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# Interdependent Independence: Civil Self-Sufficiency and Productive Community in Kant's Theory of Citizenship

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## Abstract

Kant's theory of citizenship replaces the French revolutionary triptych of liberty, equality and fraternity with freedom (*Freiheit*), equality (*Gleichheit*) and civil self-sufficiency (*Selbständigkeit*). The interpretative question is what the third attribute adds to the first two: what does self-sufficiency add to free consent by juridical equals? This article argues that *Selbständigkeit* adds the idea of *interdependent independence*: the independent possession and use of citizens' interdependent rightful powers. Kant thinks of the modern state as an organism whose members are agents possessed of rightful (productive) powers, whose interdependent mode of *exercise* independently of unilateral permission matters for right. The empirical form of that ideal, according to Kant, is a republic of independent commodity producers. I will show that this reading of *Selbständigkeit* can consistently explain Kant's disenfranchisement of women, wage labourers and landless farmers; that it offers a robust alternative to influential republican, libertarian and proprietarian interpretations of the Kantian state; and that it can buttress an original account of community as productive interdependence.

**Keywords:** Kant; productive community; *Selbständigkeit*; division of labour; freedom; equal liberty; independence; interdependence; self-sufficiency; Doctrine of Right

Kant's theory of citizenship replaces the French revolutionary triptych of liberty, equality and fraternity with freedom (*Freiheit*), equality (*Gleichheit*) and civil self-sufficiency (*Selbständigkeit*). The interpretative question is what the third attribute adds to the first two: what does self-sufficiency add to free consent by juridical equals? This article argues that *Selbständigkeit* adds the idea of *interdependent independence*: the independent possession and use of citizens' interdependent rightful powers. Kant thinks of the modern state as an organism whose members are agents possessed of rightful (productive) powers, whose interdependent mode of *exercise* independently of unilateral permission matters for right. The empirical form of that ideal, according to Kant, is a republic of independent commodity producers. I will show that this reading of *Selbständigkeit* can consistently explain Kant's disenfranchisement of women,

wage labourers and landless farmers; that it offers a robust alternative to influential republican, libertarian and proprietary interpretations of the Kantian state; and that it can buttress an original account of community as productive interdependence.

The article is structured as follows. After introducing Kant's discussion of citizenship (section 1), I broach the idea of interdependent independence, that is, the way in which members of a state independently exercise their rightful (productive) powers (section 2). Kant's citizens, I argue, have as their object of legislation their own independence in productive community with others, such that franchise follows independence and not vice versa (section 3). I then explain why this inclusive interpretation of *Selbständigkeit* is exegetically superior to competing republican accounts, which attempt to explain Kant's exclusions by appeal to voter dispositions (section 4). I also show that, *pace* proprietary and libertarian readings of Kant, his concern with property and propertylessness is wholly derivative of a more fundamental concern with the independent exercise of the citizens' interdependent rightful powers (section 5).

### I. Kant on citizenship

Citizenship is a crucial step in Kant's argument for the justification of the liberal state<sup>1</sup> and is discussed in TP (8: 290–7) and DR (6: 314–16).<sup>2</sup> In DR §46, Kant argues that the state's legislative authority belongs to 'the concurring and united will of all', where 'each decides the same thing for all and all for each'. He adds that, since one 'can never do wrong in what he decides upon with regard to himself', it follows that the legislation of such a united will must be consistent with the demands of right. Kant's co-legislating citizen has three normative attributes (*rechtliche Attribute*): he<sup>3</sup> enjoys freedom (*Freiheit*), 'the attribute of obeying no other law than that to which he has given his consent', equality (*Gleichheit*), the attribute of 'not recognizing among the people any superior with the moral capacity to bind him as a matter of right in a way that he could not in turn bind the other' and civil self-sufficiency (*Selbständigkeit*),<sup>4</sup> the attribute of 'owing his existence and preservation to his own rights and powers as a member of the commonwealth, not to the choice of another among the people' (6: 314). Freedom, equality and civil self-sufficiency, then, are the ideal expression of Kantian independence. What needs to be explained is what the third attribute adds to the first two.

A preliminary explanation follows Kant's account of the franchise. After suggesting that 'the only qualification for being a citizen' is 'being fit to vote', Kant adds that this:

presupposes the self-sufficiency of someone who, as one of the people, wants to be not just a part (*Teil*) of the commonwealth but also a member (*Glied*) of it, that is, a part of the commonwealth acting from his own choice in community (*Gemeinschaft*) with others. The quality of being self-sufficient, however, requires a distinction between active and passive citizens, though the concept of a passive citizen seems to contradict the concept of a citizen as such. The following examples can serve to remove this difficulty: an apprentice in the service of a merchant or artisan; a domestic servant (as distinguished from a civil servant); a minor; all women and, in general, anyone whose preservation in existence (his being fed and protected) depends not on his management of his own business but on arrangements made by another (except the state). All these people lack civil personality and their existence is, as it were, only inherence (*Inhärenz*). (DR, 6: 314; translation amended)

Kant's passive citizens<sup>5</sup> enjoy freedom and equality if they possess legal standing as parts ( $\neq$  members) of the commonwealth and if they can work their 'way up from this passive condition to an active one' (DR, 6: 315). Both conditions are satisfied, he implies, in the case of apprentices, domestic servants, minors and women, albeit *passively*. Minors, for example, enjoy a right 'to the care of their parents until they are able to look after themselves' (DR, 6: 280), a right entailed by their innate right to independence. It follows that enjoyment of innate right is compatible with *de facto* lack of control over its exercise. On the interpretation I will present, civil self-sufficiency just is independent possession and use of one's rightful powers, including one's productive powers. If I am right, then self-legislating citizens in the Kantian state must enjoy interdependent independence, that is, an ability to make their own (productive) choices in (productive) *community* with others.

