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ESSAY

The Concept of Equality and Well-being in Marx

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The Concept of Equality and Well-being in Marx
Abstract: This article presents Marx's conceptualization about substantive equality and well-being, which have an organic relation with human needs, labor and true liberty. Because this conceptualization is anchored in premises and criteria that are incompatible with the capitalist understanding of these concepts, the paper uses it as a legitimate reference for the criticism of bourgeois social policy. This is based on the understanding that although Marx did not emphasize the theme of social protection, his vast work includes a type of sociology of well-being that must be unveiled.
Keywords: Substantive equality. Human emancipation. Anti-capitalist well-being.

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Introduction

What will be discussed here are the few but not unimportant efforts to detect in Marx[1] a type of sociology[2] of social well-being, which authorizes adopting it as a legitimate reference for critical analyses of capitalist social policy. This understanding will certainly not be exempt from controversy, given the complex particularity of Marx's theoretical work and the multiplicity of existing Marxisms – each one considering itself to be the true and only interpretation, if not the pioneer. This is not to mention the unproductive uses of Marx's work, such as those that reduce it to a type of Oracle of Delphi[3] that could provide answers to any question addressed to it.

Contrary to this posture, this article seeks to benefit from Marx's contribution to the theoretical criticism of capitalist social policy, exactly as was initially stated: using it as a legitimate reference (that offers a wealth of respectable insight) and for this reason, one that is free of codifications, oracular knowledge and untouchable interpretations. Understanding that Marx did not create philosophical systems, recipes or scientific models, I am also aware that I will have to confront the following challenges: a) to discover amid an expressive volume of issues dealt with by Marx (many of them sparse and barely visible), his probable sociology of well-being; b) to accept responsibility for any possible errors committed; c) and finally, to risk being framed, by some "disgruntled epigone"[4], in some arbitrary typological categorization, among the various ones that exist in relation to Marx's proposal.

The core of the text will address an implicit concept of well-being in Marx associated to his explicit theoretical and political interest in human emancipation (or liberty) from the bondage of capital, mediated by the conquest of real equality, which is contradictorily sought at the heart of capitalism itself. To conduct this discussion I must complete a task that is not recent: understanding the key work of both the young and mature Marx, prepared initially around historic and philosophical issues, and later, related to a political economy that diverged from the classic liberal economists who were influential at the time. This task began in the 1980s[5] and continues until today, given the current value of the investigative findings of Marx about the structural and historic determinants of social inequality in capitalism; and also considering the substantial resurgence of the treatment of this theme of inequality and of human needs as one of its references, associated to liberty and autonomy, by authors of intellectual weight such as Mészáros (2007), Gough (2003) and others. Finally, it is fair to indicate that my interest in this instigating and barely explored analytical line, coupled to the stimulating and surprising work of Marx, was triggered by the reading of an old and enlightening essay about social policy by Mishra (1975)[6]. I am thus indebted to Mishra for the initial (and providential) push into the reflections that follow; while most of the path, particularly the stumbles, are exclusively my own responsibility.

The centrality of social inequality for the understanding of the meaning of (social) well-being in Marx

Although Marxian theory does not deal explicitly with social policy, at least one reason justifies the adoption of this theory as a reference for analysis of the theme: the fact that social inequality, related to the appearance and maintenance of an indigent proletariat, under the influx of bourgeois exploitation, constituted the basis of empiric support for the Marxian theoretical and political endeavor. Thus, it cannot be said that there are no contributions in Marx's work that help to elucidate the real movement of capitalist social policy, given that the foundations of Marxian analyses about the accumulation of capital and the domination of the bourgeois state continue to be historically confirmed and are at the essence of the explanation of the rise of this policy.

