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**Title:**

**The Aesthetics of Radical Critique  
Kant or the Dialectic and Revolution**

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**Compulsory Declaration:**

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or works, of other people has been attributed, and has been cited and referenced.

**Signature:**

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**Date:**

13 | 02 | 2004

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### **Abbreviations used:**

DE	<i>Dialectic of Enlightenment</i>
A-H	Adorno and Horkheimer
CI	The Categorical Imperative
WE	“An Answer to the question ‘What is Enlightenment?’”
CF	‘Contest of the Faculties’
CJ	<i>Critique of Aesthetic Judgement</i>

## **i. Abstract**

This dissertation attempts to account for the paralysis of Adorno and Horkheimer's *Dialectic of Enlightenment*, and thus of radical critique in relation to practice in general. It begins by demonstrating that there is a methodological problem in the connection of the dialectical method to Adorno and Horkheimer's philosophy of history, which posits Enlightenment both as break with the history of reason, and as a-historical concept of that history. The dissertation takes as its point of departure their discussion of Kant, as exemplary Enlightenment thinker. I will use Martin Jay's *The Dialectical Imagination* and Axel Honneth's *Critique of Power- Reflective Stages in a Critical Social Theory* here. The strategy of the next section is to rehistoricise Kant's thought and thus the Enlightenment within its historical moment. This follows a close reading of Kant's political philosophy in his 'An Answer to the Question: What is Enlightenment?' and 'Contest of the Faculties' to show that Kant poses the problem of the morality versus politics in terms inseparable from his historical context: the emergence of the Modern state, and the French revolution. Two solutions to this problem present themselves within Kant's separation of public and private uses of reason. Public and private anticipates the Modern separation of state and civil society: 'moral-political' problem is thus solved by 'publicity', which plays a mediating role. A subtextual reading however, proposes that the public/private split refers to an internalisation of the political principle in what Etienne Balibar calls the 'citizen subject'. We will use Balibar's paper, "Citizen Subject", to show that the 'citizen subject' of Modernity emerges with the French revolution. Finally, these two possible solutions to the Kantian moral-political problem will be mapped to the political philosophical models of power of Hannah Arendt and Jürgen Habermas, and Michel Foucault respectively. Foucault's model of 'disciplinary' power will be connected to the 'citizen subject' while Habermas and Arendt's normative conceptions of publicness in their juridico-political models of power will be mapped to the first solution based on the dualism state/civil society. I will make use of Cohen and Arato's *Civil Society and Political Theory*, as well as various other secondary texts on political philosophy here. The last section will work out more clearly the relationship between Foucault's genealogical critique, the 'citizen subject' and the French revolution. It will show the similarity between Foucault's genealogy and the

dialectical method in relation to Kant's historical reflection on his own present. To work out the conditions of this mode of what we will call radical critique of the present by Kant, and its basis on a Modern philosophy of history we will turn to Hannah Arendt's reading of Kant's political philosophy from his Aesthetics. Here Reinhart Koselleck's *Futures Past – On the Semantics of Historical Time* will prove instructive on the link between Kant's philosophy of history, based on the metahistorical concept of revolution and Kant's judgement of the French revolution as historical event. The main thesis of this dissertation is that the radical critique of the present, in this case that of Foucault's genealogy and the dialectical philosophy of history of Adorno and Horkheimer are caught up in the same contradictions as Kant's radical judgement of the French revolution; and that this problem takes on an aesthetic form.

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## ii. Introduction

In the introduction to the *Dialectic of Enlightenment* (Abbreviated DE), Max Horkheimer and Theodor Adorno (abbreviated A-H), discuss how they had 'underestimated' the task they had set themselves: 'nothing less than the discovery of why mankind, instead of entering into a truly human condition, is sinking into a new kind of barbarism.' (DE, 1944: xi)

In their preface to the 1969 edition of the *Dialectic of Enlightenment* Adorno and Horkheimer place their work within its historical context, '[T]he work was written when the end of the Nazi terror was within sight; *nevertheless*, in not a few places the reality of our times is formulated in a way no longer appropriate to contemporary experience' (DE, 1944: ix). Horkheimer and Adorno also explain that they chose to 'have restricted our revision to the correction of printer's errors and the like', avoiding retouching what had been written, 'even the obviously inadequate places' (DE, 1944: x). These historicising disclaimers thus express their commitment to stay true to 'a theory which holds that the core of truth is historical' (DE, 1944: ix). In other words the DE cannot be read separately from its historical context for which it becomes more than a mere 'documentation' (DE, 1944: x). It was written in California, completed in May 1944, after over 10 years of exile from Nazi Germany, a few months before the end of World War II and as the culmination of many years of work on the rise of fascism and on capitalism, based on empirical research done in Germany and at the Institute's temporary refuge in New York.<sup>1</sup> It is part of 'the theoretical work of German [mostly non-practising Jewish<sup>2</sup>] emigrants that continued despite Hitler' (DE, 1944: xvii). Unlike Walter Benjamin, these were the Jewish intellectuals who had made it out of Germany in time<sup>3</sup>, Adorno leaving as early as 1933 and the institute being set up in New York in 1934 (Jay, 1973: 38-9). Against the background of American capitalism and the 'culture industry'<sup>4</sup>, the 'Nazi terror' and its intellectual casualties, in exile from both home and language, this is arguably a book written in a state of depression; an expression of helplessness in the face of the barbarism they now attempted to account for.

It is the argument of this dissertation that Adorno and Horkheimer, *nevertheless*, that is despite their distance from contemporary experience, set out to solve a problem that is still of relevance to our own time, the problem of 'Enlightenment'. This is the problem of Modernity where being modern requires being enlightened. Exactly what such a statement as 'being enlightened' or even 'modern' means both then and now, or why this question formulates itself as a 'problem' is part of the aim of this dissertation to discuss. Peter Gay defines the Enlightenment as 'a vastly ambitious program, a program of secularisation, humanity, cosmopolitanism, and freedom, above all, freedom in its many forms – freedom from arbitrary power, freedom of speech, freedom of trade, freedom to realise one's talents, freedom of aesthetic response, freedom, in a word, of moral man to make his own way in the world' (Gay, 1966: 3). This Freedom is based on a belief in the power of one's own 'reason'. The DE deals precisely with the consequences of this program of freedom in reason. For them the program of enlightenment implies the instrumentalisation of reason as domination, the opposite of freedom. Thus enlightenment rationality negates its basis in 'freedom' and so negates itself, reverting to myth; this is its dialectic. Adorno and Horkheimer find themselves helpless before a problem they can only express in the terms of that problem: enlightenment, as the form of Modern knowledge, can only be criticised or examined in the terms of that very enlightenment knowledge. The paralysis within this theoretical problem, as well as their actual historical situation, from which their theory proves to be inseparable, accounts for the devastating tone of the book. A-H's method leaves little hope in those things that usually offer a means of redemption for Modernity's discontents: literature, art, culture and love are all forms of domination. This dissertation expresses my ambivalence: both my respect for the negativity of the dialectical method, as well my frustration with its destructiveness.

The attempts to historicise the production of such a distressing work as the DE in its 1969 preface are instructive, since it is the main argument of this dissertation is that the 'problem' of enlightenment is a problem of history or a philosophy of history that bases itself on the historical nature of 'truth'. What we will focus on in *Section 1* is to show that the paralysis of A-H in a kind of theoretical cul-de-sac is due to a problematic relationship between the dialectical method and the philosophy of history of DE. Written in an essayist, interpretative style, thus avoiding any systematisation, the book uses a particular form of the dialectic, which attempts to undermine the

philosophy of history as progress. A-H do this by showing that the history of the progress of reason from myth to enlightenment, is in fact its dialectical opposite: the progress of domination, and thus the regression of civilisation into barbarism. In order to problematise the dialectical method in relation this philosophy of history, which I will also show assumes a dialectical form, I will use as my starting point the chapter 'Juliette, or Enlightenment and Morality'. Here I will make use of Axel Honneth's *Critique of Power: Reflective Stages in a Critical Social Theory* and Martin Jay's *The Dialectical Imagination*. I will argue that this is as the point where the DE runs into a kind of knot, or theoretical cul-de-sac. This problematic involves the connection made between Kant, Sade and Nietzsche, an unlikely constellation of key enlightenment/Modern figures.

This main point of this section is to show that a methodological problem of the dialectic surfaces in A-H's dehistoricisation of their own (dialectical) history of enlightenment as domination when they posit Enlightenment as a break with all previous history of reason. As break with previous forms of reason, 'Enlightenment' becomes the particularly Modern form of reason, that is the instrumental reason of domination. However, Adorno and Horkheimer also project it back onto all previous history of Western reason, which they have shown takes the form of domination, thereby dehistoricising the very Enlightenment that they have historicised by positing it as a break with previous history. Thus, employing the dialectical method myself I aim to take that very method to the point where it contradicts itself, that is the point where it is joined with a particular philosophy of history. The aim of section 2 is to take on A-H's dehistoricisation of the Enlightenment by doing the opposite: rehistoricising it.

**Section 2** consists of a close reading of Kant, for A-H the exemplary Enlightenment thinker, so as to show that the way Kant formulated the problem of 'What is Enlightenment?', in his article of the same name, is inextricable from his own historical moment, that is from the 'Age of Enlightenment'. I will historicise Kant's thought within the Enlightenment as both a philosophical movement and the historical era that precedes Modernity and is defined by events like the French revolution, by concentrating on the historical conditions of what I call Kant's problem of finding a moral politics, that is the problem of reconciling moral theory with political practise,

which I will argue is another way of posing the problem of the relationship between philosophy and power. My reading will centre on Kant's 'An answer to the question: "What is Enlightenment?"' and his discussion of that defining event of Enlightenment/Modernity, the French revolution, in 'Contest of the Faculties'. I will show that two possible resolutions to the Kantian moral-political problem present themselves in these papers. Both are premised on Kant's distinction between the private and the public uses of reason. The first solution reads this as anticipating the Modern separation between state and civil society, and thus sees the solution of the moral-political problem in the mediation between state/civil society by 'publicness' or a public sphere. This will be shown to be the terms in which Hannah Arendt and Jürgen Habermas articulate their respective political philosophical critiques of Modern (civil) society and power. However, the tracing of what seems to be a subtextual antinomy within Kant's text on Enlightenment will be argued to reveal another reading: the division public/private is internalised within the citizen or subject of Modernity, or what I will call the 'citizen subject'. I will borrow this phrase and the argument of Etienne Balibar's 'Citizen Subject' to show that the condition of the emergence of this double within Kant's political philosophy is the defining historical event of Modernity: the French revolution. I will furthermore link its emergence to the conception of power within Michel Foucault's genealogical method. This rehistoricisation of Kant's political philosophy within the 'Age of Enlightenment' and at the moment at which Modernity emerges from it, in the event of the French revolution and in the formation of the Modern state separated from civil society (and religion), points to two Modern ideas of the nature of (political) power, and its relationship to philosophical critique. I aim to show that these are the same terms in which the DE articulates its critique of Modernity, and that this is rather closer to the Foucauldian genealogical method, than Arendtian or Habermasian normative critique. Finally, this leads me to my final section, which intends to demonstrate how the critique of Foucault and A-H finds itself caught up in the same theoretical cul-de-sac, which will be shown to formulate itself in Kantian terms once again, this time explicitly in relation to Kant's philosophy of history and the French revolution.

**Section 3** briefly outlines the irreconcilability of Habermas and Arendt's 'juridico-political model' of power versus Foucault's 'disciplinary' model of power, using Cohen and Arato's *Civil Society and Political Theory* and the reader *Critique and*

*Power: Recasting the Foucault/Habermas Debate* as my main secondary texts. I then turn to Foucault's reading of Kant, to show how both he and A-H inherit a particularly Modern problematic of radical critique and the philosophy of history. Foucault will be shown to connect Kant's writings on Enlightenment and revolution, as I have done in section 2. What Foucault emphasises is Kant's historical understanding of his own thought as conditioned by his present, as a mode of historical reflection on the present, similar to his own genealogical critique. What I am interested in is in working out the conditions of this mode of what I call 'radical' critique of the present. I propose to show that its condition is the emergence of the 'citizen subject' with the French revolution. However, close examination of Kant's radical approval of that historical event reveals a complexity: judgement of this present historical event is dependent on being a spectator, removed from the actual revolutionary actors. This is Kant's moral-political dilemma in that he at once approves of revolution, and condemns revolutionary action as immoral.

This problem of actor/spectator is what provides for my seemingly remote link between radical critique and aesthetics, in which I aim to show that the problematics of the respective critiques of A-H and Foucault have taken on an aesthetic form, that is a particularly Kantian aesthetic form. To work this out I will turn to Hannah Arendt's *Lectures on Kant's Political Philosophy* where she makes a link between the political and the aesthetic, by reading Kant's political philosophy from his *Critique of Judgement*. She does this by comparing Kant's radical judgement of the French revolution to judgements of taste. I will problematise this reading in order to show that her own philosophical political critique based on her version of the public/private division determines her interpretation of Kant's transcendental deduction of judgements of taste as presupposing the existence of society. I will show that in fact Kant's deduction contains several unresolved contradictions, which will lead to my reformulation of the link between the aesthetic and the political, that is to a different aesthetic formulation of the Kantian judgement of the revolution. Once again this more problematic, or problematised conception of political philosophical judgements will be mapped to the dialectic of A-H and the genealogical method of Foucault. Finally, it will be shown that the unresolved contradictions within Kant's *Critique of Aesthetic Judgement* manifest themselves in his judgement of the French revolution and the philosophy of history that enables such 'radical' reflection on the present.

This philosophy of history as progress will be shown to be a particularly Modern conception of history and time that emerges with the 'revolution', which is also its metahistorical concept. This borrows the argument of historian Reinhart Koselleck in his book *Futures Past-On the Semantics of Historical Time*.

My argument will show that both the Foucault's genealogical method and the dialectical philosophy of history of A-H are caught up in this Modern philosophy of history based on the metahistorical concept of 'revolution', that emerges with the French revolution. As such they are caught up the same aesthetic form of radical critique of the present as Kant's radical judgement of the French revolution.

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<sup>1</sup> Martin Jay follows the creation of the institute in the 20's and its move to New York in 1933, following the Nazi assumption of power. (Jay, 1973: chapter 1)

<sup>2</sup> Jay notes that their Jewish background is 'a common thread' in institute members, most of whom were non-practising, and often anxious to deny the significance of their ethnic roots. (Jay, 1973: 31-2)

<sup>3</sup> On September 26, 1940, Walter Benjamin 'took his life at the Franco-Spanish border' where he and a party of refugees seeking exit from France had been detained and now faced the possibility of 'being shipped back to Germany' if not allowed to leave. (Arendt, I: 23)

<sup>4</sup> A-H's critique of the mass culture of late capitalism in *The Culture Industry: Enlightenment As Mass Deception* is an unforgiving account of almost total commodification of culture, as well as a document of the critical theory's 'distance from American culture' (Jay, 1973: 189).

## Section 1: Dial M for (E)nlightenment - The Horror of the Dialectic

My critique of the dialectical method will use as its background Martin Jay's discussion of Marxism and the dialectical method in *The Dialectical Imagination*, and Axel Honneth's criticism of A-H's philosophy of history in his book, *The Critique of Power – Reflective Stages in a Critical Social Theory*.

Martin Jay's *The Dialectical Imagination* covers the period from the formation of the Institute for Social Research in Frankfurt in the 1920's and its move to America after the Nazi assumption of power in 1933, until its return to Germany in 1949, tracing the origins of Critical Theory back to the Hegelianised Marxism of Lukacs, the integration of psychoanalysis with Marxist materialism, its early studies of fascism, and later empirical research on the authoritarian personality and anti-Semitism, until it took the (negative) form of the dialectic encountered in DE.

