

Hegel's Torment

Poverty and the Rationality of the Modern State

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In his discussion of civil society in the *Elements of the Philosophy of Right*,¹ Hegel declares that the “important question of how poverty can be remedied is one which agitates and torments modern societies especially” (§244A). After considering and dismissing various proposed solutions, he concludes that “despite an *excess of wealth*, civil society is *not wealthy enough*—i.e. its own distinct resources are not sufficient—to prevent an excess of poverty and the formation of a rabble” (§245).

Some have taken these candid remarks as an admission of failure.² They claim that, by Hegel's own lights, poverty constitutes an insurmountable obstacle to the speculative proof that the modern state is rational, or, as he puts it, that it is the “actuality of concrete freedom” (§260). This challenge has not gone unanswered,³ and it has spawned a lively debate on the significance of the problem of poverty for Hegel's project.

It would be impossible to examine here the manifold arguments that have been advanced in the literature on Hegel and poverty, both by Hegel's critics and by his defenders. My aim in this chapter is much more modest. I focus on Hegel's answers to the following two questions: (1) What is poverty? (2) Why is it a problem *for individual members of the modern state*?

I defend the thesis that Hegel's answers to these questions follow systematically from his account of the relationship between personality and property in the “Abstract Right” division of the *Philosophy of Right*.

If my thesis holds water, then it readily suggests a method for investigating the significance of the problem of poverty for Hegel's project. Specifically, my suggestion is that, if we can get clear on Hegel's answers to (1) and (2), we will be in a better position to understand (or, when deemed necessary, to reconstruct) his answers to two further questions that arise downstream, in the “Civil Society” section of the *Philosophy of Right*: (3) What kind of problem does poverty pose *for the modern state*? (4) Does poverty have a solution that is consistent with the principles of that state?

The debate between Hegel's critics and his defenders turns on this second set of questions. Critics maintain both that the problem of poverty impugns Hegel's claim that the modern state is rational, and that none of the proposed solutions Hegel considers is adequate to the task. Defenders fall into either of two camps. Some simply deny that poverty calls the rationality of the modern state into question. Others are prepared to agree with Hegel's critics that poverty *would* call the rationality of the modern state into question were none of the proposed solutions Hegel considers adequate to task; however, they maintain that at least one such solution is in fact adequate.

The chapter is divided into three sections. In the first and second sections, I lay out the accounts of poverty provided by Kant and Hegel respectively. I begin with Kant's account because it allows me to highlight what is distinctive about Hegel's. In particular, I show that, whereas for Kant, poverty is problematic because it constitutes a condition in which a *person* stands in a wrongful relation of dependence to other persons, for Hegel, poverty is problematic for a much more fundamental reason: namely, because it constitutes a condition in which a *human being* is prevented from realizing her capacity

for personality in the first place. In the third and concluding section, I argue that Hegel's account of poverty has two important implications for understanding (or reconstructing) Hegel's answers to (3) and (4).

Poverty as Wrongful Dependence on the Choice of Another

My aim in this section is to present Kant's account of poverty. I am interested not only in his answers to questions (1) and (2), but also in his systematic justification for those answers. It is therefore not sufficient to turn to the few instances in the "Public Right" division of the *Metaphysical First Principles of the Doctrine of Right*,⁴ in which Kant discusses the problem of poverty. Rather, we have to locate that discussion in the context of Kant's overall justification for a state. This, in turn, requires that we turn to his account of external freedom and his justification of property rights in the "Private Right" division.⁵

Kant's point of departure in the *Doctrine of Right* is a state of nature characterized by two principles, both of which are contained in the following passage:

Freedom (independence from being constrained by another's choice), insofar as it can coexist with the freedom of every other in accordance with a universal law, is the only original right belonging to every man by virtue of his humanity. (6:237)

The main clause in the passage expresses the "principle of innate freedom" (6:237), on which more in a moment. The subordinate clause expresses the "universal principle of right," which Kant elsewhere formulates thus: "Any action is *right* if it can coexist with everyone else's freedom in accordance with a universal law" (6:230).