In addition, in his philosophical studies, the question of equality and liberty is recurringly contemplated, which, like his scientific treatment of this question in *Capital* – whose first volume was written in 1867 – allows identifying Marx's intellectual and moral commitment to the issue of social well-being. His theories of revolution and the dictatorship of the proletariat, as well as those concerning the extinction of the state, of capital and of social classes, were not only built upon the reality of capitalist social inequality, but were based on the concept of equality that supported all of his work. This allows the following deduction: with inequality as the justifying fact of bourgeois social policy and equality its idealized parameter, no theory could provide greater support for criticizing this policy than Marxian. This is because, to paraphrase Mishra (1982), it is the only theory that addresses the issue of inequality in a broad form, that is, in its economic, political and social dimensions, and in its capitalist and socialist versions. In addition, given its transformative disposition and, therefore, its commitment to the construction of a truly egalitarian society, this theory is also the only one that at the same time that it offers a wealth of arguments to provide an X-ray of the determinants and effects of social inequality in capitalism, it foresees a solution for its eradication.

But, before conducting a review of the contribution of this theory, even if indirectly, bequeathed to the study of capital social policy, it is fitting to explain two concepts that are, clearly or implicitly, central to

understanding inequality in bourgeois societies and that, in this text, assume specific connotations: "accumulation" and "legitimation".

In general lines, accumulation is understood as the same historic process defined by Marx to counter the definition of the classical political economists. Thus, instead of considering accumulation as savings to be invested in search of profit, for the purpose of individual and collective progress, as conceived by Adam Smith (1993), it is understood, as does Marx, that: capitalist accumulation results from the exploitation of the labor force by the owners of the means of production, while striving for the expanded reproduction of capital. Therefore, this process is directly related to the division of labor and to the extraction, by the capitalist, of the surplus-value produced by the worker, which is reconverted into additional capital; which in turn allows greater appropriation of surplus-value, which will be transformed into more additional capital and so on, thus characterizing capital's unending search for profit. The success of this mechanism, considered by Marx the driving force of capitalist accumulation, requires the creation of a reserve army of workers that, through its competition with the active workers in the labor market, prevents the establishment of an equilibrium between the value of the labor force and the value of the product it realizes. This fact, allied to the constant improvement in production from the use of more advanced and efficient methods and techniques, directly causes the deterioration of the social conditions of workers. Therefore, "the accumulation of wealth in a pole is, simultaneously, accumulation of misery, torment of labor, slavery, ignorance, brutalization and moral degradation on the opposing pole, that is, from the side of class that produces its own product as capital" (MARX, 1984, p. 210).

However, while accumulation has a more economic character, legitimation has a strong political connotation. This means that legitimation is more directly inscribed in the political spheres, given that only they can earn it or lose it because legitimation constitutes the capacity of an institutional order to be recognized and accepted. According to O'Connor (1977), the capitalist state, while maintaining and creating conditions favorable to the accumulation process, simultaneously aims to assure minimum levels of social harmony by means of legitimation. To do so, social policies can offer actions that help prevent or control discontent and rebellions; but can also stimulate accumulation as when they invest in labor training, or compulsorily activate the requirements of assistance policies for the labor market, as takes place today. This is why the concept of legitimation, which is opposite that of usurpation and coercion, forms with these a unity of opposites, because where there is a polemic about the legitimation of the political order, the more this is desired.

Meanwhile, the search for legitimation takes place in various forms. What is of particular interest to this discussion is that which refers to the justification of the existence of the social state; that is the modern, interventionist, capitalist State, which, by creating conditions for accumulation and obtaining consensus, institutionalizes conflicts associated to the production and increase of social inequality. In this way, the social state increasingly penetrates areas that previously had been the exclusive competence of the private sector, which created, for the effects of its own legitimation, contradictory situations, that is: if on one hand it transformed these new areas into important bulwarks of political management, on the other it saw the pressure increase on itself, even from the working class, in search of private gain. This is the dilemma or the central contradiction of the social State, not observed by the functionalist analyses and curiously not emphasized by O'Connor or by various "Marxists", which can be explained by a Marxian analysis of the fundamental contradictions found in the concrete totality of the capitalist mode of production, and that are at the core of social inequality, as explained below.

