

Property and the Limits of the Self (1978) *

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THE MAIN OBJECTIVES of the following discussions are, first, to show the logical inconsistency of Hegel's theory of the necessity of private property and, second, to show its exegetical inconsistency with the most plausible and consistent interpretations of Hegel's theory of the self and its relation to the state in Ethical Life. I begin with the latter objective, by distinguishing three basic conceptions of the self that can be gleaned from various passages in the *Philosophy of Right*. I suggest viable connections between each of these three conceptions and three respective interpretations of what I call the *Hegelian requirement*, i.e., that the individual be able to identify his personal interests and values with those of the state [141, 147, 147r, 151, 155].¹ This can be understood as the requirement that the individual be capable of transcending certain limits of individuality in the service of broader and more inclusive political goals. I argue that Hegel's theory of Personality and the requirements of Ethical Life in the state commit him to a conception of the self as capable of achieving such self-transcendence through action, despite appearances to the contrary that suggest that self-transcendence is to be primarily achieved through acquisition of various kinds. I then try to demonstrate the logical inconsistency of Hegel's theory of the necessity of private property. I argue that the fallacies inherent in his exposition of this theory can be explained by his presupposing a conception of the self which both is inadequate to meet the criteria of Hegel's theories of Personality and Ethical Life and also, therefore, fails the Hegelian requirement.

A remark on method is in order. The discursive structure of the *Philosophy of Right* and its relation to Hegel's system, together with Hegel's (Preface, p. 10) obfuscating remark about the identity of the actual and the rational, has given rise to methodological controversy concerning the ontological status of its three major sections – which Hegel calls the Moments – of Abstract Right, Morality, and Ethical Life. I assume that Hegel wishes to isolate and separately analyze them as significant factors which nevertheless

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¹ Passages from *The Philosophy of Right* are cited in the text of this paper. Numbers refer to Hegel's numbered paragraph; "r" refers to remarks immediately following the main paragraph; "a" refers to those additions later appended to the main paragraphs which follow the text in the Knox translation. All citation are from this translation (Hegel's *Philosophy of Right*, translated with notes by T.M. Knox, Oxford University Press, 1975). Technical terms of Hegel's system (e.g., Personality, the Will) are capitalized in order to distinguish them from less technical uses of such words.

actually exist, function, and interact within the complex context of Ethical Life. Because my concern is to demonstrate certain basic, standing problems in the text, this assumption legitimates a second, exegetical, one: an application of which would be, e.g., that a statement Hegel makes about property in the section on Abstract Right is modified but not invalidated by his discussion of Ethical Life or that although his discussions of Personality, the Subject, the Ego, and (in certain contexts) the Will occur in a variety of places throughout the *Philosophy of Right* and clearly refer to different aspects of the person, they are nevertheless related as components of a total conception of the self which must be culled from this work as a whole, rather than from just one moment or passage which is then assumed to be superseded by the next. Thus I suppose the legitimacy of drawing freely on such passages throughout the text in support of the theses I wish to advance – on the grounds that an understanding of these notions is only to be gained by reading *Philosophy of Right* as the progressive description and analysis of an overall conception of the state and the individuals who compose it – rather than as the progressive ontological evolution (in some sense) of such a conception itself.

I

The Hegelian requirement can be interpreted in a number of ways, some of which can be gleaned from the pages of the *Philosophy of Right*. One might be called the *individualistic* interpretation. This would be to understand the interests of the state as just those which underwrite the personal interests of individuals. A state which claimed it to be in its own interests that individuals should be given maximum freedom, compatible with a similar freedom for others, to pursue their individual interests would exemplify the individualistic interpretation. For the requirement that individuals identify their interest with those of the state would be met by the state's interests in having individuals pursue their own interests, whatever they may be. On this reading, then, the interests of the state would be defined in terms of the logically prior interests of individuals.

A second, the *altruistic* interpretation, would make the interests of the state logically distinct from, and prior to, the interests of individuals. To say that the individual identifies his interests and values with those of the state would then be to say that the individual abdicates personal goals in favor of more inclusive, generalized interests espoused by the state. An individual who adopted as his overriding interest the advancement of the general happiness of the community as defined by the institutions, policies, and decisions of the state would exemplify the altruistic interpretation.

Still a third interpretation of the Hegelian requirement, call it the *communitarian* interpretation, might invoke an identification of a slightly different kind. That is, there might be some set of goals or values held by individuals and the state in common, such that neither the interests of the state nor those of individuals could rightly be said to be logically prior to the other. To claim that the interests of individual were identical to those of the state would then be to posit this set of goal or values, strictly identified as neither the interests of individuals nor as those of the state, but to which both could be said to be committed. The goal of some specified redistribution of the available economic resources or of actualizing the moral law in society are examples of such interests.

The question of which interpretation Hegel intends can be answered by examining Hegel's conception of the self and its capacities. One can roughly distinguish three corresponding conceptions of the self, each of which provides a different psychological foundation for interpreting the Hegelian requirement.

Let us first say that one conceives the self as basically *acquisitive* if and only if (a) the self is conceived as a function of the particular contingent psychological predicates that can be ascribed to it and (b) the individual is conceived as finding personal growth and self-expression in the acquisition of experiences, personality characteristics, and possessions of various kinds. A second conception of the self is as essentially *abnegative* if and only if (a) the self is conceived as a function of the particular role(s) the individual plays in advancing the overall interests of the community and (b) the individual is conceived as finding personal growth and self-expression in various types of service to that community. A third conception of the self is as inherently *purposive* if and only if (a) the self is conceived as a function of the goals, values, and interests it adopts or with which it identifies and (b) the individual is conceived as finding personal growth and self-expression in the process of actualizing these goals, values, and interests.