Martin Jay begins his discussion of 'The Genesis of Critical Theory', '[a]t the very heart of Critical Theory was an aversion to closed philosophical systems' (Jay, 1973: 41). This meant that Critical Theory was 'expressed through a series of critiques of other thinkers and philosophical traditions' (Jay, 1973: 41), it is an immanent criticism based on close reading and interpretation that leads the object of analysis to its point of self-contradiction in its own terms, without reference to some external vantage point against which the 'truth' of a text can be measured.<sup>1</sup> Critical Theory could likewise be applied to social phenomena and cultural forms as well as texts, using its dialectical method, which we will discuss in more detail below.

### Critical Theory as a Marxism

'Critical Theory' can be defined as the particular 'brand' of Marxism of the Institute for Social Research, or the Frankfurt School as they have become known. However, it is not easy to pin the label of a dogmatic 'dialectical materialism' onto their work, which was characterised by 'a refusal to consider Marxism a closed body of received truths' (Jay, 1973: 254), as such it was no 'brand' of Marxism at all. While influenced by Lukacs's rereading of Marx in terms of Hegel, both Adorno and Horkheimer, were

critical of the Lukacs's positing of the proletariat as 'the subject and object of history' (Jay, 1973: 46-7), saying that this was merely a re-appearance of the transcendental subject, in other words a 'metaphysical core at the center of his argument'<sup>2</sup> (Jay, 1973: 47). Thus, while the dialectic uses Marxist/Materialist terms of analysis, especially alienation, reification, and ideology, it anticipates late Marxism's complication of a simple deterministic relationship of economic base to (cultural/philosophical) superstructure<sup>3</sup>, instead seeing the two as inextricably intertwined. It was also critical of a 'fetishization' of labour in the left's 'belief' in the revolutionary subjectivity-objectivity of the proletariat; instead of a utopian idea of 'socialist man'; they tended to reserve a place for a fully formed subject, not the ideological Bourgeois individual. In fact, Horkheimer expressed his disillusion with the proletariat because of its 'conformist tendencies (Jay, 1973: 84).

'Critical Theory did not see itself simply as the expression of the consciousness of one class ... it focussed its energies on what traditional Marxists had relegated to a secondary position, the cultural superstructure of modern society ... concentrating ... on two problems: the structure and development of authority and the emergence and proliferation of mass culture.' (Jay, 1973: 84).

Jay mostly focuses on the far from smooth experience of critical theory in America<sup>4</sup>, and his carefully objective intellectual history often follows a single theme, outlined in his introduction: the dilemma of the 'radical intellectual' between choosing 'political involvement' or 'critical distance' (Jay, 1973: xiv). This is expressed in the institute's lack of early political alignment with the communist party in Germany, and its strong critique of Stalinist Russia, as well as its later isolation and disillusion with radical politics within America. Jay sums this up: 'Disillusioned with the Soviet Union, no longer even marginally sanguine about the working classes of the West, appalled by the integrative power of mass culture, the Frankfurt School travelled the last leg of its long march away from orthodox Marxism' (Jay, 1973: 256). Martin Jay explains that DE was part of a 'critical shift' in the Frankfurt School's perspective, itself a response to the 'new social reality', both that following 'the end of the war and the defeat of fascism', and the one they had already experienced in their last decade in the United States (Jay, 1973: 254). This 'theoretical shift' is best expressed in the philosophy of history that replaces the Marxist idea of history as the history of

production with 'class conflict' as its motor. For Martin Jay, this is the philosophy of history as domination of nature, this reduces all thought to the instrumental reason of the knowing subject over its object(s): both external as well as man's internal nature.

### **A New Philosophy of History**

The principle of A-H's philosophy of history is no longer production, but reason as a mode of domination, of which capital is one moment. What this meant is that capitalism was now seen as the 'specific, historical form of domination characteristic of the bourgeois era of Western history' (Jay, 1973:256). Both man and nature were the objects of domination, for which Adorno and Horkheimer no longer implicate the ideology of the capitalist class of the Bourgeoisie but the whole of Western reason, and in particular the reduction of all reason to 'instrumental reason' by the Enlightenment. The origin of domination in enlightened reason is in the Cartesian separation of subject and object, so that all knowledge consists of the subsumption of particulars under the general: the external application of (subjective) knowledge as method to a separate reality that must conform to its theory.

'The concordance of the mind of man and the nature of things that he had in mind is Patriarchal ... [K]nowledge, which is power, knows no obstacles ... Technology is the essence of this knowledge. It does not work by concepts and images, by the fortunate insight, but refers to method, the exploitation of work, and capital ... [W]hat men learn from nature is how to use it in order to wholly dominate it and other men.' (DE, 1944: 4)

Axel Honneth shows that the result of this one-way relationship between subject and object is the failure of traditional theory 'to recognise its own constitutive context', that is as the 'co-operative achievement of all labouring subjects' (Honneth, 1991: 7). It is the task of critical theory then to restore self-reflexivity to knowledge, that is to historicize it at its particular moment within the process of its productive/dominative relation to nature.

This was a move away from classical Marxism<sup>5</sup>, which sees in the productive process of the domination of nature the potential for the social/labouring subject to recognise itself as the agent of history and thus to undo the ideology of its own domination. Moreover, now along with all thought, radical or reactionary, Marx too was

'implicitly put ... in the Enlightenment tradition'. Marx is accused of a 'fetishization' of labour in his 'overemphasis on the centrality of labor as man's mode of self-realisation', yet another form of the 'reification of nature' and of man; and in fact Horkheimer accused Marx of aiming to turn the entire world into a "giant workhouse". (Jay, 1973: 259). Most importantly within the DE, this reflects a methodological shift so that the dialectic (of what becomes increasingly difficult to call 'dialectical materialism') was now turned away from the material substructure of society to analyse the history of reason as domination within what Honneth calls its 'indirect witnesses from intellectual history' (Honneth, 1991: 37). We will examine the implications of this shift in the philosophy of history according to Honneth below.

It is now to the dialectical method of the philosophy of history as domination to which we must turn, to show how it is negatively applied to this intellectual history.

### **The Dialectical Method: Myth/Enlightenment/enlightenment**

In their own words, 'the critical section [of DE] ... concentrates on two theses: myth is already enlightenment; and enlightenment reverts to mythology' (A-H, 1944: xvi). This critical section is concerned with those 'indirect witnesses of intellectual history': firstly, the Odyssey 'as one of the earliest representative testimonies of Western Bourgeois civilisation' and then 'Kant, Sade, and Nietzsche, who mercilessly elicited the implications of the Enlightenment' (DE, 1944: xvi). In each case the interpretation traces this 'dialectic of myth and enlightenment', that is 'the self-destruction of enlightenment' (DE, 1944: xiii-xiv).

In the 'Concept of Enlightenment' A-H define enlightenment as 'progressive thought' in general, as 'having always aimed at liberating men from fear and establishing their sovereignty ... The program of Enlightenment was the disenchantment of the world; the dissolution of myths and the substitution of knowledge for fancy.' (DE, 1944: 3) Thus, enlightenment can be traced back to all forms of 'demythologisation', where myth is replaced by the 'calculability of the world' via laws, equations and scientific principles. However, this process of 'demythologisation' is itself subject to the same processes of 'disenchantment' or 'dissolution' as myth. Adorno and Horkheimer trace the 'progress' from myth to enlightenment, or myth to more enlightened myth from

the Greek Gods to metaphysics and magic, and finally to the dissolution of all myths: Modern science. They explain:

The national religion or patriarchal solar myth is itself an Enlightenment with which the philosophic form can compare itself on the same level. And now it has its requital. Mythology itself set off the unending process of enlightenment in which over and again, with the inevitability of necessity, every specific theoretic view succumbs to the destructive criticism that it is only a belief – until even the very notions of spirit, of truth and indeed, enlightenment itself, have become animistic magic .... [J]ust as the myths already realise the enlightenment, so enlightenment with every step becomes more deeply engulfed in mythology. It receives all its matter from the myths; in order to destroy them. (DE, 1944: 11-12)

This quote expresses the dialectical tension between myth and Enlightenment by setting them up first as in binary opposition: myth/Enlightenment, where Enlightenment both originates in myth and so to speak supercedes it by replacing its ‘superstitions’ based on illusions, other-worldly powers or ‘hidden qualities’ with rational explanations based on numerical rules and ‘utility’ for the domination of nature. Thus, enlightenment is both myth and in the hierarchy of the binary, the progress from myth to more enlightened myth. However, its origin in myth implies that the latest stage in enlightenment (or enlightened myth) could also be subject to the same demythologisation or Enlightenment. Thus myth/enlightenment is shown to be a binary that fails to hold, easily becoming enlightenment/myth. Now a further tension exists within this passage, between ‘enlightenment’ as an ‘unending process’ from myth to ‘Enlightenment’, itself merely another ‘philosophical form’ of knowledge expressing domination, and that particular period of philosophy preceding, and often seen as the condition for Modernity, ‘the Enlightenment’.

### **A dialectical ‘knot’**

To demonstrate and to problematise the dialectical method, it is necessary to quote Adorno and Horkheimer at length:

The enlightenment of Modern times advanced from the very beginning under the banner of radicalism; this distinguishes it from any of the earlier stages of demythologisation. When a new mode of social life allowed room for a new religion and a new way of thinking, the overthrow of the old classes, tribes, and nations was usually accompanied by that of the old

gods ... [T]his is the line both of destruction and of civilisation. Each step forward on it represents some progress, a stage of enlightenment. But whereas all earlier changes, from pre-animism to magic, from the matriarchal to a patriarchal culture, from the polytheism of the slave owners to the Catholic hierarchy, replaced older mythologies with new – though enlightened- ones, and substituted the head of legions for the Great Mother, the adoration of the Lamb for that of the totem, the brilliance of enlightened reason banished as mythological any form of devotion which claimed to be objective, and grounded in actuality. All previous obligations therefore succumbed to the verdict which pronounced them taboo- not excluding those which were necessary for the existence of the bourgeois order itself. The instrument by means of which the bourgeoisie came to power, the liberation of forces, universal freedom, self-determination – in short, the Enlightenment, itself turned against the bourgeoisie once, as a system of domination, it had recourse to suppression ... [I]t's antiauthoritarian tendency ... ultimately makes it as inimical to the bourgeoisie as it was to the aristocracy ... [F]inally, the antiauthoritarian principle has to change into its very antithesis – into opposition to reason ... [A]fter civil virtue and love of humanity ... philosophy proceeded to proclaim authority and hierarchy as virtues ... [B]ut the Enlightenment possesses no argument against even such a perversion ... for the plain truth had no advantage over distortion, and rationalisation none over the *ratio*, if they could have no practical benefit themselves. With the formalisation of reason, to the extent that its preferred function is that of a symbol for neutral procedures, theory itself becomes an incomprehensible concept ... [O]nce it is harnessed to the dominant mode of production, the Enlightenment- which strives to undermine any order which has become repressive –abrogates itself.' (DE, 1944: 93)

The method of the dialectic sets up certain sets of binary oppositions, terms which appear at first to have a hierarchical relationship, the former being the origin of the latter (myth/enlightenment); or a reciprocal relationship, the one determining the other, (enlightenment/Enlightenment). However, the dialectic exposes the interchangeability of these terms, which no longer determine one-another in any stable hierarchical or reciprocal relationship, but whose relationship is 'dialectical'. The sense of dialectic here is partly Hegelian, since it implies a supersession of one term by the other, a negation which preserves what is superceded. However, it is also dialectical materialist in that it incorporates Marx's critique of the one-way direction of the Hegelian dialectic, that is from ideas/spirit/consciousness to material life, and so also negates the term on the other side. To demonstrate this double negation of the dialectic, let us take the binary: bourgeois capitalism/Enlightenment.

A dialectical materialism would read Enlightenment as the form of *enlightenment* of the bourgeois era, as the ideology generated to justify the exploitation of labour by the

Bourgeois Capitalist class, 'the instrument by means of which the bourgeoisie came to power, the liberation of forces, universal freedom, self-determination' (above quote). But, this is a two-way dialectic, and while the economic base may have determined this bourgeois ideology, this 'instrument' also takes on a life of its own and in fact the ratio 'itself turned against the bourgeoisie', that is against the bourgeois capitalist base of the liberal market economy, which it supposedly negates by replacing this with another 'enlightenment': instrumental reason or *the ratio*.<sup>6</sup> Not only does the dialectic undermine the stable binary opposition of either the Hegelian dialectic or dialectical materialism, such as that between a realm of consciousness and the material, but it negates both sides of any opposition or takes any two mutually defining terms to the point where their relationship can no longer hold: the ratio negates its origin in bourgeois ideology, which itself has bourgeois capitalism as its origin, capitalism itself being the historical form of domination, i.e. of the *ratio* extending from Descartes to Kant. Thus, capitalism originates in the 'instrumental reason' that liquidates it. In the same way myth is replaced by magic, which in turn is replaced by religion, itself effaced finally by science, which reverts to myth in the form of numbers. All binaries suffer the same 'fate' of mutual negation at the hands of the dialectical method of A-H. Reason becomes the ratio, the general becomes the particular, subject reverts to object, thought reverts to practice, culture becomes nature and civilisation turns to barbarism.

I will use this lengthy quote to demonstrate and problematise the dialectical method. The Enlightenment can be defined as that period of philosophy following the Renaissance, of which Rousseau and Kant are representative, and which is usually treated as the intellectual pre-history of the French Revolution, which in many ways can be thought of as the definitive break between the classical age and Modernity. What differentiates it from previous forms of enlightenment as 'demythologisation' is its 'antiauthoritarianism'. It banishes any form of knowledge based on some authority outside of 'instrumental reason' or the *ratio*. There is no outside or objective position, such as a transcendental subjectivity, morality or metaphysics, its logic is 'immanent'. Its only authority is the totalising objectivity of instrumental reason, or what A-H refer to as *ratio* as that formula for survival based on the 'principles of self-preservation' and the 'mastery of nature'. 'Instrumental Reason' is that phase of 'Enlightenment' that ends 'enlightenment', by breaking with all previous forms of

demythologisation, by making its own internal logic, the principle of Modern science, the only authority. Another binary enlightenment/Enlightenment fails to hold since the Enlightenment devours its reciprocal term, its origin, and in doing so reverts to 'myth'. However, there is a methodological problem with this idea of a break.

This lengthy choice of quote is instructive on a particular problem of historicisation inherent in this dialectical negation. Let us take up from the example of the dialectic of Bourgeois capitalism/Enlightenment, where by ratio we mean the reduction of all of Western thought to 'instrumental reason'. What I mean here by Bourgeois Capitalism is that stage of early Capitalism which is determined by the ideologies of Bourgeois liberalism, or market capitalism based on the emergence of the private sphere of traders, merchants and later factory owners, who make up the Bourgeois class to which Marx's ideology critique is directed. In A-H's framework the Enlightenment, as philosophical era, is that phase of philosophical thought that is 'dialectically' attached to this phase of 'domination', it includes the radical thought of the French revolutionaries, their ideas of human rights, the general will, the sovereignty of the people and the 'freedom' of the individual. However, as demonstrated in the double negative nature of A-H's dialectic, if this Enlightenment originates in the 'era of Bourgeois capitalism', while as Adorno and Horkheimer insist on its being the definitive form of demythologisation that manifests itself in the form domination that is Bourgeois capitalism, then how can this demythologisation which has already consumed its own origin by becoming domination, be re-negated? In other words by making the Enlightenment a break with the process of enlightenment A-H negate the dialectic enlightenment/Enlightenment itself.

