

*An Examination of Marx's Response to the Liberal Conception of Freedom*

“The liberty we are dealing with is that of man as an isolated monad who is withdrawn into himself.” (Marx, *On the Jewish Question*, 229). Marx is a strong opponent of the liberal conception of freedom. He is a firm believer that freedom must be shared in collective and not enforce individuals' right to restrict them to themselves. According to him such liberal, constitutional freedoms actually serve to sustain structural class domination. On the contrary Thomas Paine is a severe proponent of constitutional liberties. He conceives civil rights as direct descendants of these so called “rights of man”. Marx's criticism of such rights ultimately applies to Paine's conception of freedom for citizens, and Marx shows how even in this seemingly idyllic set up, class domination can still result.

Marx begins by considering Bauer's answer to the Jewish question of equal rights for Jews. Bauer concludes that it is in treating themselves as political citizens first and then as Jews that they win equality, political emancipation. Such political emancipation is not limited to religion. Quoting documents as the French *Declaration of the Rights of Man and of the Citizen* and Constitutions of some American states Marx establishes what may be called the liberal conception of freedom. From Article 6 of the *Declaration of the Rights of Man and of the Citizen*, he quotes: “Liberty is the power which belongs to a man to do anything that does not harm the rights of others” (Marx, *Jewish Question*, 229). The right of property similarly from Article 16 of the French Constitution of 1793 is “that right which belongs to each citizen to enjoy and dispose at will of his goods, his revenues and the fruit of his work and industry” (Marx, *Jewish Question*, 229). The guarantee of rights such as these to citizens then, constitutes political emancipation.

Yet Marx is not satisfied with mere political emancipation. He notes that political emancipation is different from human emancipation, and that for true freedom the former is not enough. He thus criticizes the liberal conception of such constitutional freedoms on the grounds that they give citizens political emancipation, but not human emancipation. His argument proceeds as follows: “The first point [he notes] is that the so-called *rights of man*, as distinct from the *rights of the citizen*, are quite simply the rights of the *member of civil society*, i.e. of egoistic man” (Marx, *Jewish Question*, 229). Hence the liberal conception of the right to freedom “is not based on the association of man with man but rather on the separation of man from man” (Marx, *Jewish Question*, 229). Thereby, liberal constitutional freedoms that they are guaranteed now serve to limit individual freedoms of individual people, in an attempt to protect everyone’s individual freedom. “The only bond which holds [citizens in this society] together is natural necessity, need and private interest” (Marx, *Jewish Question*, 230). Therefore a society established on such liberal freedoms actually creates the very limits it aims to do away with. Though the state declares birth, rank, education and occupation to be non-political distinctions,” it protects the particular birth, rank, education and occupation of an individual. This means that it cannot stop “private property, education and occupation to *act* and assert their *particular* nature in their own way” (219-220). This is the paradox of political emancipation: “[it invariably] ends with the re-establishment of religion, private property, and all elements of civil society, just as war ends with peace.”

Thus Marx argues that political emancipation does not entail freedom because it entrenches distinctions between humans, and does not allow for human emancipation. It emancipates man politically, but not privately. It “[splits] man into his public and his private

self” (Marx, *Jewish Question*, 222). Thus liberal freedoms actually serve a detrimental purpose to the freedom of human beings. They alienate individuals from the political realm, and allow them to be dominated by it. It creates a dual life for citizens: a public life and a private life that the state cannot interfere in. The political realm cannot then reconcile the problems that arise from this dual consciousness, because it is established on the very condition that it will not interfere with the private lives of its citizens. This is the “ideology” of liberal freedoms that Marx laments. Marx now justifies why this dual consciousness, as a direct result of liberal freedom, reinforces class domination.

Marx turns to the situation of a society under capitalism. The society is one in which its citizens enjoy liberal freedoms as explained above. Consequently, there is no intervention in the private realm and that “that single, unconscionable freedom — Free Trade” — is upheld. (Marx and Engels 5). This has historically allowed “the bourgeoisie, wherever it has got the upper hand, [to] put an end to all feudal, patriarchal, idyllic relations. [To] pitilessly [tear] asunder the motley feudal ties that bound man to his “natural superiors”, and has left remaining no other nexus between man and man than naked self-interest, than callous “cash payment”.” (Marx and Engels 5) The duality of public and private realms, prevents the state from interfering with the natural behavior of the market. Thus inequalities in wealth allow property holders (the Bourgeoisie) to exploit workers (the Proletariat). Because of liberal freedoms no bourgeois is obligated to hire or provide for any worker as it was under the feudal system. Instead, the worker is only as valuable as the labor he provides, and is completely dispensable, because all he gets in return is money — something that all workers get in return for their labor. Once again, since the state gives people freedom and asserts the existence of the private realm, no one can prevent such domination of

