

LETTER FROM MARX TO HIS FATHER

IN TRIER¹

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Dear Father!

There are life-moments that, like border markers, stand before an expiring time while at the same time clearly pointing out a new direction.

In such transitional moments we feel ourselves compelled to observe the past and the future with eagle-eyes of thought, in order to attain consciousness of our actual position. Indeed, world history itself loves such looking back and inspection, which often impresses it with the appearance of retrogression and stagnation, while it is really only sitting back in the easy chair, in order to comprehend itself and to intellectually penetrate its own activity, the act of spirit.

The individual, however, becomes lyrical in such

i. **Editor's Note:** This letter was written at the end of Marx's first year in Berlin and provides a fascinating glimpse into the emotional and intellectual vicissitudes of the young student's life. For the reply of Marx's father, which is interesting in its own right, see the letter of December 9, 1837, on page 209 of this volume.

moments, for every metamorphosis is partly a swan song, partly the overture of a great new poem that strives to win a pose in blurred but brilliant colors. At such times we wish to erect a memorial to what has already been lived, so it may win back in the imagination the place it lost in the world of action; and where could we find a holier place than in the heart of our parents, who are the mildest judges and the innermost participants, like the sun of love whose fire warms the innermost center of our strivings! How better could amends and pardons be found for all that is objectionable and blameworthy than to take on the appearance of an essentially necessary condition? How at least could the often hostile game of chance, the straying of the spirit, better distance itself from the reproach of being due to a twisted heart?

If at the end of a year spent here I now cast a glance back at its conditions and so, my good father, answer your dear, dear letter from Ems, allow me to review my circumstances just as I observe life itself, as the expression of a spiritual activity, which develops on all sides, in science, art, and private affairs.

As I left you a new world was born for me, a world of love, and, indeed, in the beginning a love intoxicated with longing and empty of hope. The trip to Berlin, which otherwise would delight me in the highest degree, would excite in me the appreciation of nature, would fire up a love of life, left me cold. Indeed it put me in a noticeably bad humor, for the rocks which I saw were neither steeper nor more intimidating than the feelings of my soul, the wide cities were not more lively than my own blood, the tavern tables no more filled or indigestible than the packets of fantasy I carried with me, and finally, the art not so beautiful as Jenny.

Having arrived in Berlin, I broke off all previous relationships, made only few visits and those without joy, and sought to lose myself in science and art.

According to the spiritual situation at that time, the first subject, or at least the most pleasant and simplest to pick up was necessarily lyrical poetry. But my situation and development up to that point made this purely idealistic. My heaven, my art, became a remote beyond, just like my love. Everything real faded, and all faded things lose their boundaries. All of the poems of the first three volumes that Jenny received from me are characterized by attacks on the present times, by broad and formless feelings thrown together, where nothing is natural, everything constructed from out of the moon, the complete opposition of what is and what should be, rhetorical reflections rather than poetical thoughts, but perhaps also by a certain warmth of feeling and wrestling for vitality. The whole extent of a longing that sees no limit finds expression in many forms and makes "poetic composition" into mere "diffusion."

But poetry may only and should only be an accompaniment. I had to study jurisprudence and felt above all the urge to wrestle with philosophy. These were so tied together that, on the one hand, I read through Heineccius, Thibaut, and the sources purely uncritically, as a student would, and, for example, translated the two first books of the Pandects into German; on the other hand, I sought to delineate a philosophy of right through the whole field of law. I attached a few metaphysical propositions to it as an introduction and continued this unfortunate opus all the way to public law, a work of nearly 300 pages.

More than anything else, what came to the fore here was the same opposition between the actual and the possible that is peculiar to idealism, a serious defect that gave birth to the following clumsy and incorrect division. First came what I was pleased to christen the metaphysics of law, that is, foundational propositions, reflections, and concep-

tual determinations that were separated from all actual law and from every actual form of law, just like in Fichte, only in my case it was more modern and less substantial. Moreover, the unscientific form of mathematical dogmatism—where the subject runs around the matter, here and there rationalizing, while the topic itself is never formulated as a richly unfolding living thing—was from the very beginning a hindrance to grasping the truth. The triangle allows the mathematician to construct and to demonstrate, yet it remains a mere idea in space and doesn't develop any further. One must put it next to other things, and then it takes on other positions, and when this difference is added to what is already there, it acquires different relations and truths. By contrast, in the concrete expression of a living concept world, as in law, the state, nature, and all of philosophy, the object must be studied in its development, arbitrary divisions may not be brought in, and the reason of the thing itself must be disclosed as something imbued with contradictions and must find in itself its unity.