'Once it is harnessed to the dominant mode of production, the Enlightenment ... – abrogates [7] itself.' This is the formulation of the problematic, the Enlightenment, is intimately tied to the emergence of the modern Bourgeois, or the modern state or market capitalism. It will be our argument that its inseparability from this 'dominant mode of production', that of the era of capitalism, is what constitutes it is a *break* with all previous forms of enlightenment, or demythologisation. However, we will not reduce this to modern capitalism as a simply material, economic base, but rather talk about it as part of a particular historical moment, Modernity. In that moment the tension between Enlightenment as historical moment and the a-historical repetition of

the myth/enlightenment process is lost. Once the dialectical tension of myth/enlightenment/Enlightenment is lost, so is the tension in all the dialectics: between material/consciousness, Bourgeois capitalism/Enlightenment, material domination/ratio, dominant mode of production/enlightenment, and theory/practice. The epoch of Enlightenment is tied to the dominant mode of production and so becomes historical, an actual break with all previous forms of the history of enlightenment, a demythologisation of all myths, including its own. It can have no ideology separable from its economic or historical-material basis, since it has itself become that basis: 'harnessed to the dominant mode of production', as was no previous form of enlightenment to its historical present.

I will demonstrate the inextricability or dialectical relationship of Enlightenment political and philosophical thought from the moment of the emergence of Modern capitalism and the democratic state. This relationship to 'Modernity' as such is symbolised in the relationship of philosophical thought to the French Revolution. My argument hinges on this tension between the notion of enlightenment as an 'ahistorical' category, referring to the whole of Western reason, and Enlightenment as the actual era of Western Philosophy, of the 18<sup>th</sup> and 19<sup>th</sup> centuries that is both determining of and determined by the historical moment of Modernity, attached as it is to the Modern democratic, capitalist state and the idea of revolution.

The starting point of this argument is the chapter of DE, 'Juliette or Enlightenment and morality'. We will explore the problematics of the connection that A-H make between such irreconcilable thinkers as Kant/Sade/Nietzsche. This strange constellation will be shown to reflect the problem of the dialectical method, as discussed, and what we will characterise as A-H's dialectical philosophy of history. This is the point where A-H find themselves in a theoretical and historical cul-de-sac. The way out of this cul-de-sac will also be via history, that is the historicisation of a similar moral-political problem in Kant's philosophy.

### **What is 'Enlightenment And/Or Juliette's 'Morality'?**

#### *Enlightenment and Morality*

The combination of two such irreconcilable figures as Kant, Sade and Nietzsche is what initially drew me to this chapter of DE. Limited space has only allowed for me to concentrate on Kant, and indirectly Nietzsche, via his influence on Foucault's genealogical method. Elements of my argument amount to a defence of Kant from A-H, but what I am really interested in is how the problems with A-H's dialectical method and their philosophy of history take the same form as the political-moral problem that Kant tries to resolve via his philosophy of history. This also turns out to be the case with Foucault's genealogical method. Let us examine the case A-H make against Kant.

'Juliette or Enlightenment and Morality' begins by showing how Kant's thought is exemplary of enlightenment rationality. As such Kant, 'the universal reducer' is implicated in reducing 'reason' to the 'instrumental reason' of the Enlightenment, i.e. to a form of domination. In his published response to the question, 'What is Enlightenment?' Kant replies that it is '... man's emergence from his self-incurred immaturity (*selbstverschuldeten Unmündigkeit*)<sup>8</sup>' (DE, 1944: 81) Kant defines immaturity as 'the inability to use one's understanding without the guidance of another person' (DE, 1944: 81). A-H's reply to the same question employs another Kantian text, the *Critique of Pure Reason*, 'reason has ... for its object only the understanding and its purposive employment ... [as the] ... faculty ... of deducing the particular from the general' (DE, 1944: 81-2). Thus, Kant is implicated in enforcing the 'homogeneity of the universal and the particular guaranteed by ... the unconscious operation of the intellectual mechanism which structures perception in accordance with the understanding.' (DE, 1944: 82) In other words the subject of knowledge determines the object because the 'schematism of the understanding' prepares the object for cognition, and not vice-versa. Finally, they close their case against Kantian 'reason' with a quote from his 'Critique of [Aesthetic] Judgement': 'This concurrence of nature with our cognitive faculty is an *a priori* assumption ... of judgement .... the guideline for organised experience' (DE, 1944: 82).

This imbrication of quotes, the one from Kant's political writings, the others from his Critiques of Pure Reason and of Aesthetic judgment, build a somewhat shaky case by conflating Kant's notion of public and private reason used in the article 'What is Enlightenment?' and 'aesthetic judgement', a form of reflective not determinate

judgement, both with 'pure reason'. A close reading of Kant's 'What is Enlightenment?' in section 2 will show that there are some points to make in his defence for a separation of reason into its public and private uses, so as to resolve what I call his moral-political problem. Section 3 will deal with the connection of this resolution to 'aesthetic judgement', which is not at all the same as the determinate judgement that occurs in the subsumption of a particular under a general concept by the understanding, but is an act involving both the imagination and the understanding in what Kant calls 'free play'. However, A-H reduce all of Kantian reason to 'instrumental reason', which is closest to the scientificity of pure reason, based on an operation of the 'pure understanding' subsuming the particular under the general. As such it is a type of mastery of the 'transcendental subject' of knowledge over the object, whether it be nature or man; it is a system serving 'the principles of self-preservation' and it enables A-H to correct Kant's answer to the question 'What is Enlightenment?'. For A-H, '[i]mmaturity is then the inability to survive' (DE, 1944: 83), thus Enlightenment reason has only one function: survival, as such it is 'purposeless purposiveness' (DE, 1944: 88).

A-H take up the moral implications of 'instrumental reason' by using the dialectic to connect Kant's 'Categorical Imperative' to those 'black writers of the bourgeoisie' (DE, 1944: 118), Nietzsche and Sade.

It was the hand of philosophy that wrote it on the wall—from Kant's *Critique* to Nietzsche's *Genealogy of Morals*; but one man made out the detailed account. The work of the Marquis de Sade portrays "understanding without the guidance of another person": that is, the bourgeois individual freed from tutelage.<sup>9</sup> (DE, 1944: 86)

Thus, it is the principle of the self-legislation of 'enlightened reason', which need appeal to no grounds except its own immanent agreement of general principle with the particular object that is fitted to it, and not vice-versa, that connects such ostensibly irreconcilable thinkers as Kant/Sade/Nietzsche, if only dialectically. Kant's categorical imperative is found to have a dialectical relationship to Juliette, the 'good philosopher' who systematically breaks every moral rule of society and religion just because she can. Nietzsche's Superman also bases his actions on the 'categorical imperative' and takes its implications of moral autonomy to the point where he

‘transvalues’ the Christian moral principles based on compassion and ‘pity’. The dialectic has erased stable oppositions once again. However, besides from this common moral lack what unites these ‘dark chroniclers’ of the bourgeoisie (DE, 1944: 118) to Kant, the ‘universal reducer’?

### *Juliette or Enlightenment*

While A-H rather unconvincingly reduce all Kantian reason to instrumental reason, they do, however, acknowledge ‘the unclear relation of the transcendental to the empirical ego, and the other unresolved contradictions. Kant’s concepts are ambiguous.’ (DE, 1944: 83) Instead of taking up these contradictions within Kant’s thought, which is what we plan to do by historicising them, A-H conclude:

‘Conflict between administrative, reifying science, between the public mind and the experience of the individual, is precluded by circumstances. The conceptual apparatus determines the senses, even before perception occurs; *a priori*, the citizen sees the world as the matter from which he himself manufactures it ... [e]ven before its occurrence, the perception which serves to confirm the public judgement is adjusted by that judgement.’ (DE, 1944: 84)

This reference to ‘public judgement’ and ‘public mind’ in opposition to ‘individual’ experience and ‘the citizen’, alongside their discussion of ambiguities in Kant’s thought between a ‘transcendental, supraindividual ... reason’ and the ‘empirical ego’, point to the very same reduction of which A-H accuse Kant: ‘public reason’ (as that outlined in ‘What is Enlightenment?’ (and thus public mind and transcendental, universal subject) is reduced to the individual, empirical (private) experience of the citizen, who is only able to ‘manufacture’ reality according to the concepts of pure reason, without reflecting on this process. A-H do not really take up this implicit contradiction between the use of public and private reason, or its connection to the ‘citizen’ as empirical versus transcendental subject, which for our reading of Kant will prove productive. Nonetheless, our reading of DE points to an implicit tension within their own critique, between morality and reason in its public and private forms, which we will argue becomes a political and historical problem for Kant. It is to the Kantian formulation of this moral-political problem that we will turn in section 2. For

now we will resume our discussion of the methodological problem of the dialectic, but this time specifically in relation to A-H's philosophy of history. Axel Honneth's discussion of the latter will prove useful on this point.

### **A Dialectical Philosophy of History**

Asides from the moral implications of their thought, the link of Kant/Sade/Nietzsche is their common historical moment, that is the era of Bourgeois capitalism or the liberal market and the beginnings of the Modern, democratic state. We can bring all of this under the general title of Modernity, as our own epoch, that which follows the reformation and the Renaissance and is most often associated with the French Revolution. It is only then that enlightenment thinkers would begin to talk about the 'citizen', the bourgeoisie and the proletariat, general will and liberalism and the market, and civil society as we understand them today.

Axel Honneth asks useful questions about methodological problems within Adorno's philosophy of history as what he calls 'retrogression': 'do the administrative means of domination represent the present embodiment of a rationality of control formed at the beginning of the civilising process or did the subsequent development of a purposive rationality first form with capitalist industrialisation?' (Honneth, 1991: 74). Honneth reduces the problematic of the dialectic, which for him is really the problem of Adorno's philosophy of history as domination, to the dialectical relationship between economic base (capitalist industrialisation)/ideological superstructure (purposive rationality). It is tempting for us to do the same, however, what if we were to take Honneth's critique of A-H's dialectical philosophy of history as domination-retrogression and map it to the dialectical method itself, as inseparable from this philosophy of history? This would build on a point made by Honneth who sums up Adorno's philosophy of history as 'retrogressive anthropogenesis', that is that 'the progress of civilisation is exposed as the concealed process of human regression' (Honneth, 1991: 37). Honneth demonstrates the sociological deficit in a critical theory based on a philosophy of history as the domination of nature, due to critical theory's abandonment of the social subject and of 'the existence of an intermediary sphere of social action' (Honneth, 1991: 55). However, he sets up tension between Horkheimer's notion of history as the domination of nature, is based on the Marxist

notion of the progress of production and which thus allows for the possibility of social action- since it is still socially produced, versus Adorno's history as 'retrogression'. Adorno's focus on all knowledge as domination leads Honneth to conclude that '[t]he result is the definitive repression of the social from the social analysis of critical theory' (Honneth, 1991: 72). Yet, this tension is itself acknowledged by A-H: 'the vital principle of the *Dialectic* is the tension between the two intellectual temperaments conjoined in it.' (DE, 1944: ix)

I would argue that this internal tension within the dialectic and within the philosophy of history, as Honneth describes it, implies that A-H's philosophy of history can also be described as dialectical. Stated differently, the dialectical method is partly based on a dialectical tension within the philosophy of history: progress of domination/retrogression. In other words we have introduced an element of time or process on either side of the dialectic: history goes a little bit in one direction/history goes backwards in the same direction, a push and pull, a cycle. The philosophy of history is also dialectical: history as progressive domination of nature/history as retrogression of civilisation back to nature. Thus, myth becomes enlightenment/enlightenment reverts to myth.

This puts the problem of the dialectical method, that is its self-negation by positing Enlightenment as *break*, within historical perspective.

It is my argument that when A-H propose that Enlightenment ends the history of enlightenment, they erase the distinction enlightenment/Enlightenment. History as retrogression goes a bit too far in the opposite direction so that only one side of the historical dialectic remains. What happens is that A-H de-historicise the actual historical nature of Enlightenment as the particular form of knowledge peculiar to Modernity. Modernity here is the historical moment of the Enlightenment, instead of reducing it to 'capitalist industrialisation' or the bourgeoisie and the liberal market as its economic base, it is constituted as a material historical moment by all those things associated with it, including also the modern democratic state, actual historical events like the French Revolution or Kant's philosophy and Sade's *Juliette*. This dehistoricisation of Enlightenment as 'instrumental reason' detaches it from Modernity and superimposes it back onto all forms of 'enlightenment' or

'demythologisation' so that it becomes the form of all knowledge, instead of the Modern form of knowledge. While they accuse 'instrumental reason' of failing to historicise itself their attempts to attach it to 'the dominant means of production' alone are equally fascist, trapping us in a method that pretends to be historical, but takes every moment of knowledge and detaches it from its historical origin or location to make it the same: the material manifestation of knowledge as domination.

While it exposes the intimate relation of power as domination to knowledge as a form of power, which considering the historical context of DE is extremely important, the relation of knowledge and power to history merely reduces every historical moment to the same terms of domination, seeing no space for social resistance or praxis. Their own failure to recognise the historical origin of this particular Enlightenment within Modernity, seeing Modernity rather as another moment of the enlightenment that they have already subsumed as Enlightenment, means that they are caught up in the very same problems of history-thought-power that they want to untangle. It is this historical form of the dialectic Modernity/Enlightenment, or history/philosophy that this first section has aimed to show.

This will take us into the main part of the argument of this dissertation, which aims to show via a close reading of Kant's political writings how he attempts to solve the problem of politics and morality: how is a political practice possible within the confines of reason and morality. A-H's reductive case against Kant has already given us a clue in the contradictions it picks up between 'public reason' and the private individual, which is implicitly mapped to the contradiction between empirical ego and transcendental reason. Their reduction of Kant's moral philosophy, in the form of the categorical imperative to 'judgement', itself reduced to the deterministic act of 'pure reason', thus collapsing the moral into another aspect of mechanistic instrumental reason, is convincing. However, it neglects a possibility for 'reflective reason' within Kant's philosophy. Kant's resolution to the moral-political problem, its connection to the Enlightenment and to his own position as enlightenment philosopher will be shown to be immanently connected to the historical emergence of the Modern state and although less directly the 'public sphere', whose mediatory role is neglected by Adorno<sup>10</sup>. This strategy, in section 2, of historicising Kant, has as its aim the historicisation of the reduction A-H make of reason to instrumental reason, or of

enlightenment to Enlightenment. As such it puts their methodological symptom, the dialectic of Modernity/Enlightenment, in historical perspective. In fact it will be argued that they face the same dilemma as Kant, and as all radical critique in Modernity: what is the place for (political) action within radical thought? How does the philosopher relate himself to his own present, and thus to history?

As we begin our diagnosis, let us remember that symptoms have a way of structuring the existence of the patient, whether their origin is physical or psychological.

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<sup>1</sup> Susan Buck-Morss calls this Adorno's 'logic of disintegration', where especially in his attack on Idealist philosophy whereby he shows the impossibility of the 'thing-in-itself' since 'objective reality ... was present within subjective consciousness' in the form of the 'commodity structure' on which consciousness is already modeled (Buck-Morss, 1977: 67; 26-28).

<sup>2</sup> This was a criticism Lukacs would later level at himself, rejecting the book not only from a theoretical perspective but because it did not fall in line with the 'dialectical materialism' he was required to practise after he went to the soviet union.

<sup>3</sup> For Williams this is the 'alternative Marxist tradition', where 'Consciousness is restored as a primary activity' (Williams, 2001: 160), that of the early Lukacs, Gramsci, and later Althusser.

<sup>4</sup> Besides from the obvious clash of their Marxist position with being at the centre of the capitalist world, the most difficult intellectual adjustment, as we shall see later, involved coordinating the philosophically grounded research practiced by the institute with the rigorous anti-speculative bias of American social science. (Jay, 1973: 39) They also made the decision to continue to write in German, 'only by continuing to write in their native tongue could they resist the identification of Nazism with

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everything German' (Jay, 1973: 40), which while ensuring a future post-war audience resulted in their isolation from the American academic community.

<sup>5</sup> This is the Marxism most closely associated with the 2<sup>nd</sup> International, based on a deterministic relationship between economic base and superstructure.