the proletariat class by the bourgeoisie class: “A society that has conjured up such gigantic means of production and of exchange, is like the sorcerer, who is no longer able to control the powers of the nether world whom he has called up by his spells” (Marx and Engels 8). Thus, Marx concludes that liberal freedoms directly lead to the reinforcement of domination within the class structure. In addition, Marx criticizes this society created by liberal freedom, for its unsustainability. A class consciousness that develops among the proletariat because of their shared conditions of domination that eventually spurs them to unite against the bourgeoisie. Not only, then, is this society borne out by class domination, its structure is also bound to collapse.

Let us now discuss how this criticism of a society built on liberal freedom for its citizens applies to Paine’s work. Paine is a very strong proponent of constitutional rights and freedoms. He is appalled that Burke expects that the Parliament at the time of William and Mary could “most humbly and faithfully submit themselves, their heirs and posterities, for EVER” to any parliamentary dictate (Paine 14). He asserts that no Parliament can have such power, because this goes against the fundamental rights of man. These fundamental rights of man, Paine purports, are what the very first society ought to have been established upon. It is only when society is safely founded on these rights, that, according to Paine, a legitimate state results.

He theorizes that there must have been a time before government and “the fact therefore must be that the individuals themselves, each in his own personal and sovereign right, entered into a compact with each other to produce a government: and this is the only mode in which governments have a right to arise, and the only principle on which they have a right to exist” (Paine 47). This “compact” for Paine is a constitution. He places great emphasis on a constitution being the basis for a government to legislate and adjudicate. In such a constitution, Paine wants

to legitimize the “natural right” that “every child” ought to have (Paine 39, 38). The particularities of these rights are similar to the American and French Constitutional Rights that Marx delineated. For example, through his championing of the French Constitution over the English one, he celebrates how in France the physical amount of a person’s property doesn’t differentiate him in the eyes of the law. He also celebrates the abolishment of titles. Thus he conceptualizes his natural rights, or rights of man in the vein of Bauer’s political emancipation. Paine directly asserts that “[every] man is a proprietor in society”, and “[man] did not enter into society to become worse than he was before, nor to have fewer rights than he had before, but to have those rights better secured.” (Paine 49, 53). He says, “The power produced from the aggregate of natural rights, imperfect in power in the individual, cannot be applied to invade the natural rights which are retained in the individual, and in which the power to execute is as perfect as the right itself” (Paine 57).

Hence Paine’s conception of a legitimate state bears fatal resemblances to the society organized on liberal freedoms that Marx criticizes. Because he asserts that “a constitution is a thing antecedent to a government” (Paine 50) Paine is secure in the belief that a constitution drafted correctly is strong enough to check any government and necessarily leads to a legitimate government. However, he advocates filling the constitution with those very liberal freedoms that Marx criticizes, and hence, his faith that a constitution will lead to a legitimate state is fallible in the fallibility of this constitution itself. Further, by saying the first drafters of such a constitution entered into cooperation with one another precisely to protect individual rights he asserts the very thing that Marx laments in the liberal conception of freedom: the only thing holding such a state together, is mutual necessity. Moreover he actually celebrates the fact that this situation

leads to a duality in the public and private realm when he talks of aggregating natural rights. In

Paine's conception of a legitimate state thus, he theorizes a state perfectly suited to all of Marx's criticism.

Thus Marx constructs a careful progression that, in his opinion results from liberal constitutional freedoms being given to all citizens. Because of Paine's favor to such freedoms, Marx's criticisms apply to Paine's work. Marx's criticisms are ultimately valid, exposing that liberal constitutional freedoms may not be the beginning point of a successful society. Marx exposes that Paine is satisfied with a situation of political emancipation and dual consciousness for his citizens, but doesn't realize that political emancipation does not amount to human emancipation, rather only reinforces class domination. Further, Marx makes a compelling case that such societies will naturally collapse in on themselves, and thus there is no need to experiment with them at all. From this analysis of Marx's criticism of Paine's liberal conception of freedom, Marx's path to true human emancipation – some sort of a situation in which there is no separation between the public and the private realm – proves a more valid one. Such a criticism is the basis for Marx's conception of Communism – a state in which there is no separate private realm.

#### Works Cited

1. Marx, Karl. "On The Jewish Question". *Early Writings*: Pages 211-242. Penguin Books. Print.
2. Marx, Karl and Engels, Friedrich. *The Communist Manifesto*. Oxford University Press: New York, 2008. Print.
3. Paine, Thomas. *The Rights of Man*. Dent: London, 1969. Print.

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