Substantive social equality *versus* bourgeois rights in Marx's reflection

Tracing the concept of equality in Marx, whose work reveals a consistent unity between his philosophical, economic and political thinking, it is found that he refers to the identical social position of men in classless societies. This is a concept that shifts the discussion of equality from the realm of the state (an institution primarily committed to the dominant class) to the realm of society without classes (a locus where differences and conditions that can produce an unequal social position of men would be absent). In this way, Marx's position concerning equality does not indicate a defense of everyone's equality in terms of their personal needs; but the defense of the suppression of social classes and, as a consequence, of the equality of all in terms of socioeconomic position. This is equivalent to saying that only with the socialization of the means of production, and thus with the elimination of private property and of the exploitation of labor inherent to class societies, can everyone count on equal opportunity of work and on salaries compatible with the production of each one. Therefore, for Marx, equality is not confused with the uniformity of laws, as understood by liberal ideology, nor with the suppression of all and any personal possession, as understood by a vulgar socialist vision and that of primitive communism. For Marx, the private property that should be suppressed is that of the means of production,

with people free to maintain their differences and maintain and or cultivate habits and values that better correspond to the stimuli and material income of a collectivity that gives priority to the satisfaction of social needs. In this way, the concept of equality has an affinity with that of liberty, considering that only in a society of economic and social well-being, free of a concern for survival, will men be capable of incorporating the cultural assets and moral values that will be available to everyone; and also of fully realizing their capacities and potential (MARX; ENGELS, 2000). Only in a society free of social classes can the state become extinct and thus, in the words of Engels (1975, p. 149), "the substitution of government over the people for the administration of things and the control of the production processes".

Men, once emancipated as "species-being" – and not as only politically emancipated subjects, as Marx indicates in *On The Jewish Question* (1969), or even as mere citizens identified with the formal liberty compatible with the inequality cultivated by liberal ideology – would be free of salaried work, realized under coercion; therefore, they would be capable of enjoying the liberty of realizing their labor (considered in its specific modality) their own humanity. Moreover: only then could men make their own history and realize their passage from the kingdom of need to that of liberty (ENGELS, 1975, p. 151).

Upon speaking of work, it should be clarified that it is around this category as a *tertium comparationis*[7] of real liberty and equality that Marx began to construct not only his economic theory, but also his idea of well-being, an idea that was plainly divergent from the liberal-bourgeois concept. While in the later conception equality and liberty can be measured by the expansion of the rights of citizenship – which, since the 18th century have been presented as a possible conquest – in Marxian thinking they are not. For Marx, equality and liberty can be measured based on the realization of labor as a vital and eternal need. Based on the supposition that under like social conditions, each person realizes, in principle (as a value), equal work in the same period of time, Marx sees in work not only the substance common to all goods, but the unit of measure of well-being in society. Work as a parameter of comparison must be evaluated by its duration and intensity (abstracted from all and any individual difference of the workers), if not it will no longer be a measure for comparison.

Advancing further in his reflections on the (implicit) concept of well-being in a society without classes, *vis-à-vis* the ambiguities of the law associated to work, Marx maintained that in the first phase of communist society, the distribution of rights proportionally to the labor of individuals is still a bourgeois right, which like any right, presupposes inequality. Or, in his own terms:

> [...] the right of the producers is proportional to the labor they supply […]. But, one man is superior to another physically or mentally, and supplies more labor in the same time. This equal right is an unequal right for unequal labor. It recognizes no class differences, because everyone is only a worker like everyone else; but it tacitly recognizes unequal individual endowment, and thus productive capacity, as a natural privilege. It is, therefore, a right of inequality, in its content, like every right. Right, by its very nature, can consist only in the application of an equal standard; but unequal individuals (and they would not be different individuals if they were not unequal) are measurable only by an equal standard insofar as they are brought under an equal point of view, are taken from one definite side only [...]. Thus, with an equal performance of labor, and hence an equal in the social consumption fund, one will in fact receive more than another, one will be richer than another, and so on. To avoid all these defects, right, instead of being equal, would have to be unequal (MARX, 1970, p. 11).