<sup>6</sup> This would refer to how Adorno's theory is organised around the principle of 'state capitalism', after the end of the liberal Bourgeois phase of market capitalism, marking 'the transition to centrally organised capitalism', as the next phase of domination. (Honneth, 1991: 76)

<sup>7</sup> Meaning 'cancels' (Pocket Oxford Dictionary), possibly a word that requires a more recent translation.

<sup>8</sup> Translator James Schmidt explains that '*Unmündigkeit* designates both "minority of age" (*Minderjährigkeit*) and "legal or civil immaturity"' (Schmidt, WE: 63).

<sup>9</sup> The reference to *tutelage* possibly refers to the second sense of *Unmündigkeit*, designating 'minority of age', where 'tutelage' refers to guardianship, or being under instruction or tuition (Pocket Oxford Dictionary).

<sup>10</sup> Furthermore after the end of the liberal phase of market capitalism with which the public sphere is associated, Adorno fails to notice 'the obstacles to cultural-industrial manipulation ... or the 'intermediary sphere of the everyday communicative praxis of social groups' (Honneth, 1991: 81).

## Section 2: Kant's Moral-Political Enlightenment

At the centre of Kant's political philosophy, and in fact his entire critical project is Kant's *idea* of freedom. This negative conception of 'Freedom' as *idea* makes it a fact of reason that exists as *noumena*, limited to the intelligible realm, which unlike the *phenomena* of nature and sensibility man cannot 'know', as in experience or understand through concepts. What Kant shows through careful deduction in the *Critique of Practical Reason* is that freedom is at least a possibility. This is what Jerome Schneewind terms Kant's 'invention of autonomy' (Schneewind, 1997: 3). Paul Guyer also posits a unique Kantian moment: 'After he wrote, no one could ever again think of either science or morality as a matter of the passive reception of entirely external truth or reality' (Guyer, 1992: 10); after Kant the subject is no longer a spectator but the active agent in the creation of both the moral and physical worlds. This constitutes what Etienne Balibar will call 'the "invention" of the 'transcendental subject'<sup>1</sup> of reason whose autonomy requires the idea of its 'freedom' (Balibar, 36). It is of this very success that Adorno and Horkheimer will accuse Kant. They read Kant's obligation to become 'enlightened', i.e. to exercise '[u]nderstanding without the guidance of another person' (DE, 1944: 81), as the practice of freedom from all moral obligation.

This section will show how 'Freedom', or the possibility of freedom functions in relation to the conflict between politics and morality, or between (philosophical) theory and (political) practice in general, which will be shown for Kant to be the same conflict. It will be argued that Kant's political philosophy is in fact structured around the possibility or problem of a moral-politics, which will be shown to articulate itself as the tension between freedom as *idea* and freedom as a set of legislated rights. We will briefly outline the parameters of the Kantian moral-political problem as structured around the idea of freedom using *Kant's Political Writings*. A close reading of the articles, '*An Answer to the Question: What is Enlightenment?*' (abbreviated: *WE*) and *The Contest of the Faculties* (abbreviated: *CF*) will show that Kant comes to two possible resolutions of the moral-political problem. The explicit solution to the conflict of morality with politics is 'publicity', and it will be shown that this informs the respective politics of Hannah Arendt and Jürgen Habermas, albeit in the very

different ways that they articulate the relationship between state and civil society. However, there is a second solution, which is in fact no solution. This will be shown to involve a very different conception of power and the philosopher's relationship to power that is closer to the critical thought of Michel Foucault and Adorno and Horkheimer. This is what we will call an 'internalisation' of the political principle within what Etienne Balibar calls the 'citizen subject'. This second reading follows the tracing of a subtextual antinomy within Kant's text on 'What is Enlightenment?', and then linking it to Balibar's article 'Citizen Subject'. A brief outline of these opposing solutions to the moral-political problem will conclude section 2. Section 3 will work out in more detail the implications of a similarity between the critiques of Foucault, A-H and Kant's judgement of the French Revolution in CF. This link will be made via Kant's *Critique of Aesthetic Judgement*.

A schematic synopsis of Kant's Categorical Imperative illustrates the interconnectedness of autonomy, reason and freedom in Kant's moral, that is practical, philosophy.

### **Freedom and reason in the Categorical Imperative**

Kant formulates the moral law or the categorical imperative thus, 'I ought never to act except in such a way that I can also will the maxim of my action to be a universal law' (Paton, 1947: 73). What is striking about this, or what constitutes it as the unique Kantian moment is its formalism: to be moral means to act in accordance with a law made by your own action, and this action is only moral insofar as it is done without any end in mind except its own end. Only action done for the sake of duty is moral, performing an action as a means to some end, such as desire for happiness, is for Kant pathological. Only an action done out of the duty to be happy is moral. (Paton, 1947: 85). A universal law is *a priori*, i.e. outside of or before sensuous experience or the desires of finite human existence; it is necessarily negative. The problem for men is to act autonomously from sensual inclinations and merely in accordance with the moral law. Acting in accordance with the moral law is inseparable from reason, the ability to be rational or reasonable, *a priori*, that is before sensual experience or desire, to which you apply the law only in order to obey it. For angels or 'purely rational beings' the

moral law is not an imperative since it is an action that immediately accords with reason, while for finite rational beings, like men, who are not free from desire or natural inclinations that cloud their reasoning, it is necessarily a command, an 'ought'. (Paton, 1947: 84-6) Kant's aim in the *Critique of Practical Reason* is to justify the 'Categorical Imperative', that is to justify the possibility of moral action in humans despite the fact that they can only ever possess 'an imperfectly good will' (Paton, 1947: 114), for they are not angels.

The basis of the CI, or all morality is autonomy: autonomous reason has full control over passion. The problem is thus to show how the predicate, autonomy is connected to the subject, the imperfectly rational agent, the one subject to reason as well as sensuous experience. If this was an analytic proposition, then 'the predicate is contained in the subject-concept and can be derived by analysis of the subject-concept' (Paton, 1947: 120), that is by working backwards from effects to causes or conditions. However, since 'the predicate is not contained in the subject-concept' (Paton, 1947: 122) this proposition is synthetic, and requires a third term to connect the moral subject, man, to the autonomy required for moral actions. This refers to the possibility of what Kant calls 'synthetic *a priori* propositions', that is an argument whose validity can be asserted without, or prior to experience, but which nonetheless requires a third term to guarantee this validity. In the case of Pure Reason, the third term is the transcendental subject.<sup>2</sup> The connection between autonomy and the moral will is made by 'freedom'. This is what guarantees the autonomy of reason. However, all Kant manages to do is to prove that freedom is a 'fact of reason', which is no empirical fact at all, but a negative, not excluded by the very nature of our positive experience, but never part of that phenomenal experience; it is noumena. Thus, a moral law can have no analytic deduction, but from the moral law it is possible to justify the presupposition that the rational will must be free to act morally. In other words, freedom is nothing more than a possibility.

### **Why is 'freedom' political?**

H.J. Paton calls Kant a pioneer, because he 'separated the problem of freedom from its legal and theological setting' (Paton, 1947: 207) and made it dependent merely on the ability to reason, or to use one's own reason. Jerome Schneewind, while

contextualising Kant's work within a preceding history of moral philosophy makes a statement that contradicts this task: 'nothing can explain the creative leap that enabled Kant to *invent* the new principle he needed' (Schneewind, 1997: 492, italics mine).

While Kant argues in his introduction that

our experience of the morals ought to show us ... autonomy ... requires contra-causal freedom ... in the unique experience of the moral ought we are "given" a "fact of reason" that unquestionably shows us that we possess such freedom as members of a noumenal realm.  
(Schneewind, 1997: 3)

Schneewind argues that Kant 'shows us no such thing'. So Schneewind 'will think of his version of autonomy as an invention rather than an explanation' (Schneewind, 1997: 73). It is not our aim here to take up directly the problems of Kant's transcendental deduction of practical reason, but rather to look at how Kant by separating this 'freedom' from the legal and the theological by making it reasonable, makes it indirectly political.

Historian Reinhart Koselleck discusses the formation of the absolutist state on the European continent 'as a response to religious civil war' and how the

resulting separation of politics and morals, as well as the increasing disinterest of the state ... in controlling private, individual conscience, created a possible foothold for the constitution of a new formation, "society", first apart from and later against the state.  
(cited by Cohen & Arato, 1992: 207)

This rejection of politics was at the same time the establishment of a moral vantage point for criticising and judging politics. The moral pressure emanating from "society", created a whole system of values alternative to the established ones, and so could not avoid being a source of influence over action and therefore becoming an indirect form of political power: 'Morality was directly unpolitical, but exactly for this reason it could put an amoral state into question and thus become, after all, political, if indirectly so.' (Cohen & Arato, 1992: 208). Furthermore, this 'problem of freedom', while often only implicitly related to morality, was not unique to Kant's political philosophy and must be situated within the context of early political

philosophy that can be connected loosely around the emergence of the modern democratic state and its counterparts, civil society and/or the capitalist private sphere.<sup>3</sup>

We will now trace how the negative conception of freedom, Kant's 'invention', so to speak structures his political thought, especially in relation to his 'Idea for a Universal History', which is where his political philosophy is joined with a particular philosophy of history. This moral-political problem will be shown to manifest itself as the problem of the relationship of theory to practice, which will be shown to be the problem of how philosophy articulates itself in relation to power. We will argue that Kant comes to an uneasy resolution of this moral-political problem, and that it is the twin themes of the philosophy of history and the relationship of philosophy to power, that carry it over into another realm, the aesthetic, which will be the canvas of our last section.

### **The Problems with a Moral-Politics**

Kant formulates the problem of the state thus, to combine 'the greatest possible freedom' with 'the limits of this freedom in order that it can co-exist with the freedom of others' (Kant, UH: 46). Kant says 'man is an animal who needs a master ... for each one of them ... will always misuse his freedom if he does not have anyone above him to apply force to him as the laws should require it.' (Kant, UH: 46). Kant's solution is somewhat different from that of his contemporary political philosophers. Because he introduces freedom as a priori, or negative, into the practical, political realm

With Kant the distinction between (at least) two ideas of freedom is made both concrete and consequential for any political theory. On the one hand, we have Freedom as the undetermined causality, a transcendental *a priori* necessary to think both rationality and morality ... On the other hand, there are freedoms as a set of legislated rights and exemptions. (Tobias, 1998: 2)

This tension between freedom as idea and legislated freedoms is what will structure our reading of the Kantian moral-political problem.

Wolfgang Kersting shows the formal similarity of Kant's idea of the state and the categorical imperative. Kant's 'a priori justification of the state' is grounded on the logical dependence of his political philosophy on the categorical demands of morality. The basis of the state is a non-voluntaristic, 'originary contract', which makes the move from the state of nature to the civil state an obligation, an 'ought to', what Kersting calls Kant's 'obligation to civil society' (Kersting, 1992: 145). Rather than positing it as an historical moment where free individuals enter into a civil society, it is a 'document of reason'. It is the form of 'the state in general, i.e. the state as an idea, as it should be according to the pure principles of justice ... for each real union to a political society' (Kersting, 1992: 147-9). For Kersting this is 'the political counterpart to the moral imperative, the categorical imperative of state power, so to speak' (Kersting, 1992: 149). It is the binding principle of any historical ruler of any historical state 'to make his laws in such a way as they could have originated from the united will of a whole people' (Kersting, 1992:149). In other words for Kant the state remains an entirely negative category.

Kersting then highlights the contradictions in the Kantian division of this 'ideal civil state'. These a priori principles of this lawful state (Rechtsstaat) reflect its three-fold division into: the *freedom* of every member of society as a *human being*, the *equality* of each with all others as *subject*, and the *independence* of each member of the commonwealth as *citizen*. Beginning with the freedom of the human being, as originary, the other two *a priori* categories of the civil state can be shown to contradict both the law of 'freedom' and their categorisation as *a priori*. While Kant both dehistoricises the independence of the citizen (by making it originary) as well as transcendentalising (by abstracting from the actual legislation of a general vote to the independence that is shown to precede it) he introduces contingent and particular conditions that restrict the idea of the citizen by basing it on class and property ownership. Similarly, the category of subject can be shown to ignore socio-economic inequality, while also making an exception of the sovereign from the law to which all are equally subject.<sup>4</sup> Kersting, calls this an 'ideological ... betrayal by the philosopher of his own rational principles' by raising a contingency (economic dependence) to the status of a priori principle. This is ultimately the Marxist critique of Kant whose political philosophy is just another defence of bourgeois property and power structures (Kersting, 1992: 153).

The failure to resolve these contradictions this paper would suggest is due to the unresolved tension between freedom as idea and freedom as historically contingent, this is the tension at the centre of Kant's political philosophy and which is constantly threatening to make its effects felt in this paper, the longer we delay our discussion of it. This is the tension between morality and politics, that is between freedom as idea (as necessarily transcendental law) and freedom as legislated, as embodied in the prince or the body of legislation that constitutes the 'general will' of the people. Finally, this will be argued to be the tension between theory and practice.

Thus, Kant's moral and political philosophy, as we have been tracing it, both exist within the tension between theory and practice. The morality of an action can only be determined in practice, according to whether it can be judged moral, while its motive remains unknown but has at least the possibility of being moral, or based on freedom. The political as modelled on the moral law, thus based on the 'freedom' of human beings (Kant's first category), can only be realised within the civil state as a set of coercive legislations, and is in fact already contingent on historically conditioned relations of power and ownership within the categories citizen and subject. While Kersting correctly calls the negative nature of freedom the 'vulnerable' part of Kant's moral and political philosophy, we must add to this the vulnerability of 'theory' in general. For when Kant defends the place of theory in practice he is defending both the role of morality in the realm of political action, and as I will show this is concomitant with the role of the philosopher within the civil state.

Kant even published a polemic in reply (or on behalf of) the academy in general to the private individual ('man of affairs'), the statesman, and the 'man of the world' ('cosmopolitan') who are 'united in attacking the academic ... on matters of theory' as either invalid in practice or completely unrelated to practice (Kant, TP: 63). His polemic directly links theory with the position of the philosopher, as we will show in our reading of CF, and is directed against those who 'seek to relegate him to his classroom' (Kant, TP: 62).<sup>5</sup>

## **'Idea of a Universal History': equivalence of Kant's Moral-Politics and his Universal History**

The *idea of a universal history* provides is an a priori rule, from which to judge the events of the past and the present, i.e. to evaluate 'the positive and negative achievements of nations and governments in relation to the cosmopolitan goal' (Kant, UH: 53). In *Perpetual Peace*, Kant refers to that progress of history towards the 'eventual formation of a world republic' (Kant, PP: 104), an 'international state' with the legislative power to prevent war (Kant, PP: 104-5). This 'cosmopolitical' end of history must remain at the level of theory, as the 'Idea of a Universal History', which guides the practice that can never yet be its actualisation. This 'idea of a Universal history' must necessarily remain unrealised and non-empirical, an asymptote to which progress always moves closer, but can never equal. Thus, the tension re-emerges between *freedom* as realised in the historical process versus freedom as transcendental *a priori* of this process.

Kant denies the necessity of empirical practical participation; rather the realisation of democratic legislation is not a democratic participatory process, but a simulation of this, a thought experiment applying the criteria of rationality and equality to any decision made by the sovereign. Kersting says:

In respect of its political effectiveness, the united will of the people is freed by Kant from Rousseau's mooring of it to a democratic assembly and thus can as a law-giving maxim bring every form of sovereignty on to the course of justice (Kersting, 1992: 158).

This sets up an opposition between the as yet unrealised rational republic, woven out of the pure laws of freedom, and the historically developed, contingent state, born of violence: a process of history where every moment is an imperfect realisation of the ideal-rational republic, which it nonetheless comes asymptotically closer to.

