Postlapsarian Meditations: Labor and Political Participation in Socrates and Aristotle, with a Kantian Footnote

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1. Introduction

Labor occupies an interesting and important position in the history of critical theory. At the same time, it is difficult even to describe its role in the broad terms of an introduction without controversy. It is possible to begin with Hegel, where labor serves an important epistemic purpose in challenging dualism. As so often happens, what is of theoretical interest for Hegel takes on concrete dimensions for Marx, whether in his concern for relations of production or ever-increasing use of economic analysis.

The first generation of the Frankfurt School is certainly indebted to Marx, but the indebtedness coincides with a renewed interest in subjectivity and cultural theoretical questions. Here, it is useful to mention issues of technology as addressed by the early critical theorists, treatments that led Marcuse towards a distrust of technology and Habermas to recover the Hegelian distinction between labor and interaction, eventually recasting it in terms of instrumental and communicative action.

Recent years have seen a renewed interest by critical theorists in questions of work, sometimes led by Axel Honneth, sometimes going beyond his work. His deployment of the paradigm of recognition—particularly with respect to esteem—reincorporates at least some version of labor into critical theoretical discussion. Some critical theorists have returned to Hegel or Marx to recover notions of labor, while others—including Honneth—have begun to incorporate the insights of care work research into the paradigmata of critical theory.

David A. Borman characterizes the relationship between Marx and the first generation of Frankfurt School critical theorists in the claim that, while Marx identified the objective conditions of revolution, critical theory set out to identify its subjective conditions. I do not want to evaluate that claim here, but I do want to undertake a small part of the project it describes. This is not undertaken by returning to the usual source texts of the critical theoretical tradition, but by reaching further back into the tradition of philosophy. I do not want to investigate contemporary notions of labor by looking at them or their modern antecedents, but rather their ancient ones. Socrates and Aristotle are examined to articulate a range of possible positions on how labor shapes identity. Kant is turned to next for a picture of the preservation of these ancient convictions in modernity. I conclude, finally, by arguing that these positions are with us still.

More than perhaps any other social phenomenon, the significance of labor for social belonging and political participation has been fundamentally reconfigured over the course of the development of political philosophy. Given its origins in the Greek and Hebrew traditions as punishment or a sign of divine disfavor, this is quite a remarkable rehabilitation, effected in Europe, in great measure, over the centuries of Christian domination.

This is, at least, one side of the story. It is the side that underlies Rawls’s formulations concerning “fully participating members of society,” a side that provides the grounding for a certain range of arguments for the regularization of the status of undocumented immigrants. At the same time, however, we continue to practice politics in the shadow of a Greek tradition for which some form of independence or self-sufficiency is often viewed as a prerequisite for political participation. If labor is a mark of dependence, then, laboring risks becoming a barrier to political participation.

One way to address this tension is to interrogate the concept of independence, particularly with an eye to separating economic or material independence from moral or political autonomy. A particularly helpful example of this strategy is that carried out by Nancy Fraser and Linda Gordon, in “A Genealogy of Dependency.” While that treatment is exemplary in its historical and material perspicacity, it gives short shrift to the plausibility of the claim that some aspects of the connection between independent political participation and economic existence ought not to be simply consigned to the dustbin of egalitarian critique. If denying that connection seems to open the way for broader political participation, retaining it seems to hold out the possibility of understanding political participation in a richer, more meaningful way.

I hope to address that shortcoming here, in four stages. I begin with Socrates, whose several comments on labor and its effects on laborers provide an outline for a position I call an ‘ontologically essentialist,’ claiming that the worker is a fundamentally distinct sort of human from the leisureed. Leisure is connected to politics in the second, Aristotelian stage. Aristotle reserves the ontological distinction for women and so-called ‘natural slaves,’ assessing free labor as a merely existential barrier to the development of the excellences of the citizen, thus making the worker unfit for citizenship under the best constitution. My
exegetical work concludes with a Kantian footnote to this Aristotelian stage. Here, I examine the difficulties Kant finds himself in with his attempts to maintain the Aristotelian endorsement of independence in a modern economy. The final, more expository stage briefly suggests several implications of these difficulties for a contemporary economy and democracy. I argue that it is indeed quite difficult to make political independence fit with economic subjection, such that establishing the former unavoidably requires addressing the latter through structures of the distribution of leisure, property, and wealth. If the idea of political independence should not simply be relinquished (and I do not think it should), the fact of economic dependence must be addressed.

2. Socrates

2.1. Socrates versus the Workers

The transition I trace here begins with Socrates and his self-understanding as he distinguishes himself from the workers of Athens. A relatively small number of claims belong to the heart of Socrates’s conception of himself, which get repeated over again from one dialogue to the next. Two of them are particularly relevant to this discussion: the disavowal of knowledge and the refusal to charge for conversation. The standard treatment of these claims sets them in tension with one another: if Socrates has no knowledge, then there is no reason to charge for conversation. Thus the fact that Socrates draws attention to his refusal to charge for conversation already suggests that he does in fact claim knowledge. This tension is only somewhat mitigated by the role the two claims play in distinguishing the philosophical Socrates from the Sophists, but can be addressed with a surprising completeness under the heading of the relationship between labor and political personhood.

Socrates distinguishes himself from the Sophists by denying that he has knowledge,7 usually understood as moral or political truth, but not of the understanding of truth-criteria, the desiderata of truth claims.8 An alternative reading is to appeal to a distinction between possessing a skill and knowledge, between ‘knowing how’ and ‘knowing that.’ This seems to add a third possibility to the distinction introduced above between knowledge of content and of truth criteria.

Regarding this third possibility, one must ask whether ‘knowing how’ represents knowledge. If ‘knowledge’ is the object of epistemology, and if ‘epistemology’ is primarily concerned with propositional knowledge, then ‘knowing how’ might not count as knowledge. On the other hand, in the classical form presented by someone like Gilbert Ryle, the point of the distinction is that ‘knowing how’ is not reducible to ‘knowing that,’ not that ‘knowing how’ fails to constitute knowledge.9 Leaving aside the fact that Socrates’s discussions of the issue tend to be in slippery terms such as “wisdom” or “benefitting” someone, this distinction does not get around the issue.

Moreover, if there might be cases (such as riding a bicycle) where the distinction appears quite plausible, it is not at all immediately obvious that a truth-seeking activity such as Socrates’ philosophical discussion is one of them. ‘Knowing how’ could perhaps be understood as the ability to produce a solution, distinguished from knowing the solution or its criteria. This path, however, seems to be blocked by the aporetic nature of the Socratic dialogues and the fact that Socrates much more commonly criticizes proposed solutions for failing to meet truth criteria rather than advances solutions of his own.10 If this argument is correct, this third possibility can be rejected.