I will show that this interpretation of civil self-sufficiency is key to understanding Kant's disenfranchisement not only of apprentices, domestic servants, women and minors – all of whom are subject to fiduciary 'status' relationships – but also of wage labourers and landless farmers. In the DR passage immediately following the definition of civil self-sufficiency (see the quotation above), Kant writes:

The woodcutter I hire to work in my yard; the blacksmith in India, who goes into people's houses to work on iron with his hammer, anvil and bellows, as compared with the European carpenter or blacksmith who can put the products of his work up as goods for sale to the public; the private tutor, as compared with the school teacher; the tenant farmer as compared with the leasehold farmer, and so forth; these are mere underlings of the commonwealth because they have to be under the direction or protection of other individuals, and so do not possess civil self-sufficiency. (DR, 6: 314–15; translation amended)

The Indian travelling blacksmith<sup>6</sup> contrasts with those subject to status relations, in that she is merely contractually bound to 'let and hire' her productive powers to her employer(s) (DR, 6: 285).<sup>7</sup> But the blacksmith's position is similar to those subject to status relationships in that she, too, lacks civil self-sufficiency. According to Kant, the Indian blacksmith enjoys freedom and equality insofar as she *could* come to own enough iron and thereby come to bind her employer as much as the employer actually binds her. This is the significance of Kant's equal opportunity proviso, that 'anyone can work his way up from this passive condition to an active one' (6: 315). But the blacksmith presently lacks iron ownership, which means she lacks independent use of her productive powers: in order to exercise these powers she must get permission from the iron owner(s) to use the iron they own, which means she must put her powers at their disposal. She therefore lacks civil self-sufficiency. Like the minor, the Indian blacksmith remains subject 'to the choice of another among the people' (6: 314),<sup>8</sup> quite independently of a supervening status relationship.

The rest of this article argues for three claims. First, *Selbständigkeit* is the idea that free and equal people can co-legislate if and only if they have independent possession and use of their rightful powers as members of the commonwealth. Lacking such independence, dependents cannot legislate on behalf of their own agency. Second, the relationship between citizenship and property, for Kant, does not have the educational, psychological or anti-corruption significance it has for Sieyès, for the French

constitution of 1791 or for contemporary republican interpretations of Kantian citizenship. Rather, property is relevant only insofar as it gives citizens unsubjected discretion over the exercise of their rightful powers. By enjoying means to the exercise of their powers, including their productive powers, Kant's interdependent citizens independently facilitate the conditions of their mutual independence. Third, Kant takes the empirical form of independence in the modern state to be independent commodity production.<sup>9</sup> That is, Kant's citizen uses her productive powers to produce external means for others, without having to make her powers into their means. In depending only on the *content* of exchange relationships – what she produces with her own powers – each member of the commonwealth depends only on her own 'ability, industry, and good fortune' (TP, 8: 296). After introducing the interdependent independence reading in section 2, I defend each of these claims in sections 3, 4 and 5, respectively.

## 2. Citizenship and *Selbständigkeit*

This section offers a reconstruction of DR §46. It explains why, for Kant, the franchise follows independence and not vice versa, in the strong sense that dependence suffices to disenfranchise dependents in *both* fiduciary status relationships – e.g. the minor and the domestic servant – *and* non-fiduciary contractual relationships – e.g. the Indian blacksmith:

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|---|--|
| <p>(1) The legislating united will of all involves each deciding for all and all for each, such that each legislator legislates for herself.</p>  | <p>'[O]nly the united will of all, insofar as each decides the same thing for all and all for each ... can be legislative.' (DR, 6: 314)</p>   |
| <p>(2) A will legislating for herself cannot wrong others (in that legislative capacity), such that all right proceeds from such a will only.</p>   | <p>'[W]hen someone makes arrangements about another, it is always possible for him to do the other wrong; but he can never do wrong in what he decides upon with regard to himself.' (DR, 6: 313–14)</p> |
| <p>∴ (3) The united will's co-legislators cannot wrong each other (in that legislative capacity), such that all right proceeds from their united will only. (from 1, 2)</p>                                 |  |
| <p>(4) One is a co-legislator, and therefore fit to vote, if and only if she is a citizen possessing the attributes of freedom, equality, and civil self-sufficiency.</p>                                   | <p>'The only qualification for being a citizen is being fit to vote ... [T]he attributes of a citizen are: lawful freedom, ... civil equality, ... and civil self-sufficiency ...' (DR, 6: 314)</p>      |
| <p>∴ (5) Only citizens possessing these attributes ('active citizens') cannot wrong each other (in their legislative capacities), such that all right proceeds from their united will only. (from 3, 4)</p> |  |
| <p>(6) The Indian blacksmith lacks civil self-sufficiency.</p>  | <p>'[T]he blacksmith in India ... ha[s] to be under the direction or protection of other individuals, and so do[es] not possess civil self-sufficiency.' (DR, 6: 315)</p>                                |
| <p>∴ (7) The Indian blacksmith is not fit to vote. (from 4, 6)</p>  |  |

In a nutshell, Kant could not have thought that dependents should be disenfranchised, unless he thought that, in legislating, they would be making ‘arrangements about another’. Economically dependent citizens, for example, would be legislating not for *themselves* as citizens, but only for their bourgeois masters as citizens. The interpretative challenge consists in offering an account of civil self-sufficiency broad enough to explain why such dependence, according to Kant, implies potential wrongdoing (claim (5)) and why it suffices for disenfranchisement (claim (7)). The only interpretation that makes these inferences exegetically palatable, I will argue, is the *interdependent independence* interpretation of civil self-sufficiency (hereafter simply interdependent independence).<sup>10</sup> According to this interpretation, you enjoy civil self-sufficiency if and only if you enjoy unsubjected exercise of your rights and powers, including your productive powers,<sup>11</sup> as a member of the commonwealth. Interdependent independence sees legitimate public power as regulating the compossible choice sets of interdependent choosers who produce their own lives by independently exercising their commonwealth-conferred rights and (productive) powers. The rest of this section offers textual evidence for the reconstruction of DR §46 just provided.

I begin with important terminological issues. DR §46 calls the active citizen a ‘member’ (*Glied*), in contrast with the passive citizen, a mere ‘part’ (*Teil*) of the state. Kant also suggests that the choices of active citizens form a community (*Gemeinschaft*) and that the existence of passive citizens is ‘as it were, mere inherence’ (*Inhärenz*). These terms are explicitly connected in the critical philosophy. In the *Critique of Pure Reason* Kant contrasts the reciprocal determination of ‘coordinated relations’ (as in members of a body) with the ‘subordinated’ relation of effect to cause. The former relation, unlike the latter, constitutes a community (*Gemeinschaft*) between ‘agent and patient’ (CPR, A80/B106). Inherence, on the other hand, is contrasted with subsistence, in that only subsistent entities – substances – have causal powers. It follows that only substances can partake of community: they are independent as substances but interdependent as reciprocally dependent on other substances.<sup>12</sup>

Kant applies these categories explicitly to politics in the *Critique of the Power of Judgment*. In a footnote discussing the French Revolution, he applies the idea of organization to the ‘body politic’ and suggests that ‘in such a whole, each member (*Glied*) should certainly be not merely a means but at the same time an end . . . whose position and function should be determined by the idea of the whole’ (CJ, 5: 375). On the present interpretation, political community is a form of reciprocal interdependence through a social division of labour, while the ‘body politic’ is the united will of independent ‘substances’, that is, of free and equal people in independent possession and use of their rightful powers. The criteria for voter-fitness, on this view, are entailed by three *a priori* premisses (claims 1, 2, 4). The first two (claims 1, 2) reflect Kant’s views of the appropriate object of legislation, namely the self-legislating will itself. Kant then identifies that will with free and equal people in independent possession and exercise of their rightful powers (claim 4). It follows that the domestic servant, the private tutor and the Indian blacksmith cannot legislate. For in legislating, they would not be *self*-legislating: their agency, as ‘inhering’ in the agency of others, is not part of the appropriate object of legislation. I now offer a unifying explanation for these assertions, based on the idea of interdependent independence.