Kant's formulation of both of these principles relies heavily on technical terminology, so it is important to get clear on some of it before moving forward. We can gloss *choice* as the capacity to deploy *means* in order to set and pursue *ends*.⁶ *Action* is the exercise of that capacity. Finally, *coercion* is any interference with the choice of another (see 6:231).

Kant's two principles exhaust the rights to which individuals are entitled in the state of nature. If the universal principle of right delimits the sphere of ends we may rightfully pursue, the principle of innate freedom tells us what means we rightfully have at our disposal in the state of nature in order to do so. In particular, as a human being I have an original right to "what is *internally mine*" (6:237). Because my right to what is internally mine requires no positive act for its establishment (6:237), it consists of nothing but my right to my physical and mental powers—in short, to my body.⁷ Furthermore, because the universal principle of right entitles me to exercise my choice whenever doing so is consistent with a like exercise of choice by others, I am entitled to use my powers to prevent others from wrongfully coercing me. In doing this, I hinder their hindrance of my freedom, as Kant puts it (6:231).

Rights in the state of nature are not restricted to rights in my body, but also to whatever things I happen to have in my physical possession. To use Kant's own example, if I have my hand around an apple, I alone am entitled to use it in ways that are consistent with right. I may, for instance, eat it. The reason is that, in order for you to use that apple as a means to your ends, you would have to violate my external freedom; literally, you would have to *move* my body (6:247–248). But, by the universal principle of right, such an action would be wrongful, and thus authorize my use of physical force to frustrate your attempt.

The next step in Kant's argument is generated by a puzzle: May we acquire rights to external objects over and above those that are in our immediate physical possession?⁸ Acquisition of external objects, a pedestrian experience to us as members of organized states, is puzzling in the state of nature because it is not obvious that a unilateral action on my part could place you under a duty of right not to use some external object.⁹

Kant has a twofold answer to this puzzle, each part of which is a premise in his argument for the duty to leave the state of nature and enter a state. The first part of his answer is that it *must*¹⁰ be permissible for any external object to belong to someone (6:246). The second part of his answer is that external objects may belong to someone only in a rightful condition—that is, in a state (6:255–256). The first and second parts of Kant's answer entail that all (physically interacting) persons have a duty of right to enter a state.

Both premises of Kant's argument are controversial, especially the first one. Here, I follow Kyla Ebels-Duggan's strategy for reconstructing the argument for the first premise.¹¹ The universal principle of right has the form of a constraint on the external freedom of each. As Ebels-Duggan puts it, that principle does not assign anyone unlimited freedom, but rather limits each to the freedom that can simultaneously be enjoyed by all. But it does entitle us to the *maximal freedom* that we can have subject to this restriction.¹²

Hence, if we can show, first, that private property is consistent with right, and, second, that it affords *greater* external freedom to each than the state of nature does, then we will have shown the first premise for Kant's argument for the duty to enter a state.

The argument for the first step is complicated, so I merely assume this step here.¹³ The argument for the second is more straightforward. In the state of nature, each of us is dependent on the choice of others for the use of any external object in pursuit of a complex end. If I am hungry and want to feed myself, then holding an apple is sufficient to entitle me to its rightful use in my pursuit of that end. But if I want to use the same apple for a more complex end, such as the painting of a still life, then I am dependent on the choice of all others. Anyone may rightfully seize the apple mid-painting, thus frustrating my end.

Matters are quite different if private property is permissible. Having external objects as my own makes a whole set of complex ends available to me, in pursuit of which I may not be interfered with—at least not rightfully. It follows that private property in external objects decreases my dependence on the choice of others, and thus affords me greater external freedom than the state of nature does. Therefore, the universal principle of right *demand*s the establishment of a system of private property.

