint-Simon's society of orders based upon a tripartite division into *savants*, *artistes*, and *industriels*. Both these systems accept the premise that a society founded upon the division of labour necessarily is productive of inequality. The potentially disintegrative tendencies that this might unleash are, however, meliorated by economic growth, and in Saint-Simon's case, by an emphasis upon the renewal of religious community. Social conflict is not immanent within industrial society; it is primarily a product of atavistic hangovers from earlier social systems based not upon labour but upon domination.

There may of course be good reason to believe that these may be very resistant to eradication. It would be doing a grave injustice to at least some of these thinkers, notably Charles Comte, to suppose that they held progress to be automatically guaranteed. Comte set out at length an analysis that registered the obstacles posed to the emancipation of industry by the Malthusian population question, which he took to have governed much earlier social development, and by the insidious presence at the heart of the global economy of slavery, reborn in the Americas and Southern Africa and with the potential to condition social relations for the worst even in Europe. His *Traité de propriété* built upon this theme, making the argument that the Roman law foundations of the *Code civil* enshrined a system of property rights into French law that belonged more properly to a society of slave owners rather than to a modern market economy, an interesting comment on the supposed 'bourgeois' nature of the *Code*.

Nevertheless *industrialiste* theorists of all stripes remained remarkably resistant to the notion of social conflict arising from industrial society itself, which I would suggest may explain some of the difficulties it encountered when faced with the language of class struggle. The historian and political economist, Adolphe Blanqui, himself sympathetic to both Say and Saint-Simon remarked of the radicalization of Saint-Simonianism after 1830 that what Saint-Simon's followers wished to avoid above all was the narrowing of the social basis for government from that of the *tiers état* lionized by Sieyès as comprising the whole productive nation, to a narrow *bourgeoisie*. The subsequent history of Saint-Simonianism undoubtedly took it further away from its founder's starting point. Say had already been confronted in quite stark terms with the problem of class conflict based upon the failure of a society divided between capitalists and proletarian labourers to effectively distribute the products of economic growth in the works of J.-C.-L. Simonde de Sismondi after 1819. Comte, as has been noted, would serve as the target for Proudhon's polemics against the bourgeois order of property-ownership. Dunoyer would fight an increasingly lonely battle for the absolute liberty of labour contracts into the 1840s. In each case what seems to remain under-theorized is the extent to which large-scale capital-ownership might subvert the relationship between economic growth and the management of the inequalities that it produced. Trying to ascertain what this might mean for the idea of representative government, or in the case of the Saint-Simonians

the order-based meritocracy that was to take its place, will be a central aim of the project.

There is also, however, an important question to be asked about the role of the state in socio-economic life. If one assumes, as Say and Dunoyer (to take the most obvious cases) appear to have done, that the market is a stable basis for society, the role of the state looks rather problematic, at most appearing as the ultimate guarantor of a system of social rules which are essentially imminent within society's basic functioning. This does not yield a particularly strong account of why an increasingly globalized economy should nevertheless co-exist with a system of nation-states. (List, 1841; Hont, 2005) Teasing out the relationship between a rejection of this nineteenth-century revisiting of the idea of natural sociability, the role of a state that once again would appear as a solution to what Kant termed unsocial sociability, and the idea of protectionism as a means of shaping markets to fit the capacity of states to legislate for them, may be seen as my overarching concern.

In the longer term, 'industrial society' in France would thus come to appear rather more as a new source of tension between capital and labour, in which social conflict turned upon the problematic status of various forms of property. This is the image familiar from the writings of the socialists of the 1830s and 1840s such as Louis Blanc. My second point of departure is intended to compliment some of the perspectives opened up in tracking the clash of *industrialisme* with the idea of industrial class conflict by turning from France to Germany, and in particular to German attempts to make sense of what had been happening in France in the decades before 1848. The key text and initial focus for this part of the project will be Lorenz von Stein's celebrated *Geschichte der sozialen Bewegung in Frankreich von 1789 bis auf unsere Tage* (1850). Stein's work demonstrates a deep engagement with the trajectories of French social and political thought in the sixty years after the first Revolution, and has long been used as an invaluable guide to early French socialism. I am interested rather more in Stein's own attempts to explore the interplay of state and society under the conditions created by antagonistic class relations. Stein shared the conviction that the July Revolution had marked the advent of an 'industrial society', founded upon the rule of capital. The post-Hegelian cast of Stein's thought has often led to rough parallels being drawn with Marx. Why I think Stein in

particular may be worth re-examining, however, has much to do with his interest in the role of the state in ameliorating the kinds of divisions that class conflict might produce and the peculiar sophistication of his analysis of the linkages between particular forms of state order and property-based social relations (on which, see for instance, Koselleck, 2004). In many ways what we find reproduced in Marx's account of the transcendence of capitalism is the claim that the possibility of a harmonious and just society is imminent within a certain order of social and economic relations. Stein is much more interested in the role of state and the role of administrative law in particular (as his later works demonstrate) as a tool in overcoming some of the social conflicts generated by industrial society. Once again we are confronted with the question of just how deeply debates over the role of social legislation in nineteenth-century Europe were rooted in long-standing arguments over whether human beings had a natural capacity to live in harmony. In the debates over industrial society and the impact of economic development we find a further chapter in the long post-Grotian debate over natural sociability. With Stein as a starting point, I would hope to flesh out a little more of the German side of this story, providing a compliment and perhaps a contrast to the French debates.

This is a project that builds on the research I have undertaken for my doctoral thesis on the debate between Jean-Baptiste Say and J.-C.-L. Simonde de Sismondi over the nature of the European slump that followed the end of the Napoleonic wars, and in particular over what prospects economic development held out for furthering international peace and social harmony. Much of the disagreement between the two can be traced to divergent stances on the nature of property distribution, capital accumulation and the effects that these factors must have upon social inequality. The genesis of Sismondi's analysis of the socially disintegrative effects of capitalism, which in many respects confronts post-Smithian political economy with a number of insights drawn from Rousseau provides a useful starting point for thinking about some of the longer term debates shaping nineteenth-century thought on the relationship of states and economic development.

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