### 3. The unifying explanation: interdependent independence

This section offers a unifying explanation for Kant's disenfranchising exclusions. These exclusions are not, I will argue, about *how* citizens are disposed to vote, but rather about the nature of the object of universal legislation in the Kantian state. The idea is that only interdependent independents can, in legislating, *self-legislate*, that is, make arrangements about their own agency.

Suppose the European and the Indian blacksmith share a qualitatively identical productive power of working iron into hammers. Both produce, say, an equal output per hour out of equal inputs; both serve the commonwealth by making it richer by some hammers. Suppose, further, that both enjoy the same set of commonwealth-conferred legal rights to exercise these productive powers, in addition to the right to own iron. Kant implies that the Indian blacksmith owns no iron, such that, if she is to exercise her productive powers by working iron, she must ask permission from the iron owner(s).<sup>13</sup> The Indian blacksmith's ironlessness thereby gives the iron owner(s) discretion over the exercise of the blacksmith's productive powers – her ability to work iron into hammers. According to Kant, it follows that she lacks *Selbständigkeit*, since her labour process, and *therefore the conditions of exercise of her commonwealth-conferred legal rights and powers*, is *de facto* unilaterally controlled by others.<sup>14</sup> The Indian blacksmith is interdependent but not independent, which makes her into a mere part (*Teil*) of the commonwealth. Consider an analogy with musical production.

Suppose you control the musical instrument I need in order to perform as a member of the orchestra, such that that you can, by legal right, deprive me of it at will and at any time. It follows that I cannot exercise my music-making powers as an orchestra member by playing that instrument, except through your unilateral permission. That way my music-making, if realized at all, serves two masters: you and the orchestra. Kant's objection to this predicament is not that my dependence on you might make me fearful, obsequious or servile in my music-making, inclined to pursue your ends as opposed to mine, and so on. These empirically contingent effects on my psychology are not at the centre of Kant's democratic theory (which is why they are never mentioned).<sup>15</sup> Rather, the ground of my exclusion from orchestra membership just is the dependence of the realization of my music-making ends on your unilateral will: even if I were to perform, the exercise of my agency would only be permissionally conditional on yours. Such dependence, Kant thinks, alienates me from the exercise of my own agency, which disqualifies me from making arrangements about myself as music-maker, which disqualifies me from occupying the office of music-maker altogether.

Contrast the case where I or the orchestra itself control(s) my instrument. The orchestra has elaborate public rules meant to serve the goal of music-making; who can occupy the office of violinist, pianist and cellist, who can use the instruments under what conditions, and so on. Then, in setting the instrument as a means to the realization of my orchestra-conferred music-making powers, the *exercise* of these powers is subject to nothing but the end of music-making. I therefore no longer serve two masters and my agency is no longer alienated.<sup>16</sup> As an orchestra member, I am dependent on you, just as you are on me, for nothing but the mutual exercise of our orchestra-conferred musical powers, that is, for carrying out our respective parts in

the division of musical labour. The orchestra's powers are now only the musicians' interdependent powers, independently exercised.

Kantian *Selbständigkeit* supports this analogy between orchestra and modern state.<sup>17</sup> Take the European blacksmith, who produces means that others need in order to set and pursue their ends as members of that state. By selling the hammers she makes in return for wigs, cloth or money, she exercises her productive power without having to 'alienate' it to others (TP, 8: 295). That way, she produces means that facilitate the unsubjected purposiveness of the wigmaker or the tailor, without making her own *purposiveness* – as opposed to its products – into their means. The European blacksmith thereby serves 'no one other than the commonwealth' (TP, 8: 295), the condition of her own interdependent independence. The Indian blacksmith, by contrast, serves two masters: the commonwealth and her employer(s). For to alienate your productive powers is to serve a (series of) private master(s), rather than the conditions of your own freedom. So, even if the Indian blacksmith were deemed fit to vote by dint of her independent-mindedness, she would still be bound to making her productive powers into the means of others.<sup>18</sup> By interdependent independence, she would thereby lack civil self-sufficiency and therefore the normative ability to legislate on behalf of her own productive agency. Crucially, the nature of this heteronomy is independent of the Indian blacksmith's psychological dispositions or the contingent content of her material ends, as opposed to the form assumed by the exercise of her own powers as subject to the choices of others.<sup>19</sup>

The orchestra analogy can explain why Kant's democratic theory is at least mildly progressive for his time (Maliks 2014, Weinrib 2008). Suppose that orchestra membership can be expanded in either of two ways: the orchestra itself provides more instruments to more musicians or more musicians bring their own instruments. Both arrangements allow for the free, unsubjected exercise of this extended membership's music-making powers.<sup>20</sup> In a similar vein, Kant proposes to extend interdependent independence – and *therefore* the franchise – by extending public poverty relief to 'those who are unable to maintain themselves' (DR, 6: 326),<sup>21</sup> by enforcing the opportunity of anyone to 'work his way up from his active condition into an active one' (6: 315)<sup>22</sup> and by giving *every* active citizen an equal vote. This egalitarianism of voting shares is most explicit in Kant's discussion of the estates. Having raised the question 'how it came about that many human beings who could otherwise have acquired a lasting status of possession were *thereby reduced merely to serving [the landowner] in order to be able to live*' (TP, 8: 296, my emphasis), Kant explains that enfranchisement should depend only on the 'status of possession, not . . . the size of . . . possessions'. So possession matters because and insofar as it evinces independent use of one's powers, including the ability to feed and protect oneself by right.<sup>23</sup> I will return to this in section 5.