So much for the first premise of Kant's argument for the duty to enter a state. The second premise is also controversial, but the line of reasoning is easy to follow. Kant's claim is that no individual in the state of nature can rightfully acquire *conclusive* property rights in an external object (6:256–257). There are three reasons why this is so, but I only focus on what seems like the central reason. The central reason is that no *unilateral* act on my part could entitle me to use coercion to prevent others from using an external object. For, as Kant argues,

a unilateral will cannot serve as a coercive law for everyone with regard to possession that is external and therefore contingent, since that would infringe upon freedom in accordance with universal laws. (6:256)

Kant's point is simple. In the state of nature, my use of coercion to prevent others from using some object to which I lay claim is indistinguishable, from the standpoint of right, from my attempt to constrain the physical possession of another. Indeed, so long as we are in the state of nature, it is the other person who is entitled to use coercion to prevent *me* from regaining physical possession of some object to which I lay claim.

The inability of a unilateral will to establish conclusive property rights is what Ebels-Duggan calls the *problem of unilateralism*.¹⁴ Kant's solution to this problem is a "united" or "omnilateral" will—the will embodied in the institutions of the state (6:263). An omnilateral will is one that represents the will of all. Because it does not act unilaterally, it has the authority to bind all those who are subject to its power. In particular, it has the authority to determine the extent of each individual's property rights, to enforce those rights, and to adjudicate among conflicting rights claims (6:312). The suggestion, which I do not pursue here, is that only people acting in accordance with law (or within the authority proper to their office) could embody such a will.¹⁵

Now that we have seen the rough outline of Kant's argument for the duty to enter a state, we are in a position to inquire into his account of poverty. We have to begin by distinguishing poverty from physical deprivation—for example, from starvation. That someone is starving does not suffice to make her poor. An individual can fast voluntarily, or a castaway can starve on a sandbank at sea, but in neither case would we say that the individual in question is poor. These examples point to the fact that poverty is a relation between individuals. In particular, poverty—like property—is a relation between individuals with regard to external objects. For Kant, a person is impoverished when she lacks the means to satisfy her "most necessary natural needs" (6:326) *and* when those means are the property of another.

The far more interesting question is why, according to Kant, an individual's poverty is problematic. A common intuition is that poverty is problematic because it consists in the extreme frustration of an

individual's well-being. But, for Kant, the well-being of individuals is irrelevant from the standpoint of right.¹⁶ All that matters here is the *external* form of their relations (6:230)—in particular, what matters is that they enjoy independence from the choice of others under universal law.

To begin to see why poverty counts as problematic for Kant, we have to realize that poverty is made possible by the establishment of conclusive property rights in a state. If all external objects (in particular, all land) may be rightfully owned, then it is possible that some individuals, through no fault of their own (or because of imprudent choices), might become propertyless.¹⁷ But now consider the predicament of any such individual. She is in an even worse position in terms of external freedom than the denizen of the state of nature. The latter is certainly dependent on the choice of others for her pursuit of any complex ends, but at the very least she may not be prevented from pursuing simple ends such as nutrition. If there is some apple tree in her vicinity, she may help herself to its fruit, so long as no one else physically obstructs her access to it. By comparison, the poor person in a system of conclusive property rights may only gaze at my apple trees from afar, and I can rightfully call on the state to use coercion to prevent her from helping herself to my apples.

In short, the poor person is, as Arthur Ripstein puts it, “entirely dependent upon the generosity of others.”¹⁸ But no condition that made such dependence possible could be rightful. The possibility of poverty arising from a system of conclusive property rights shows that Kant's argument for the duty to enter the state is subject to a nontrivial constraint. Not just *any* system of private property will guarantee each person a degree of external freedom greater than she would have enjoyed in the state of nature; rather, only a system of private property that guarantees each person rightful title to a minimum of property does so. It follows that the authority to guarantee this minimum is not a separate power that the state enjoys by virtue of the fact that it must embody the united will of all;¹⁹ it is rather part and parcel of any system of private property rights capable of generating the duty to enter a state in the first place.