These three conceptions of the self are evidently far from incompatible. The first premise of the purposive concept, for example, permits the identification with goals of the sort described in the second premises of the abnegative or acquisitive concepts; experiences of the kind described in the second premises of the purposive or abnegative concepts might provide fuel for a description of the self under the rubric of the first premise of the acquisitive concept; and so on. Furthermore, these three conceptions of the self admit to a wide variety of the kinds of interests the self can adopt, such as some vision of the good for human beings. But what characterizes the acquisitive brand of self is that this interest, like any other, is ascribed to it as one of its many individuating properties. Such a person is conceived as having or possessing personally distinguishing interests, goals, or values

much as he possesses a particular body, home, or set of clothes. Similarly, an abnegative self can adopt putatively selfish interests, e.g., personal advancement or wealth. But here such an interest is conceived as attaching to a function or role rather than to the individual. Such a person might sincerely claim that it is not *he* who adopts personal advancement as *his* interest; instead it is the social situation (or the structure of government, the welfare of the community, and so on), which requires it, and similarly with any interest he adopts. Finally, a purposive self might hold either sort of interest with equal flexibility. In any case, it is characteristic of a purposive self that it attaches or commits itself to the interest in question, rather than attaching the interest in question to itself, or to that for which the self is abnegated. Thus we should say that it *identifies* with the interest, rather than adopting it.

So this classification merely calls attention to the variety of motivational backgrounds in terms of which any such interests of a self can be made intelligible. It is intended to illuminate different possible answers to the question: Is one *primarily* defined and motivated by formative biographical factors; by the quality and degree of one's participation in the life of the community; by one's aspirations, plans, and values; or by some balanced combination of these? While such answers are far from mutually exclusive, they are nonetheless clearly different answers.

The conceptions of the self on which these different answers are based in turn suggest different interpretations of the Hegelian requirement. If Hegel's conception of the self is essentially acquisitive, this provides some reason for thinking that the individualistic interpretation of the Hegelian requirement is the correct one. This is because only the acquisitive conception implies the existence of interests ascribable to an individuated self, i.e., personal interests, distinct from and logically prior to those of the state or community. On this conception, the community is composed of individuals, each with his own distinctive history, tastes, and other attributes. To identify his interests with those of the state is then to stipulate that the state aligns itself with the pursuit of individuality, with the acquisition and realization of distinguishing features of individuals, and with the development and extension of the self through the accumulation of attributes and possessions. It is to concur with the institutionalized conviction that the existence and pursuit of individual interest is itself a social good.

If, on the other hand, Hegel's conception of the self is essentially abnegative, this is evidence that the second, altruistic, interpretation of the Hegelian requirement is the correct one. For only the abnegative self is capable of the abdication of personal goals in the service of general interests required by the altruistic interpretation. Such a person finds confirmation for his selflessness in those same general social interests which also give meaning

to the social roles and functions with which he identifies. While both the acquisitive and the purposive self can equally well adopt unselfish interests, neither identifies itself in the way the altruistic interpretation requires. While the acquisitive self ascribes such interests to itself, the purposive self commits itself to these interests per se and realizes itself in realizing them. But both distinguish themselves from the functions they serve in realizing these interests in a way that the abnegative self does not and cannot. For the abnegative self, identification of one's interest with those of the state is to identify oneself with the workings of the state in realizing them, and this is the sense in which the interests of the state are logically prior to those of individuals.²

The attributes which may define the individuality of the acquisitive self, or the variety of socially functional roles which define the abnegative self, are also circumscriptions on the extent and limits of the self. In determining and differentiating it as a self, they impose constraints on the ways in which it can characteristically develop, and thereby on the range of goals either kind of self can adopt. The acquisitive self can adopt no goal which it cannot regard as partially definitive of its individuality, while the abnegative self can adopt no goal which it must regard as incompatible with its social altruism.

By contrast, the purposive self is not circumscribed in this way. While the acquisitive and abnegative selves determine, through prior psychological constraints, the range of goals of which they are capable, the purposive self is rather defined and motivated by those goals to which it commits itself. It is differentiated from other selves by the particular responsibilities it undertakes for the aims it chooses to realize. Thus one implication of this conception is that any such prior psychological limitations are largely subordinated to these goals and are, for the most part, successfully overcome in their pursuit.

² An excellent illustration of the dynamics of the abnegative self is provided in John K. Fairbanks's remarks on the contemporary Chinese:

[They] seem genuinely uninterested in the unique assemblage of preferences, self-images, and personal experiences that adorn and identify an American individual. On the contrary, the Chinese are collectivists seemingly eager to be just like one another, to work together and not separately, to conform and not deviate, and to get their satisfaction from the approval of the group and constituted authority rather than from realizing private ambitions or any form of self-indulgence. This unconcern for self, this self-realization within the group, not apart from it, is of course not a transient vogue but the product of many centuries of Confucian family collectivism, now redirected to 'serve the people'

[From "Mrs. M and the Masses," *New York Review of Books*, Vol. XXIV, No.8, May 12, 1977: 21].

This suggests that if Hegel holds this conception of the self, the communitarian interpretation of the Hegelian requirement is the correct one. For only the purposive self can adopt interests which can be regarded neither as its own nor as belonging to that – i.e., the state – with which it identifies, but which can be held in common by both without being circumscribed by the defining constraints of either. That is, the purposive self is capable of a truly *disinterested* commitment of the kind required by the communitarian interpretation.³

There is ample evidence throughout the *Philosophy of Right* to suggest each of these three conceptions of the self. When Hegel claims that a person is an actual free Will for the first time when he objectifies himself in some possession [45], he seems to have an acquisitive conception of the self in mind. For the thought is that one becomes an effective agent only when one has gained self-consciousness of oneself as an individual, differentiated and embodied by one's acquisitions. Although Hegel is concerned only with external objects in the above-cited passage, he assumes the legal convention that one's own body, mental qualities, personal attributes, and actions are to be similarly viewed as possessions [43r, 57, 114a, 123 (α)]

On the other hand, when he asserts that

Since the laws and institutions of the ethical order make up the concept of freedom, they are the substance or universal essence of individuals, who are thus related to them as accidents only. Whether the individual exists or not is all one to the objective ethical order [145a]

and that

[in the ethical order] the self-will of the individual has vanished together with this private conscience, which had claimed independence and opposed itself to the ethical substance [152]

Hegel appears to presuppose an abnegative conception of the self. That is, he seems to suggest that persons are important only insofar as they express, in their societal roles and functions, the ethical order itself, “in contrast with which the empty business of individuals is only a game of see-saw” [145a; see also 145, 269].