This places emphasis on the 'originary contract' as an idea instead of fact or actual event; instead it provides an a priori standard, 'a rational principle for judging any lawful public constitution' (Kant, TP: 84-85). The principle by which to judge remains of course negative, purely formal: 'Whatever a people cannot impose upon

itself cannot be imposed upon it by the legislator either' (Kant, TP: 85). This could be called a legal categorical imperative and through it Kant subordinates practice to theory, via the latter's absolute negativity. Kant, however, allows for the need for 'coercive authority': 'the conceivable way of executing the original idea in practice and hence inaugurating a state of right, is by force' (Kant, PP: 117), that is to overrule 'the man of practice, to whom morality is pure theory' (Kant, PP 1970: 116-7). Thus, to realise morality in politics, mere 'theory' is not sufficient. While Kant recognises the dangers in this he sees such despotism as a necessary stage on the way to the realisation of the rational republic,

[A] state may well govern itself in a Republican way, even if its existing constitution provides for a despotic ruling power, it will gradually come to the stage where the people can be influenced by the mere idea of the law's authority, just as if it were backed up by physical force (Kant, PP: 118).

By making the legislation of freedom, its actual historical (and thus weakened) realisation in the form of coercive power a necessary moment within his philosophy of history the tension between freedom as idea and as legislated re-surfaces. What is to happen in these cases where there is a discord between theory and practice, i.e. where political action deviates from moral theory? In this event Kantian 'freedom' does not extend to the right to revolt, or to use coercive force on the head of state to achieve the rational state, Kant is *morally* against the right to revolution.

The negative status of both the general will and perpetual peace to which history comes ever closer but never reaches are the formal equivalents of Kant's formal moral law, based on freedom as negative. How are we to achieve 'freedom' if we can only imagine it? If we can imagine it why can't we act, i.e. revolt against its imperfect realisation? How is the general will achieved 'a priori', that is without any valid system of representation? How are we then to relate these negative theoretical foundations of the state to the actual, positive definition given to it by Kant in his lengthy exposition of the Republican state, its division of powers, its relationship to property and the sovereignty of the prince, or the rights of citizens versus subjects in his *The Metaphysics of Morals*?

Perhaps Kant's solution to this antinomy lies here:

The Secret Article of Perpetual Peace: the maxims of the philosopher on the conditions under which public peace is possible shall be consulted by states which are armed for war ... [that is] the state will invite their help silently, making a secret of it. (Kant, PP: 1970: 115)

While Kant (in theory) consolidates freedom as a theory that is already essentially practical because it is 'absolutely binding' on political action: 'can only do what we ought to do' (Kant, PP: 1970: 116), in practice he sets up the philosopher as (secret) practitioner of the moral law whose role is to guide the actions of the state towards morality. Is it thus that Arendt concludes: 'morality can cut through the knot which politics cannot untie' (Arendt, 1982: 125). Kant takes up the problem of the position of the philosopher in relation to power in the 'Conflict of the Faculties'. We will look closely at his discussion centring on the defining event of Modernity, to which it could be said the enlightenment was always leading, and which all ideals of the modern democratic state lead from: the French Revolution. We must keep in mind that Kant is always morally against revolution.

### **The Contest of the Faculties**

In the '**Contest of the Philosophy Faculty with the Faculty of Law**', Kant asks the question:

*Is the human race constantly progressing/improving?*

It is now that his Philosophy of History, previously at the service of his moral politics to condemn the right to revolution, plays instead the devil's advocate.

This paper is introduced to us as a defence of the 'lower' faculty of philosophy from the so-called 'higher faculties' (Theology, Law, Medicine). The latter are shown to be intertwined with the business of state, while the philosophical faculty must necessarily remain separate from power since it must judge the teaching of the other faculties without being influenced by the interests of power. At the same time these higher faculties must not 'seek to enter the field where reason rules' (Kant, CF: 176).

However, 'it is legitimate for the philosophy faculty to question the findings of the higher faculties. To do so does not imply criticism of the government; it involves merely a contest between the faculties (though not a war) about what is true' (Kant, CF: 176). This section concerns the conflict of the philosophy faculty with the faculty of law, present implicitly rather than explicitly, in Kant's attempt to answer the question he poses.<sup>6</sup>

Kant deals with this problem of finding 'a history a priori', which does not deal with the past, 'but a history of future times' (Kant, CF: 177). He dismisses other such 'prognosticative or prophetic' revelations, as well as any kind of scientific method (Kant, CF: 177-81). He recognises that instead such judgement 'must ... start from some experience' (Kant, CF: 181). In human affairs,

there must be some experience or other which, as an event which has actually occurred, might suggest that man has the quality and power of being the cause and (since his actions are supposed to be those of a being endowed with freedom) the author of his own improvement. (Kant, CF: 181)

This event would constitute an 'historical sign ... to prove the existence of a tendency within the human race as a whole, considered not as a series of individuals ... but as a body distributed over the earth in states and national groups.' (Kant, CF: 181) Kant does find '[a]n occurrence in our times which proves this moral tendency of the human race' (Kant, CF: 182): the French revolution. Kant never explicitly names it, or its participants or events, merely referring to it as '[t]he revolution which we have seen taking place in our own times in a nation of gifted people.' (Kant, CF: 182) What is important to Kant is not the disappearance of 'ancient and illustrious states' nor the 'momentous deeds or misdeeds of men'. Its significance has 'nothing to do with all this'.

We are here concerned only with the attitude of the onlookers as it reveals itself *in public* while the drama of great political changes is taking place: for they openly express *universal yet disinterested sympathy* for one set of protagonists against their adversaries, even at the risk that their partiality could be of great disadvantage to themselves. Their reaction (because of its *universality*) proves that mankind as a whole shares a certain character in common, and it also proves (because of its disinterestedness) that man has a moral character, or at least the

makings of one. And this does not merely allow us to hope for human improvement; it is already a form of improvement in itself, in so far as its influence is strong enough for the present.

Again:

This revolution has aroused in the hearts and desires of all spectators who are not themselves caught up in it a *sympathy* which borders almost on enthusiasm, although the very utterance of this sympathy was fraught with danger. It cannot therefore have been caused by anything other than a moral disposition within the human race. (Kant, CF: 182-3)

Not only has Kant just contradicted his moral disagreement with revolution but he has just made a revolution the very ground, empirical and not transcendental, of proof that 'man has a moral character' (Kant, CF: 182). What has happened, can we take this as a softening of the moral position in Kant's old age (the last large work Kant published in his lifetime)? The answer for such good Kantians as ourselves is of course, no. Immediately, what seems to have been resolved by this 'event' is a practice that accords with the 'theory' of a moral politics, meeting both its requirements of originary freedom and of achieving perpetual peace. However, as soon as practice accords with theory, Kant re-enacts the tension between them, re-enacting so to speak the absolute negativity of freedom at the centre of his moral politics. As usual the contradiction between theory and practice is implicit, for while Kant defines right as 'the right of every people to give itself a civil constitution of the kind that it sees fit, without interference from other powers', in a footnote Kant qualifies this: 'This does not mean, however, that a people which has a monarchic constitution can thereby claim the right to alter it, or even a secret desire to do so.' (Kant, CF: 182)

The latter historical, contingent and particular event is transcendentalised as 'sign' of the moral improvement of humanity towards the goal of Kant's Universal Idea of history. As is to be expected Kant backtracks from what this implies in practice: a right to revolution. He sort of censors himself after the bad word has escaped. He explains that it is

not, however, a phenomenon of revolution, but ... of evolution of a constitution governed by *natural right* ... i.e. a republican one ... [at least] in its mode of government, in that the state

would be administered by a single ruler [the monarch] *acting by analogy* with the laws which a people would give itself in conformity with universal principles of right.' (Kant, cf: 184, italics mine)

Here and in another footnote Kant emphasises that 'right' must remain at a formal level, while the monarch rules as if the people were co-legislators, that is the people rule but only by analogy: their 'rights ... always remain an idea which can be fulfilled only on condition that the means employed to do so are compatible with morality. This limiting condition must not be overstepped by the people, who may therefore not pursue their rights by revolution, which is at all times unjust' (Kant, CF: 184, FN\*).

How is Kant's ambiguity in his attitude to the French revolution to be explained?

While Kant may have disguised a more radical position within this moral language as pre-emptive counter to censorship<sup>7</sup>, Peter p. Nicholson's analysis of Kant's contradictory attitudes to the French Revolution shows these to be part of two different discourses, respectively: Kantian moral-judicial theory and Kant's philosophy of history (Nicholson, 1992: 250). Here the philosophy of history, this time as a history of the future, plays devil's advocate, by taking the French Revolution as 'sign' confirming Kant's entire philosophy of history, of progress towards the ideal rational republic, or the achievement of perpetual peace. However, two phrases which Kant italicises in this discussion: 'in public' and 'sympathy' hint at more than just a theoretical-discursive, but a practical solution to the 'problem' of revolution. Kant emphasises that it is the response to the event of the spectators that determines the meaning of the revolution. This response is not one of action- i.e. joining the revolution or enacting it on one's own state, but it is a response of 'disinterested sympathy' from the sidelines. Finally, it is 'public', it is expressed universally by all of its spectators, in all 'states and national groups' (Kant, CF: 181), the entire 'external public of onlookers sympathised ... without the slightest intention of actively participating' (Kant, Cf: 183). Thus amalgamating the two italicised words, it is this idea of *public sympathy* that qualifies Kant's judgement of the revolution not as morally right, for he still condemns its actors, but as a sign of morality within his philosophy of history. What exactly Kant means by 'publicity' and 'sympathy' and whether these untie the 'knot' of politics and morality or theory and practice will be our focus for now. Later, we will present this as the particularly aesthetic form that

the moral-political problem takes within Hannah Arendt's *Lectures on Kant's Political Philosophy*.

Kant must necessarily limit the freedom he has approved of, and to do so he reintroduces the dialectic of freedom as legislated in law and as philosophical idea. Thus, freedom in all these instances is suspended between the two faculties, the conflict of which is the title of this section. While the paper is called 'The Philosophy Faculty versus the Faculty of Law', Kant hardly makes any explicit reference to the latter and I would argue that this is because the real polemic is between philosophy and the state. I would argue that the conflict of law (as in the state) and philosophy arises in what we will refer to as both a polemic and dialectic of freedom as legislated versus transcendental. It is 'publicity', as the maxim of the moral-politics, that attempts to resolve this 'conflict'.

### **Popular Enlighteners or *menace to the state*?**

A close reading of this passage from 'Conflict of the Faculties' will prove instructive on the above point.

Popular Enlightenment is the public instruction of the people upon their duties and rights towards the state to which they belong. Since this concerns only natural rights and rights which can be derived from ordinary common sense, their obvious exponents and interpreters among the people will not be officials appointed by the state, but free teachers of rights, i.e. the philosophers. The latter, on account of the very freedom which they allow themselves, are a stumbling-block to the state, whose only wish is to rule; they are accordingly given the appellation of 'enlighteners', and decried as a menace to the state. And yet they do not address themselves in familiar tones to the people (who themselves take little or no notice of them or their writings), but in respectful tones to the state, which is thereby implored to take the rightful needs of the people to heart. And if a whole people wishes to present its grievance ... , the only way this can be done is by publicity. A ban on publicity will therefore hinder a nation's progress, even with regard to the least of its claims, the claim for natural rights. (Kant, CF: 186)

While Kant calls philosophers the 'free teachers of rights', popular enlighteners concerned with teaching the people 'their duties and rights towards the state', in the same paragraph he turns the addressee of philosophy away from the people and to the

state. The 'ordinary common sense' of the people to which he attributes the understanding of rights and duties instead of the state, allows Kant to wrest this understanding from officials of the state (the legislators of its laws). However, now the polemic is not of philosophy versus law, or people versus state, it is entirely between the state and the philosopher, who addresses the state directly. This turn away from the people seems to be a defence strategy against the state's criticism of these 'enlighteners ... decried as a menace to the state'. So what Kant suggests, and this is evident in his phrasing, 'and *yet* they do not address themselves directly to the people' (italics mine), is I would suggest a kind of compromise, an exchange that would benefit both the state and ensure the position of the philosopher within the state. In other words Kant could have phrased it thus, 'while the philosopher as enlightener of the people on their true rights could become a menace to the state by addressing itself in familiar tones to the people it chooses instead ... respectful tones to the state'. In this compromise, the philosopher does not merely abandon the people, for the philosopher is able to represent the 'grievances' of the people, its 'rightful needs' to the state.<sup>8</sup> When Kant says that 'publicity' is the only way for 'a whole people ... to present its grievance', it could be argued that this is not a representative 'public opinion', but a representation of the 'general will' by analogy: 'they should treat the people in accordance with principles akin in spirit to the laws of freedom which a people of mature rational powers would prescribe for itself, even if the people is not literally asked for its consent' (Kant, CF: 187). So I would argue that while making 'publicity'<sup>9</sup> (of grievances and of rights) the condition for progress towards the rational republic, this does not necessarily give the people the right to address the state, but only the philosopher who must defend his position between the people and the state, as mediator.<sup>10</sup>

Although this reading seems to suggest that Kant reduces all rights to publicity to the philosopher proper, as mediator between state and people; my reading of an earlier paper, which also deals with publicity and the relation of philosophy to the state, suggests otherwise. In *An Answer to the Question: What is Enlightenment?* Kant defines the public position as the place for philosophising in general as opposed to the exclusive domain of the philosopher. It is a 'place' for theory (and for freedom to theorise morality) within political practice. It is thus that we can make a link in CF between the philosophical position and the 'public sympathy' Kant has defined as the

criterion for his judgement of the French Revolution. It is not a link that Kant himself makes, but I would argue is implicit in CF. Kant isolates a separate realm of spectatorship, a kind of world public, which express a 'disinterested sympathy' bordering on enthusiasm for the revolution, despite the immorality of its actions or its practice. Kant makes their judgement of this historical event in theory and in public the locus of its real moral-political meaning. In other words a link (albeit implicit) can be made from this realm of 'public sympathy' to the mediative role of 'publicness'/publicity that Kant negotiates for the philosophy faculty with the state (law).

In other words far from being exclusive to the philosophy faculty within the state, Kant's discussion of the revolution implies that the position of judgement on the state or on the events of history is in fact open to the public, literally<sup>11</sup>. To trace out this implicit link between 'publicity', judgement and philosophy it is necessary to go back to an article which tackles this constellation explicitly, what could be termed the most political of all Kant's writings. It is an article whose title poses the question 'What is Enlightenment?' The answer will be discussed in relation to several other readings at length: Foucault's 'What is Enlightenment?' and Etienne Balibar's 'Citizen-Subject'.

This reading will lead us back to that other text on/of the Enlightenment, the dialectic from which we began, if only indirectly. Hannah Arendt links 'publicness', as the condition for a moral politics, to Kant's idea of 'disinterested sympathy' within his aesthetics to show how Kant's unwritten political philosophy is ultimately located in his *Critique of Aesthetic Judgement*. It is this theoretical knot of the aesthetic and the political that we aim to untie in our final chapter. It will be shown to contain the hidden thread that leads us back to the philosophy of history in the Dialectic. By then we hope to have gained a more mature perspective or at least the wisdom of hindsight.

### **An Answer to the Question: What is Enlightenment?**

This is a less polemical, but perhaps more broadly political, account of 'publicness'. Instead of limiting the 'public' to the philosopher as mediator between the poles of people and state, Kant defines it much more broadly to include anyone that makes 'public use of his own reason' (Kant, WE: 60). The public use of reason is not

restricted to the scholar but is defined as ‘that use which anyone makes of it [reason] as a scholar [Gelehrter] before the entire public of the reading world’. In other words anyone, any member of the people (at least theoretically) is able to make ‘public use of his own reason’, provided he can read and write Kant is not defending the position of the philosopher within the state, rather he is defending the right to philosophise, as in to reason freely, to ‘have the courage to use your own understanding!’ (Kant, WE: 58). For Kant this is the motto of enlightenment, which he defines as ‘mankind’s exit from its self-incurred immaturity’ (Kant, WE: 58). It is thus that I will begin to address Adorno and Horkheimer’s reduction of all Kantian reason to instrumental reason, which is universal and autonomous. I will show, however, that the ‘free use’ of one’s own understanding, or reason is not, however, without restrictions on its obligatory ‘universality’. In fact Kant puts particular, political conditions on reason that formulate the moral-political problem in terms very close to the dialectical method they use to place Kant together with Sade.