It remains only to say a word about Kant's proposed solution to the problem of poverty. Kant suggests that the state must tax the wealthy in order to provide for the poor, and that this provision must be in the form of direct transfers (6:326, 367). Both of these suggestions flow immediately from Kant's account of the problem of individual poverty. First, if the state must guarantee a certain minimum of property in a context in which all assets are privately owned, it can do so only by redistributing assets from those who own more than the minimum (the wealthy) to those who own less than it (the poor). Second, Kant suggests that a policy of direct transfers by the state is the solution most consistent with the universal principle of right. According to him, poor houses and foundations “severely limit” the external freedom of the poor (6:367), presumably by setting conditions on the receipt and use of benefits.

Poverty as Socially Frustrated Personality

Hegel's account in the *Philosophy of Right* begins from the concept of the free will, and aims to show how this concept becomes “Idea”—in other words, how it realizes itself in the world (§§1, 4). In the process of advancing toward full realization, the free will takes various shapes. One of the earliest of these shapes is *personality*, which is the subject of the first major division of the work, “Abstract Right.”²⁰

It is true that Hegel's most extensive discussion of poverty does not take place until a much later stage in the unfolding of the concept of the free will in civil society. Nevertheless, I claim that his account of the relationship between personality and property in “Abstract Right” explains the distinctiveness of his account of what poverty is and why it is a problem for individual members of the modern state.

I begin, then, by looking at abstract right. For Hegel, the fundamental principle of abstract right is “*be a person and respect others as persons*” (§36). This principle contains two demands. On the one hand, the second demand, “respect others as persons,” is very much in line with Kant's discussion in the “Private Right” division of the *Doctrine of Right*. Abstract right consists of a series of permissions (strict rights) and correlative obligations (duties of right) that govern persons' behavior toward one another as owners of property (§§38 and 40). On the other hand, the first demand, “be a person,” represents a radical departure from Kant. Unlike Kant, Hegel does not think that human beings get personality for free, merely by virtue

of their humanity (§35R and A, and §57R and A). It follows that Hegel must reject Kant's principle of innate freedom, even if his principle of respect for persons embodies some of the elements of Kant's universal principle of right.

Because Hegel does not think that we get personality for free, he is faced with the task of specifying the conditions under which a human being realizes her personality.²¹ In order to become a person, Hegel argues, a human being must *at a minimum* take possession of her body and acquire property in external things. For him, only a human being who meets both of these conditions realizes her personality, and is thereby entitled to respect by other persons.²² Let us consider each of these requirements in turn, beginning with the second.

The concept of personality is closely connected to the concept of an arbitrary will (see §15). "Personality," Hegel says,

begins only at that point where the subject has not merely a consciousness of itself in general as concrete and in some way determined, but a consciousness of itself as a completely abstract "I" in which all concrete limitation and validity are negated and invalidated. (§35R)

The most important moment in such a will is the moment of abstract subjectivity. Such a will withdraws from the various drives and needs of its internal nature and regards them with indifference. It can choose to pursue some drive, but it can as well choose to pursue another.

Hegel's claim that an individual can realize her personality only if she acquires property in external things just is the claim that the free will can give itself existence only by reference to an external "sphere of freedom" (§41)—a collection of external objects over which it alone has power. Since, for Hegel, external objects are soulless and the will can therefore impose its own ends upon them (§44R), a human being who owns property thereby embodies her will in her possessions (§45). She does this by coming into a concrete relationship with external things that mirrors the relationship that her will has to the different determinations of her internal nature.²³ So, for instance, if she owns an apple, she may decide to paint a still life, or she may decide to eat it, but she is under no external compulsion to put it to any particular use. Hence, in her relationship to the apple, she has a concrete experience of herself as a free will—that is, as independent of both internal and external nature, even if ultimately determined in particular ways.