An unequal right, in the Marxian sense is specifically related to the superior phase of communism, when the contradictions of bourgeois society inherited by the phase of transition of the capitalist to the communist order would have completely disappeared. For this to take place, although Marx recognizes the limitations of the first phase of communism to in fact realize equality and liberty – or equalitarian liberty, to use Della Volpe's (1982) expression – he affirmed that in this phase, these contradictions, born in capitalist society after a long and painful labor, are inevitable. The law, he maintains, "can never be higher than the economic structure of society and its cultural development conditioned thereby" (MARX, 1970, p. 11-12); although if in this phase, equality under the law is still a bourgeois right, at least the exploitation of man by man was already eliminated and no one can take possession, as an owner, of the means of production (LENIN, 1978). These are the first steps in the direction of an egalitarian society, towards well-being, in which, beyond the transformations of the means of production into common property, realized in the first phase, all of the disparities in the division of the social product are also eliminated and of the inequality of bourgeois law. Thus, according to Marx (1970, p. 11),

> In a higher phase of communist society, after the enslaving subordination of the individual to the division of labor, and therewith also the antithesis between mental and physical labor, has vanished; after labor has become not only a means of life but life's prime want; after the productive forces have also increased with

> the all-around development of the individual, and all the springs of co-operative wealth flow more abundantly – only then then can the narrow horizon of bourgeois right be crossed in its entirety and society inscribe on its banners: From each according to his ability, to each according to his needs!

This makes it clear that, for Marx, the society of well-being would not be confined to the limits of an economic revolution, that is, of a revolution solely concerned with the socialization of the means of production. For well-being to imply substantive equality – to use Mészáros' (2007) expression – and be put into practice, it is necessary, according to Marx, that the division of labor and of the social product guarantee and be guaranteed by the development and by the free action of the physical and intellectual faculties of individuals; this suggests the importance of political participation in the conquest of autonomy (GOUGH, 2003) and in the preservation of general well-being. In more than one text, in both the young and the mature Marx, political participation is contemplated as an important requirement for transformation, aimed at substantive equality. This thinking is present from his criticisms of the Hegelian ideas of the state (MARX, 1973), to his theories about society and political economy, passing through analyses of specific events like those of the revolution of 1848 in France, the dictatorship of Louis Napoleon, and the Paris Commune. But it was the reflections on the Paris Commune contained in *The Civil War in France* (MARX, 1977), which best portray the Marxian concept of this type of participation, as will be discussed below.

Marx between false antitheses: economic *versus* political and reform *versus* revolution

It is in his writing on the Paris Commune, which is considered the prelude to his theory of revolution, that his position became clear concerning the problematic discussed until today about: a) the priority, or not, of economic over political premises, in social transformation; b) the exclusivity, or not, of the participation of workers in this process; and c) the rejection, or not, by Marxian theory of the anti-capitalist reformist changes within capitalism.

Concerning the priority of economic premises, Marx affirmed that although the general context of France in 1870 did not exhibit the material conditions needed to overthrow the ruling classist monarchical regime, it did not fail to have exceptional super-structural conditions that politically facilitated this intent. Given the weakening of the state apparatus by the French-German War, the workers, even if insufficiently organized, were able to implant, through spontaneous action, forms of direct democracy, which were essential to the emancipatory political action of the proletariat. Here becomes clear the importance Marx gave to the strategic political struggles for the conquest of power, that is, to the action of individuals. It is this attitude, although it does not disregard economic determinations, in the final instance, that belies the stigma that Marx overemphasized economic factors that is affirmed by those who are restricted to a mechanical interpretation of his reference to "natural laws of capitalist production" in the preface of the first edition of *Capital*. Related to this clarification is also the Marxian position concerning the workers participation in revolutionary progress, which reveals once again a refutation of the idea that for Marx, the sole protagonist of history is the proletariat.