The Sophists certainly claim possession of knowledge.11 What is more, they claim to be able to transmit this knowledge to their students.12 This ability is offered as justification of their fees. Because Socrates denies he has knowledge, he can offer no justification for charging fees. There is, however, another claim here, one incompatible with the assertion of denying knowledge. There are two versions of this claim. The first is that philosophical practice is too valuable to be exchanged for money, the second, that Socrates shares his philosophical practice out of the sense it is good to do so, whether this means altruism or part of improving his community.13 Both versions, by implying something to be shared, suggest Socrates possesses knowledge.

The tensions between these two claims can be resolved, in turn, with a straightforward argument, either classified as ad hominem or critical theoretical, which gets to the heart of Socrates’ relationship between labor and political personhood. The argument supports the claim that Socrates was elitist. This elitism resolves the tension noted above by claiming that the force behind Socrates’s refusal to charge fees has little to do with his lack or possession of knowledge, but much with his desire to not be associated with those who must work for a living. The question of charging fees is less of the presence or transmissibility of knowledge, much less its value, and more of the value of individuals who do charge for their work.

The argument is straightforward, although not obvious. Socrates was, after all, the son of Sophronicus, who was either a sculptor or a stonemason,14 and Phaenarete, who was a midwife.15 Socrates is usually said to have been trained in his father’s trade—there is a now-discredited tradition that he completed a sculpture of the Graces that stood at the entrance of the Acropolis.16 In spite of his background, it seems that he was able to marry an aristocrat in Xanthippe.17 At some point, Socrates turned to philosophy, perhaps influenced by his conviction that being a Sophist was much more profitable than being a sculptor.18
If Socrates had wanted to charge fees for his courses, he could almost certainly have made himself a very rich man. Socrates refers in the * Cratylus* to Prodicus’s 50- and one-drachmæ courses on naming, and in the * Axiochus* (which is, to be fair, of dubious authenticity), there is reference to remarks bought from Prodicus for half, two or four drachmæ. Emily Wilson claims that well-known Sophists could receive as much as 100 minæ for a complete lecture course. Michael Gargarin and Douglas M. MacDowell claim that “the daily wage of some skilled workers was a drachma in the mid-fifth century and 2–2½ drachmæ in the later fourth century.” A mina was worth 100 drachmæ; therefore, a course with a well-known Sophist could cost as much as 10,000 drachmæ. If we set a skilled worker’s wage today at $15/hour, a daily wage would be $120. A course with a Sophist would be 10,000 times this, or $1.2 million.

It is an estimate of this sort that must be used to assess not only Socrates’s success in and attitude towards economic affairs, but also the ‘penalty’ he proposes for himself in the Platonic * Apology*. He first claims that an adequate assessment according to his deserts is that he be fed in the Prytaneum. Aware of the rhetorical maladroitness of this gesture, and maintaining the accuracy of his assessment, he offers a second, more conciliatory penalty: “If I had money, I would assess the penalty at the amount I could pay, for that would not hurt me, but I have none, unless you are willing to set the penalty at the amount I can pay, and perhaps I could pay you one mina of silver.” Grube’s footnote to this passage is accurate—that a mina was a considerable sum of money for a skilled worker. It was also considerable to Socrates, to the extent that it represented a fifth of his net worth. At the same time, it would be a pittance for a successful and well-known Sophist, of which neither Socrates nor the council could be ignorant.

Socrates’s elitism, however, stood in the way of his wealth, as strange as such a diagnosis sounds to contemporary ears, which cannot help but equate status with wealth. To teach for money would have resigned Socrates to a position nearer the artisanal class of his birth, in which the finished products of labor are traded for money.

Escaping this fate means avoiding trading products of labor for money, certainly, but there are a host of additional possibilities equally important for Socrates to avoid: a laborer receives money for labor, rather than for a finished product. While some servants might count as laborers on this characterization, others, whose work would be called service, produce no products at all. An artisan owns the means of production, a laborer does not, and those who provide service do not work with means of production at all.

To ask whether Socrates’s activity counts as work, we might ask whether it can be mapped onto any of these models. The artisan is distinguished from the laborer on the basis of the relation to the means of production. It is not obvious that anything might count as the means of production for philosophical activity, particularly oral, activity such as Socrates’s. One might cite the mind or philosophical community, but for neither of these is there property in the usual sense.

What about a product? Presumably, it is possible to produce intellectual property over the course of a philosophical exchange, even if the claim to the property is not publicly recorded, as with the device of publication. This is not so obviously the case, however, with the aporetic elenchus, which precisely does not develop a position. With neither means of production nor product, Socrates will escape the categories of artisanal work and hired labor.

I take it, then, that the only real possibility as far as a model for philosophical labor is concerned would be that of service, as with the midwife analogy Socrates appropriates. Service work requires no means of production and produces no material product, which seems of a kind with philosophical work. Certainly, teaching must be construed as a service, and it seems most appropriate to understand Socrates’s philosophical activity primarily as some form of teaching, or at the least something like (not always requested) philosophical counseling.

To retrieve the thread of the earlier discussion of fees and the transmission of knowledge, it can be seen that the midwife metaphor would leave in place the tensions between the ignorance claim and the two versions of the refusal to charge fees. The midwife performs a service of assistance to another’s labor, and, as an auxiliary to this, provides the classification of the results of that labor as fertile or a wind-egg. Midwifery requires both knowing how and propositional knowledge, regardless of the relationship between the two. There is no difficulty understanding what the provided service is or how it is valuable.

If midwifery does in fact require knowledge, then the argument about charging fees is in tension with the midwife metaphor. I do not think this tension can be dissolved. Were Socrates to take seriously his characterization of himself as a midwife, there would be no barrier to his charging fees. The strength of his emphasis on not charging fees has to translate into a weakening of emphasis on the midwife metaphor. Given the strength of his commitment to the former, I deny that he was committed to the latter. This conclusion, in turn, supports my larger argument here, that the refusal to charge fees is driven less by Socratic ignorance than class elitism.

This elitism, in one of its forms, reveals itself as the desire to avoid being classified as someone who...
exchanges labor for payment—an artisan, laborer, or provider of services. To this end, Socrates takes on the status of an accessory to the aristocracy, accepting the gift of leisure (rather than the exchange of payment) from “the sons of the very rich” who themselves “have the most leisure” in Athens and choose to use it following Socrates “of their own free will.”