The first requirement of personality is a bit more elusive than the second. When Hegel rejects Kant's claim that we have personality merely by virtue of our humanity, he rejects in particular the claim that we have an exclusive right in our bodies by mere accident of birth. As "a person," Hegel claims, "I ... possess my life and body, like other things, *only in so far as I will it*" (§47). Nevertheless, the *capacity* to become a person is something each of us has innately and must realize:

The human being, in his immediate existence in himself, is a natural entity, external to his concept; it is only through the *development* of his own body and spirit, *essentially* by means of *his self-consciousness comprehending itself as free*, that he takes possession of himself and becomes his own property as distinct from that of others. Or to put it the other way around, this taking possession of oneself consists also in translating into *actuality* what one is in terms of one's concept. (§57)

The process of taking possession of one's body and spirit is the subject matter of Hegel's famous dialectic of mastery and servitude in his *Phenomenology of Spirit*.²⁴ This is no place to venture into that thicket, so I only suggest that Hegel considers labor in the service of another's need a necessary moment of that dialectic.²⁵ My suggestion, in other words, is that for Hegel the discipline and education to which a human being must subject herself in labor is a necessary condition of taking possession of her body.²⁶

With this brief and admittedly cursory look at Hegel's account of the relationship between personality and property behind us, we can now turn to his discussion of poverty in the "Civil Society" section of the *Philosophy of Right*. Civil society is the sphere in which abstract right finds its realization. Hegel characterizes this sphere by means of two principles: "The *concrete person*, who, as a *particular person*, as a totality of needs and a mixture of natural necessity and arbitrariness, is his own end, is *one principle* of

civil society” (§182, first emphasis added). The second principle of civil society is the “all-round interdependence” of each upon the activity—and, in particular, upon the needs and labor—of others (§183).

The second principle of civil society implies the possibility that Kant considers with regard to poverty. Once property rights are made conclusive in the state, it is possible for all external objects—and, in particular, for all land—to be privately owned. If such a condition is realized, further property acquisition can be rightful only if it takes place through contract (see §217A). If, in conjunction with this, there is a proliferation of needs and an attendant refinement of the division of labor, then a member of civil society has to satisfy her needs either through her own property, or through labor in service of the needs of others (§189). Hegel defines poverty as a condition in which individuals can do neither. “Impoverished is he,” he states in his lectures of 1817–1818, “who possesses neither capital nor skill.”²⁷ This same thought is echoed in the *Philosophy of Right* when Hegel describes the poor as those from whom society has taken “the natural means of acquisition” (§241). Thus, while Hegel agrees with Kant that poverty entails deprivation of that minimum of property sufficient to afford the “necessary” standard of living of a society (§244), he adds a further condition to the Kantian account: poverty entails an inability to acquire such property through labor.

While Hegel partially agrees with Kant about what poverty is, he disagrees with him about the nature of the problem poverty poses for the individual:

The poor man feels excluded and mocked by everyone, and this necessarily give rise to an inner indignation. *He is conscious of himself as an infinite, free being, and thus arises the demand that his external existence should correspond to this consciousness....*Self-consciousness appears driven to the point where it no longer has any rights, where *freedom has no existence*. In this position, where the existence of freedom becomes something wholly contingent, inner indignation is necessary. (n. 1 to §244, emphasis added)

For Hegel, what is problematic is not just that the impoverished individual is dependent on the arbitrary wills of the wealthy. Rather, poverty is problematic because those who are subject to that condition are rendered *incapable of realizing their personality*. It is what we might call a condition of *socially frustrated personality*.

Hegel’s account of poverty as socially frustrated personality follows directly from his account of the conditions of possibility of that shape of the free will. First, we saw that the impoverished individual is deprived of a necessary minimum of property. It follows for Hegel that she lacks the sphere of freedom that is necessary for reflecting and thereby giving existence to the free will. Second, the impoverished individual is also deprived of the opportunity to work for a living by the very dynamic of civil society, in particular by the simplification of labor and the eventual replacement of the worker by machines (§§198, 243). As a consequence, she is rendered incapable of taking possession of her body.