‘Here freedom is restricted everywhere’, says Kant. While it is unlikely that the individual man will free himself from his ‘immaturity’, ‘that a public [Publikum] should enlighten itself is more likely ... if only it is granted freedom’ (Kant, WE: 59). Kant having essentially answered his initial question poses a further question. Having defined what enlightenment is, he now asks what the condition for enlightenment is: ‘I answer: the public use of reason must at all times be free, and it alone can bring about enlightenment among men.’ (Kant, WE: 59). However, there is a condition on this freedom to reason, ‘the private use of reason, however, may often be very narrowly restricted without the progress of enlightenment being particularly hindered’ (Kant, WE: 59-60). Thus, within the ‘private’ sphere as Kant defines it,

one is certainly not allowed to argue; rather one must obey. But insofar as this *part of the machine* considers himself *at the same time* as a member of the commonwealth, indeed even of a *cosmopolitan society*, who in the role of a scholar addresses a public in the proper sense through his *writings*, he can certainly argue without thereby harming the affairs in which he is engaged as a passive member.’ (Kant, WE: 60, italics mine).<sup>12</sup>

Thus, each person is at the same time member of a ‘private’ sphere and a ‘public’ sphere. In the former he is ‘passive’, a part of the machine that serves its ends without

questioning them, in much the same way Adorno and Horkheimer discuss the unself-conscious application of reason as a system. Simultaneously, he has a public existence, not limited to a nation state or to his profession, whether soldier, clergyman or civil servant, but 'cosmopolitan', or 'namely the world' (Kant, WE: 61). Here where he plays (for lack of a better word) 'the role of scholar' he is able to express his opinion freely, but only in 'writing': he is able actively to 'argue' against the very things he 'passively' carries out in his other 'private' role. Kant gives a few examples of the 'double life' that this implies. The soldier, who must obey, can later 'make remarks on failings in the military service ... before the public for judgement', or the citizen who must pay tax but who 'does not act against the duty of a citizen if he, as a scholar, expresses his thoughts publicly on the ... injustice of such taxes' (Kant, WE: 60). In each case the private and public use of reason must be allowed to coexist, requiring a member of the state to lead a kind of *double life*. I will show how this *double* existence becomes the condition for Kant's resolution of the moral-political problem.

### **Spiritual Freedom and *The Spirit of Freedom*: the conditions for a double life**

The *double life* to which Kant gives most attention is that of the 'clergyman', or as he admits, 'I have placed the main point of enlightenment – mankind's exit from its self-imposed immaturity – primarily on religious matters ... because this type of immaturity is the most harmful' (Kant, WE: 62-3). Kant's lengthy discussion of unenlightened religious authority, which he at one point calls 'ecclesiastical despotism', is the most polemical point of the short article. Close analysis of it will bring much insight.

Kant is extremely critical of the unalterable symbols of the church that disallow for change, he calls this 'a crime against human nature, whose original destiny consists in this progress' (Kant, WE: 61). He moves from this particular example to the generalised idea of freedom: 'The touchstone of everything that can be concluded as a law for the people lies in the question: could a people have imposed such a law upon itself?' (Kant, WE: 61). This, I would argue, makes all freedom, as in the generalized, or transcendental freedom at the basis of what we have called Kant's moral politics, concomitant with the 'freedom' of religion. Kant demonstrates how such 'progress'

based on freedom would look: 'all citizens, especially the clergy, would be left free, in their capacities as scholars- that is, through writings – to make remarks on the failings of the current institutions ...until insight into the nature of these things became so public ... they could bring a resolution before the throne, to take those congregations into protection who had united into an altered religious organisation ...without hindering those who wish to remain with the old.'(Kant, WE: 61)

Following this logical demonstration of the rationalisation of religion, Kant argues (which suggests 'argues against') any form of 'ecclesiastical despotism': 'it is absolutely forbidden to unite, even for the lifetime of a single man, in a permanent religious constitution that no one may publicly doubt ... [this] is to violate and to trample on the sacred rights of mankind' (Kant, WE: 61-62).

Kant now switches from the discussion of religion to the monarch, but if we read carefully what is easily glossed over, Kant only addresses the head of state, be it on a first name basis as 'Frederick', indirectly through 'religious matters'. It is thus couched in the language of religion, matters of the soul, that Kant writes a 'scarcely veiled ...contract' (Foucault, 1984: 37), which he presents for the monarch, who may because he is often guilty of 'finding the writings through which his subjects seek to put their insights into order worthy of governmental *oversight*' (Kant, WE: 62) inadvertently use his unsteady hand to sign it.

I will now provide evidence of this interpretation, if only to show its cunning. Kant says of the monarch: 'If only he sees to it that all true or alleged improvements are consistent with civil order, he can allow his subjects to do what they find necessary for the *well-being of their souls*. That does not concern him ...' What does concern the monarch is to allow the people to 'argue' and debate publicly, that is in writing, about these 'religious matters':

'A prince who does not find it unworthy of himself to say that he regards it as a duty to prescribe nothing to men regarding religious matters but rather to allow them full freedom in this area ... is himself enlightened ... Under him the venerable clergy, in their role as scholars and irrespective of their official duties, freely and publicly present their judgements and insights...to the world for examination. Those who are not restricted by the duties of office are even freer. This spirit of freedom spreads even further, even where it must struggle with the external hindrances of a government which misunderstands itself. For it is an *illuminating*

*example* to such a government that public peace and unity have little to fear from *this freedom.*' (Kant, 1970: 62, italics mine).

This is an 'enlightening', or should we say *illuminating*, paragraph. It follows from Kant's veneration of Frederick not under the 'haughty title of tolerant' but as enlightened, in fact Kant's pandering goes so far as to call his century 'the age of enlightenment or the century of Frederick' (Kant, WE: 62). However, the extent of Frederick's 'tolerance' becomes clear in this paragraph, he has allowed 'full freedom' only in 'religious matters, and that is only in the *scholarly writings of the clergy*. In all other matters it seems that the government 'misunderstands itself', and Kant subtly accuses the government or its officials of restricting freedom of expression.<sup>13</sup>

Nonetheless, what is important is for us is that Kant uses religious freedom, or the free public use of reason in religious matters as an 'illuminating example' that such freedom in all other spheres of the state would not threaten 'public peace and unity'. In other words Kant makes a logical argument: if the freedom of the public exercise of reason in religion has thus far not threatened the authority of the government, then neither will public freedom in all other areas.

The logical dependence of freedom on 'spiritual freedom', as both necessarily prior to and exemplary of the former is further consolidated:

the manner of thinking of a head of state who favours *such enlightenment* [i.e. 'spiritual freedom'] goes even further and sees that even with regard to his own legislation there is no danger in allowing his subjects to make *public* use of their reason and to lay publicly before the world their ... candid criticism of laws already given ... '(Kant, WE: 63).

Whether Kant's naming of Frederick as a 'shining example' of this is mere flattery or actuality is a question for historians<sup>14</sup>. However, what we are arguing here is that a polemic against 'ecclesiastical despotism' can be shown to address the state or the monarch as head of state indirectly, and to make a direct logical connection between 'spiritual freedom' and the 'spirit of freedom'. Logically, 'freedom' in all matters of state, but specifically freedom to legislate follows from religious freedom. Religious freedom has two meanings, one a-historical and one historical. For Kant it is the freedom for religion to progress, to rationalise itself like all other discourses from the

'despotism' of all authority. Historically, however, it could be linked to the separation of church and state, a condition for the modern democratic state is its secularisation and, as a result or condition for this, religion becomes a private matter.

Reinhart Koselleck's discusses the separation of morality and politics in the formation of the absolutist European state 'as a response to religious civil war' (Cohen & Arato, 1992: 207). Kant writes in that historical moment between absolute monarchy, which subordinates religion to the state and the modern secular state, which completes the separation of religion and state. We do not want to undermine the complexities of these historical formations but to point to them as the context of Kant's thought. For Koselleck the 'Religious Peace of Augsburg' made peace independent of religious belief and thus war between religious believers became war between states. This compromise, implying the privatisation of religious belief, and thus of morality, is the condition for the emergence of 'politics.' (Koselleck, 1985: 8). The significance of Kant's historical context is that it becomes inseparable from that context, for he directs his critique to his present: the 'Age of Enlightenment' and the French Revolution, respectively. Kant's moral-political judgement of the French Revolution in CF, as the defining historical event of the transition to the modern secular state will become important when we attempt to work out its conditions in section 3. It is then that we will turn to Michel Foucault, who reads this as the unique moment at which philosophy directs itself to its present, to revolution and enlightenment. It is thus that a particularly historical relationship between critique, the philosophy of history and the revolution will be revealed. For now, let us return to the text of WE, after this brief excursion into its historical context; which suggests that we never really left.

### **Contract or Double Deal?**

Michel Foucault calls Kant's article 'a thinly disguised contract'. Now, the reasons for Kant's flattery and cunning become apparent: he wishes to make a deal with power. The monarch has the thing Kant wants, freedom that is public in its very essence for it demarcates the public realm, the realm of power<sup>15</sup>, and all that Kant has to give in return is his 'private' passivity, as subject to that power. The ruler must grant freedom in the public exercise of reason in exchange for obedience in the private exercise of reason. The latter resembles the instrumental reason implicated in the Dialectic of

Enlightenment, marked by 'passivity' and the use of reason as the 'rules and formula, these mechanical instruments of rational use' (Kant, WE: 59). The words of the contract are: '*argue, as much as you want and about whatever you want, only obey!*' Kant 'exchanges' with Frederick: private obedience for public freedom, or does he?

Now, something interesting occurs in translation. The translated version refers to 'a strange and unexpected tendency in human affairs ... almost paradoxical. A high degree of *civic freedom* appears as advantageous to the spiritual freedom ... of a people and yet it places before it insuperable restrictions; a lesser degree of *civil freedom*, in contrast creates room for spiritual freedom to spread to its full capacity' (Kant, WE: 63, italics mine).

In this last 'paradoxical' formulation Kant kind of transcendentalises the very practical, historical contract he has just demonstrated. Initially, he demonstrates in an underhand sort of way that Frederick being so enlightened as to have already allowed for religious freedom in exchange for private obedience has thus, according to the logic of Kant's argument (as demonstrated), already begun the process of granting that freedom in all spheres, specifically the freedom to legislate. In other words Frederick has already signed the contract with which he is presented: 'spiritual freedom' is already the 'spirit of freedom'.

Let us take the risk of doing a slightly more radical reading of Kant's articulation of state power and freedom here, let us look carefully at the terms of his carefully worded contract with power, hopefully not entirely lost in translation. Our reading emphasises that what is important is a splitting of the member of state into two spheres of existence, into both subject (as in the one who obeys legislation) and citizen (the one who legislates his own freedom).<sup>16</sup> In the final formulation spiritual freedom is made dependent on the passivity in the realm of the 'civil' or *bürgerlich*, and this is made into a rule of 'human affairs ... generally', and not just in the state ruled by Frederick in 1784. Previously, Kant makes private obedience his bartering tool, the thing he exchanges for what the king has: public freedom, which would explain his inversion of terms 'public'/'private'. I would argue that now he takes both 'commodities' (for lack of a better word) out of any kind of exchange relation between ruler and the people to make them both properties of the people as members

of the state, i.e. as citizens and subjects. The contract is no longer between the public power of the Monarch and its subjects but rather the ruler is somewhat taken out of the equation, like the historical contingency Kant is attempting to supercede by making a general, or universal rule, what he calls 'a tendency in human affairs'. So we are back at the tension between legislated freedom and freedom as idea, now finally articulated as a split and tension no longer in relation to the sovereign or the law of the state, but I would argue within what Etienne Balibar calls, the 'sovereign subject', or 'citizen subject'. We will discuss Balibar's article in detail shortly.

For now however, the possibility of a second reading emerges. Comparison of the translation and Kant's original prove instructive on this. The translated version contains a slippage from 'civic freedom' to 'civil freedom'. Kant's original contains no such nuance, in both cases Kant refers to 'bürgerlicher Freiheit':

'Ein grösserer Grad bürgerlicher Freiheit scheint der Freiheit des Geistes des Volks vorteilhaft, und setzt ihr doch unübersteigliche Schranken; ein Grad weniger *von jener* verschafft hingegen diesem Raum, sich nach allem seinen Vermögen auszubreiten.'

(Kant, WE: 61). Kant merely refers in the second half of his proposition to 'bürgerliche Freiheit'<sup>17</sup> using the demonstrative pronoun 'jener'. Why does the translator James Schmidt take the licence of in the first case discussing 'civic freedom' and in the second 'civil freedom'?

My search for a differentiated usage of the terms 'civil' and 'civic' in early modern political theory came to almost nothing<sup>18</sup>. While now we might take 'civic' as referring to the state, and 'civil' as associated with that which falls outside the direct control of the state: civil society, civilian, civil liberties versus civic duties<sup>19</sup>. Before Hegel, the terms 'civil' and 'civic' are often used interchangeably to refer to the political or the state and society in general. There is little evidence of a separation into (civic) state and (civil) society until after Hegel, who Cohen and Arato argue provides a 'synthesis' of previous thought to provide 'the first modern theory of civil society' (Cohen & Arato, 1992: 91). When Hobbes, or Adam Ferguson or Locke refer to 'civil society' they use the term normatively to describe a good state or a civilised, whether liberal or Republican.<sup>20</sup> While the discourse of a modern civil society separate from the state does emerge from this early political philosophy it is really Hegel who is the first to make a clear separation of 'Bürgerliche Gesellschaft' and

state. While Kant's political philosophy anticipates this, it is difficult to read 'Bürgerliche Freiheit' as Hegel's 'Bürgerliche Gesellschaft'.<sup>21</sup> While Bürger later takes on the meaning of Bourgeois<sup>22</sup> this early usage tended to denote citizen, or *Staatsbürger* (Sheehan, 1989: 71).

It is not really possible to discern a motive in this slippage from civic to civil in the translation, it is also too simplistic to dismiss it as mere mistranslation.<sup>23</sup> It may be symptomatic of two different understandings of the Modern political 'contract' of the citizen: with power and with himself. This projection of a more Modern understanding onto Kant's differentiation of public and private reason, implies that Kant anticipates the emergence of civil society, or a society separate from the civic state. Thus, in this case the restriction of 'civil liberties' has as its condition the exercise of 'civic freedom', that is the coercive power of the state. The slippage is symptomatic of the main problem of the modern political philosophy: to balance 'civic duty' with 'civil liberties', that is the power of the state and the freedom of civil society. Kant's 'Republicanism' would emphasise the necessity of the state, whose role would be to maintain civil liberty; liberalism would rather emphasise the freedom of civil society against the state, the power of which must be limited. For Habermas's normative critique of civil society Kant's inversion of the terms public and private is evidence of the importance of an emerging public sphere to play a mediating, that would be a Kantian moral, role, between society and state.<sup>24</sup> In other words in the translated version, the contract occurs between the newly emergent society and the state, of which it, the people, is sovereign of the state that represents it, but must be separate from it. All modern political philosophy concerns the negotiation of a kind of contract between the state and (civil) society, from which the absolute monarch is ultimately removed. Cohen and Arato trace the conceptual history of the term civil society, and the normative critiques of Hannah Arendt and Jürgen Habermas, as well as the genealogical critique of Michel Foucault. These discussions are taken as their starting point a basic dualism of state/civil society as determining modern politics. These thinkers define the terms of their arguments, such as public/private, public sphere, society, liberal, republican or disciplinary power, in terms of this dualism. We will return to their different critiques of 'civil society' at the end of this section.