Finally, Hegel's description of the ethical order as the unity of the Subjective Will with the Objective and Absolute Good [141, 141r, 141a] and his claim that

the distinction between subject on the one hand and [the substantial ethical order] on the other as the object, end, and controlling power of the subject, is the same as, and has vanished directly along with, the distinction between them in form [152]

³ I owe this insight to David Auerbach.

suggests a purposive conception of the self in the background. For these passages imply the presence of an interest, i.e., the Absolute Good, which has the following characteristics. First, it is, strictly speaking, neither an interest of the state nor one of the individual; second, both the individual and the state can nevertheless identify themselves with it and thus with each other; third, the individual, or Subjective Will, finds self-expression in its actualization. And I have argued above that only a purposive self can genuinely make such a commitment.

The rest of this article will be devoted to establishing the following claims. First, the above-mentioned ambiguities can best be explained by Hegel's confusion of self-transcendence with the unrestricted demands of an acquisitive self. But in fact both the correct interpretation of the Hegelian requirement and Hegel's theory of Personality require the conception of the purposive self as that alone which is capable of transcendence. Second, Hegel's theory of property presupposes an acquisitive conception of the self which is therefore incompatible with both these features of his political philosophy. Third, that it does so explains why it is internally inconsistent even if Hegel's premises are accepted.

II

There are many passages throughout the *Philosophy of Right* in which Hegel makes a transition between two conceptions of the self, much as he does in Paragraph 152, quoted above. But the passage on which I want to focus illustrates the difficulty in a particularly succinct manner:

in making decisions...the personality of the will stands over against [the] world as something subjective... Personality is that which struggles to lift itself above [the restriction of being only subjective] and to give itself reality, or in other words to claim that external world as its own [39; emphasis added].

Hegel is making two claims in this passage. First, he is asserting that the motive power of Personality is the will to overcome the separation between oneself as a determinate individual and the external world.⁴ Second, he proposes that this desire can be understood as the desire to assimilate the external world to oneself, to make it one's own. Why does Hegel think that these two are the same; that is, that the desire for the transcendence of subjectivity is the same as the desire for unlimited appropriation?

⁴ Cf. also Paragraph 28: "This will's activity consists in annulling the contradiction between subjectivity and objectivity...."

The answer to this question must be sought in Hegel's theory of Personality. Personality for Hegel consists in the self-consciousness of the Subject as Person [35]. It includes two aspects. On the one hand, I am conscious of particular constraints on my self, i.e. of those factors which characterize my individual nature and define the ways in which I differentiate my self both from other selves and from other objects in the environment [34, 35, 35a]. But this alone could not be sufficient for self-consciousness, for these characteristics are merely particular and contingent facts about me (i.e. about my self) which may change over time and on which I may reflect or not, as I choose. There is no such internal impulse or content of thought I must have, or external fact of my condition, on which I must reflect when I am self-conscious, even though some such characteristics seem to be necessary conditions of my having any distinguishable sense of self at all. Thus the second, and more basic, aspect of Personality is the sense in which I am simultaneously aware of a self or Ego, which has these limitations as particular constraints. But this Ego is nevertheless distinct from its defining characteristics. As such, it cannot itself be independently conceived as delimited in any way [35, 35r, 35a]. This is just to say that if I recognize certain ways in which I am finite and limited, those limitations cannot be identified with the "I" that so recognizes them. So to be self-conscious is also – and more significantly – to be conscious of an object of thought, i.e., the Ego, as containing no *inherent* limits [35, 39].

Thus when Hegel describes Personality as "that which struggles to lift itself above [the restriction of being only subjective] and to give itself reality, ...to claim that external world as its own," [39] he can be interpreted as imbuing self-consciousness with a motive force, in the following way. The distinction between the finite and particular aims, impulses, and content of thought [34] which delimit the self versus the unlimited self or Ego implies that self-consciousness does more than merely recognize the separation between the self-conscious subject and the surrounding environment. For Hegel, to be self-conscious is also to regard this separation in a certain light, i.e., as antithetical to the true nature of the Ego. Thus self-consciousness is implicitly consciousness of a dichotomy between the unlimited and the finite, the necessary and the contingent, and the universal and the particular components of the self. But this dichotomy must be resolved, for it precludes a successful integration of the self as a unified subject. As long as the self views itself as constrained by its particular contents, aims, and impulses, there can be no such content with which it can fully identify, no such aim to which it can be fully committed [13a, 15a]. But in what can such integration consist? The very nature of self-consciousness proscribes mere acceptance of such constraints, and similarly proscribes that abdication of the Ego which

could characterize an unselfconscious acceptance of any such content as fully adequate to the self. Thus the desire for integration moves the self to attempt to overcome these constraints by actualizing itself in the world as inherently unlimited [109.b. α , β]. This suggests one rationale for Hegel's equation of Personality with the active concept of the Immediate and Abstract Will [35a, 41a]. Self-consciousness or Personality is essentially Active Will in that it implicitly involves the aspiration to transcendence of the subject-object distinction. It motivates the self to transcend its differentiation from the world of discrete external objects through its own unlimited self-actualization.

But how is this unlimited self-actualization to be achieved? There are at least two possible answers to this question: (1) through acquisition and (2) through action. I will discuss the first immediately, reserving the second for Part III.

Hegel often seems inclined toward the first alternative. He seems to want to say that insofar as the Ego just *is* the possibility of choosing some content of thought [4a, 6a], actualization of the Ego as inherently unrestricted involves its unrestricted acquisition or assimilation of all determinate content to itself. To think any determinate object of thought at all is, as Hegel says, to

make it into something which is directly and essentially mine... I do not penetrate an object until I understand it; it then ceases to stand over against me and I have taken from it the character of its own which it had in opposition to me...by my theoretical attitude to [the world] I overcome its opposition to me and make its content my own [4a].

Thus thinking is the self's activity of acquiring an object of thought which was originally extrinsic to it, and the desire for transcendence of one's personal limitations moves one to assimilate those limitations to one's sense of self as a strategy for overcoming them.