It is indisputable that this accessory status made Socrates dependent on the wealthy sons of Athens in a way that might have been more salient to him had he been less elitist. But the question of dependence and independence does not seem to enter into the question here. Socrates appears to disdain less any dependence he attributes to artisans, laborers, or providers of service than the mere fact of working itself. Any moment taken up with producing the physical means of subsistence is a moment better spent devoted to the properly philosophical labor of getting ready to die.

However, even this suggests a somewhat plausible philosophical basis for Socrates’ elitism, while his most plausibly transmitted comments on work and workers suggest something less rational than ethical critique. Rather than the claim that work is a waste of time, we find the description of the artisanal labor of tanning as a “slavish occupation,” or the advice in the Memoria bilia, given to Charmides, not to have stage fright at the assembly before speaking “among those who are both the most senseless and the weakest,” namely the artisanal fullers, shoemakers, carpenters, smiths, farmers and merchants who comprised the preponderant majority of citizens of democratic Athens. These are, after all, the “idle and cowardly chatterers and money grubbers” who were brought to the assembly by the institution of payment for civic participation instituted by Pericles around 462BCE to broaden the Athenian democracy. Given the fact that the point of civic participation payment is the establishment of the independence necessary for participation, it cannot be the case that Socrates’s opposition comes from the dependence of the laboring classes.

2.2. A Taxonomy of Labor and Exclusion

If dependence is excluded as the source of Socrates’s opposition, it leaves only the possibility that he is opposed to the participation of those who work. In calling them senseless and weak, rather than individuals who spend their lives in pointless activity, Socrates’s apparent claim that performing labor infects their very persons, on the other hand, seems to set up his position that labor does establish identity, albeit only in a derogatory sense.

Following Socrates this far permits drawing a distinction between two ways labor can affect identity: an essential and a relational account. The position I attribute to Socrates in the preceding discussion would be an essential account: the question is not how labor situates individuals with respect to one another—what relations are instated by labor—but what it means to be a worker, without any account of the social structures in which one is a worker. Further, there would be two distinct versions of the essential account, one called essential (or, as mentioned in the introduction, an ‘ontologically essential’ account), claiming that workers are a specific human genus. If a worker’s nature were established simply as a result of actual laboring, it would be possible to generate an existential account in which a worker who ceased to work would cease to be a worker. If working were an existential, rather than an ontological, degradation of a worker’s being, the appropriate response would be to question the compatibility of working with virtue. Thus, that Socrates writes off workers as a lost cause in a way he does not for those whose activities or lack of reflection are only existentially incompatible with virtue counts as evidence that he holds an ontological position on work and identity.

All this said, it is important to note that Socrates does not add to his ontological essentialism the hereditary determinism common in contemporary accounts of class. To do so would render incomprehensible his criticism of Anytus from the perspective of his sons’ future endeavors, or even Socrates’s own philosophical practice. While the positions developed in the Republic cannot be attributed to Socrates, it is worth noting the combination, surprising to contemporary sensibilities, of equality of opportunity with the strictest possible class divisions after aptitude testing is carried out.

3. Aristotle

3.1. Leisure and Independence

To be fair, neither Socrates nor Plato is especially economically minded, and it seems uncharitable to push them particularly hard on these issues. The same cannot be said of the migrant intellectual worker from Stagira, Aristotle. His practical philosophy is so steeped in economic considerations that it remains relevant even through the economization of political thought so characteristic of modernity. It is the very modern desire to make the disparate economic, juridical, and ethical modes of analysis of communal activity fit together that leads the Stagirite into the most antinomic analyses of the relationship between labor and identity. Since this aspect of Aristotle’s work has received more sustained analysis than is the case with Socrates, I can permit myself a more direct treatment with less contextualization.

From the side of political norms, the two most important concepts for Aristotle’s political economy are
leisure and independence. Leisure is essential to the well-ordered city, the end of all practical activity. It is the condition of possibility of contemplation, making possible the Egyptian development of mathematics and the Greek development of metaphysics.

As the end of all practical activity, leisure represents a sort of mastery over and thus independence from work oriented towards the material sustenance of life. Leisure becomes possible after sufficient work is done to sustain life. To extract independence from work requires a certain level of efficiency in work, the capacity to produce more than what is needed. If this capacity rests unused, then leisure accrues to the worker who can “call it a day.”

The political animal, however, works in a polis. Thus, it is necessary to see work not only as the possibility of independence from need, but also as the possibility of political relations. I will argue that dependence, on Aristotle’s account, consists of three levels: (essential) unfitness, subjection (in the relations of production), and occupation (by labor, thus the lack of leisure). A man disposing of a complete household, including a wife and children, servants and slaves, can profit from their labor to gain independence from need, albeit at the cost of ruling over the household. A farmer or artisan enjoys a certain social independence, relying on no one to provide access to the means of production with which he meets his needs. As a result, all of these can be included as independent citizens, able to govern in concert with their independent peers. Slaves, servants, and laborers, however, are dependent upon those who hire them. They do not dispose of the political independence requisite for active citizenship, and so must be subjects rather than citizens of the best constitution.

3.2. Social Roles and Evaluative Differentiation

But all this is to treat individuals as bearers of static roles. Working in this manner is sufficient for showing the relationship of a role to leisure, work, and independence, but fails to address the question of how an individual comes to have a particular role, or what might be involved in switching roles. What are the relational or essential aspects of a role? Is one sense, the very idea of a role seems to bring with it at least the idea of a substantial duration and some qualitative difference, although all qualitative differentiation need not imply evaluative differentiation.

It is clear that wage differentials are evaluative distinctions. By and large, the same is true of esteem, as it is always better to be esteemed than not, although esteem might be accorded by various groups and individuals in society. All else being equal, we tend to value most the esteem of the esteemed, although it is easy to produce exceptions to this rule. The other qualitative differentiations relate to interests and aptitudes, of which individuals have a variety, and they tend to value doing what interests them and what they do well. As a result, a differentiation of roles on the basis of activity does not necessarily produce a hierarchical ordering of those roles.

Of immediate concern is that, as evaluational differences appear in qualitative differentiations, and qualitative differentiations take on a sufficiently permanent character, the justification of a regime of role assignment asserts itself with unavoidable urgency. Aristotle recognizes this particularity in the case of slaves and (free) women, two roles which offer substantial qualitative differences from that of independent male citizen, differences marked by a less valuable schedule of rewards and privileges, a generally more demanding schedule of labor, as well as usually permanent duration. Such a stark valuational differentiation calls for the strongest possible justification, which for Aristotle means one lodged in the very nature of the individual. At a first level, there is his much-discussed claim that slaves lack the deliberative faculty, and that in women it is not authoritative.