Effectively, although Marx begins with the principle that only the independent struggle of the proletariat can lead to workers' liberation from the yoke of capital, his analysis of the Paris Commune gives a vote of confidence to the participation of popular groups in the struggle for structural transformation. Thus, in relation to this event, he demonstrates acceptance of all resources and tendencies that contribute to the reconquering of political power by the popular masses, considering to be most important, in the Republic implanted by the *communards* of Paris (in addition to the substitution of the permanent army by the "armed people"), the creation of an executive committed to the people and administered by it. This is what can be inferred from the following statement:

> The majority of its members were naturally working men, or acknowledged representatives of the working class. The Commune was to be a working, not a parliamentary, body, executive and legislative at the same time. Instead of continuing to be the agent of the Central Government, the police was at once stripped of its political attributes, and turned into the responsible and at all times revocable agent of the Commune. So were the officials of all other branches of the Administration. From the members of the Commune downwards, the public service had to be done at workmen's wages. [...] Public functions ceased to be the private property of the tools of the Central Government (MARX, 1977, p. 41).

Nevertheless, in terms of the historic importance of the political form assumed by the Commune, which was characterized by alliances between the working class and broad sectors of the French population – the

urban petty bourgeoisie and peasants – and by universal suffrage in the election of the directive councils, Marx still did not see this as a socialist revolution, but as a necessary preparatory phase to achieve this goal. For this reason it is understood that for Marx the Paris Commune represented a concrete example of anti-capitalist reform within capitalism, which took shape in the transition from a monarchy to a republic, and as such, was a prerequisite to a later and more radical transformation. The Commune – an uprising of the discontented masses of the proletariat and petty-bourgeois against the French monarchy – before realizing the transformation of the social and political organization of France into a federation of autonomous municipalities, began to support the route to communism, supported in formulas that, according to Lenin's criticism (1978), signified a petty-bourgeois democratic government; or that is, a popular government that, despite its radical break with the bourgeois state and the implantation of direct democracy, did not outline, as Marx foresaw, the route to future proletarian revolutions; and this is because, among other problems, the revolutionaries confused the struggle for the republic with the struggle for socialism.

Nevertheless, despite the contradictions and obstacles experienced by the Commune, it was the successful preamble to a socialist revolution; and as a process of popular political participation, it continues to be the most significant example of the action of anticapitalist movements linked to Marxian thinking. The Chinese communists, for example, cite the Paris Commune as an example for their cultural revolution (MOMMSEN; MESCHKAT, 1975). In addition, the history of the Commune awoke strong interest among Marxist intellectuals in the West, who came to recognize, according to Mommsen and Meschkat, that Marx's thinking had only become converted into the Marxism that is known today thanks to his reflections about the experiences of the Paris Commune. Moreover, the rebellions of 1968, in France, not only revived (even if temporarily) the experience of the Commune, but also came to demand a deeper theoretical analysis of political participation, conceived by Marx, in the current revolutionary process, with an eye on a "society" of well-being.

Therefore, the tracing of the concept of well-being in Marx's work will also have to consider his writings on economics and detect in them the reaffirmation of his interest in the conquest of social equality found in his political writings.

Marx and the English welfare institutions

In both his political and economic reflections, Marx was little concerned[8] with the welfare institutions found at that time (the *Poor Law*, of 1834, for example) and with the growing state intervention in Victorian England; nor in understanding them in their specificities. Foreseeing the extinction of the state, Marx did not see how well-being would be achieved through the operations of state organization that were committed primarily to the interests of the dominant classes. Therefore, he maintained that the state would always be a tool for the domination and maintenance of the class structure and as such, an institution incapable of guaranteeing social well-being.