As a second division followed the philosophy of right, that is, according to my view at the time, an examination of the development of thoughts in positive Roman law, as if the positive law in its conceptual development (I do not mean in its purely finite determinations) could ever be something different from the formation of the concept of law, which was supposed to be covered in the first part.

On top of this, I had further divided this part into a doctrine of formal and material law. The former was the pure form of the system in its succession and its connections, the division and scope, while the latter, by contrast, was supposed to describe the content, the embodiment of the form in its content. This was a mistake that I shared with Herr v. Savigny, as I found later in his scholarly works on property,

only with the difference that he calls the formal concept-determination "finding the place which this or that doctrine takes in the (fictitious) Roman system," and material concept-determination as "the doctrine of positivity which the Romans ascribe to a concept established in this way," while I understood by form the necessary architectonic of conceptual formulations, and by material, the necessary quality of these formulations. The error lies in the fact that I believed that one could and must develop the one apart from the other, so that I obtained not an actual form, but only a desk with drawers, into which I afterwards poured sand.

The concept is certainly the mediating link between form and content. In a philosophical development of law, therefore, the one must spring forth from the other; indeed the form may only be the continuation of the content. Thus I arrived at a division whereby the subject could at best be sketched in an easy and shallow classification, but in which the spirit of the law and its truth disappeared. All law is divided into contractual and non-contractual. In order to make this clearer, I take the liberty of setting out the schema up to the division of *jus publicum*, which is also dealt with in the formal part.

I.

jus privatum.

II.

*jus publicum.*I. *jus privatum.*

- a) on conditional contractual private law,
- b) on unconditional non-contractual private law.

A. on Conditional Contractual Private Law.

- a) personal law; b) property law; c) personal property law.

a) Personal law.

I. on the basis of encumbered contracts; II. on the basis of contracts of assurance; III. on the basis of charitable contracts.

I. on the basis of Encumbered Contracts.

2. commercial contracts (*societas*). 3. contracts of case-ments (*locatio conductio*).

3. *Locatio conductio*

1. insofar as it relates to *operae*.

a) *locatio conductio* proper (neither Roman renting nor leasing is meant!),

b) *mandatum*.

2. insofar as it relates to *usus rei*.

a) on land: *usufructus* (also not in the merely Roman sense),

b) on houses: *habitation*.

II. on the basis of Contracts of Assurance.

1. arbitration or mediation contract. 2. insurance contract.

III. on the basis of Charitable Contracts.

2. Promissory Contract.

1. *fidejussio*. 2. *negotiorum gestio*.

3. Gift Contract.

b) Law of Things.

I. on the basis of Encumbered Contracts.

2. permutation *stricte sic dicta*.

1. permutation proper. 2. *mutuum* (*usurae*). 3. *emptio venditio*.

II. on the basis of Contracts of Assurance.
pignus.

III. on the basis of Charitable Contracts.
2. commodatum. 3. depositum.

But how could I continue to fill the pages with things that I myself rejected? Tripartite divisions run through the whole thing, it is written with enervating complication, and the Roman concepts are barbarically misused so as to force them into my system. On the other side, I at least gained in this way an appreciation and an overview of something, at least in a certain way.

At the conclusion of the part on material private law I saw the falsity of the whole, the basic plan of which borders on that of Kant, but which diverges entirely from Kant in its elaboration, and again it became clear to me, that without philosophy it could not be pressed through to the end. So with a good conscience I allowed myself to be thrown into her arms again and wrote a new system of metaphysical principles, though at the conclusion I was once again compelled to observe the wrong-headedness of it, as with all of my earlier efforts.