Going further, however, Aristotle runs into a surprising difficulty in distinguishing natural slaves from freemen that he does not find in distinguishing free women from freemen. For free women, the difference from freemen is as clear as that between soul and body. The roles of apprentice and master, for instance, might be minimally distinguished in activity, but significantly so in privileges. A Sophist and merchant have notably distinct activities, although they might have similar remuneration, along with differing rewards in the form of social esteem. Quantification is the easiest way to relate quality and duration. Under remuneration, a large short-term wage difference is equivalent to a smaller long-term difference. The case might be similar for activities in which a short period of unengaging or distasteful work might be set equivalent to a longer period of more engaging work—subject to the caveat that comparisons are much less precise here. None of these need be, however, normative distinctions, even where precise comparisons are impossible. Therefore, the idea of a role seems to bring with it at least the idea of a substantial duration and some qualitative difference, although all qualitative differentiation need not imply evaluative differentiation.
On the side of the slave, however, the possession of the body of a freeman does not necessarily indicate possession of the soul of a freeman. Further, there is the problem that in some cases, a particular man is neither a natural slave nor a natural freeman. Finally, the distinction between conventional and natural slavery means there are some who are legally enslaved who are not natural slaves. While natural slaves can share a common interest with their masters, this cannot happen for unnatural slaves.

Aristotle’s concern in this section has more to do with the exercise of rule than with labor itself. His pronouncements throughout this discussion concern primarily the expediency or appropriateness of these distinctions and their corresponding relations of rule. There is some elaboration on the relationship between one’s labor and one’s self later on in the Politics. For instance, managing a household consists of being able to utilize its capacities, but it would be degrading if the master were actually able to do the work of a slave. Correspondingly, attention should be paid in education to ensure that no body-deforming manual labor or mind-deforming remunerated labor be included in a child’s education. Even beyond questions of labor, a child whose education contains too much physical exercise risks being made into a laborer.

Thus, free women are naturally and obviously women, regardless of what they do. Natural slaves have the nature of a slave, and natural freemen have the nature of a freeman, while some men have neither nature. Laborers, finally, become laborers by laboring or engaging in similar activities, in part by doing this instead of developing excellence, in part simply by absorbing the character of the work itself. The result is a freeman performing the labor of a slave or a woman working slavishly or womanishly. He is working beneath his dignity, but his dignity is not thereby jeopardized. On the other hand, a child whose education contains too much physical exercise or athletic risks in fact becoming a laborer.

What undergirds these claims is something like an account of independence comprised of both an essential and an existential element. The lack of an authoritative decision-making faculty in women and slaves constitutes a pre-political fact which awaits its juridification. On the other hand, laborers are essentially free in their political relations with others. They are not, however, free from the necessary tasks of life. They live by the work of their hands, and do not dispose of the leisure necessary for developing the excellences of the citizen and the man. As Aristotle notes, civic participation for these groups of people required the institution of the ‘extreme’ form of democracy, including the device of redistribution of leisure in the form of payment for civic participation.

3.3. Consequences of Roles for Independence and Excellences

Given the fact that the magnitude of difference between man and woman or freeman and slave is greater than that between independent man and mechanic, the essential aspects of identity can be posited at a first level here. It is due to the importance of this foundational characterization that Aristotle is concerned with analyzing the posture of slaves and freemen. Appropriate labor is to be assigned (wherever possible) on the basis of this essential identity, and the relations instated by this labor reflect and reinforce the fundamental dependence or independence of the persons involved.

Beyond the level of essential natural difference is the fact that any labor occupies time, and so displaces leisure. The inaccessibility of leisure, in turn, makes excellence impossible. Without the excellences of the citizen, the worker is unfit to hold office, and this unfitness is the result of the way labor has marked the identity of the individual.

Dependence thus first arises from one’s being, but can also be the result of conditions under which one lives, whether at the level of relations of production or the level of disposition over leisure and the opportunity to develop the excellences of the citizen. One might take dependency relations in production to affect a laborer or a servant in a way they do not the artisan. This dependency is relatively superficial, however, such that exit from the dependency-producing relation of production would immediately result in independence. The view that this dependency in production, the immediate determination of identity through labor, is both superficial and remediable is suggested by Aristotle’s apparent endorsement of the citizenship of the skilled laborer who becomes wealthy through his work.

Immediately following the endorsement, and the reason I label it as apparent, is Aristotle’s note that in Thebes the law excludes from citizenship anyone who has sold goods in the market in the past decade. This, I take, suggests that ten years of leisure are requisite to developing the excellences of the citizen to a level sufficient for participation in government. On this view, labor continues to determine identity, but in a form mediated by the facts that labor makes leisure impossible, and that leisure is necessary for excellence.

Thus, as announced at the outset of this section, Aristotle’s account of dependence can be summarized as comprised of three levels: (essential) unfitness, subjection (in the relations of production), and occupation (by labor, thus the lack of leisure). The appropriate ideals here are clear enough, with necessary individuals providing the leisure requisite for the flourishing of the excellent. It is slightly less clear how important each of these factors is, although this can be determined from
the text: because a skilled laborer who refrains from selling in the market for 10 years can become a citizen of a constitution on the Theban model, occupation apparently hinders independence for 10 years. On the other hand, the mere fact of being conventionally free or enslaved cannot change an individual’s fundamental fitness for freedom—even- tually, regardless of the length of enslavement or servitude.

Aristotle does not address subjection. If I am correct, however, in situating it between unfitness and occupation, concerns of systematicity would suggest that the dependence inscribed by subjection is less malleable than that of occupation, but more malleable than that of unfitness. This result has the benefit of appearing consonant with practices of training even the most independent members of society from subjection towards independence over a period of a relatively long physical, emotional, and intellectual adolescence.

Retrieving what was established in the discussion of Socrates, I can overlay the Aristotelian notion of essential unfitness with the Socratic notion of an ontologically essential account of the relationship between labor and identity. The result of this is evidence for the claim that the sort of disdain Socrates bears towards all workers is restricted by Aristotle to slaves, which is a certain amount of progress in the cause of socio-political respect. The account available from Aristotle also supercedes the Socratic account, because it provides insight into the malleability of dependence instated by different relations to work, with relational subjection being more malleable than ontologically essential unfitness, but less than existential occupation.