But here Hegel appears to conflate two motivational conceptions of the self distinguished Part I. That is, he seems to assume that the ultimate motivation of a purposive self can be equated with that of an acquisitive self; and there is no clear reason why he should. The unlimited acquisition or assimilation of extrinsic characteristics, contents of thought, impulses, physical objects, and so on to the self serves not to overcome or transcend those defining and determining limitations, but merely to multiply them. Such acquisition is the very means by which the acquisitive self increasingly differentiates itself as a determinate and individualized personality. How, then, can such a process finally result in transcendence of those very constraining factors which the acquisitive self unendingly seeks?

Now it may be replied that insofar as transcendence is the "annulling of the contradiction between subjectivity and objectivity" [28], this is accomplished when there is nothing more of an objective nature to be posited in contrast to the subject, i.e., when everything has been assimilated to it. The

theoretical outcome of such a process is the existence of a single self or subject to which everything relates as an attribute. But first, this is not transcendence of the self, but rather of that which is opposed to the self, since it overcomes the objective world by assimilating it to the self. That there is only one self does not alter this. Second, it does not in fact succeed in obliterating the distinction between subject and object. For either this all-encompassing subject stands in the subject-object relation to the negation of every attribute it possesses or else it possesses both every attribute and the negation of every attribute, in which case it is self-contradictory. Third, Hegel himself later recognizes, in a different context, that the acquisitive model in fact makes complete self-transcendence impossible:

Before [a "kind" of thing]...can...be appropriated, it must first be individualized into single parts.... In the fact that it is impossible to take possession of an external "kind" of thing as such,...the mastery and external possession of things, becomes, in ways that again are infinite, more or less indeterminate and incomplete [52r].

Here Hegel expresses the important insight that try as one may to transcend oneself through the acquisition of external things, one can nevertheless never appropriate their genera; hence complete transcendence can never be achieved in this way.

Finally, and perhaps most important, transcendence on the acquisitive model simply fails to meet certain desiderata of Ethical Life in the state as the realization of the Ethical Idea. When we scrutinize these desiderata more closely, we find not only that self-transcendence cannot be achieved through the acquisition of attributes of various kinds but also that the individualistic and the altruistic interpretations of the Hegelian requirement are decisively ruled out.

When Hegel says

Rationality, concrete in the state, consists...in the unity of objective freedom...and subjective freedom (i.e. freedom of everyone in his knowing and in his volition of particular ends) [258r],

he cannot possibly mean to presuppose an ideal of transcendence that makes the volition of particular ends impossible. He must conceive of this unity in a way that somehow preserves individuality and the possibility of individual aims. As he later points out, "[the strength of the state] lies in the unity of its own universal end and aim with the particular interests of individuals" [262]. That this condition be satisfied requires, of course, that there be particular interests of individuals in the first place. It thus rules out both the altruistic interpretation of the Hegelian requirement and also acquisition as a possible means of self-transcendence. This is because the former is antithetical to the

notion of individual interests, while the latter is antithetical to the existence of discrete individuals at all, once transcendence has been achieved.

In fact, Hegel offers a more explicit suggestion as to the nature of self-transcendence he intends when he claims that

concrete freedom consists in this, that personal individuality and its particular interests not only achieve their complete development...but...they know and will the [interest of the] universal; they even recognize it as their own substantive mind; they take it as their end and aim and are active in its pursuit...Individuals...do not live as persons for their own ends alone, but in the very act of willing these they will the universal in light of the universal, and their activity is consciously aimed at none but the universal end [260].

In this passage Hegel sets out a number of important conditions which the explanation of self-transcendence must satisfy: (1) there must exist recognizably individual interests; (2) these must be compatible with the universal interest such that in willing the former one wills the latter; (3) the willing of both must be intentional. That is, one must will one's particular interests qua one's particular interests and the universal interests qua the universal interest. It is not the case that one might will one's particular interest intentionally and thereby will the universal interest as an extensional consequence. This has the immediate effect that the individualistic interpretation of the Hegelian requirement must be rejected, for the third condition is clearly incompatible with the pursuit of individual interests which merely happen to be encouraged or underwritten by the state.

These conclusions in turn entail that the acquisitive and abnegative conceptions of the self similarly must be rejected. That the acquisitive conception of the self is wrong follows from the impossibility of self-transcendence given the unlimited acquisition of attributes (see above). Thus it conflicts with one of the most basic tenets of Hegel's theory of Personality. That the abnegative conception of the self is wrong follows from the first condition plus the importance Hegel accords to the pursuit of individual interests in the above passage and elsewhere [124, 154, 261, 261r, 265a, 268]. So it conflicts with an important characteristic of Ethical Life in the state.

Thus a close look at Hegel's theory of Personality and his conception of the state as the actualization of the Ethical Idea has resulted in a process of elimination which leaves three substantive theses that remain to be demonstrated:

- (1) Hegel's theory of Personality suggests the possibility of self-transcendence through action.
- (2) The first thesis implies that Hegel holds a purposive conception of the self.

(3) The second thesis implies that the communitarian interpretation of the Hegelian requirement is the correct one.

I now turn my attention to teach of these respectively.

III

Regarding the first thesis, above I claimed that self-consciousness or Personality is for Hegel an essentially active force, in that it attempts to overcome or transcend the separation between the individuating constraints of the subjective self and the objective external world. But Hegel also claims that this very process of differentiation, of positing particular aims, purposes, and contents of the Will, is necessary in order to give concrete existence to it [6]. Individual action is then “the process of translating the subjective purpose into objectivity through the use of its own activity and some external means” [8; see also 113]. Thus the particularizing aims and contents of the Will which, when thought, serve to differentiate and determine the Will, serve also to transform those differentiating purposes into objective fact when implemented in action. To act is to fulfill the purpose adopted by the Will, and thereby to transcend the merely subjective:

My purpose is at first only something inward, something subjective, but it should also become objective and cast aside the defect of mere subjectivity...my purpose, in so far as it still only mine, is felt by me as a defect since freedom and will are for me the unity of the subjective and objective [8a; see also 28].