A striking upshot of Hegel’s account of poverty is that, according to it, the poor in modern society find themselves in a condition not unlike what he calls “savagery” or “barbarism.” They are reduced to their most immediate needs, which they, unable to labor, must satisfy immediately (say, by consuming what they manage to obtain through begging). This is comparable to savagery, as he conceives of it:

a condition in which natural needs as such were immediately satisfied would merely be one in which spirituality was immersed in nature, and hence a condition of savagery and unfreedom.... (§194R)

Furthermore, on Hegel’s account the poor individual is like a “barbarian” in that she fails to experience what he calls “the moment of liberation which is present in work” (§194R), and which distinguishes the barbarian from the “educated man” (§197 and R).

We can see, then, that Hegel’s account of the relationship between personality and property grounds a damning account of what he calls the “evil” of poverty (§245). On the Kantian account, poverty is problematic for the individual member of the modern state because it places her in a wrongful relation of dependence on the choice of other persons. But Hegel’s poor cannot even stand on their rights as persons, because poverty consists in their inability to realize their personality in the first place.

Poverty and the Rationality of the Modern State

In the previous section I argued that Hegel's answers to the first set of questions (What is poverty? Why is it a problem for individual members of the modern state?), follow systematically from his account of the relationship between personality and property in "Abstract Right." For Hegel, the poor individual is like a savage among (civilized) persons, whose condition prevents her from raising herself to their level of freedom. In this section, I flesh out some implications that my thesis has for understanding (or reconstructing) Hegel's answers to the more pressing second set of questions (What kind of problem does poverty pose for the modern state? Does it have a solution consistent with the principles of that state?).

The first implication concerns Hegel's discussion of proposed policy solutions. Hegel's account of poverty constrains the set of policies that can count as adequate solutions to that problem. If poverty is socially frustrated personality, then any acceptable remedial policy must *at the very least* make it possible for the poor to realize their personality. Call this the *personality constraint*. This constraint entails that any acceptable policy must make it possible for the poor to express their will in a sphere of external objects under their control, and to take possession of their body. This, in turn, entails that the poor must be enabled to acquire a minimum of property, and to do so through their own labor.

The personality constraint not only flows from Hegel's account of poverty, but also seems to guide his own assessment of proposed policies. This is clearest in his brief discussion of Kant's preferred policy: taxation of the rich to support direct transfers to the poor. Hegel claims that such a policy runs afoul of "the principle of civil society and the feeling of self-sufficiency and honor among its members" (§245).

Because Hegel highlights that transfers serve to maintain the poor "without the mediation of work," he is sometimes understood as appealing to the *second* principle of civil society in the foregoing passage.²⁸ He is thus represented as primarily concerned with the integration of particularity into the (limited) universality of the market. But his invocation of the feeling of self-sufficiency and honor harkens back to something even more fundamental: concrete personality, or the *first* principle of civil society. According to that principle, the individual who does not labor, who does not submit herself to the discipline involved in regulating her productive activity in the service of another's need, does not come into possession of her body. As a consequence, she does not realize her personality, even if whatever means she needs to meet her basic needs are made available to her for her immediate consumption.

The personality constraint also explains why, oddly, Hegel seems to consider transfers in the context of membership in a corporation as an adequate remedial policy. A corporation is analogous to a trade group. It is a voluntary association based on a certain branch of the social division of labor, which unifies the particular interests of its members and raises them to the status of a more general interest (§254). "Within the corporation," Hegel says, "the help which poverty receives loses its contingent and unjustly humiliating character" (§253R). Hegel's reason for thinking this is that the corporation replaces the need for concrete individuals to realize their personality through labor with the recognition of their skills and training in meeting certain membership standards (§253). The suggestion seems to be that transfers to the poor in this context do not run afoul of the personality constraint because, though not mediated by particular acts of labor, they are mediated by the recognition of the individual as a *laborer*.

Because my aim here is not to assess whether Hegel ultimately identifies an adequate solution to the problem of poverty, I will not comment on whether his suggestion that corporations provide such a solution is warranted.²⁹ Rather, what I have tried to show by considering his discussion of two policy proposals is that he is committed to evaluating them on the basis of a criterion that is ultimately based on his account of the relationship between personality and property in "Abstract Right."