3.4. A Kantian Footnote

Carrying this account further, and making it of more than historical interest, requires seeing the changes it undergoes when transported into modernity. It is this I hope to achieve by the third and final element in the title of this article: the Kantian footnote, drawn chiefly from “On the common saying: That may be correct in theory, but it is of no use in practice.”

3.4.1. Connection between Kant and Aristotle

The account I provide here is not a chronological history, for no other reason than the fact that I am not tracing the development of the role of labor during the long period between Aristotle and modernity. Over that period, the Aristotelian claim that the state should occupy itself with the excellence of its citizens is transformed into a Christian idea that the state should play some role in ensuring the salvation of its citizens.

This idea is rejected by a modernity in which we can imagine constructing a state even for a nation of devils.68 The modern state ought to ensure the possibility of its citizens’ salvation, but no longer has a role to play with regard to their salvation as such.69 In the absence of this sort of citizen development, with the rise of the liberal conception of the atomistic, autonomous individual, there arises the question of how citizens are connected to one another and the state. Is the device of the social contract thick enough to hold society together, or is something stronger needed for an account of social integration? Looking to ties of culture or religion to do the work of social integration seems rather illiberal. I turn to Kant here because of the illuminating nature of the tension in his political philosophy between an account of social integration brought about merely by the consent of the governed and an account that appears to achieve the strength of cultural or religious ties while avoiding their illiberal nature. This latter account is of social integration on the basis of division of labor.70

With Aristotle, the question of social integration is of signal importance for the assignment of social roles. If integration is a purely consensual or volitional phenomenon, then only two roles are those of the active citizen, who expresses a will, and the passive citizen, who does not. This approach gives rise to the sorts of problems pointed out by contemporary critiques of liberalism from perspectives oriented by the pervasiveness of dependency and interdependency in society; however, it has the virtue of reducing political ontology to the severest parsimony possible and providing a strong internal connection between the mechanism of social integration and the basis of political participation.

It has the shortcoming of appearing rather sociologically naïve. If the account of social integration runs through the division of labor rather than consent, this shortcoming is overcome. What is more, a social division of labor need not establish hierarchically arranged social roles, as seen from the discussion in Aristotle. The immediately obvious shortcoming of this approach is that not everyone has a role in the division of labor, because not everyone labors. Presumably, any plausibly complete account of the division of labor would have to include both paid and unpaid labor, but such an account would still exclude quite a few individuals: those incapable of working because of infirmity or immaturity, and perhaps the idle wealthy as well. This does not mean that these individuals might not participate in society in other ways, but only that their integration will have to be addressed by some other mechanism.

While thinking of social integration as a function of the division of labor is usually associated with Hegel and Marx in philosophy, as well as Durkheim in sociology, the position was available to Kant in the form of Smith’s Wealth of Nations.71 Guy Richardson has helpfully compiled Kant’s references to this work, and indeed the division of labor looms large amongst the ideas Kant takes from it.
Of most relevance to my purposes here is the reference in the Preface of the *Groundwork* to the division of philosophy as a division of labor, a device that assists in the advancement of all crafts.\textsuperscript{72} Where there is no division of labor, trades remain in the greatest barbarism [Barbarei]. Barbarism, of course, is the direct opposite of the civilized social condition—it is how one lives when not in Greece. This endorsement of the division of labor at the macroeconomic level is in turn developed correspondingly at the microeconomic level in the imperfect duty to develop one’s talents.\textsuperscript{73}

On the one hand, Kantian contractualism represents something of the familiar, leveling Enlightenment impulse of insisting that all men stand on the same footing with respect to their duties and obligations. Rule must be justified to all by obtaining their consent. On the other hand, taking seriously an obligation to develop one’s talents situates individuals in very different positions with respect to society.

Beyond this question of difference and similarity, Kant retains from Aristotle the pride of place given to the independence of the citizen in politics. In Section II of *Theory and Practice* (“On the relation of theory to practice in the right of a state”), Kant advances three *a priori* principles as the foundation of the civil condition regarded merely as a rightful condition: (1) the freedom of every member of the society as a human, (2) his equality with every other as a subject, and (3) the self-sufficiency of every member of a commonwealth as a citizen.\textsuperscript{74} It is this final principle that is most directly relevant to the investigation here.

### 3.4.2. Freedom, Equality, Will

As a first step, we can look at Kant’s elaboration that “Actually, in order to complete this concept [of a commonwealth], the concepts of external freedom, equality and the unity of the will of all come together,” but “self-sufficiency is the condition of the last where voting is required.”\textsuperscript{75} The concern here seems straightforward: the idea of a commonwealth implies the possibility of discovering the unity (or disunity) of the will of all, usually through the device of a vote. On the one hand, it is clear that voting requires independence, but it is only reliable as an indication of the consent of the citizenry to the extent that they are free from coercion influencing their vote. This independence clearly constitutes an addition to the second principle: the equality of each member of the state as a subject. As Kant expounds on this, his focus is on the equality of coercively enforceable rights and with deriving a meritocracy from that equality.

There is something of a bump in the theoretical road I lay out here, consisting in the slide from ‘self-sufficiency’ to ‘independence.’\textsuperscript{76} I have used the former here to render Kant’s term ‘Selbstständigkeit,’ whereas Mary J. Gregor uses the term ‘independence.’\textsuperscript{77} As a linguistic matter, I would insist that the English word ‘independence’ more properly suggests the German ‘Unabhängigkeit,’ constructed from equivalent particles.

Philosophically, I can point out that ‘self-sufficiency’ (and ‘Selbstständigkeit’) tends to point more towards economic independence, whereas the connotations of ‘independence’ (and ‘Unabhängigkeit’) are more political. Because what is at issue here is precisely the relationship between economic and political independence, the fact that Kant uses the more economic term in a clearly political context is of no small significance. It would appear that Kant here assumes economic independence is a condition of political independence. Thus, we can begin our construction of the idea of political independence by excluding from it economic dependence.

The next step, then, is to juridify this account of the connection between political and economic independence. A citizen, as distinct from a human, is identified as a colegislator. Requisite for being a citizen is the ‘natural’ equality of not being a child or woman,\textsuperscript{78} as well as the (unmodified by Kant, so its sort is not clear) quality of “being one’s own master.” This is attained by “having some property [. . . ] that supports him,” with the proviso that “any art, craft, fine art or science can be counted as property.”