To sum up the argument so far: according to *interdependent independence*, an active citizen is someone whose exercise of her commonwealth-conferred political powers is not subject to another (set of) agent(s), just like the independent musician is someone whose exercise of her orchestra-conferred musical powers is not subject to another (set of) agent(s). Kant's schoolteacher and European blacksmith, for example, enjoy both (a) a set of commonwealth-conferred political powers and (b) unsubjected discretion over their conditions of exercise.<sup>24</sup> Kant's private tutor and Indian blacksmith, by contrast, enjoy (a) but not (b): both must get permission to use their powers, which



trivially entails that they lack discretion over their exercise. By interdependent independence, the private tutor and the Indian blacksmith lack civil self-sufficiency (claim (6)). This, Kant thinks, suffices to disenfranchise them (by claims (4) and (6)): *only the interdependently independent can, in legislating, legislate on behalf of their own rightful powers.*

Contemporary liberalism solves this problem by severing the link between franchise and independence, thereby enfranchising wage labour. But this move, which proceeds by denying the presupposition in claim (4), misunderstands the spirit of Kant's argument. Kant wants to make interdependent independence – unsubjected exercise of one's interdependent rightful powers – central to political life in the modern state. The rightful condition must therefore reflect more than free consent by juridical equals: this is what *Selbständigkeit* adds to the *Freiheit-Gleichheit* diptych. And this is also why the Indian blacksmith, lacking *Selbständigkeit*, cannot self-legislate: the way Kant sees it, her dependence means she would not be legislating on behalf of her own rightful powers, even if she had the right to vote.<sup>25</sup>

I now argue that *Selbständigkeit*, read as interdependent independence, is the only consistent interpretation of Kantian citizenship. If I am right, then Kant's omnilateral will does not just represent a republic of property owners united by state-enforced relations of property, contract and status.<sup>26</sup> For this is compatible with a republic of non-interdependent subsistence farmers. Rather, an omnilateral will represents a republic of free citizens enjoying all-round interdependence under conditions of independent use of their rightful powers – more port city than agrarian republic.

#### 4. Against the republican interpretation

I have, so far, argued that Kant's active citizens enjoy, in addition to freedom and equality, interdependent independence. This third attribute, *Selbständigkeit*, precludes alien unilateral control over the exercise of their rightful powers, including their productive powers. This section rebuts a broadly republican interpretation of *Selbständigkeit*.

Some philosophers take Kant's disenfranchising exclusions to depend on an empirical claim from cognitive, volitional or motivational corruption. Luke Davies, for example, argues that, for Kant: '[T]hose who depend on private relations of authority for their survival are more likely to act in a way that advances the private interests of themselves or those on whom they depend when participating in lawgiving' (Davies 2021: 23). This *corruption reading* of Kant's exclusions resonates with Claus Dierksmeier's idea that 'having sovereignty over your own business and household would educate you to participate adequately in the affairs of political government and sovereignty' (Dierksmeier 2002: 50). In a similar vein, Jacob Weinrib cautions against the 'potentially particularizing' nature of the will of dependent persons, who cannot, by dint of that dependence, 'achieve the requisite level of impartiality to contribute to the general will' (2008: 11). Sarah Holtman underlines the possibility of 'fearful decisions of subordinates' in response to power over them, which she contrasts to 'the well-informed and skilful reasoning of those who comprehend and are committed to justice' (Holtman 2004: 100). And Rafeeq Hasan argues that 'Kant's ostensible point about the passive citizen is that . . . he is likely to *feel pressured* into voting the interests of his boss' (Hasan 2017: 922; emphasis added).



These broadly republican concerns are not Kant's concerns: his account of civil self-sufficiency is not premised on a corruption reading. For one thing, Kant never mentions the psychological dispositions presupposed by such an idea. Furthermore, there is no reason to think that a disposition towards servility (Davies), partiality (Weinrib) or fearfulness (Holtman) will necessarily accompany the dependent.<sup>27</sup> Indeed, the self-sufficient might manifest these dispositions and to a greater extent. Finally, the corruption reading cannot explain why only dependents can wrong others. Consider the following entailments from the argument of section 2:

- (5) Only citizens possessing the attributes of freedom, equality and civil self-sufficiency cannot wrong each other (in their legislative capacities), such that all right proceeds from their united will only.
- ∴ (8) Citizens lacking any of these attributes could wrong each other (in their legislative capacities). (from 5)
- ∴ (9) Passive citizens cannot self-legislate. (from 8, 2)

There is no textual evidence in Kant that (8) refers to the *empirical* dispositions of voters, just as he discusses no evidence that extending the franchise would make new voters fearful, obsequious or more likely to do other voters wrong. If anything, one would expect the opposite. The corruption reading therefore misunderstands the thrust of Kant's position, which follows validly from certain *a priori* claims about the proper object of political legislation and the nature of political community (claims 1, 2, 4). There is, I conclude, no basis for the corruption reading in DR. Rather, as §46 makes clear from the outset, Kant is interested in the pure normative features that define independence and the accompanying non-psychological features of agents 'as members of the commonwealth'.<sup>28</sup>

Consider a further illuminating contrast. Kate Moran has recently traced the republican ideas underlying the corruption reading back to Sieyès and his discussion of the 'lackeys of feudalism' (Moran 2021: 9). In that discussion, Sieyès offers an argument for why 'women, children, and foreigners' should only be accounted as passive citizens, namely that they 'contribute nothing to the maintenance of the public establishment'.<sup>29</sup> Davies draws a suggestive parallel between this argument and a striking passage from Kant's drafts:

The possessors of land are the genuine state subjects because they depend on the land for *vitam sustinendo* [sustenance of life]. To the extent, however, that they farm only as much as they need to live they are not citizens of the state. For they could not contribute to the commonwealth. Only possessors of great amounts of land who have many servants, who themselves as servants cannot be citizens, could be citizens, and yet they are citizens only to the extent that their surplus is purchased by others who, as free citizens, do not depend on the land. But one must first have citizens before one can have subjects of the state. Thus in regard to the commonwealth the *pactum civile* [civil contract] comes first, with the caveat that those whose existence depends on the will of

another, thus those who do not enjoy a free existence, have no vote. (LDPP, 23: 137–8; translation amended)

Pace Davies,<sup>30</sup> this passage refutes the Sieyès reading. For Kant's surplus-producing landowners can certainly contribute to taxation or to 'the maintenance of the public establishment'. So, by Sieyès' reading of 'contribution', these landowners should be enfranchised. Yet Kant disenfranchises them ('and yet they are citizens only to the extent . . .'). Why? Because 'contribution', for Kant, means something more specific than it does for Sieyès, namely interdependent independence: participation in a division of labour among free and equal people with independent possession and use of their (productive) powers. How else are we to explain Kant's argument that *only those landowners who produce a surplus consumed by nonlandowners*, namely, by those who 'do not depend on the land', can be citizens? Since Kant's landowners do not partake of that interdependence, they are, just for that reason, disenfranchised.