Therefore, to detect Marx's involvement with some aspect related to the regulatory action of the state in the social field, and then draw inferences about his position concerning the conquest of well-being by workers at the heart of capitalism, what should be examined is the factory legislation discussed in *Capital*. Here, unlike any of the classical theoreticians or even the old and modern socialists, Marx analyzed laws that regulated factory activities (the *Factory Acts*); reports of the public health authorities; factory inspections; and the various investigative commissions established by the English Parliament. Even so, the study of the factory legislation as an institution for worker protection, assumed a limited scope in his theory. The analysis merely collaborated with his broader proposal to better understand the social relations of production in its multiple determinations and in its more evolved form of representation and control (under capitalism). Therefore, in terms of Marx's contributions, both to the study of legal regulation of capitalist labor processes, and to issues related to the living conditions of workers, and to social programs (as in the case of accident prevention, healthcare and education), the profile of his concept of well-being must be detected in passages spread throughout his work.

This is not to say that Marx's analysis of English factory legislation and about equality and liberty cannot indicate elements of a Marxian sociology of well-being. What is to be emphasized is that this sociology, because it is not easily perceivable, becomes fallacious if it is restricted to isolated interpretations of Marxian thought about the theme.

It is in the attempt to avoid this fallacy that I intend to relate Marx's analysis of factory legislation with his positions about political participation inscribed in his reflections on the Paris Commune. And based on this relation, identify the common thread that articulates the philosophical, scientific and political principles that serve as a basis for his transformative vision. Actually, it is not possible to differentiate the political and scientific limits of Marx's theory and praxis, or of his intellectual and ethical posture, given that these spheres are inseparable. Therefore, it is valid to affirm that there were never breaks between the young and the mature

Marx, nor between Marx the philosopher, scientist or political activist. In reality, Marx's great originality consists essentially in his impressive ability to articulate, with critical creativity, the multiple aspects of social life and the multiple intellectual supports of various thinkers from different tendencies.

This fact is substantiated in his analysis of factory legislation, a type of case study within the realm of his theory about labor, in which can also be identified his position in relation to social reform, to the bipolar confrontation of classes and to the priority of the economic over the political, already detected in his writings on the Paris Commune.

Effectively, in his study of factory legislation, Marx reaffirmed his regard for the struggle of workers within capitalism, with the goal of improving their living and working conditions and their salaries. This, in his perspective, is perfectly compatible with the correlation of forces existing in the realm of the productive system and with the disputes related to the confrontation between the antagonistic interests of the fundamental classes (bourgeois and proletariat). Thus, he understands that the effort to achieve the factory legislation to be one of the first conscious reactions of the working class against the exploitation to which it was submitted, and for which they had the support of other groups and class factions, who were also harmed by the privileges and domination of the industrial capitalists, as was the case of the agrarian aristocracy. Without underestimating the importance of these adhesions to labor's cause (a fact that once again indicates his predisposition to emphasize all the forces that contribute to the success of the worker's struggle, and his non-alignment to an orthodox concept of bipolar class conflict), what appeared to him to be more significant in this process was not so much the conquest of this legislation, but the restriction this conquest imposed on the despotism of capital. This is related to a position counter to the thesis of absolute pauperization, which was incorrectly attributed to Marx. In the understanding that salary is composed of two elements – the physical and the social-historical – Marx affirmed that: the latter element is susceptible to alterations that can result both from spontaneous factors, related to the ups and downs of the economic cycles, as well as the political action of the workers against the reduction of the real salary to that needed to meet their real physiological needs. It is thanks to the historic-social element of salary that it is possible for the working class to conquer not only salary increases, but to also impose legal restrictions that, beyond the economic "iron law" of salaries, check the propensity of this law to limit the remuneration of the labor force to the absolute minimum.

Marx's disbelief in the transformative power of factory legislation is thus clear, as well as his conviction that the proletariat should see this power as merely a strategic component of their greater struggle for complete well-being, which he identified with human emancipation from the fetters of capital – despite the gains provided by the law.