The interest of this passage is in how it retains the basic thrust of the Aristotelian position but tries with some tenacity to flesh it out even a bit further (albeit in the context of a distinct economic system) from what is found in Aristotle. Here, Kant is working with the fundamental distinction between *operaii* and *artifices.* On the side of the contract, the distinction is between *praestatio operae*\textsuperscript{79} and alienating a thing or between *locatio operae,* a form of letting and hiring, and the various forms of contracts to alienate things, *permutatio late sic dicta.*\textsuperscript{80} The question, at bottom, is whether one alienates things or hires out one’s labor. Kant maintains that an artisan is his own master in a way a day laborer is not. You can take the philosopher out of the *Sattlerstraße,* but you cannot take the *Sattlerstraße* out of the philosopher.\textsuperscript{81}

On one side of this issue, we can read this passage by focusing on the distinction between alienating a thing and letting or hiring. This is to follow in the path I traced in Aristotle, distinguishing between artisans who make and sell things, on the one hand, and workers who are hired, on the other. An artisan sells goods, whereas a worker rents himself out for labor.

Kant runs into difficulty on this score, because there are many instances that seem to blend. One person might buy cloth and sell clothes, whereas another might have clients bring cloth to be made into clothes. It
is easy for us reading from the other side of Marx to think of a quick and simple division between artisans and workers, but Kant is forced to admit that it is “somewhat difficult to determine the standard for being able to claim the status of a person who is his own master.”

This difficulty is not alleviated by including skills as potential property. For one thing, the notion of skill is tortured, and it seems to depend not just on the nature of the task performed, but likewise, on its supply and demand. On a traditional account of labor according to the labor theory of value, labor is a peculiar sort of raw material. Whereas other raw materials are materially incorporated into the product, labor brings about the incorporation. This is carried out through the intermediary of the means of production, whether this is as technologically basic as the human body or as advanced as a factory. The means of production channels and modifies the way labor is invested in an object.

Labor, then, consists in modifying what inheres in the substance that is the object of labor. As soon as the labor is expended, it ceases to have any relationship to the laborer. It exists only as an accident in the substance of the object of labor, and so owning expended labor is simply owning the object on which labor was expended, in which the results of labor inhere. Ownership of a skill gives the same sort of independence as ownership of other means of production: it represents the ability to modify the inherents of a substantial raw material in a way for which there is demand.

To return to the tripartite distinction I have been developing, it is women and children who would occupy the position of the essentially unfit for citizenship, by virtue of their natural inequality with men. Their removal from the public sphere leaves men who are their own master and those who are not. Given Kant’s method of addressing this question by asking about the possession of property or skill, it is clear that what Kant has in mind is a form of relational subjection rather than existential occupation, which, in fact, is left out of the picture entirely.

This is not a trivial result, but arises directly from liberalism’s—or even modernity’s—abandonment of the idea of virtues of the citizen and a robust, time-consuming notion of civic participation. When civic participation can be reduced to casting a vote, the idea that one can lack some sort of independence requisite for citizenship because of the demands of making ends meet loses any comprehensibility it might once have had. Should you win the lottery, you are no longer subject to relational subjugation, and you are immediately fit for citizenship. Nothing else need be said of your former dependence.

4. Implications

If we were to apply this schema to the contemporary United States, we would find a basically Kantian picture only lightly modified. We have reduced the category of the essentially unfit to include only children and sometimes felons and individuals with cognitive and emotional impairments. While there are occasional adjustments to the criteria that define these groups, the basic idea of their exclusion on the basis of unfitness remains.

On the plebiscitary model of publicity so characteristic of modernity, we reject the idea of existential occupation. On the one hand, this might be grounded in an essentially egalitarian impulse or the memory of the use of poll tests, particularly those oriented towards the exclusion of Black voters. These impulses do not prevent us, however, from expressing a veiled descendant of the notion of existential unfitness in the form of worries about voter turnout or the levels of understanding voters possess of public issues, candidate records or positions, or the powers and purview of various public offices and institutions.

It would be misleading to connect these concerns too directly to issues of labor. With respect to voter turnout, the accessibility of polls and voter apathy must be considered alongside the fact that most people work on the Tuesday after the first Monday of November. The issue is similar with respect to the level of understanding of which voters dispose, in which disinformation and the general degradation of the media into entertainment must be considered alongside questions of the time and money required for media consumption.

In democracies where economic power is easily transformable to political, however, the categories of existential occupation and relational subjection seem to bleed into one another. In such democracies, it is less a question of a particular social group’s being banned from participation by virtue of occupying a particular role than of access going unaddressed. This is the place where labor might fit in. Someone who works for a living, who bears primary responsibility for domestic labor, will be able to undertake sustained political participation only with heroic effort and sacrifice. The time for participation, after all, must come from somewhere.

This is sufficiently problematic on a plebiscitary model of democracy; the issue is even more striking on a more participatory model, given its greater demands on time. The possible sources of this time are time currently spent in work (whether paid or unpaid), leisure, or recreation. To the extent that a worker is dependent on income from her job, the time for participation cannot come from paid working time. In a discussion of those with the least amount of leisure time, they likewise fail to be candidates for participation. That, then, leaves
unpaid working time, which would otherwise be devoted to caring for dependents or herself. Given trends of the expansion of working hours, it is increasingly difficult to set aside time for political participation in a way that will not leave dependents or selves uncared for. It is the perseverance in the face of these conditions that I label heroic. The fact that so many social justice movements have been built on precisely this sort of sacrifice does not make it any less heroic.

The fact that women currently do the majority of care work is certainly relevant here and its extent makes these issues more pressing. A redistribution of leisure in the form of a redistribution of the demands for care work could be an important first step. From this perspective, however, care must be understood to be a form of work, and thus a burden on whomever performs it, regardless of how engaging or esteemed it might be. I doubt that even a perfectly equal distribution of the burdens of care would address this issue sufficiently, and it is not obvious that this is even possible without the dissolution of the family.

Achieving a more perfect democracy by addressing the vestiges of existential occupation and relational subjection that persist in our society would require more than tackling either the convertibility of economic into political power or the distribution of care. Both are important projects, but they leave untouched the economic processes that connect wealth and leisure. It is clear that participation has to occur through leisure, making leisure a *sine qua non* of political participation. Therefore, any project of democracy based on the full participation of its citizens must begin by addressing the distribution of leisure.

NOTES


2. As with Hans-Christoph Schmidt am Busch, Hegels Begriff der Arbeit (Akademie, 2002).

3. This is already the case in Nancy Fraser’s exchange with Honneth in Redistribution or Recognition? (Verso, 2003), particularly in Fraser’s “On the Cultural Turn in Social Theory,” pp. 211–221.