We have traced the tension between freedom as legislated and as idea throughout its various resolutions in Kant's project for a moral politics. It is resolved via the maxim of publicity, at first seemingly restricted as the right of philosophy, and finally generalised into the free 'public use of reason', accessible to all who wish to exercise this right, provided that freedom is restricted in its private use. There are two readings of this resolution. The one traces the emergence of Modern state power and civil society, and the need to mediate between the two by a public sphere. The other reading is riskier. It risks reducing this coexistence of 'public/private' within the state/civil society to each individual member of that state, as the immanent or internalised condition of double existence within the modern state, that is as simultaneously 'citizen' and 'subject', public and private being. Thus, the contract is between 'citizen' and 'subject', rather than between 'subject' and 'sovereign', or citizen and state. Etienne Balibar's 'Citizen Subject' delineates this doubled political/moral existence as the particularly modern phenomenon. For him it emerges simultaneously with the French Revolution, and so Balibar's discussion will take us back to Kant's discussion of this singularly Modern event. This paper does not presume to call ourselves Modern, or to take for granted that after the French Revolution comes Modernity. Our lack of historical evidence of either the event or the era or their connection to an episteme is due to the fact that our aim is in fact to work out the relationship between critical thought and history, or its own historical moment of production within that era called Modernity. Our ellipses and constant references to time will become apparent in the end, for it is then that a particular relationship between Modern knowledge and revolution will be articulated as a philosophy of history. Balibar points out that the emergence of the 'citizen subject' is contingent on the historical event of the 'French Revolution'. It is this contingency to which we now turn.

### **The 'citizen subject' and the Revolution**

Balibar's discussion of modern subjectivity depends on a distinction between 'subjectum', 'subjectus' and 'citizen'. While 'subjectus' refers to being 'subject to' some higher authority/sovereignty, subjectum seems to be closest to what we understand to be modern subjectivity, as an independent, self-consciousness. Balibar's reading of Descartes finds any notion of the modern subject (as in 'subjectum')

conspicuously absent<sup>25</sup>. Balibar blames the confusion of the Modern 'subjectum' and the 'subjectus' on the 'effect ... of Kantian philosophy', that is on its critical 'turn'.

To re-quote:

'We must return to the very letter of the *Critique of Pure Reason* if we are to discover the origin of the projection of a transcendental category of the "subject" upon the Cartesian text. This projection and the distortion it brings with it ... is in itself constitutive of the "invention" of the transcendental subject' (Balibar, 1991: 36).

For Balibar this consists of a double-move: first Kant discovers the subject in the (relational<sup>26</sup>) substance of the Cartesian cogito, and second denounces that substance as 'transcendental illusion' (Balibar, 1991: 36). For Balibar then this constitutes the modern subject's paradoxical 'being and nonbeing, in any case not a thing, not categorisable, not objectifiable' (Balibar, 1991: 37), epistemologically it is what effects the 'unity of the conditions of experience' and practically via the categorical imperative it 'inscribes freedom in nature' (Balibar, 1991: 37).

To work out the contradictions of the subject, Balibar ventures an answer to Jean Luc Nancy's 'sophistic question': 'Who comes after the subject?' (Balibar, 1991: 37). He explains: [A]fter the subject comes the citizen' (Balibar, 1991: 38) or the 'citizen (defined by his rights and duties) is that "non-subject" who comes after the subject [as in *subjectus*], and whose constitution and recognition put an end (in principle) to the subjection of the subject' (Balibar, 1991: 39). Here Balibar historicises the Kantian notion of the subject, and also the notion of 'freedom' or 'autonomy', which is the condition of its 'invention'. Balibar reduces Kant's philosophical 'turn' to the 'rupture' of the French Revolution, it is more than "'coincidence": the moment at which Kant produces and retrospectively projects the transcendental "subject" is precisely that moment at which politics destroys the "subject" of the prince, in order to replace him with the republican citizen.' (Balibar, 1991: 39). Balibar traces the conditions of the modern subject through the history of the 'subjectus' becoming 'citizen', from absolute monarchy to 'The Declaration of the Rights of Man' in 1789. (Balibar, 1991: 40-43).

Thus, the modern subject exists in a tautological/circular relationship to its citizenship/ness: 'The citizen is the subject, the citizen is always a *supposed* subject (legal subject, psychological subject, transcendental subject)' (Balibar, 1991: 45), and so 'this figure exceeds its own institution', existing in the antinomy of the 'formal' and 'real' - both legally 'subject' as in 'subject-us'/ed and universally 'subjectum', prior to and above the law it potentially legislates (Balibar, 1991: 46). In other words the opposition of freedoms as legislated and transcendental is reactivated, but now within the *citizen subject*. Balibar traces the complexities of what he calls the 'hyperbolic proposition' (Balibar, 1991: 46) of the citizen 'becoming a subject' (Balibar, 1991: 45). It will be shown how the tension of freedoms is manifested here in a similar way to the way we have read 'What is Enlightenment?' internally to the citizen-subject.

Balibar quotes Rousseau at length to show the relationship between the citizen and the subject. In the words of Rousseau, it consists of 'each individual, contracting, so to speak with himself': '[M]an' as 'subjectum' of the political body, as that forming the general will, i.e. as citizen contracts with himself as holder of his own particular will, that is as subject (to the laws by which he is 'forced to be free', or forced to harmonize his particular will with the general (Balibar, 1991: 48). As a result no citizen subject is 'neither only above, nor only under the law, but at exactly the same level as it' or 'there must be an exact correspondence between the absolute activity of the citizen (legislation) and his absolute passivity (obedience to the law). But it is essential that this activity and this passivity be exactly correlative' (Balibar, 1991: 49). Here there is a clear link to the interdependence or co-conditionality of the public and private uses of reason, or between freedom and obedience, reiterated here as a type of internal 'contract', just as in Kant's schema in 'What is Enlightenment'.

Balibar's 'citizen subject' exists in exactly that tension between 'freedom' as transcendental and freedom as legislated, except that now 'transcendental' does not refer to some position before the law. The 'transcendence' of the subject, or of its freedom, refers only to the doubling of the human being, from the 'subjectus' that (s)he always was and still is, to her existence within the body politic, as everyone and no-one, as that moment of the formation of will as the general will - her ephemeral status as 'sovereign', that above the subject but not above the law, which (s)he

legislates. This would accord with our reading of the Kantian 'contract' with power which shows itself to remove power completely from the exchange so that the exchange of 'public' for 'private', or of public freedom for private obedience can be reduced instead to the 'split' between, i.e. within, the subject/citizen that Rousseau describes as 'contracting with himself'.

It seems that thus far you, our reader, have been somewhat misled or at least we, that is you and I in our reading, have misled ourselves. An opposition or tension between freedom as legislated and freedom as idea presented itself throughout our reading as the irreconcilable poles that framed our discussion of Kant as well as his political philosophy. However, our tracing of this subtextual antinomy that at first appeared to be polemical has in fact proved itself to be dialectical<sup>27</sup>. Freedom as idea and legislated freedoms become the two moments of 'freedom' or in the form of citizen and subject, the two moments of the 'citizen subject'. So too in Kant's 'contract' private obedience is the condition for, and only possible on the condition of public freedom; these are the dialectical moments of the double life of the 'citizen subject', who is now historicised in a slightly different way as process, as the act of constantly negating the 'subject'/subjectus in the process of 'becoming a subject', that is 'sovereign subject'.

### **Two Solutions: Constituting Freedoms or Contesting Freedom?**

Comparison of the translated version and the original indicate two possible solutions to the problem of the place of morality in the political sphere, which we have argued constitutes the tension between theory and practise, or philosophy and power in general. The one reading suggests that publicness/publicity articulates the relationship between the two poles. In this case the translation is instructive, for now public/private becomes civil/civic, or state/civil society and the problem of modern politics is to articulate the relationship between the two, whether it is to the limiting of state power against private, mostly economic rights at the basis of liberalism, the emphasis of the role of the state in ensuring civil liberties in Republicanism, or the emphasis on the mediatory role of the public sphere or of social movements in the many normative critiques of state/civil society<sup>28</sup>.

Habermas offers one of the strongest critiques of civil society in the *Structural Transformation of the Public Sphere* and offers an historical, normative solution via publicness. Hannah Arendt's critique of the Modern dualism of state/civil society focuses on the erosion of the public/private distinction essential for political action by the politicisation of what she calls the social question<sup>29</sup>. Balibar ends his schematic, but conceptually rich, paper by mapping his *citizen subject* to Foucault's empirico-transcendental doublet. Foucault offers one of the darkest accounts of civil society. However, his way of looking at society in stark contrast to these others is not directly political.

At issue here are two ways of articulating the relationship between critique and power, or between philosophical theory and political practise. The one articulates itself in the schism between state and civil society, assuming this to be the cleavage in Modern existence that needs to be addressed most urgently. Arendt and Habermas, in different ways, emphasise the role of public communication, balanced with private rights and believe in the philosopher's mediating role between state and civil society. This is a role similar to the one Kant outlines in CF: addressing the grievances of the people to the ruler, or the lawmakers. Foucault's disciplinary power is, however, much closer to an internalised condition of power, intimately tied to one's knowledge of oneself. Foucault does not believe in a social contract exactly, rather like Balibar the contract is immanent, between citizen and subject, not citizen and state, and thus I would argue that its condition is the existence of that strange double: the citizen-subject. Our next section will outline the irreconcilability of the Habermas' and Arendt's juridico-political versus Foucault's disciplinary model of power. Foucault and Habermas could not meet, and Habermas is very critical of Foucault's failure to articulate a political position between society and state. However, before he died Foucault had attempted to arrange a conference with Habermas. The topic of the conference was to be Kant's 'What is Enlightenment?'. The conference would never take place.<sup>30</sup>

The third section of my argument will begin with a brief outline of the irreconcilable political positions of Habermas and Foucault, as well as Arendt. This will be followed by a closer reading of Foucault's discussion of Kant's WE, a paper and a question that he returned to several times. As has been argued it allows for the possibility of both

the Habermasian/Arendtian resolution of the political-moral problem as well as the Foucauldian non-contractual model of power. Perhaps the fact that both readings are possible accounts for Foucault's suggestion of WE as a topic for a debate with Habermas. My aim is not to resolve these oppositions but in fact to trace the conditions of the Foucauldian model of power-knowledge: the intimate connection of 'citizen-subject' and the French Revolution, as pointed out by Balibar. We will show that not only is this the condition for Foucault's genealogical critique, but also for the type of 'radical' critique of the present in the dialectical-historical method of A-H, and in Kant's radical<sup>31</sup> 'judgement' of revolution. It is thus that Foucault's connection between revolution, enlightenment, and critique becomes revealing when we trace it to Hannah Arendt's reading of Kant's unwritten political philosophy from his *Critique of Aesthetic Judgement*. A close reading of Kant's *Critique of Aesthetic Judgement*, so to speak, pits Arendt and indirectly Habermas against Foucault and (again indirectly) Adorno and Horkheimer. It is not my aim to reconcile the divergent critical positions but to show that the radical critiques of Foucault and A-H are caught up in a particularly aesthetic relationship between power, philosophy, history, and revolution. An examination of Arendt's linking of his aesthetic and political philosophy via Kant's 'judgement' of the French Revolution in CF, will show this to be the very same aesthetic formulation as Kant's radical statement about the French Revolution

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<sup>1</sup> The Transcendental Subject is 'a non-empirical "I" which constitutes nature from disconnected impressions but which itself is never to be met with in experience' (Forster, 1989: 8).

<sup>2</sup> Eckart Forster argues that Kant reduces the possibility of metaphysics to one 'Hauptfrage...are synthetic *a priori* judgements possible?' (Forster, 1989: 4).

<sup>3</sup> Koselleck's *Kritik und Krise* was not available in English, so I have had to rely on Cohen and Arato's citation of Koselleck in their *Civil Society and Political Theory*.

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<sup>4</sup> As subject, 'each member ... has rights of coercion in relation to all others, except in relation to the head of state. For he alone is not a member of the commonwealth' (Kant, TP: 75). Kant then goes to qualify the category of the citizen as 'adult male, as 'his own master' (thus not of feudal peasant classes) and as having 'some property (which can include any skill, trade, fine art or science) to support himself' (Kant, TP: 78).

<sup>5</sup> Kant resolves this by basing his political ideas on the negativity of the moral law, which undermines any distinction between moral theory and political practise. Due to the 'moral feeling': 'if we violate it, even without considering the disadvantages which might result, we *feel* the consequences directly'. (Kant, TP: 72, italics mine). In other words theorising the moral law is always already practice.

<sup>6</sup> The historical background to this conflict may be the increasing autonomy of the bureaucracy and the complementary institutionalisation of the 'science of political management' or 'Camerarism' within the universities. (Sheehan, 1989: 70; 193-196)

<sup>7</sup> There is evidence that Kant faced a very real threat of censorship, 'Kant was unfailingly positive about the revolution in private conversations, but since his run-in with royal censors in 1787 he was even more discreet than usual in his public pronouncements.' (Sheehan, 1989: 211)

<sup>8</sup> This refers to the 'historical position of eighteenth-century intellectuals' who saw their role as *Bildung*: the 'moral' and cultural education of the 'unenlightened masses'. (Sheehan, 1989: 204)

<sup>9</sup> Publicity here may refer also to the emergence of a literary public sphere, which became a medium of political confrontation, where political affairs were open to the criticism of 'public opinion'. (Habermas, 1989: chapter 2)

<sup>10</sup> Historically the relationship of the critical intellectual and the state was often uneasy, however most saw the state's authority as 'the best hope for reform', and often 'a dependent relationship ... with established authority' often made criticism of that authority difficult. (Sheehan, 1989: 203)

<sup>11</sup> There is a tension here between the role of 18<sup>th</sup> Century German intellectuals as exclusive 'representatives' and educators of the 'unenlightened' *Volk* with regard to the newly public political discourse and the sense of *popular enlightenment*, based on a public sphere that was already 'necessarily open and universally accessible.' (Sheehan, 189: 204; 190)

<sup>12</sup> For Habermas the political public sphere evolves from cultural, literary public or 'world of letters', consisting of a proliferation of periodicals and newspapers. (Habermas, 1989: 38-43), Chartier notes Kant's emphasis on the 'written word' as forming a 'republic of letters' (Chartier, 1991: 26). That this may have been restricted to the 'educated' Bourgeois, excluding the 'masses', is taken up by Habermas.

<sup>13</sup> Kant in fact faced a very real threat of censorship: In 1793 'Frederick ... himself severely reprimanded Kant for his *Religion innerhalb der Grenzen der blossen Vernunft*' (Gay, 1969: 71). This could also be directed against an increasingly autonomous bureaucratisation of the state, whose administrative organisation as independent from Frederick's command was manifested as a 'tension between ... theory and practice' (Sheehan, 1989: 70)

<sup>14</sup> 'Frederick's conception of the state was shaped by enlightened ideas ... [S]tripped of its ceremonial, religious, and dynastic functions, the Frederician state emerges as the instrument of its own power' (Sheehan, 1989: 76)

<sup>15</sup> Habermas notes a 'certain continuity' of the publicity of the emerging bourgeois public sphere and the public display of power at the prince's court. (Habermas, 1989: 29)

<sup>16</sup> This would reflect Kant's three-fold division into 'citizen', 'subject' and 'human being'.

<sup>17</sup> Historically, Frederician law 'sought to create a new kind of man, a citizen ... called *Staatsbürger*' (Sheehan, 1989: 71). It is difficult to determine whether Kant differentiated his *bürgerlicher freiheit* from the state, or not.

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<sup>18</sup> For Hobbes the state, not society, is the product of the social contract (Cohen & Arato, 1992: 88), while Locke's usage the category of civil society is neither causally independent nor referentially distinguishable from the state, it is merely the 'state liked' (Dunn, 2001: 39-42), similarly for Adam Smith and other Scottish Enlightenment thinkers, civil society consists of polite (civilized), commercial society, which was not a political community (Oz-Salzberger: 58-9).