Unlike the republican reading, interdependent independence illuminates both sets of contrasts implied by the LDPP passage. First, civil self-sufficiency contrasts with the non-civil self-sufficiency of the subsistence farmer and the surplus-producing landowner who only sells to other landowners.<sup>31</sup> Second, it contrasts with the civil non-self-sufficiency of servants and wage labourers. The first set enjoy independence, but are not interdependent, whereas the second set enjoy interdependence but are not independent. The European blacksmith, by contrast, enjoys both interdependence, by selling the product of the exercise of her powers in the market, and independence, by not having to make her productive powers into the means of others. She thereby acts from her 'own [possibly productive] choice in [productive] community with others' (DR, 6: 314).

Now, Kant's early characterization of citizenship in the loose sheets is even more exclusionary than the published account in TP. But it is in keeping with his inclusive vision of the modern state as a system of interdependent independence, featuring cooperative production under a division of labour. That vision brings the contradictory status of the dependent producer – at once formally free and equal but substantively dependent – sharply into view.

I now explain why *Selbständigkeit*, read as interdependent independence, is exegetically superior to another, property-based interpretation of Kantian citizenship.

## 5. The mutual irrelevance between citizenship and property

Interdependent independence takes Kant's concerns with property and propertylessness as wholly derivative of a more fundamental concern with the independent exercise of one's rightful powers as a member of the commonwealth. It therefore contrasts with a *proprietary interpretation of civil self-sufficiency*, according to which you enjoy civil self-sufficiency if and only if your making a living depends exclusively on the exercise of your rightful property in external things. The proprietary interpretation has numerous exegetical advantages. It explains why the DR takes domestic servants, minors and women to lack self-sufficiency. It also explains Kant's insistence, in TP, that property is the condition for citizenship (TP, 8: 295), as well as his belief that propertylessness – poverty – undermines self-sufficiency, which is why he argues for state-provided poverty relief (DR, 6: 326–7).<sup>32</sup> According to the proprietary

interpretation, the unsupported poor lack self-sufficiency because their making a living depends not on *their own property*, but on the property rights and associated powers of the propertied, including their benevolence and goodwill.<sup>33</sup>

Despite these exegetical advantages, the proprietary interpretation is inconsistent with Kant's texts. The inconsistency arises in empirical examples of two kinds: (i) examples involving *property but not civil self-sufficiency*, (ii) examples involving *self-sufficiency but not property*. In respect of (i), consider wage labour. According to interdependent independence, wage labour undermines self-sufficiency by making the exercise of the worker's productive powers dependent on the rights and powers of private employers – the owners of scarce productive assets – both for *finding* employment and for the *exercise* of these productive powers once in employment. Yet one can imagine a wage labourer whose income and wealth exceed those of Kant's civil servant and craftsman, both of whom are deemed to be self-sufficient.<sup>34</sup> In cases like the wage labourer, the proprietary interpretation generates false positives. In respect of (ii), consider cases of independent commodity production, in which each producer owns some, but not all, of the means of production she needs in order to set and pursue ends. Each can recover her purposiveness by selling to others the net product of the exercise of her unsubjected powers. In these kinds of cases, Kant allows for self-sufficiency without property, such that the proprietary interpretation generates false negatives.

I now elaborate on these two kinds of cases, arguing for the exegetical superiority of interdependent independence over the proprietary interpretation.

### 5.1 Property is insufficient for *Selbständigkeit*

I begin by defending two claims. First, *Selbständigkeit* as interdependent independence can account for all the empirical illustrations that the proprietary interpretation can account for. Second, the proprietary interpretation generates false positives, that is, deems as involving self-sufficiency cases that Kant deems as not involving self-sufficiency.<sup>35</sup> In a word, Kantian economic dependence is broader than poverty.

Consider again Kant's contrast between the Indian and the European blacksmith. This seems to support the proprietary interpretation. After all, the Indian blacksmith lacks property in productive assets. But the proprietary interpretation fails to account for the contrast between private tutor and school teacher,<sup>36</sup> which says nothing about the private tutor's extent of property rights or her wealth and income. If her services are in especially high demand, for example, she might accumulate more property than the school teacher. By Kant's own lights, she still lacks self-sufficiency. The proprietary interpretation deems the rich private tutor self-sufficient and therefore generates false positives. Unlike the proprietary interpretation, interdependent independence can account for these contrasts. The Indian blacksmith, for example, lacks self-sufficiency because she cannot make a living by exercising her productive powers without asking permission from the owner(s) of the conditions of production. The absence of independence, for Kant, deprives her of the normative power to legislate on behalf of her own productive agency and therefore makes her unfit to vote. Similar considerations apply to the private tutor.

## 5.2 Property is unnecessary for *Selbständigkeit*

I now argue for two further claims. First, the proprietary interpretation generates false negatives, that is, deems as not involving civil self-sufficiency cases that Kant deems as involving self-sufficiency. Second, interdependent independence offers a systematic explanation for why the latter set of cases involves self-sufficiency.

I begin with the first claim. Kant thinks that ‘being fit to vote’, serving ‘no one other than the commonwealth’ and ‘being [your] own master’ are extensionally equivalent. Giving others permission to use your powers, by contrast, is a form of servitude. He elaborates:

Someone who makes an *opus* can convey it to someone else by alienating it, just as if it were his property. But *praestatio operae* is not alienating something. A domestic servant, a shop clerk, a day laborer, or even a barber are merely *operarii*, not *artifices* (in the wider sense of the word) and not members of the state, and are thus also not qualified to be citizens. Although a man to whom I give my firewood to chop and a tailor to whom I give my cloth to make into clothes both seem to be in a quite similar relation to me, still the former differs from the latter, as a barber from a wigmaker (even if I have given him the hair for the wig) and hence as a day laborer from an artist or craftsman, who makes a work that belongs to him until he is paid for it. The latter, in pursuing his trade, thus exchanges his property with another (*opus*), the former, the use of his powers, which he grants to another (*operam*). (TP, 8: 295)