5. It is worth recalling in passing the myths of the creation of Toil (Ponos), offspring of Eris (Sirife) (herself borne of Nyx (Night), according to Hesiod (Theogony, ll. 223ff.) or of Erebus (Darkness) and Nyx (Night), according to Cicero (De Natura Deorum 3.17). In addition, there is the Greek conception (as in Hesiod, Works and Days) of the present as a postlapsarian state, populated by an iron race that never rests from labor by day or death by night (ll. 174ff.), fallen from the leisured, golden race (ll. 109ff.).

6. This article has appeared in several places: I tend to use the version in The Subject of Care: Feminist Perspectives on Dependency, eds. Eva Feder Kittay and Ellen K. Feder (Rowman & Littlefield, 2002), pp. 14–39.

7. Apology 21d–23b


10. This argument turns importantly on the claim that Socrates’s philosophical practice is in fact oriented towards something like truth, as opposed to getting his fellow citizens to be more reflective, in an open-ended sort of way. ‘Being reflective,’ without reference to the results of reflection, is presumably an ability rather than a set of propositions.

11. Apology 19e-20c.

12. The usual source for this claim is the Protagoras.

13. Apology 36b-d, Gorgias 520a-c.


15. Theaetetus 149a.


17. The argument for Xanthippe’s aristocratic origins is usually founded on the Athenian association of military rank with wealth and social standing. The cavalry was comprised of those wealthy enough to be able to afford a horse on which to fight, and this fact was sometimes attested to by including in one’s children’s names the stem for ‘horse,’ “ιππ.”

18. Meno 91d, or Greater Hippias 282b-d.


20. Asiochius 366c.


23. Of course this comparison is rather oversimplified, but it is useful for providing something of a point of reference. It is difficult to say which income bracket in a contemporary economy would best correspond to a skilled worker in ancient Greece. If current median household income in the US is $50,000/year, a household is comprised of two wage earners, the working year is 2000 hours, and ‘skilled workers’ make 120% of the median income, then one arrives at the $15/hour figure. That said, it should be kept in mind that beside the difficulty of the category of ‘skilled worker,’ the level of a worker’s daily wage is dependent upon a huge variety of factors, including power relations between the classes and the overall productivity of a society. The comparison is offered merely as an extremely rough estimate.


25. I refer here merely to the fact that it is, in general, a bad idea to antagonize a jury preparing to decide whether or not to sentence one to death.

27. Xenophon has Socrates estimate his net worth in the Oeconomicus (2.31) at five minae.

28. It is presumably with this in mind that according to Plato, the students of Socrates present at the trial (Plato, Crito, 56e–57e, 57b), urge Socrates to propose a 30 minae penalty, agreeing to act as guarantors of the sum. Xenophon, on the other hand, has Socrates refuse both a proposal of his own or a fine guaranteed by his students (Apology 23).

29. It is worth noting in passing that, as per Homneth, esteem comes in a variety of forms. Thus it would be possible to separate the disdain evidenced here for doing an activity for payment and (non-monetary) forms of social esteem that Socrates would have accepted—indeed, even insisted upon.

30. Sometimes we speak of the property of an individual in her body, but I take it that this is primarily metaphorical, to the extent that this ‘property’ is not alienable.

31. As is the case, for instance, with this objection, which I owe to an anonymous referee. I am obliged not to take credit for the objection, even if I do not know to whom credit is due.

32. In spite of the fact that I find the suggestion of the centrality of the midwife metaphor to be a failed hypothesis for an investigation of the relationship between Socrates and labor, I am indebted to Eva Kittay for suggesting it. Even if the hypothesis fails, I hold the investigation to be elucidating.

33. Apology 23c.

34. Phaedo 63c–64a.


37. Gorgias, tr. Donald J. Zeyl in Plato: Complete Works, 515e. It is consistent with this remark to suggest that Socrates was opposed to the institution of payment for political participation. Against the backdrop of the other remarks in this section, however, it is extremely difficult to resist the conclusion that what Socrates in fact objected to was the participation of those who worked for a living.

38. As noted above, at Apology 30.

39. Including the noble lie, Republic 414e.

40. Republic 415a–e.

41. The issue is, however, quite otherwise with Xenophon, who has Socrates engage in an extended discussion of wealth and the importance of hard work in the Oeconomicus. As this work offers little that could be taken as a record of Socrates, however, its engagement with economic issues should be taken as a result of the discontinuity of Xenophon’s later work with Socrates’s philosophical activity.

42. See, for instance, Scott Meikle’s Aristotle’s Economic Thought (Oxford University Press, 1997). While I tend to think that Meikle underestimates the extent to which economic considerations pervade Aristotle’s thought, his investigation is at least quite useful in the excerpts he does examine. Perhaps the source of my disagreement with Meikle about what properly constitutes “Aristotle’s economic thought” has to do with assuming different sides of the distinction Moses Finley draws from Joseph Schumpeter between ‘economic analysis’ and the ‘description of specific economic activities’ in “Aristotle and Economic Analysis,” Past and Present 47:1 (1970), 3–25. In spite of the usefulness of speaking of Aristotle’s ‘economic analysis,’ Finley admits that there is no Greek concept that corresponds to the contemporary notion of economics—the term ‘oikovoixia’ referring to household management, rather than a particular social sphere. The Ancient Economy (University of California Press, 1973), p. 21.

43. Politics 1269a3–6.

44. Nicomachean Ethics 1177b4–6.

45. Metaphysics 981b22–4.

46. This is to provide something of an external characterization of work, the way that work shapes identity within the polis. For an extremely helpful discussion of work as a phenomenon, cf. Nicholas H. Smith, “The Normative Models of Work,” in New Philosophies of Labour, eds. Nicholas H. Smith and Jean-Philippe Deranty (Brill, 2012), pp. 181–206, particularly 188ff.

47. Politics 1253b3–11.


49. I use the term ‘role’ here in an attempt to be more precise than is possible with the term ‘class.’ Men, women and children might all be members of the same class in ancient Athens, albeit as bearers of discrete social roles.

50. All the same, to be sure, Aristotle sometimes has a tendency to run together political and economic justification. For instance, he justifies gender roles, contra Plato, with the quip that the Republic’s analogy to animals without gender roles fails because animals do not have to manage households. Politics 1264b4–6; Republic 451d–e.

51. I owe to an anonymous referee the objection her that one can value an activity as fulfilling a role one has taken on, or an activity that one thinks one ought to be doing. This seems like an important objection, but it seems to run aground when the attempt is made to flesh it out. If I value an activity as fulfilling a role I have taken on, exclusive of interest or aptitude, it seems I must be valuing some extrinsic result of the activity—the esteem it earns, or the changes it brings about. If I could achieve the esteem or the result without the activity, it is unclear why I would bother with the activity itself. If that is the case, then it does not seem to be the case that I am in fact valuing the activity.

