

Handwritten notes:
Jaurès

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Jaurès, La révolution française et le droit successoral, in Oeuvres, VI, 392ff.
(dates 25 sept 1901)

His attack falls upon the radical party, which upholds the revolutionary principles of succession: in effect, they are upholding familial laws consecrated during those times. Mirabeau & Robespierre fare no better than anyone else: if they proclaimed the right of the state to decide succession, they did it only to consecrate descendants' rights. "J'ai à peine besoin de dire que ce n'est pas pour créer une propriété sociale, commune à tous les hommes, que la Révolution bourgeoise proclame le caractère social de la propriété: c'est seulement pour créer une propriété familiale, commune à tous les membres de la famille." (p. 396)

Revolutionary reasons for equal partage were to protect younger children who were revolutionaries against conservative parents' hatred (p. 397), to recognize equal rights of children, by nature; but this intervention of the state as the higher moral element, ~~sincere~~ this transporting of the natural affections into ~~another~~ another sphere, "dans la sphere de l'État" (p. 398) is just a "socialisation des devoirs de famille, des affections de famille". In the communist world, all children despite family should be included in the social conscience, else the proletariat children will suffer the same fate as cadet children under the droit d'ainesse. (p. 399). But he calls not for equal division of goods, but to each citizen "le droit plein à la vie par le travail...d'assurer à tout citoyen la copropriété des moyens de travail devenus propriété collective." (ibid.) "Ce n'est plus le droit d'ainesse d'un individu qu'il faut abolir dans l'intérieur de la famille, c'est le droit d'ainesse d'une class qu'il faut abolir dans l'intérieur de la nation." (ibid.)

He finally allows that the conventionnaires in those times could not have advocated equal division of wealth on a national basis: they could only try to make it more common on family basis by morecellizing fortunes. The counterrevolutionary of those times was Cazalès, who truly did want propriété individuelle. (p. 402.)