The relevant contrast, for my purposes, is that between barber and wigmaker: the former, Kant says, is relevantly like domestic servants, shop clerks and day labourers in that she must give others permission to use her powers. Not so in the case of the wigmaker, who can exercise her own powers independently of such use – she merely sells the *product* of that exercise. Crucially, Kant adds that the wigmaker enjoys such self-sufficiency ‘even if I have given him the hair for the wig’. By contrast, the proprietary interpretation deems the wigmaker to *lack* self-sufficiency, because she does not own hair. So the proprietary interpretation generates false negatives. This conclusion impugns Rafeeq Hasan’s proprietary elaboration of the Indian blacksmith’s status. Hasan suggests that, unlike the Indian blacksmith, the European blacksmith:

owns not only his tools and his labor but also necessary raw materials. If he does not like the terms a particular customer offers and cannot find another buyer, he is still free to consume the product for himself, perhaps by decomposing it into its raw materials and selling those on the market, or trading his product for food. (Hasan 2017: 921)

The problem with this interpretation is that *both* wigmaker and Indian blacksmith lack raw materials (hair and iron, respectively). Yet, according to Kant, the former is her ‘own master’ and therefore self-sufficient.<sup>37</sup>

Interdependent independence can account for these contrasts. What matters for interdependent independence is not the origin of the subjection of the Indian blacksmith’s labour – which could be structurally conferred propertylessness, à la Hasan –

but only the fact that her setting and pursuing the end of iron production depends upon *giving others permission to use her productive powers to bring about that end*. As I understand him, Kant is saying that the concern with propertylessness is derivative of a more fundamental concern with the independent (although possibly joint) exercise of human productive powers, a proper subset of our powers as members of the commonwealth. Just like an orchestra of independent musicians, where each exercises her share of musical powers unsubjected to alien control, so under legitimate public power each commonwealth member exercises her share of productive powers unsubjected to alien control.<sup>38</sup> This makes her into an organic member of the commonwealth, acting ‘in [productive] community with others’.

So how is the hairless wigmaker self-sufficient and the ironless blacksmith not self-sufficient? By interdependent independence, you enjoy self-sufficiency if your (structurally conferred) social position in the economy allows you to exercise your productive powers without having to give others permission to use them. It is therefore possible that the wigmaker borrows hair from a merchant, which she uses to produce wigs, which she sells back to the merchant.<sup>39</sup> By contrast, if iron is very scarce or monopolized, then the blacksmith will not receive iron from a merchant in return for hammers. Instead, she will have to work *for* the iron owner(s).<sup>40</sup> This is how Kant can consistently hold that the wigmaker empirically enjoys self-sufficiency, whereas the Indian blacksmith – who, by dint of inadequate access to capital, must alienate her powers – lacks it.<sup>41</sup>

If this interpretation is correct, then one need not *own* all of one’s production inputs to enjoy interdependent independence. Rather, the question seems to be whether, in general economic equilibrium, any one agent unilaterally controls the labour process of any other(s). In a commodity economy of independent producers without a high concentration of *labour-commanding* pecuniary wealth, as was prevalent in Kant’s time, even the hairless wigmaker can preserve her Kantian independence. The empirical form of interdependent independence, Kant thinks, is independent commodity production. Contrast a capitalist economy, in which the concentration of labour-commanding wealth guarantees that some – the owners of that wealth – will unilaterally subsume the productive purposiveness of others.<sup>42</sup> According to Kant, this economy undermines the normative ability of the latter to legislate on behalf of their own agency, and therefore their fitness to vote.

The empirical forms of interdependent independence are, of course, peripheral to Kant’s main project in DR, which is to justify externally coercive laws by appeal to an independent premiss about the conditions of citizenship. But the contrasts he draws between empirical cases ostensibly illustrating these conditions can only be coherently explained by appeal to interdependent independence: unsubjected discretion over one’s rights and powers, including one’s productive powers. Omnilateral rule, on this view, is constituted by free and equal citizens legislating on behalf of the independent possession and exercise of their rightful powers.<sup>43</sup> Kant’s account of citizenship, in other words, presupposes *Selbständigkeit* as interdependent independence.

Interdependent independence is therefore the only consistent interpretation of Kant’s discussion of the ideal and empirical forms of citizenship. Now, Kant was not and could not have been an anti-capitalist: like Sieyès, his main concern was to eradicate the juridical vestiges of feudalism. But Kant went further than Sieyès, by thinking of the modern state as an organism whose members are agents possessed

of rightful (productive) powers, and whose interdependent mode of *exercise* independently of unilateral permission matters for right. *Selbständigkeit*, read as interdependent independence, explains how this enfranchisement of human production might work as part of Kant's broader theory of justice. Its application to the modern capitalist state, moreover, helps unearth an important tension at its foundations:

Kant would acknowledge that the empirical conditions within the State prevent the freedom envisaged by the idea of the State from being realized. The formal equality of each person within civil society is empirically contradicted by his actual economic and social dependence on other persons. (Williams 1983: 180–1)

According to interdependent independence, this 'contradiction' is entailed by Kant's understanding of the proper object of universal legislation in the modern state. Most theories of citizenship since Kant have had to grapple, implicitly or explicitly, with this problem.

## 6. Conclusion

Kant thinks that public power enjoys legitimacy only insofar as it legislates on behalf of free, equal and interdependently independent citizens. It follows that a public power legislating on behalf of economically dependent citizens would lack legitimacy. This is why Kant – eager to preserve the legitimacy of public power but under no illusions about the pervasiveness of dependence – is wont to disenfranchise the dependent. But Kant's obsolete distinction between active and passive citizens has a singular virtue: unlike contemporary Kantian defences of the liberal capitalist state, fidelity to Kant's own position need not pretend that the denizens of such a state can all be independent. For all its emphasis on inclusion, liberal capitalism presupposes that some of its co-legislators must remain dependent on the unilateral will of some ruling class – whether private owners of productive assets or unelected bosses and managers of these assets. In other words, the liberal capitalist state purchases inclusion at the cost of illegitimacy. The revolutionary implication is not to preserve the letter of Kant's argument through an indefensible exclusion of passive citizens. Rather, it consists in preserving the spirit of Kant's argument by guaranteeing all citizens independent use of their interdependent rightful powers.

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## Notes

- 1 Recent Kant scholarship (e.g. Ripstein 2009, Hodgson 2010) has focused on a justification from the 'innate right' of the individual to independence (*Unabhängigkeit*). Katrin Flikschuh (2021) contrasts this 'foundationalist' reading with a 'critical' reading, which starts from the idea of legal personality and deduces innate right as its condition of possibility. My interpretation is compatible with both readings.
- 2 References are to *The Cambridge Edition of the Works of Immanuel Kant* (Cambridge: Cambridge University Press, 1992). Abbreviations are as follows: CPR = *Critique of Pure Reason* (Kant 1998); CPJ = *Critique of the*

*Power of judgement* (Kant 2000); *MM* = *Metaphysics of Morals* (in Kant 1996); *DR*=*Doctrine of Right* (in *MM*); *TP* = *On the Common Saying: That may be Correct in Theory But it is of No Use in Practice* (in Kant 1996); *LDPP* = *Lectures and Drafts on Political Philosophy* (Kant 2018).