This is why labor legislation earned Marx's sympathy. In and of itself, it had little significance in terms of social transformation, although it had brought physical, moral and intellectual benefits to workers. But, if seen from the perspective of the principle that it represents, or that is, that it is possible to counter the economic policy of the property-owning class with the economic policy of the working class, more than a political conquest, the factory legislation is a theoretical confirmation.

However, it is worth emphasizing that Marx's recognition of the importance of factory legislation as a conquest of workers against the interests of capital has stirred polemics about the incompatibility of this recognition with his revolutionary proposals. It is that an analysis less attentive to the nuances that permeate this proposal tend to identify in Marx two ideas of change: one, political, the result of permanent conflict between productive forces and the relations of production that, in turn, will stimulate the contradictions in the different realms of social life, especially between the antagonistic classes; and the other, economic and legal, which, in the case of factory legislation, appears to point to the defense of a reformist process in which changes take place gradually within the capitalist system. But, this dualism does not occur in Marx. A closer examination of the Marxian theory of revolution will show that the theory is mounted on the bases of the process of production, but is not reduced exclusively to this. Therefore, everything that contributes to the necessary and growing awareness of man in the labor process is converted into consciousness of the labor process and of the possibilities for change in a spiral of distinct determinations. The revolutionary process encompasses economic, cultural and political components that are mutually reinforcing, although the principal weight falls on the changes of the economic

base. For this reason, revolution for Marx appears not to mean only the total revolutionary process. It can be a political revolution, as that of the Paris Commune, supported in cultural values that were determined, in the final instance, by the internal contradictions of the economic process in a specific historic context[9].

For this reason the importance of factory legislation as a contribution to the awakening of the proletarian consciousness that the domination of labor by capital is not inevitable, and of Marx's effort (1983, p. 13) to relate this legislation to the possibility that a political struggle would also stimulate changes or better circumstances. So much so that, by having this possibility in mind, he affirms: "even when a society discovers the tracks of the natural law of its development [...] it cannot jump or suppress by decree its natural phases of development. But it can abbreviate and reduce the birth pains." It is in the possibility of abbreviating the pains of childbirth that Marx inserts the legislative interference in the labor issues, at the same time in which he reveals, when addressing the issue, his recognition of the relative autonomy of the state, that is: the relative independence of the political order from the economic infrastructure of the bourgeois state, like that in England in 19th century England, which, under pressure from different interests, could no longer be seen as a pure and simple tool of the bourgeoisie. This is a line of thinking in Marx about the state – which is little explored – which discredits the handling of social policy only from the perspective of its functionality to the capitalist system, as is seen by various authors who call themselves Marxists.

This, however, is not to say that Marx was unaware of the ambiguities of the capitalist state, in regard to compliance with legislation, as well as the limitations and precarious nature of this compliance imposed by the structural power of capital. Marx was aware that, in capitalism, the state constantly falls into contradiction before the incompatibility of the legal principle of isonomy, with the conflicting and unequal reality of a society divided into classes. Despite recognizing in the preface of *Capital* that the British government, unlike the German, imposed some control on industrial owners, he never had an illusion about the fact that the state gave priority to the interests of the dominant classes. And despite confessing that "where capitalist production is fully implanted (in Germany for example), in the factories themselves, the conditions are worse than in England, because there is no counterweight from the factory laws" (MARX, 1983, p. 12), he did not fail to denounce, in England, the devices used by the capitalists and by the bourgeois state to avoid the law. Thus, in *Capital*, he describes various ways in which owners ignore the law, with the compliance of the state, as well as the manipulative and deceitful manner parliamentary authorities investigated irregularities by employers, in detriment to labor justice.