This is to argue that self-transcendence consists not in abolishing the limits of the self, but in overcoming them by actualizing one’s purposes in the world, by responsibly participating in the construction of the external environment through action. Thus the unity of the subjective and the objective is, on this interpretation, achieved to the extent that the subject participates in and engages with the objective world by externalizing his subjective purposes in it [113]. This unifies the subjective with the objective by making the former part of the latter. And it simultaneously preserves the ancillary distinction between them by imputing responsibility to the subject, and not the objective environment, as the agent of change [115, 115r, 115a, 117, 117a].

This conception of self-transcendence can be seen to satisfy the three conditions culled from Paragraph 260 quoted above. First, it accommodates the existence of recognizably individual interests, aims, or purposes by ascribing responsibility to individuals for the particular purposes they effect. Second, it is compatible with such interests that individuals also will the universal interest, and that the former “pass over of their own accord into”

the latter [260]. This is because the universal interest to which both individuals and the state are committed is duty, i.e., the realization of the moral good in society. Thus the subject consciously tries to make his actions consistent with the requirements of the moral law:

Good....which here is the universal end, should not simply remain in my inner life; it should be realized....The subjective will demands that what is internal to it, i.e. its end, shall acquire an external existence, that the good shall in this way be consummated in the external world [33a]...In duty the individual finds his liberation...from the indeterminate subjectivity which, never reaching reality or the objective determinacy of action, remains self-enclosed and devoid of actuality. In duty the individual acquires his substantive freedom [149; see also 15a, 114.c., 129-131].

Third, this conception of self-transcendence through action satisfies the requirement that the willing of both individual and universal interests be intentional. For it characterizes the moral law that it can only be expressed or violated by morally responsible agents, i.e., by agents who are both aware of the demands of the moral law and also have particular goals and purposes to be realized through their actions [135r].⁵ Indeed, it is perhaps true of moral action as of no other kind that in choosing particular purposes, individuals can thereby "will the universal in light of the universal, and their activity is consciously aimed at none but the universal end" [260].

Regarding the second thesis, that Hegel holds a purposive conception of the self (as described above in the two premises of the purposive concept of the self) follows immediately from the possibility of self-transcendence through action. Recall the second and third conditions of Part II, above, i.e., that the agent simultaneously wills both his particular interests and the universal interest. In realizing these subjective interests in the objective world through action, the agent implicitly wills that the external world have a certain character as a consequence of his action [115]. That is, the third condition of self-transcendence insures that the agent wills not merely that his particular interest be realized but also that his conception of the world as a result of his action in the service of the universal interest be realized [130]. He intends to *alter* the character of the objective world through his moral action [112a, 115, 118]. But this is just to say that the agent is motivated by an attachment to his goals and his conception of the world changed by his action; that he finds self-expression in the process of actualizing this

⁵ I believe Hegel's criticism of Kant's categorical imperative in this passage to be mistaken.

conception. And this is just the motivational feature that characterizes the purposive self:

What the subject is, is the series of his actions. If these are a series of worthless productions, then the subjectivity of his willing is just as worthless. But if the series of his deeds is of a substantive nature, then the same is true also of the individual's inner will [124].... The will is only that into which it puts itself; it is not good by nature but can become what it is only by its own labor [131a; see also 112a].

Compare the motivational structures of the acquisitive and the abnegative selves. An acquisitive self wills not a particular conception of the world but rather of itself. That is, it views the achievement of its purpose primarily as a means of satisfying its own wants, of realizing a more completed picture of itself. As I have already argued above, this makes self-transcendence (as opposed to self-expansion) strictly impossible. An abnegative self, on the other hand, wills a particular conception of a *prior* conception of the world with which it identifies as a functioning part. That is, an abnegative self is free to choose neither its overall conception of how the state or community should function nor its pseudo-personal interests, beyond rigidly prescribed limits, because its self-esteem is invested in just that particular conception which gives meaning and justification to the social rules with which it identifies. Thus the constraints on an abnegative self are equally impossible of transcendence, since they are permanently imposed by that very conception of the world which simultaneously determines the agent's conception of himself as part of that larger conception. Here there can be no question of overcoming them through objectification, but only of reinforcing them. In this case, self-transcendence would be equivalent to transcendence of a particular conception of the community, and this would be psychologically unacceptable to an abnegative self.

So while the acquisitive self sacrifices the unity of subjectivity and objectivity for the sake of an aggrandized subjectivity, the abnegative self sacrifices it for the sake of an impoverished objectivity. In neither case is transcendence accomplished. Of these three conceptions of the self that can be gleaned from the *Philosophy of Right*, then, only Hegel's purposive self meets the requirement of self-transcendence implicit in his theory of Personality and necessary to his conception of Ethical Life.

Regarding the third thesis, recall that the communitarian interpretation of Hegelian requirement stipulates some interest, or set of interests, to which both individuals and the state can be said to be committed, though it is strictly identified with the interest of neither. I claimed above that the realization of the moral good as the universal interest is of just this kind. The good is actualized in the world when individuals act freely and in self -

conscious recognition of their freedom, in conformity with the moral law, or duty [141]. This is part of what they will when they will the moral good [123a, 133a]. But the moral good also includes, for each individual, not only his own welfare or happiness [123] but also that of others [125], the abstract rights of Persons generally, and the subjective contingencies of individuals in which these are expressed [128]. These components are retained and unified in the transcendent interest of freedom of the Will as such: "The good is thus freedom realized, the absolute end and aim of the world." [129] Thus the good includes but is not identical to individual interest as well as those of the state, narrowly construed [126r]. It is nevertheless an interest to which both are committed, and which finds its realization in the state as the expression of the Ethical Idea [130]. This is the sense in which neither the interest of individuals nor those of the state are logically prior to the other.

I have also argued earlier in this article that if Hegel holds a purposive conception of the self, the communitarian interpretation of the Hegelian requirement is probably the correct one. This because the purposive self alone has sufficient motivational flexibility to overcome its prior psychological constraints and make a truly disinterested commitment to the goal stipulated by the communitarian interpretation, i.e. actualizing the good, which is neither determined nor validated by any such prior psychological contingencies.⁶

Then, if the argument of the second thesis is accepted, the third thesis, that the communitarian interpretation of the Hegelian requirement is correct, follows immediately.