I want to end by considering a second implication of my thesis, this time with respect to the far thornier question: What kind of problem does poverty pose for the modern state? Whether poverty calls the rationality of the modern state into question, and thus signals the failure of Hegel's project, seems to depend on at least two considerations. The first is the status of Hegel's claim—expressed in his lectures of 1819–1820, and implicit in this discussion in the *Philosophy of Right*—that "[t]he emergence of poverty is in general a consequence of civil society, and on the whole it arises *necessarily* out of it" (n. 1 to §244, emphasis added). Those who agree with Hegel's assessment of the relationship between civil society and

poverty generally think that the latter constitutes a major, perhaps insurmountable, problem for Hegel's project of demonstrating the rationality of the modern state.³⁰ Those who aim to defend the ambition of Hegel's project either reject his judgment that poverty arises *necessarily* out of the normal operation of civil society,³¹ or deny that poverty *necessarily* has consequences that call the rationality of the modern state into question.³²

Wherever an interpretation falls with regard to this first consideration, it seems clear that it is subsidiary to a second. The most ambitious aim of Hegel's *Philosophy of Right* is to show that,

The state is the actuality of concrete freedom. But *concrete freedom* requires that personal individuality and its particular interests should reach their full *development* and gain *recognition of their right* for itself (within the system of the family and civil society), and also that they should, on the one hand, *pass over* of their own accord into the interest of the universal, and on the other, knowingly and willingly acknowledge this universal interest even as their own *substantial spirit*, and *actively pursue* it as their *ultimate end*. (§260)

The paramount question—not only with regard to the present discussion, but also more generally with regard to the *Philosophy of Right*—is what, precisely, the kind of “reconciliation” (§141A) that Hegel envisions in the foregoing passage requires. In particular, the question is: What is required for the reconciliation of “personal individuality,” or what he elsewhere calls “principle of subjective freedom” (§185R), with the substantiality of the state?

If my thesis holds water, then Hegel's account of poverty as socially frustrated personality has an important implication with respect to this question. In particular, I think it places the burden of proof on anyone who would deny that in order for the modern state to count as rational, it must guarantee *each* of its members the *possibility* of achieving personality.³³ For how could the modern state guarantee that “personal individuality and its particular interests should reach their *full development* and gain *recognition of their right* for itself” unless it could, at the very least, guarantee its every member the possibility of realizing the most basic shape of the free will?

Naturally, my move here is in part driven by a normative individualist interpretation of the principle of subjective freedom. But I think that there is evidence in Hegel's own argument in the *Philosophy of Right* to support it. For instance, I think that it would be hard to draw as sharp a distinction between the ancient and modern worlds as Hegel wants to draw (see §§124R, 185R, and 258) if it turned out that some of the irrationality of the former lingered on in the latter in the form of *socially* frustrated personality for some. It is not for nothing that Hegel declares that the “important question of how poverty can be remedied is one which agitates and torments *modern societies especially*” (§244A, emphasis added). Poverty would not agitate and torment us unless we saw reflected in it the possibility that the promise of modernity has *not yet* been fulfilled.

Notes

I am grateful to Mark Alznauer, Hannah Kovacs, and the participants of the twenty-second biennial meeting of the Hegel Society of America for their helpful comments on earlier drafts of this paper.

1. Hegel 1991. I cite the sections of this work, along with their accompanying remarks (R) and additions (A), parenthetically. I also quote from Wood's excerpts from Hegel's 1819–1820 lectures on the philosophy of right in the editorial notes. When doing so, I provide the note number and the section to which it corresponds.

2. See, for instance, Avineri 1972, 154; Teichgraber 1977, 63–64; Wood 1990, 255; and Neuhouser 2000, 174.

3. For two recent defenses of Hegel on poverty see Hardimon 1994 and Franco 1999.

4. Kant 1996. I cite Kant parenthetically, following the standard practice of providing the volume and page numbers of the *Akademie* edition (Kant 1907).