3 For Kant a citizen is, invariably, a 'he'. *DR* contrasts with *TP* in that the former does not ascribe to women a naturalized property of being unfit to vote. Rather, in *DR*, Kant seems to be saying that women are dependent just by dint of extant social conditions. See J. Weinrib (2008) for a defence of this interpretation and Kleingeld (1993) for an influential discussion of Kant's sexism.

4 Mary Gregor renders both *Unabhängigkeit* (as a feature of the innate right to freedom) and *bürgerliche Selbständigkeit* (as a feature of civil status) as 'independence', using the 'civil' operator to distinguish the latter from the former. On the interpretation I will present, Kant uses *Unabhängigkeit* to refer to the content of right, whereas *Selbständigkeit*, along with freedom and equality, are the complete public expression of that content. In keeping with recent scholarship, I render *Selbständigkeit* as 'self-sufficiency'.

5 There is some evidence that Kant borrows the distinction between active and passive citizens from the French constitution of 1791 and the writings of Sieyès (Maliks 2014, Davies forthcoming). In section 4, I will show that Kant's interpretation of the distinction differs from that of Sieyès in crucial respects.

6 Moran (2021: 4) discusses the origins of Kant's example.

7 The labour contract normally counts as a status relation, what Kant calls *locatio (conductio) personae*, the granting of my powers to a principal as her agent in return for payment. The Indian blacksmith case seems to involve not a labour contract, but rather 'granting another the use of my powers for a specified price', which Kant classifies as *locatio operae* (*DR*, 6: 285). The argument that follows applies to both sets of cases.

8 Kant's active/passive distinction immediately recalls language users and smokers. An active language user, for example, is dependent for the exercise of her linguistic powers on the language or linguistic community as a whole. But, unlike the passive user, she is not dependent on any particular language user for the exercise of that power – the production of linguistic meaning. If the social generation of linguistic meaning were the only feature of human interaction, then Kantian independence would only be about subjection in the give and take of linguistic representations. But humans are spatiotemporally located embodied beings, who can make things other than words into their means. They can make their own bodies, the bodies of others, as well as nonhuman animals and objects, into their means. All of these facts are, for Kant, assimilable into a non-empirical argument for the rightful condition.

9 On the distinction between ideal and empirical forms of independence, see Patellis (2013).

10 Of the four possibilities, non-interdependent dependence, non-interdependent independence, interdependent dependence and interdependent independence, the first is incoherent. Kant follows Rousseau in thinking that, of the last three, only interdependent independence counts as human freedom proper. I contrast non-interdependent and interdependent independence in sections 3 and 4 below.

11 A productive power is a nonnormative ability to bring about an effect by making a physical object into a means to that effect. I possess a productive power when I can cook an omelette in my kitchen; I also possess that power when I can cook an omelette at the cookshop under a division of labour with other omelette producers. A productive power contrasts with a *productive choice*, which is intentional exercise of a productive power.

12 In the Analogies of Experience Kant argues that 'dynamic community', which he sometimes denotes as *commercium*, is transcendently necessary for the objective simultaneity of substances (*CPR*, A211–15/B258–62).

13 Rafeeq Hasan (2017: 921) elaborates: 'What the Indian blacksmith lacks is not the ability to use what is his: his tools and labor power. Rather, what he lacks is iron, that is, the raw materials, which he can transform through his productive activity into something of exchange value.'

14 Ripstein (2017: 211) argues that Kant's account of citizenship presupposes a distinction between the possession- and exercise-conditions of political rights, but does not discuss human productive powers or the relevance of interdependence.

15 I criticize these broadly republican ideas in section 4.

16 The orchestra analogy carries no presumption that my dependence on your unilateral will threatens the orchestra's music-making powers. It is perfectly conceivable that, barring barriers to entry, there are enough musicians and instruments to allow the orchestra to exercise its powers regardless of what I do.

17 The Kantian republic is unlike an orchestra in that it has no material ends. Its sole end is the formal compossibility of the choices of all under universal laws of right, an end which justifies reciprocal



coercion for its realization. For the metaphysically non-mysterious implications of the orchestra analogy for liberal political morality, see Dworkin (2000: 225–30).

18 That persons must *produce* their own independence, that is, set themselves means which might include material objects used by others, is no more a contingent fact than that human bodies can collide. More generally, persons are generically not just end-setters, but also means-setters: by creating laws and public offices and by engaging in Smithian ‘truck, barter, and exchange’, they authorize other persons to act in their name in pursuit of their own freedom. These claims, along with the idea that to have your powers under my unilateral discretion is to set you as a means, are all interdependent independence needs. In DR §46, Kant makes this set of *a priori* propositions into elements of a theory of citizenship.

19 Kate Moran argues that an employment contract may constrain the blacksmith’s normative ability to participate in politics. And since Kantian citizens, she argues, have a ‘civic duty’ of political participation, the Indian blacksmith cannot adequately discharge her duty as a citizen (Moran 2021: 18ff.). Both claims seem plausible, but there is little evidence that Kant affirms them. Interdependent independence presupposes neither of these claims.

20 A further important parallel between state membership and orchestra membership is that one cannot contract her way into either. Just as I cannot, by right, purchase eligibility for the office of violinist, likewise I cannot, by right, purchase eligibility for the office of citizenship. ‘A citizen’s right to vote is not a private power to be used for private purposes’ (Ripstein 2009: 138).

21 In DR, 6: 314, Kant suggests that your dependence on the state for ‘being fed and protected’ – as opposed to dependence on a unilateral will – does not make you a passive citizen.

22 Kant does not consider structural constraints. The individual blacksmith, for example, can become self-employed, but *all* blacksmiths cannot simultaneously become self-employed under the capitalist mode of production. Cohen (1983) discusses conceptual issues arising from this distinction between freedom *in sensu diviso* and *in sensu composito*.

23 Even in TP, which emphasizes property more strongly than DR, Kant adduces possession and property in order to contrast them with servitude and unilateral dependence on others. Inherited wealth, winning the lottery, and so on, only confer independence insofar as they facilitate independent exercise of one’s powers, including one’s productive powers.

24 Insofar as the orchestra musician gets her instrument from the orchestra, she is not dependent on a private will for the exercise of her musical powers. The European blacksmith, by contrast, must find a market for her products. In TP and DR, Kant implies that market dependence, as such, does *not* preclude independence (contrast the LDPP passage quoted in section 4).