IV

I now want to argue that if Hegel's theories of Personality, self-transcendence, and Ethical Life cohere in the ways I have suggested, his theory of the necessity of private property must be regarded as either false or trivially but counterintuitively true, on two counts. First, it is internally inconsistent even if Hegel's *prima facie* premises are accepted. Second, these premises themselves stem from Hegel's implicit presupposition of an acquisitive conception of the self, which has already been shown on independent grounds to fail the Hegelian requirement of Ethical Life in the state. Hegel's position is relatively clearly stated at Paragraph 46a:

⁶ This assumes, of course, that the desire to express the moral law through one's action is not itself regarded as such a limiting contingency.

Since property is the means by which I give my will an embodiment, property must also have the character of being “this” or “mine”. This is the important doctrine of the necessity of private property.

The structure of the argument is thus as follows:

Premise 1: If I embody my Will in something it must be mine [see also 44].

Premise 2: I must embody my will in property [see also 46r, 50a, 92].

Conclusion: Therefore that property (in which I embody my Will) must be mine.⁷

Let us now scrutinize the validity of Premises 1 and 2 in turn. There is a sense in which one can accept Premise 1 with equanimity – without, however, committing oneself to any particular theory of property. For if we assume that by “embodiment of the Will” Hegel means something like “actualization or expression of one’s desire or intention,”⁸ then I might be able to embody my Will in something that is indeed mine, but not necessarily in the acquisitive sense that it is my property. Thus when I speak of some action or its consequences being mine, the implication is that the action or its state of affairs is ascribable to me as that person who is responsible and in control of my body, and who has deliberately expressed or actualized by will through the action in question and the material changes it effects. So the action is mine in that it is *my doing*, rather than that it, or my body, is in any sense my property. Thus something might be *ascriptively* mine without being *acquisitively* mine [cf. 104r, 110, 110a].⁹ A racing car might, for example, be assigned to me to drive in the Indianapolis 500; it would in this case be my car although it was owned by Ferrari. This ascriptive reading of the word *mine* in Premise 1 suggests a weaker (and, I believe, more intuitively acceptable) interpretation of the notion of embodiment of the Will to include embodiment in the person of a deliberately acting agent. It also underwrites the conception of the purposive self, developed in Part III, as transcending its

⁷ If Premise 1 and 2 were sound, a second conclusion of this argument would be: “I must have property,” which Hegel enthusiastically but unwisely embraces at 49a.

⁸ This interpretation is suggested, first, by Hegel’s claim that property is the first but not the only embodiment of the Will [104r, 104a]; second, by the desire to avoid the trivial interpretation of this notion which would make it true by definition that property embodies the Will.

⁹ This ascriptive sense of “mine” is consistent with the traditional legal use of the term *possession*.

own limits through the actualization of its will in responsible action. To those passages already adduced in support of this conception can then be added Hegel's assertions that

my act is to count as mine only if on its inward side it has been determined by me, if it was my purpose, my intention [110a]...my will has responsibility in general for its deed so far as the abstract predicate "mine" belongs to the state of affairs so altered [115; see also 117].

Let us then accept the *prima facie* plausibility of Premise 1 on the proviso that to admit that something is mine commits one only to its being my responsibility and not to the stronger claim that it is necessarily my property.

A proper appraisal of the question of whether it is likely that I must embody my Will in property (Premise 2) requires clarification of the ways in which Hegel's use of the term *property* diverges from the traditional distinction, based in Roman law, between property ownership and possession. Traditionally, property is that which we have a right to possess; possessions are things which we in fact have in our power independently of whether or not we have a right to own them. Thus I may possess something without its being my property (e.g. I steal my neighbor's car), and I may own property without possessing it (e.g. my neighbor steals my car). Hegel acknowledges this distinction but does not consistently adhere to it. His analysis of possession as the appropriation of a thing by physically grasping, forming, or marking it [54-58], plus his claim that to have power *ab extra* over something constitutes possession [45], suggests the traditional distinction, since to have such physical control over something is not in any obvious way to have the right of ownership over it. Similarly, his discussions of partial or temporary versus full use [62, 80.c.] and the conditions of fulfillment of covenant [80a] clearly emphasize the distinction between owning something and physically having it under one's control. But his claim that the occupancy of a thing, which he equates with taking possession of it [51], actualizes our absolute right to of appropriation, or property right, over all things [44,52,52r] is ambiguous.¹⁰ For on the one hand, the implication is that all things are to be originally viewed as property, i.e., that which we have a right to own, even if that right has not been actualized through possession; hence that one can have property rights over something even if it is not in one's possession. On the other hand, it also follows that anything one does possess actualizes one's right of property ownership of it. So if something is property it is not necessarily a possession, but if it is a possession it is necessarily property. But

¹⁰ Hegel's remarks at 78 and 79 and the section on Contract can be shown to support rather than increase the ambiguity discussed below, although considerations of space do not allow this here.

if that object over which I have property rights is possessed by someone else, who is the rightful owner? However, when Hegel then claims that “I as free will am an object to myself in what I possess, ...and this is the aspect which constitutes the category of *property*, the true and right factor in possession” [45]; that a “second person *cannot* take into his possession what is already the property of another”; [50; emphasis added] that, indeed, possession *is* property ownership [40],¹¹ he clearly means to assert that the two are at least equivalent, i.e., that something is my property if and only if I possess it.

Now it may be claimed (with some justice) that the latter passages just cited are, in context, as murky and ambiguous as any one is likely to find in the pages of *The Philosophy of Right*; and (with less justice) that the former handling, in addition to the use Hegel later makes of the concepts of property and possession in the section on contract [72-81], are sufficient to indicate Hegel’s essential adherence to the traditional distinction between them. But this purported adherence has its price. If property and possession are not equivalent notions of Hegel, then it is not at all clear that I must embody my Will in property (Premise 2) as opposed to mere possessions. For, first, Premise 2 should follow immediately from the independent claim that we have property rights over all external natural objects [44, 52, 52r]. But this assertion itself is hardly self-evident, and Hegel’s justification for it is not convincing:

Thus “to appropriate” *means*...to manifest the pre-eminence of my will over the thing and to prove that it is not absolute, is not an end in itself....