5. Kant's argument in the *Doctrine of Right* is notoriously obscure, so any presentation of it requires considerable reconstruction. My own presentation of that argument relies considerably on interpretations by Arthur Ripstein and Kyla Ebels-Duggan. For Ripstein's interpretation see Ripstein 2004 and 2009. For Ebels-Duggan's interpretation see Ebels-Duggan 2009.

6. Ripstein 2009, 40–42. For Kant's definition, see 6:213.

7. Cf. Ripstein 2009, 40, and Ebels-Duggan 2009, 2.

8. Kant uses the term “external object of choice” ambiguously between nonpersonal corporeal objects (e.g., a stone), performances by persons (e.g., gardening services), and statuses with regard to persons (e.g., parental custody) (6:247). In order to avoid some difficulties that arise because of this ambiguity, I reconstruct the argument in “Private Right” with regard to nonpersonal corporeal objects alone.

9. On this puzzle, Ebels-Duggan 2009, 3.

10. Due to the structure of the argument Kant presents, this “must” has the force of a duty of right. See 6:256.

11. This strategy is also suggested, but not fully developed, in Pippin 1999 and Westphal 2002.

12. Ebels-Duggan 2009, 4. Emphasis added.

13. Briefly, the argument involves showing that a *res nullius*—an external object that, by right, everyone would be forbidden from using—is contrary to right (6:246). It follows that it must be rightful for any external object to be usable by some person. The argument is completed by the observation that a system of private property rights meets this requirement.

14. Ebels-Duggan 2009, 4. The other reasons no individual can acquire conclusive property rights in the state of nature are what Ebels-Duggan calls the “*problem of indeterminacy*” and the “*problem of assurance*.” Cf. Chapter 6 in Ripstein 2009.

15. See Ripstein 2009, 191.

16. It is by no means irrelevant, however, from the standpoint of virtue. See 6:453.

17. Cf. Ripstein 2009, 277.

18. Ripstein 2004, 33. Kant never says explicitly that this is the problem with individual poverty, but this is strongly suggested by his remarks at 6:367.

19. Ripstein 2004, 33–34.

20. Here I follow Dudley Knowles. See Knowles 1983, 48–49.

21. I follow Alan Patten in reading “Abstract Right” as an attempt to specify these conditions. See Patten 2002, 144.

22. It is not my claim that these conditions are, for Hegel, jointly sufficient for the realization of personality. Rather, my claim is that they are both necessary. This is compatible with the view that, on Hegel’s account, there is a recognitive condition on the realization of personality *in addition to* the ones that I discuss. If I do not discuss that condition here, it is only because my aim is to build my argument on a minimalist interpretation of Hegel’s account of the relationship between personality and property. I thank Ardis Collins and Andrew Buchwalter for pressing me to make this aspect of my argumentative strategy explicit.

23. Cf. Patten 2002, 148–149.

24. Hegel 1977.

25. *Ibid.*, 117–119 (§§195–196). “Labor” here does not mean just any kind of purposive activity, but rather the imposition of form on external nature for the purpose of satisfying a need, physical or otherwise.

26. This claim is strongly supported by §§45, 194R, and 197.

27. Hegel 1983, 160 (§118R). The translation is my own.

28. See, for instance, Hardimon 1994, 243.

29. For a view that answers this question in the affirmative, see Houlgate 1992. For a dissenting view, see Teichgraeber 1977, 60–61.

30. See n. 3.

31. See Hardimon 1994, 248, and Houlgate 1992, 14.

32. See Franco 1999, 271.

33. Hardimon 1994, 248–249, explicitly rejects this. I find his brief defense of that position inadequate. For him, the question, whether the modern social world is a home or not, seems ultimately to turn on poverty being “the condition of the few.” But I find it exceedingly difficult to believe that such a momentous claim could, for Hegel (or for us), ultimately hinge on a simple matter of numbers.

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