Meanwhile I made a habit of the practice of excerpting passages from out of all the books that I read. I did so from Lessing's *Laokoon*, Solger's *Erwin*, Winckelmann's art history, Luden's German history, and at the same time scribbled down my own reflections. I also translated Tacitus' *Germania*, Ovid's *Tristia*, and started learning English and Italian on my own, that is, out of grammar books, though up to now I have accomplished nothing from this. I also read Klein's criminal law and his annals, and all of the newest literature, though this last only incidentally.

At the end of the semester I again sought muse dances and satyr music, and already in the last notebook that I sent to you, idealism plays its part through forced humor ("Scorpio and Felix") and through an unsuccessful, fantastic drama ("Oulanem"), until it finally undergoes a complete turn-about and turns into pure formal art, lacking inspired objects in most parts, and without any genuine train of thought.

And yet these last poems are the only ones in which suddenly as if touched by magic—ah! it was like a shattering blow in the beginning—the realm of true poetry flashed before me like a distant fairy palace, and all my creations crumbled into nothing.

Busy with these various occupations, I was awake through many nights during the first semester. Many battles had to be fought through, and I experienced both internal and external excitements. Yet in the end I emerged not so very enriched, and moreover I had neglected nature, art, and the world, and had pushed away my friends. My body apparently made these reflections, and a doctor advised me to visit the country. And so it was that I rode for the first time through the entire length of the city, all the way to the gate, and then to Stralow. I did not realize that there I would ripen from a pale, scrawny figure into a man with a robust and solid body.

A curtain was fallen, my holiest of holies was ripped apart, and new gods had to be set in their place.

From the idealism, which by the way, I had compared and nourished with the Kantian and Fichtean, I arrived at the point of seeking the idea in actuality itself. If the gods had earlier dwelt over the earth, so they were now made into its center.

I had read fragments of the Hegelian philosophy, whose grotesque rocky melody did not please me. I wanted to dive down into that ocean one more time, but with the certain

intention of finding that the nature of the mind is just as necessary, concrete and sure-grounded as the corporeal nature. I no longer wished to practice the fencing arts, but to bring pure pearls out into the sunlight.

I wrote a dialogue of about 24 pages: "Cleanthes, or the Starting Point and Necessary Progress of Philosophy." Here art and science, which had gotten entirely separated from each other, were to some extent unified, and like a vigorous wanderer I strode into the work itself, a philosophical dialectical account of divinity and how it manifests itself conceptually, as religion, as nature, and as history. My last proposition was the beginning of the Hegelian system, and this work, for which I acquainted myself to some extent with natural science, Schelling, and history, and which caused me endless headaches is so [. . . unintelligible here] written (since it was actually supposed to be a new logic) that I now can hardly think myself into it again. This, my dearest child, reared by moonlight, had carried me like a false siren to the arms of the enemy.

From irritation I couldn't think at all for a few days, walked around like mad in the garden by the dirty water of the Spree, which "washes the soul and dilutes the tea." I even joined a hunting party with my landlord, and then rushed off to Berlin, where I wanted to embrace every person standing on the street-corner.

Shortly thereafter I pursued only positive studies: Savigny's study of ownership, Feuerbach's and Grolmann's criminal law, *de verborum significatione* from Cramer, Wening-Ingenheim's Pandect system, and Mühlenbruch's *Doctrina pandectarum*, on which I am still working, and, finally, a few titles from Lauterbach, on civil process and above all ecclesiastical law, the first part of which, Gratian's *Concordia discordantium canonum*, I have almost entirely read through in cor-

pus and excerpted, as also the appendix, and Lancelotti's *Institutiones*. Then I translated Aristotle's *Rhetoric* in parts, read *de augmentis scientiarum* from the famous Bacon of Verulam, occupied myself much with Reimarus, whose book *On the artistic instincts of the Animals* I thought through with much enjoyment, and I also tackled German law, though primarily only insofar as going through the capitularies of the Franconian kings and the letters of the Popes to them.