Conclusion

Marx's disbelief in the transformative power of factory legislation is thus clear, as well as his conviction that the proletariat should see this power as merely a strategic component of their greater struggle for complete well-being, which he identified with human emancipation from the fetters of capital – despite the gains provided by the law. This is because, under capitalism, in fact, the principles of economic competitiveness and of political coercion that, based on mechanisms such as the industrial reserve army and its depressive effects on salaries, lead to a growing (but not absolutely fatal) pauperization of the labor force, despite the liberal utopian measures for social protection.

Thus, total well-being for Marx is a phenomenon that is based on the principles of solidarity and cooperation, identified with an effective attention to human needs, morally and historically founded on the collectivized process of production and distribution of the social product[10]; and not on the principles of competition and coercion, which are identified with the process of private profitability that results from the exploitation and manipulation of the labor force as a special commodity, as is implicit in the liberal-bourgeois concept of social protection by the capitalist state and of the rights of citizenship.

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Notes

1 When I speak of Marx and in Marxian production, that is, Marx's own work, I am not excluding the participation of Engels in a number of these texts.

2 Upon speaking of a "type of sociology" of Marxian well-being, I want to say that although there is no such specific sociology (in the same way he has no economics, anthropology etc.), has a vision of the totality of the capitalistic historic process in which the social, the political and the economic are inseparable dimensions. Therefore, it is possible to observe in his work two main scientific affinities with the social sciences, and sociologists in particular: a) the scientific-historic character of his analyses about capitalist society, expressed in his intent to embrace them beyond their appearance. This is a form of detectable "scientificness" in Marx that is explicit in his thought: "all science would be superfluous if the form of manifestation [the appearance] and the essence of things immediately coexisted" (MARX, 1985, p. 271); b) the fact that Marx made an enormous contribution to a theory of well-being doted simultaneously with scientificness, a critical position and an intention to transform.

3 From Greek mythology: a sacred place in Ancient Greece, dedicated to the god Apollo, where Pythia entered in trance and issued responses as absolute truths.

4 Statement Marx (1983, p. 20), directed at the German bourgeois philosophers who treated Hegel with disrespect and cowardice.

5 During the doctoral course, begun in 1982 at Iuperj, and completed in 1987 at UnB, which led to the thesis entitled *Crítica marxista da teoria e da prática da política social no capitalismo: peculiaridades da experiência brasileira* (PEREIRA, 1987) [Marxist criticism of the theory and practice of social policy in capitalism: peculiarities of the Brazilian experience].

6 This essay was, later, deepened and inserted as a chapter in his book *Society and Social Policy: theories and practice of welfare* (MISHRA,1982).

7 A third common element between two comparable things.

8 This lack of interest can be attributed to Marx's moral and intellectual performance in explaining the determinants of social misery, generated by capitalism, and of knowing a definitive alternative for this misery.

9 About this see Marx (1973, 1978, 1987). In the *Communist Manifesto* (1987), he emphasizes a practical issue: the class struggle. Here he not only analyzes the essential postulates of this struggle, but convokes the workers of the entire world to join together. And, in keeping with this orientation, assumes an advanced position before political economy – if compared to the content of the *Economic and Philosophical Manuscripts*, in 1844, with the *Poverty of Philosophy*, of 1846/47 (2001) – by proposing "the substitution of the program against property in general for the project for the collective appropriation of the means of production, thus grasping by the roots both the functioning of the capitalist mode of production and the source of alienation of man who lives in a society of this type" (MARX, 1978, p. XVII).

10 Marx, contrary to liberal-bourgeois ideology, did not relate basic human needs to a minimum of physiologically determined subsistence. The "natural needs of the worker", he affirmed, "such as food, clothing, fuel and housing, vary according to climate and other physical conditions of his country. On the other hand, the number and the proportion of the so-called indispensable requirements [...] are, in and of themselves, the product of a historic evolution and therefore depend to a large degree on the degree of civilization of the country" (SWEEZY, 1974, p. 288). This suggests that social needs are difficult to precisely qualify. As an objective fact, they can be identified and measured approximately in each society and in each epoch.

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