52. If it is implausible to claim that labor was a significant part of the role of women of all social classes, see D. Brendan Nagle, The Household as Foundation of Aristotle’s Politics (Cambridge University Press, 2006), chs. 8–9. The two chapters treat the practice of paideia in Plato and Aristotle, demonstrating the substantial role taken on by even wealthy households in the development of citizens. 53. Politics 1260a12–4. Cf. Deborah K.W. Modrak, “Aristotle: Women, Deliberation and Nature,” in Engendering Origins: Critical Feminist Readings in Plato and Aristotle, ed. Bat-Ami Bar On (SUNY Press, 1994), pp. 207–23, as well as Darrell Dobbs, “Family Matters: Aristotle’s Appreciation of Women and the Plural Structure of Society,” American Political Science Review 90:1 (March 1996), pp. 74–89. Elizabeth Spelman argues that the categories of ‘slave’ and ‘woman’ must each be read as distinct manners of falling short of the masculine ideal, such that the two identities are inextricably linked with one another. It is not obvious, for instance, that a slave can in fact count as a woman, to the extent that one must be free to be a woman. Cf. “Who’s Who in the Polis,” Inessential Woman (Beacon, 1988), pp. 37–56.
Politics 1291b25–7.
64. Politics 1293a2–10.
65. Politics 1278a23–5.
67. Aristotle does not specify here which citizen-excellences require ten years for their development. It seems unlikely that he has something like the development of impartial judgment in mind, if only for the reason that the beginning of this period is the beginning of independence. If the concern is one of one’s decisions being influenced by economic entanglements, removing the entanglements would remove the issue immediately.

68. Toward Perpetual Peace 8:366, ll. 15–6.
70. It is perhaps surprising to find talk of social integration on the basis of the division of labor here in a discussion of Kant, given that the approach is much more characteristic of those in the tradition of Hegel, Marx and Durkheim. As Jean-Philippe Deranty writes of the latter, “The meaning of work stems from the opportunity for the worker to see or her function within the social whole” “Expression and Cooperation as Norms of Contemporary Work,” in Nicholas H. Smith and Jean-Philippe Deranty, eds. New Philosophies of Labour (Brill, 2012), pp. 151–80, here p. 177.


73. Groundwork for the Metaphysics of Morals 4:422, l. 37–423, l. 16.
74. Theory and Practice 8:290, ll. 18–21.
75. Theory and Practice 8:295, ll. 5–9.
77. Practical Philosophy, tr. Mary J. Gregor, eds. Mary J. Gregor and Allen W. Wood (Cambridge University Press, 1999), p. 295, joined in this position by H.B. Nisbet’s translation in Political Writings, ed. Hans Reiss (Cambridge University Press, 1991), p. 77. Gregor includes the German of this passage in a footnote, indicating some uncertainty about how it should be translated. The glossary in the later edition provides both ‘self-sufficiency’ and ‘independence’ as possible translations of ‘Selbstständigkeit,’ but ‘Unabhängigkeit’ does not make an appearance.

78. Theory and Practice 8:295, l. 15.
79. Theory and Practice 8:295n.
81. Although Kant’s father was a harness maker, the family moved to the saddlers’ street early in Kant’s childhood to live with his mother’s mother. The harness and saddle makers were distinct guilds, but Kant himself was very much raised in guild culture, evidence of which is evident in his treatment of labor in the passage being discussed.

82. Theory and Practice 8:295n.
84. Investing labor fails to establish ownership, as the possession of an accident (the modification through labor) cannot provide a basis for the possession of the substance (the object of labor) (Metaphysics of Morals 6:268 l. 31–269 l. 16), whereas actually creating the object of labor (“Was jemand aber der Substanz nach selbst gemacht hat”) does produce ownership (“[davon hat er ein unbestrittens Eigenhymen]” (6:344, l. 34–345, l. 3).

85. I focus here on the general category of ‘skill,’ but the same sort of analysis seems to work perfectly well for Kant’s list of “any art, craft, fine art or science.” While these things themselves might well count as the property of their possessor (subject to the proviso that they could only be rented out, and not alienated), the need not just for a capacity but for an economically valuable capacity is central here. Being the world’s foremost expert on phrenology or the languages of Middle Earth will not provide one with independence. It is surely worth remarking that few of the most important philosophers in the two centuries prior to Kant supported themselves with the production of central works of the philosophical tradition, but rather by working as tutors, diplomats or lens grinders. They developed not just skills, but skills that were in demand. As a result of this they were able to converse with those whose leisureed independence flowed from the old-fashioned devices of property and wealth—those who had the most leisure and chose of their own free will to spend it in the practice of philosophy.

86. This would be the place for a comment about Kant’s doctrine of race, although recent work on the topic has made it seem much more difficult than previously to simply dismiss Kant as a garden variety racist. For something of this conversation, see Pauline Kleingeld, “Kant’s Second Thoughts on Race,” The Philosophical Quarterly 57:229 (October 2007), pp. 573–92, as well as Robert Bernasconi’s response in “Kant’s Third Thoughts on Race,” Reading Kant’s Geography, eds. Stuart Elden and Eduardo Mendieta (SUNY Press, 2011), pp. 291–318.

90. I’m thinking here along the lines developed by Michael Walzer in Spheres of Justice (Basic Books, 1983), particularly pp. 100–2.
91. An apparent solution here, that of legally mandated paid time off, would simply be the redistribution of leisure from employer to employee. The time would still be leisure time, rather than work time.
92. Taken at its economic face value, this is not an obviously true statement. The advances of labor unions in the first part of the 20th century established the 40-hour week as standard for wage workers, while the work weeks of salaried workers have expanded since roughly 1980 (cf. Peter J. Kuhn and Fernando A. Lozano, The Expanding Workweek? Understanding Trends in Long Work Hours Among US Men,

93. I take it that it would be possible to distribute care burdens in non-gendered ways, but the privacy of care would prevent its completely equal distribution. Some have children, while some do not. Some have family members (or friends) who require care for long periods, while others do not. One proposal for at least mitigating the consequences of this fact is some sort of public assistance for care, whether in the form of Eva Feder Kittay’s proposal of a *doula*, in *Love’s Labor* (Routledge, 1999), pp. 107–8 or Diemut Bubeck’s idea of a caring corps, in *Care, Gender, and Justice* (Clarendon, 1995), pp. 259–60.

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