25 Marx would take up this contradiction between political and economic emancipation, as well as the corresponding distinction between citizen and *bourgeois*, in his essay on the Jewish question, half a century after Kant. The distinction’s most recent incarnation is Rawls’ (1971: 223ff.) seminal discussion of the basic liberties and their fair value.

26 This is the picture recently painted by Ripstein (2009).

27 Nor is there any textual evidence that Kant’s account is about the ways in which dependence on others hampers one’s ability ‘to exercise her judgment independently of others’ (Davies 2021: 21) or makes them ‘beholden to their economic patrons’ (Wood 2014: 88). If the laws are enforced, as Kant assumes, then these patrons can only enforce the *contractual* obligations of dependents.

28 Again, this is not to consider agents as psychologically or dispositionally rich social subjects, such that voter fitness is not an epistemic, cognitive or motivational disposition. Moran (2021) makes a compelling case that these passages do not support *any* material reading of the relevant inequalities (whether in wealth, cognitive or volitional capacities). She also argues that Kant’s pivotal example of the Indian blacksmith involves merely formal, as opposed to material, inequality.

29 Cited in Davies (forthcoming: 17).

30 Davies argues that this passage makes citizenship track contribution to the state *in general*. This interpretation is too broad. Kant thinks that citizenship tracks contribution in the sense of citizenship being an attribute only of those who, as ‘heads of households’, possess an ability to produce a surplus which they realize by selling the surplus to other similarly situated surplus producers. Crucially, these surplus producers are dependent on the market *only for the sale of their surplus product*, not for their subsistence – their ‘being fed and protected’. By contrast, those who lack a surplus-producing productive power, as well as those who produce a surplus for which there is no market, are not contributors to the commonwealth.

They therefore do not contribute only *in that narrow sense*. This raises the question: what has surplus-production to do with the right to vote? Interdependent independence offers an answer to that question.  
 31 See note 10.

32 Kant mentions state-provided poverty relief in passing at DR, 6: 314, and defends it at 6: 326. For discussion of Kant's treatment of poverty, see Varden (2016) and E. Weinrib (2003). Note that the concept of economic dependence is logically weaker than that of poverty.

33 The proprietarian interpretation is not tantamount to libertarianism. In the TP passage elaborating on the conditions of citizenship, Kant writes that 'being one's own master (*sui juris*)' means 'having some property (and any craft, fine art, or science can be counted as property) ... that is, if he must acquire from others in order to live, he does so only by *alienating* what is *his*' (TP, 8: 295). This would seem to encourage a comprehensive account of the possible objects of property, according to which the skilled are propertied, regardless of their ownership of external things. Indeed, if skill is property, then why not also the ability to work – one's *labour power*? Taken in conjunction with the proprietarian interpretation, this comprehensive account of the possible objects of property entails a libertarian idea of the state. According to that idea, self-sufficiency is basically self-ownership. Self-owners sell their property – their labour power – to other property owners, subject to a well-regulated system of contract and private property rights. Kant does not, however, affirm a comprehensive account of the objects of property and is therefore not a libertarian. Consider five reasons why Kant rejects libertarianism. First, he explicitly denies that a person's body and her powers are ownable. These powers are the objects of innate right, not acquired right. And since all property rights are acquired rights (DR, 6: 237), one's body and its powers are not ownable. Second, ownable objects have no rights (6: 270). But persons do have rights, so persons are not ownable. Third, if mere skill or knowledge are property, then the skilled unemployed who lack rights to external things are not poor. But Kant does not exclude the skilled from poverty relief (6: 326). Fourth, if possession of skill or mere labour power count as property proper, then the skilled who lack external property – e.g. skilled domestic servants – cannot be counted as *passive* citizens. But Kant does so count them. Fifth, inclusion would make Kant's DR attempt to *justify* private property viciously circular. So property, for Kant, is not comprehensive in its objects, as libertarians must think. Hence the proprietarian interpretation is non-libertarian: it concerns property rights to external things only, not reflexive property rights to the owner or her powers.

34 Moran (2021) makes a more general point about the merely formal nature of the wage labourer's dependence, which implies that such dependence does not presuppose poverty.

35. A false positive accepts the null hypothesis that 'this agent enjoys civil self-sufficiency' when the null hypothesis is, in fact, false. A false negative rejects the null hypothesis when it is, in fact, true.

36 Hasan helpfully elaborates: 'in the case of the private tutor (passive citizen) versus the public school teacher (active citizen), the contrast seems to be that the tutor might have to tolerate abuses from a particular pupil or parents, because the fees they pay are necessary to sustain the tutor's survival, whereas the school teacher depends on a state salary and so can meaningfully reject behaviours that violate the terms of contract' (Hasan 2017: 922).

37 Kant adds that only the wigmaker 'makes a work that belongs to him until he is paid for it' (TP, 8: 295). But this criterion cannot account for his other examples, such as the schoolteacher, who does not make anything that belongs to her until she is paid. Note that a civil servant barber is clearly self-sufficient, by Kant's own lights.

38 Crucially, these powers are *unownable*, since Kant is not a libertarian (see note 33).

39 Wig merchants make money by selling wigs at the market price, so they must buy below that price. Note that Kant's own description of the origin of the wigmaker's inputs – 'I have given him the hair for the wig' – is unhelpful, because it poses the question anew: where did I get the hair and how is the wig-maker guaranteed inputs after I run out? Kant himself would have been familiar with the *Verlagssystem*, the German version of the putting-out system, which began to flourish in Prussia in the middle of the eighteenth century (Kisch 1968).

40 And if Prussian hair is as scarce as Indian iron – e.g. if too many Prussians are bald – then Kant's wigmaker may have to put her powers at the disposal of hair owners. Kantians may have overlooked the connection between freedom and baldness!

41 It bears noting that access to capital need not involve *ownership* of capital, which could be borrowed.

42 In the section on 'What is Money?', immediately following his discussion of contract, Kant argues that money is 'the universal means by which men exchange their industriousness (*Fleiss*) with one another'

(DR, 6: 287). The next paragraph offers an inchoate statement of Adam Smith's labour theory of value. Many have noted that Kant has a limited conception of civil society, such that Smithian 'commercial society' and the role of capital only feature incidentally in his writings. But Kant sees further than his contemporaries, in trying to enfranchise productive purposiveness – labour power – and the division of labour in his theory of the state.

43 Nonworkers, including the disabled, can share in this representation insofar as they are supported by the state: as its *members*, they have a stake in and share of control over the commonwealth's powers, including its productive powers.

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