When the living thing becomes my property, ...I give to it my soul. The free will, therefore, is the idealism which does not take things as they are to be absolute, while realism pronounces them to be absolute [44a; emphasis added].

Thus Hegel gives this absolute preeminence of the free Will over all things not only as a reason for our right of appropriation over them but also in the same breath as the definition of appropriation itself. And to give as a justification for a right the definition of what it is a right to is to give no justification at all. So Paragraphs 44 and 44a yield no independent reason for

¹¹ Here and in the deductive argument which begins below I assume that Hegel’s “is” is the “is” of identity and not of predication. The former legitimates the logical inference to weak equivalence, which is sufficient for my argument.

It is well to emphasize here that this deductive argument treats Hegel’s claims as extensional propositions. No attempt is made to reconstruct those of Hegel’s beliefs or intentions (if any) in the context of which subtle exegesis might render the propositions assembled below less problematic than they appear.

believing that we must embody our Will in property, for Hegel has supplied no justification for the claim that we have property rights over all natural objects. This leaves open the possibility that I might embody my Will in, have mastery over, and thereby possess such objects which are nevertheless not to be regarded as property.

Second, the possibility of embodying my Will in the something that is only ascriptively and not acquisitively mine (Premise 1) has been shown to imply that I can in any case embody my Will in something that is not an external object, i.e., action. And this requires only that I have in my power, or possess the necessary means for actively carrying out my aims; not that I, or anyone else, have the right to own them. Such means might include my own body, other people, and verbal communication, none of which can be therefore regarded as external natural objects over which anyone might be thought to have property rights [40r, 43r, 52r]. So the assumed nonequivalence of possession and property, in conjunction with the ascriptive interpretation of "mine" in Premise 1, brings the putative validity of Premise 2 even further into question. For even if all natural objects are to be originally regarded as our property - a claim which has not been adequately defended - one can in any case embody one's Will in other thing as well, which can be said to be ascriptively possessed but not acquisitively owned.

Third, Premise 2 states only that I must embody my Will in some property, not that it must be *my* property. So unless the "mine" of Premise 1 can be made out in purely acquisitive terms, this underscores the possibility that I might possess something, in the ascriptive sense that I am responsible for it, which is at the same time the common property of the group or race. Thus the connection between something's being mine, its being property, and its being therefore *my* property has yet to be shown. For these reasons it is fairly important for the success of the argument at 46a that the acquisitive sense of "mine" in Premise 1 be shown to be the correct one.

This use of the word *mine* can in fact be established from the text of the *Philosophy of Right*, and I will do so presently. Unfortunately, the same purely deductive line of reasoning that achieves this simultaneously establishes the equivalence of property and possession, and thus that something is my property *if and only if* I possess it. But the consequences of such an equivalence are not all to be desired. To be sure, it insures the validity of the argument at 46a. But it also, therefore, has the counterintuitive consequence that anything that can be ascribed to me is, by virtue of being at least a quality possessed by me, my property. And this, of course, makes "the important doctrine of the necessity of private property" only trivially and unimportantly true. It conforms that everyone must indeed have private property [46a] at the expense of reducing the significance of the concept of private property to nothing. For I must at least possess or have in my power my personal

attributes in order to be an individual at all. And from this it then immediately follows that everyone necessarily owns private property in “owning” their particular characteristics. But clearly this is not the theory of private property that Marx thought he was responding to, or that which has been of such concern to socialists and libertarians alike.

However, the equivalence of property and possession does not merely commit Hegel to a trivial and uninteresting theory of private property but also to a logically incoherent one. For as we will shortly see, such an equivalence is directly contradicted by the intuitively acceptable criteria Hegel gives that a thing just satisfy in order to count as property. Thus, (1) either these criteria of property are valid, in which case property and possession are not the same, and it is, as said, not necessary after all that we embody our Will in property as opposed to possession; or else (2) these criteria are invalid, in which case property is equivalent to possession, and so Premise 2 and hence the purported necessity of private property is trivially true. But, as we have observed, in this case we need not longer take seriously Hegel’s theory of property, for any interesting or controversial political implications it may have had will have then been successfully defused by its very ubiquity.

I begin the demonstration of the equivalence of property and possession, and the establishment of the ascriptive use of “mine,” with Hegel’s claims that, first, if I embody my Will in something x , then x is mine [44], and second, x is mine only if I embodied my Will in x [65], from which it follows that

(A) x is mine if and only if I embody my Will in x .

That Hegel intends “mine “ in the acquisitive sense is supported by the assertion that actually embodying one’s Will in x (through occupancy of x [51, 51a, 52, 52r]) is the realization of the concept of property [51a], from which it can be inferred (see Note 11) that

(B) I embody my Will in x if and only if x is my property.

Transitivity on A and B in turn yields

(C) x is mine if and only if x is my property,

which clearly establishes the acquisitive sense of “mine”. Thus it seems that the weak interpretation of Premise 1 which construed “mine” in a merely ascriptive sense is ruled out, and that either actions must count as property,

or else the Will can only be embodied in natural objects and not in action after all. The equivalence of possession and property, which will presently be demonstrated, will be shown to suggest the former alternative – and indeed that not only action but also everything imaginable is property for Hegel.

At 54a, Hegel distinguishes between taking possession of x physically and taking possession of it in idea by marking it as mine, in which case “the thing as a whole is mine, not simply the part which I can take into my possession physically.” So to possess x physically is, presumably, to make it physically mine; to possess x in idea is to make it wholly mine [see also 4a]. To possess x is, in short, to make it mine to various degrees. So it can safely be inferred (see Note 11) that

(D) I possess x if and only if x is mine.

But by transitivity on C and D, it immediately follows that

(E) I possess x if and only if x is my property.