From grief over Jenny's illness and my futile, failing intellectual labors, and out of debilitating irritation from having to make an idol out of a view I hated, I became sick, as I have already written you, dear father. When I was once again productive, I burned all of the poems and plans for novellas, etc., under the illusion that I could leave off from them entirely, for which I have until now delivered no evidence to the contrary.

During my period of poor health I had gotten to know Hegel from beginning to end, including most of his students. Through several meetings with friends in Stralow I got into a Doctor's Club, which includes several instructors and my most intimate of Berlin friends, Dr. Rutenberg. In argument here many conflicting views were pronounced, and I became even more firmly bound to the contemporary world philosophy, which I thought to escape, but everything full of noise was silenced and a true fit of irony came over me, as could easily happen after so many negations. This was also the time of Jenny's silence, and I couldn't rest until I had acquired modernity and the standpoint of the contemporary scientific view through a few terrible productions like "The Visit", etc.

If I have perhaps presented here this entire last semester neither clearly nor in sufficient detail, and if I have blurred over all subtleties, forgive me, dear father, for my longing to speak of the present.

Herr v. Chamisso sent to me a highly insignificant note, wherein he reports that "he regrets that the almanac can not use my contributions, because it has long since been printed." I swallowed this out of irritation. Bookseller Wigand has sent my plan to Dr. Schmidt, publisher of Wunder's warehouse of good cheese and bad literature. I enclose this letter; Dr. Schmidt has not yet replied. Meanwhile I am by no means giving the plan up, especially since all the aesthetic notables of the Hegelian school have promised their collaboration through the mediation of university lecturer Bauer, who plays a large role in the group, and of my colleague Dr. Rutenberg.

Now regarding the question of a career in cameralistics, my dear father, I have recently made the acquaintance of an assessor Schmidthänner, who advised me to go over to this as a judiciary after the third legal exam, which would be much easier for me to agree to, as I really prefer jurisprudence to any kind of administrative study. This man told me that in three years he himself and many others from the Münster provincial court in Westphalia had become assessors, which is not supposed to be difficult, with hard work of course, because the stages there are not like those in Berlin and elsewhere, where things are strictly determined. If one is later promoted from assessor to doctor, there are also much brighter outlooks, in the same way, of becoming an extraordinary professor, as happened with Herr Gärtner in Bonn, who wrote a mediocre book on provincial legislation and otherwise is only known from belonging to the Hegelian school of jurists. But my dear, good father, wouldn't it be possible to discuss all of this with you in person?! Eduard's condition, the suffering of dear mother, your own poor health—although I hope that it is not bad—everything leads me to wish, indeed makes it nearly into a neces-

sity, to hurry home to you. I would already be there, if I did not definitely doubt your permission and agreement.

Believe me my dear, true father, no selfish intention pushes me (although I would be ecstatic to see Jenny again), but there is a thought that moves me, though I have no right to express it. It would in many respects be a hard step to take, but as my only sweet Jenny writes, these considerations all fall apart when faced with the fulfillment of duties, which are sacred.

I beg you, dear father, however you might decide, not to show this letter, or at least not this page, to my angel of a mother. My sudden arrival could perhaps comfort the great, wonderful woman.

The letter which I wrote to mother was composed long before the arrival of Jenny's lovely correspondence, and so perhaps I have unknowingly written too much about things that are not entirely or even very little suitable.

In the hope that little by little the clouds disperse that have gathered around our family, that it may not be begrudged me to suffer and weep with you and, perhaps, to demonstrate in your nearness the deep affection and immense love that I am so often only able to express so poorly; in the hope that you too my dear, eternally beloved father, mindful of my agitated state of mind, will forgive me where my heart so often appears to have erred, overwhelmed as it is by my combative spirit, and that you will soon be fully restored again, so that I can press you to my own heart and express to you all of my thoughts.

Your ever loving son Karl

Forgive dear father, the illegible script and the poor style; it is nearly 4 in the morning, the candle is completely burnt

out and the eyes dim; a true unrest has taken mastery of me and I will not be able to calm the excited spirits until I am in your dear presence. Please give my greetings to my sweet, dear Jenny. Her letter has already been read twelve times through, and I always discover new delights. It is in every respect, including style, the most beautiful letter that I can imagine from a woman.