

Kant on welfare

Crimes and Vices, week 5

What moral considerations are raised by begging and poverty on Kant's account?

1 What Kant says

To the supreme commander there belongs indirectly, that is, insofar as he has taken over the duty of the people, the right to impose taxes to support organisations providing for the *poor*, *foundling homes*, and *church organisations*, usually called charitable or pious institutions.

The general will of the people has united itself into a society which is to maintain itself perpetually; and for this end it has submitted itself to the internal authority of the state in order to maintain those members of the society who are unable to maintain themselves. For the sake of the state (*Von Staatswegen*) the government is therefore authorized to constrain the wealthy to provide the means of sustenance to those who are unable to provide for even their most necessary natural needs. The wealthy have acquired an obligation to the commonwealth, since they owe their existence to an act of submitting to its protection and care, which they need in order to live; on this obligation the state now bases its right to contribute what is theirs to maintaining their fellow citizens. (6:325-26)

Question: What is this passage saying? What is the duty of the people taken over by the state? Can it be the duty of beneficence?

Three challenges for a Kantian account of poverty relief:

1. For Kant all duties of justice are duties of omission, but duties of aid are usually considered positive duties.
2. At least sometimes, Kant says that the point of the state is to protect people's rights (including property rights). Coercive taxation for the purposes of redistribution might be seen to upset that.
3. Kant explicitly excludes considerations of need from his account of justice. So, unlike theories that might address need by prioritising equality or relief of suffering, this route seems off limits to the Kantian.

So, even with the passage from the *Metaphysics of Morals*, and with our expectation that Kant would be able to provide coherent grounds for poverty relief, it isn't at all clear how this is to be done.

2 Allais' analysis

2.1

Allais begins by looking at the experience of being asked for money by a beggar. Quoting Synowich:

Being asked for money is unsettling. It brings forth clear evidence of inequality, of the lopsidedness of advantage and luck. Yet we are unlikely to welcome the invitation to remedy inequality in these confrontations. When a beggar approaches us, the usual expectations of distance and respect among strangers are flouted. We are compelled to witness hardship and suffering and to become complicit in relations of servility and degradation. The experience can prompt pity, irritation, anguish and discomfort. We are uncertain where our moral duties lie. (Synowich pp. 177-78, quoted by Allais on p. 756)

One reason we are made uncomfortable by such an interaction is that we are unsure



All duties of right are "just duties of omission. The whole of law contains merely negative duties" (29:632; see also 27:512, 587).

"For a civil constitution is just the rightful condition, by which what belongs to each is only secured, but not actually settled or determined" (6:256).

Right "does not signify the relation of one's choice to the mere *wish* (hence also to the mere need) of the other, as in actions of beneficence or callousness, but only a relation to the other's *choice*" (6:320).

"By begging a man displays the highest degree of contempt for himself, and so long as people still have some feeling, it tends also to be the last step that they take. It is a man's obligation to exert himself to the utmost to remain a free and independent being in relation to others, but as a beggar he depends upon the whims of others, and sacrifices his self-sufficiency" (27:605).

"on Kant's analysis, the beggar's request requires you to solve a public problem through a private interaction, and there is no way of doing this" (Allais, p. 755)."

what we ought to do, and we know that we cannot resolve the underlying issue.

Another is that begging is *humiliating*.

2.2

Kant's starting point when thinking about the state is the innate right to freedom: "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" (6:237).

For complicated reasons (see Ripstein 2009 and Sinclair 2018 for helpful discussions), the state is necessary for the innate right to freedom to be realised. But the state may never interfere with, and must always promote, our innate right to freedom.

"Given Kant's account of the basic justification of the state, ownership of property (what the state is entitled and obliged to defend) can be rightful only if it is compatible with everyone's freedom—with everyone's being subject to universal law and not systematically subject to the arbitrary or discretionary choices of other individuals" (Allais 762).

Allais claims that absolute poverty is inconsistent with the kind of freedom that the Kantian state protects. This is because having basic means available to you is necessary for making any choices at all. Moreover, the state cannot protect the property of some while at the same time ruling out the possibility of others acquiring what they need by that very protection.

The idea is that the state's protection of property rights, when there is no provision for absolute need, undermines the very freedom the state is there to protect.

1. What is wrong with private dependence relations? Don't we accept them all the time? Think about families and employment contracts. Should the state seek to eliminate those too?
2. Is Allais' understanding of freedom the same as Kant's?

What sense of freedom is being presupposed by Kant's account of the innate right? Negative freedom? Moralised freedom? Republican freedom? Positive freedom? This choice matters to what the state may/must do for us.

"The kinds of institutions the state must create, and the kinds of restrictions it is entitled to place on us, are constrained by the idea of making it the case that no-one's capacity to make choices for themselves is systematically subject to the choices of another private individual" (Allais, 761).

What counts as *absolute* poverty? Must a person really have nothing?

Is Allais' claim 1 or 2?

1. Absolute poverty is itself inconsistent with freedom.
2. Dependence on others for basic means is inconsistent with freedom.

"Since, on this account, being a free agent is a matter of not being subject in this way to the discretionary choices of others, this means that they are forced into a position in which the only way they can survive is by acting in a way that is not compatible with respecting their freedom. This is why it is demeaning" (Allais, p. 766).

"Having the resources to practice such beneficence as depends on the goods of fortune is, for the most part, a result of certain human beings being favoured through the injustice of the government, which introduces an inequality of wealth that makes others need their beneficence" (6:454).

3 General injustice: an added complexity

For Kant, at least some wealthy members of society only have the wealth they do due to the government itself introducing inequality.

While wealthy individuals may not have done anything wrong, they benefit from injustice. How they relate to their own charitable giving must change as a result of this.

"Under such circumstances, does a rich man's help to the needy, on which he so readily prides himself as something meritorious, really deserve to be called beneficence at all?" (6:454)

4 References and suggestions for additional reading

- Allais, L. 2015. What Properly Belongs to Me: Kant on Giving to Beggars. *Journal of Moral Philosophy* 12(6): 754–71.
- Hasan, R. 2018. Freedom and Poverty in the Kantian state. *The European Journal of Philosophy* Advanced online publication: 1–21.
- Moran, K. 2016. Much Obligated: Kantian Gratitude Reconsidered. *Archiv für Geschichte der Philosophie* 98(3): 330–363.
- Ripstein, A. 2009. *Force and Freedom: Kant's Legal and Political Philosophy*. Cambridge: Harvard University Press.
- Sinclair, T. 2018. The Power of Public Positions: Official Roles in Kantian Legitimacy. In *Oxford Studies in Political Philosophy*, Volume 4, 28–52. Oxford: Oxford University Press.
- Sypnowich, C. 2006. Begging. In *The Egalitarian Conscience: Essays in Honour of G.A. Cohen*. Oxford University Press.
- Varden, H. 2009. Kant and Dependency Relations: Kant on the State's Right to Redistribute Resources to Protect the Rights of Dependents. *Dialogue* 45(2): 257–84.