Thus Hegel is extensionally committed to the logical equivalence of property and possession regardless of his appraisal of the traditional distinction between them, and hence the argument of 46a is trivially true.¹²

Now at first glance A and E seem simply to yield a more rigorous, if all-encompassing, definition of property as necessarily private, for it can now be affirmed that

(F) x is my property if and only if
 (1) I possess x (from E)
 (2) x is mine (from C)

¹² There are other passages throughout *The Philosophy of Right* that can be deductively assembled to yield the same conclusion. A shorter but perhaps less comprehensive argument, for example, would be simply to do transposition and transitivity on Hegel’s claims that

(A') To use x is to possess x [60]

and

(B') To use x is to have property ownership of x [61a]

from which it then follows that

(C') To possess x is to have property ownership of x .

(3) I embody my Will in x (by transitivity on A and C),

such that each of the qualifications of F is both logically equivalent to the rest and also independently necessary and sufficiently for x 's being my property. But when we look more closely at the species of things Hegel says we can possess, ascribe the predicate *mine* to, or embody our Will in, this appearance of rigor quickly disappears. For among the things we can, on this definition, count as our property are (a) objects of thought [4a]; (b) mental capacities [43r]; (c) bodily attributes [47, 48, 57];¹³ (d) external objects [42a, 44, 44r, 44a]; (e) one's private Personality [66r];¹⁴ (f) aims or purposes [8a, 114(a), 123]; (g) states of affairs effected by actions [115]. As already noted, this makes private property necessary only in the trivial sense that anything one can be said to have is by definition property and anything that is property is again by definition private. This is an uninspiring interpretation of Hegel and I will therefore not recur to it again.

However, according to the criteria Hegel gives for identifying something as my property, (a) through (g) are not all property after all (of course). For example, he claims that property is distinct from the Person [41], which is surely violated by (b), (c), and (e), and possibly by (a), (f), and sometimes (g); that it is (physically) external to the Person [42, 42a], which is violated by all of the above except for (d) and sometimes (g); that it must be alienable, i.e., that I must be able to cease regarding the thing as mine [65a], which is violated by (b), (c), and (e), at least; and that I must be able to occupy and use the thing, which I believe Hegel intends to strictly apply only to physically external objects (d) [51, 51a, 52, 52r, 53, 59, 61a]. So it appears that, according to these criteria, property is at best an ill-defined subclass of those things one can possess, ascribe the predicate *mine* to, or in which one can embody one's Will; and not an equivalent class after all.

But this means that the "mine" of Premise 1 must be construed ascriptively in order to accommodate the full range of things in which one can in fact embody one's Will. And since, as I have argued above, Hegel has not succeeded in independently justifying his claim that I must embody my Will in property (Premise 2), there is a fortiori no reason to suppose that that property in which I may embody my Will must be my private property. So the argument of Paragraph 46a is not valid after all, and Hegel's own

¹³ But note Hegel's cavil at 52r.

¹⁴ Hegel would clearly prefer to deny this. It is his cavalier use of the word *possess* plus his concession of the possibility of alienating one's Personality under certain unfavorable political conditions that I believe makes this conclusion inescapable.

criteria of property make the “important doctrine of the necessity of private property” nevertheless a false doctrine, even on Hegel’s own assumption about what we can appropriate.

But I think it can be argued that it is just these assumptions and the inadequate theory of the self in which they are rooted that best account for the confusions inherent in Hegel’s theory of property. These confusions are most tellingly exemplified by the inflated definition of property (see F) derived from the text, which is made possible only by Hegel’s frequent and incautious use of the terms *possess* and *mine*. The latter in particular occurs in such a bewildering variety of contexts throughout *The Philosophy of Right* [e.g., 4a, 8a, 15a, 59, 110, 110a, 115, 115a, 117a, 123 (α)] that one is left with the inevitable conclusion that Hegel really does mean to claim that practically everything one can conceive of is, can be or should become mine, in some sense; and the qualifications of F commit him to meaning “mine” in the *acquisitive* sense.

Now if the acquisitive conception of the self were the correct one, this conclusion would be warranted. For Hegel would then have the independent justification he needed for the claims that we have property rights over all things [44], and that therefore an individual must embody his Will in property (Premise 2). This would mean that anything in which he does embody his Will, be it action, object, or thought, must be counted as his in this acquisitive sense. For this conception of the self presupposes that the relation between the self and that which is originally external to it is basically appropriative, i.e., that the individual evaluates the components of his environment with an eye to their worth as *private* possessions. That is, his view of the external world is informed by the basic motivational structure of his personality: the drive to buttress and express his sense of self through acquisition. It is in this sense that the Will could be said to manifest its preeminence over things through appropriation [44a]. An abdication of interest in material and spiritual possessions would represent an abdication of the possibility of material and spiritual self-growth, hence an abdication of personal control over that environment which Hegel wishes to claim is always subordinate to the Person. It would be to rule out an entire dimension of self-definition, and this would be anathema to a self moved primarily by proprietary instincts. Thus Hegel’s overly inclusive definition of property would at least gain credence through the assumption of an essentially acquisitive relation between the self and everything else. This would make it plausible that we have property rights over everything, hence that one must embody one’s Will in property in this broad sense. For the self would then necessarily appraise all things in terms of their potential success at self-enhancement. Support for the notion of the acquisitive self would thus mitigate the triviality of Hegel’s definition of property, if not its ubiquity.

But as we have already seen, this conception of the self cannot be the correct one, for it makes the Hegelian requirement of self-transcendence in the service of the state impossible to realize. And without it, Hegel's theory of property simply fails to connect in any *prima facie* acceptable way with his conception of the individual's relation to the state.

In contrast, Hegel's alternate conception of the purposive self as transcending its own psychological limitations through responsible and morally committed action illuminates both this relation and the nature of the Hegelian requirement. For if we are permitted to construe Hegel's myriad uses of the word *mine* in the weaker, ascriptive sense of imputing responsibility rather than property, it becomes possible to view the individual as accountable for his environment without needing to appropriate it. From this perspective it is then conceivable that the individual in Hegel's state might successfully retain a sense of independent selfhood and self-worth while nevertheless choosing to forego the mixed blessing of private property so aptly characterized by Marx for the sake of broader and more inclusive social and political goals. Such a possibility surely makes Hegel's theory of the necessity of private property seem much less compelling.