<sup>19</sup> Adam Seligman contrasts 'civic virtue' with 'civil society', or civil liberty. The former is a model of community based on citizenship, and on morality as inseparable from public life. In the latter, the 'moral basis for society becomes more and more a private ideal' (Seligman, 1995: 204).

<sup>20</sup> Cohen and Arato explain that 'the Enlightenment notion of "society" (as contrasted with the state) ... [P]aradoxically ... often coexisted with the more traditional identification of civil and political society with the state' (Cohen & Arato, 1992: 89).

<sup>21</sup> Kant puts 'forward the notion of a citizen society, staatsbürgerlicher Gesellschaft ... interpreted in the spirit of the French declaration of 1789', which rejected any compromise with the estate powers of the absolutist era, and makes the individual citizen or Bürger the bearer of rights (Cohen & Arato, 1992: 90-92)

<sup>22</sup> This is the outcome of the Marxist criticism of Hegel's identification of bürgerlich with bourgeois in his term 'bürgerliche Gesellschaft', thus Hegel 'participates in a fundamental shift in the concept of civil society away from the original meaning of citizen society' (Cohen & Arato, 1992: 97).

<sup>23</sup> The translation occurs in a collection entitled *What is Enlightenment? 18<sup>th</sup> Century Answers and 20<sup>th</sup> Century Questions*, the translator, James Schmidt, is also the editor of this collection, which considering his projection might be better titled *20<sup>th</sup> Century Answers to 18<sup>th</sup> Century Questions*.

<sup>24</sup> For Habermas, Kant's moral-politics is written when the Public Sphere already has 'the political function of articulating state with society' (Habermas, 1992: 104).

<sup>25</sup> Balibar, shows that what is essential for Descartes is the relational and hierarchical concept, 'substance'. (Balibar, 1991: 36).

<sup>26</sup> Cartesian 'substance' is a relationship between opposites, 'both hierarchical and causal'. For Descartes 'freedom can ... only be thought of as the freedom ... of the subjected being ... a contradiction in terms' (Balibar, 1991: 36).

<sup>27</sup> I use the term dialectical in the same sense as A-H, as a two-way relationship, where both terms or moments co-determine one another, but must also negate the other in order to exist. Note this is not the totally destructive sense identified in the methodological problem of a break identified in A-H's dialectical philosophy of history, as discussed in chapter 1.

<sup>28</sup> In 'Civil Society – History and Possibilities' the historical essays share a single theme: to 'uncover' those hidden or repressed texts of the history of 'civil society' which share a normative ideal of the possibility of legitimate political (public) authority to mediate between state and society.

<sup>29</sup> The 'politicisation', making 'public' of labour and work in the 'social question' results in actual depoliticisation due to the inability to separate actual political, public issues from the material needs of 'mass society'. (Cohen & Arato, 1991: 188-9).

<sup>30</sup> Foucault's 'untimely death' had pre-empted the planned debate between Foucault and Habermas, initially unable to agree on a topic for the conference, Habermas being surprised at Foucault's suggestion of Kant's 'What is Enlightenment?' (Kelly, 1994: 2-3).

<sup>31</sup> The use of the word 'radical' to describe both the thought of A-H and Kant on revolution, is in the sense of critique directed at the 'roots' of its object, whether they be historical, material or philosophical, and 'radical' in the sense of challenging authority, if indirectly via Kant's subtle approval of revolution.

## Section 3: The Revolutionary Aesthetics of Radical Critique

### 1. Taking Aim at the Heart of the Present

A dissertation of this length can only offer a schematic comparison of the Habermasian and Arendtian critiques of the dualism state/civil society against that of Foucault. Most of this comparison takes as its background Cohen and Arato's *Civil Society and Political Theory* and the reader *Critique and Power: recasting the Foucault/Habermas Debate*<sup>i</sup>.

#### Disciplinary Versus Juridico-Political Power

Foucault takes up the problem of power in Modernity as being inextricable from knowledge. He differentiates between 'juridico-political power' and something he calls 'disciplinary power'. The latter consists of an internalisation of discourses of 'power-knowledge', particularly those of the modern social sciences, that discipline the individual so that he or she subjects himself to power that is no longer locatable in a sovereign ruler, a state or even a single class, but that is 'pervasive'. (Cohen & Arato, 1992: 255-6). While he does not dismiss the state, Foucault rejects the 'contractarian illusion that power can be made visible, localised, and restricted to the political state'; for Foucault this is an anachronistic 'form' or representation of power whose actual content consists of technique versus right, normalisation versus law and control versus punishment. (Cohen & Arato, 1992: 260-1). For Foucault, like A-H, all power is 'domination'.

In 'Two Lectures', Foucault demonstrates the incommensurability of the juridico-political and the disciplinary models of power. These two models of power are 'so heterogeneous that they cannot possibly be reduced to each other' (Foucault, 1994: 43), thus addressing disciplinary power through recourse to rights based on the juridico-political model is a 'blind alley' (Foucault, 1994: 45). Following from this Foucault's genealogical method is 'an ascending analysis of power, starting from ...its infinitesimal mechanisms, which each have their own history, ...trajectory ...techniques and tactics' (Foucault, 1994: 37). This makes questions like 'Who then

has power (Foucault, 1994: 35) unanswerable, rather the 'truth of power' lies in the production of truth itself, i.e. in knowledge or 'true discourses which are the bearers of the specific effects of power' (Foucault, 1994: 32).

### **Foucault's Non-Political Account of Power**

It is precisely because the genealogical method avoids any articulation of the disciplinary with the juridico-political power that Foucault fails to articulate an explicit political position. For Habermas, Foucault is caught up in the 'self-referentiality' of his genealogical critique, for by basing all forms of knowledge on subjugation he eliminates any meaning, validity, value or normativity for his own critique: '[g]enealogical historiography deals with an object domain from which the theory of power has erased all traces of communicative actions entangled in lifeworld contexts' (Habermas, 1994 : 98). Unlike Foucault Habermas and Arendt provide for a normative and a critical political philosophy. Cohen and Arato point out that while Foucault's 'dark' account of (civil) society 'presupposes differentiation...between state and society', he makes the 'error' of discounting any claims of a Bourgeois public sphere or civil society and publicity to deal with the emergent 'power' of Modernity (Cohen & Arato, 1992: 281). Habermas' historicist, normative critique of civil society is a history of the decline of the public sphere, so as to recapture a richer set of mediations between civil society and state.<sup>ii</sup> Hannah Arendt criticises what she calls the 'rise of the social' or of society as resulting in the dissolution the separate spheres of public/private, which is the condition for the classical Roman/Greek Republican political models on which she bases her 'redemptive criticism' (Cohen and Arato: 178).<sup>iii</sup>

Habermas' 'theory of communicative action' provides for the possibility of a normative critique of power, which sees values, norms and truth as generated by social actors or social groups in relation to the very life-world contexts that they also generate, an 'action-versus systems-theoretic' account. Honneth compares the Adorno's 'sociological deficit' to Foucault's focus on systems instead of the actors who produce those systems. (Honneth, 1994 : 178-81) While Habermas and Foucault both reject the autonomous, rational subject of the Enlightenment, Habermas does aim to 'reconstruct notions of subjectivity...consistent with both the social dimensions of

individual identity' (McCarthy, 1994: 248-9). Habermas does not abandon a normative framework of legitimate juridico-political rights, located within a 'public sphere' or some deliberative, communicative framework. Similarly Arendt's critique of civil society aims at a re-differentiation of state/civil society in terms of public/private modelled on the Greek/Roman polis. Both critiques are premised on a differentiation or re-differentiation of state/civil society, and thus centre on legitimating discourses of juridico-political power. While Foucault sees both disciplinary and juridico-political power as 'two absolutely integral constituents of the general mechanisms of power in our society' (Foucault, 1994: 45), he never attempts to articulate the one in terms of the other. This refusal to reconcile these two contradictory models of power means that like the Frankfurt school he literally 'disempowers critique...by an analysis that equates discourse, reflection and truth with power strategies.' (Cohen & Arato, 1992: 292) Like the dialectical method his genealogy is caught up in the very negativity of the reason it wants to expose as domination, but from which it can offer no way out.

### **The Heart of the Present**

In an article on Foucault's reading on Kant's WE, following Foucault's 'sudden death' (Habermas, 1994: 149), Habermas admits his surprise at Foucault's reconciliation of his own thought with this Enlightenment thinker, of whom Foucault is so critical in his *Order of Things*: 'How can Foucault's self-understanding as a thinker in the tradition of the Enlightenment be compatible with his unmistakable critique of precisely this form of knowledge, which is that of modernity?' (Habermas, 1994: 152) Other critics have also noted this contradiction. For many it marks a re-'turn' in Foucault's thought back to what he had previously tried to dismantle: 'the subject and power' (McCarthy, 1994: 261-2). Is this a return to the possibilities of a contract with power, with an exchange between passivity and critical activity at its basis? Is Foucault returning to a contractual, juridical-political model of power by aligning himself with Kant's separation of public/private reason in this paper? Christopher Norris, defends Foucault from accusations of post-modern pragmatism and relativism by critics like Richard Rorty<sup>v</sup>, and the 'liberal communitarian' critique Michael Walzer (Norris, 1993: 53)<sup>v</sup>. They characterise this as a return to subjective autonomy and thus a 'wholesale aestheticisation of ethics and politics'<sup>vi</sup> (Norris,

1993: 73). Norris explains that ‘...what emerges from Foucault’s series of engagements with the legacy of Kantian thought is not so much an overcoming of old antinomies as a re-run of issues that have not been laid to rest’ (Norris, 1993: 51-2). It is Foucault’s re-‘turn’ to Kant, so to speak, that we now turn.

For Habermas, Foucault in finding in Kant ‘the *first* philosopher to take aim like an archer at the heart of the present’ (Habermas, 1994: 151), is drawn back into the very philosophical discourse of Modernity that is the target of his critique. It is this connection between philosophy, history and power, and their relationship to the present, or Modernity that we will take up. It will be shown that Foucault makes a link between enlightenment, revolution and critique; getting to grips with this will help us understand Foucault’s return to ‘Modernity’. Norris’ reference to Foucault’s ‘aestheticisation of ethics and politics’ will prove to be instructive as we trace out an implicit link to Kant’s aesthetics, so as to show the types of ‘antinomies’ Foucault inherits from Kant. As such we take aim at Foucault’s answer to the question, which is also at the heart of the present discussion: ‘What is Enlightenment?’

## **2. Revolution/Enlightenment/Critique**

### *Enlightenment*

In his ‘What Is Enlightenment?’, Michel Foucault historicises Kant’s answer to the question by working out just that: Kant’s unique relationship to his own present. In that Foucault reads ‘What is Enlightenment?’ as an ‘entirely different’ way of articulating the ‘present, or of philosophy ‘reflecting on its own present’ (Foucault, 1984: 33). What Foucault emphasises is that ‘this little text is located in a sense at the crossroads of critical reflection and reflection on history...it seems to me that it is the first time that a philosopher has connected in this way, closely and from the inside, the significance of his work with respect to knowledge, a reflection on history and a particular analysis of the specific moment at which he is writing and because of what he is writing...And, by looking at it in this way, it seems to me we may recognise a point of departure: the outline of what one might call the attitude of modernity’ (Foucault, 1984: 38). Instead of defining Modernity as the epoch following ‘Enlightenment’, or preceding post-modernity, Foucault defines ‘modernity rather as an attitude’ (Foucault, 1984: 39).

For Foucault the attitude of modernity as the attempt to get to grips with our own historical determination, of the 'contemporary limits of the necessary', in order to both permanently critique and recreate ourselves in our autonomy<sup>vii</sup>. This is Foucault's genealogical and archeological project of determining the historical conditions, in the sense of determining materially within institutions of power or knowledge systems the 'discourses that articulate what we think, say, and do as so many historical events...it will separate out, from the contingency that has made us what we are, the possibility of no longer being, doing or thinking what we are, do, or think.' (Foucault, 1984: 46).

Foucault glosses the interdependence of public and private uses of reason that we have traced in detail. For him the question of 'how [is] a public use of ... reason to be assured?', merely formulates the 'Enlightenment ... as a political problem' (Foucault, 1984: 37). For Foucault this 'political problem' is resolved by Kant when

'he proposes to Frederick II, in scarcely veiled terms, a sort of contract – what might be called the contract of rational despotism with free reason: the public and free use of autonomous reason will be the best guarantee of obedience, on condition, however, that the political principle that must be obeyed itself be in conformity with universal reason' (Foucault, 1984: 37). We have discussed this, and we have also proposed the possibility of a slightly more risky or more radical reading. Kant's text by a possibly unconscious logic completely removes Frederick from the contract between public and private uses of reason so that it becomes a contract of the citizen-subject so to speak, with himself.

However, Foucault is not interested in getting to grips with a text that 'is not always very clear despite its brevity' (Foucault, 1984: 34), he is more interested in its relationship to history, or to its own present. Foucault does not seem to see the possible link of this internalisation of the political principle to the disciplinary notion of power at the basis of his own genealogical project. Here I would propose that the reason Foucault proposed a debate with Habermas around Kant's answer to this question is that it contains within it two possible answers, or readings, which are Habermas' (Arendt's) and Foucault's (A-H's) respectively. The first sees power as a

contract between subject and sovereign or citizen and state, the second sees power as an internalisation of domination, or of the political principle that constitutes the *citizen-subject* as member of the social body to which it subordinates itself. This latter model of disciplinary power is outside of a sort of 'economism' of power, where in the 'classic, juridical theory, power is taken to be a right which one is able to possess like a commodity', and thus able to 'transfer or alienate...through a legal act...contract' (Foucault, 1994: 26).<sup>viii</sup>

It is this conditional relationship between the emergence of 'citizen-subject' and Foucault's genealogical method that we will trace to a particularly aesthetic relationship between the radical critique of power and the modern philosophy of history that emerges after, or with, the French Revolution. In 'Kant on Enlightenment and Revolution', Foucault makes the link we began to make in section 2 between WE and CF, between Enlightenment and revolution.<sup>ix</sup>

### *Revolution/Critique*

Foucault calls CF 'a kind of sequel to the text of 1784' (Foucault, 1986: 91). It asks a parallel question to 'What is Enlightenment?', that is 'What is Revolution?'. He highlights the similarities between Kant's discussion of revolution and his discussion of the 'Enlightenment', each as a contemporary historical event<sup>x</sup>. Furthermore Foucault makes the link between his project and Aufklärung, or the attitude of enlightenment as embodied in these texts: 'With these two texts we are in a sense at the place of origin, the point of departure of a whole dynasty of philosophical questions. These two questions, 'was ist Aufklärung?', 'what is revolution?', are the two forms in which Kant posed the question of his own present. They are also, I believe two questions which have continued to haunt, if not all modern philosophy since the Nineteenth century, at least a great part of it' (Foucault, 19886: 95). It now becomes clear that Foucault wants to situate the Kantian interrogation of the present, which takes the form of historicising or working out the historical conditions of his own philosophical discourse as the origin of a whole mode of philosophical thought, and he places his own project within that.

The questions, 'What is Enlightenment?' and 'What is Revolution?' are connected to a third question: 'What is Critique?' in a speech delivered to an audience of

philosophers on the topic. Here Foucault defines critique as the possibility of questioning the relations between the subject, power and truth: 'critique is the movement through which the subject gives itself the right to question truth concerning its power effects and to question power about its discourses of truth. For Foucault Kant asks two questions. The first is from an idealist position: 'Do you really know how far you can know?', so that 'the courage of knowing ... consists in ... recognising the limits of knowledge' (Foucault, 1996: 387). In this first question, Kantian 'critique' and 'Aufklärung' are often treated as tautological. For Foucault, the slippage between 'free use of reason' and enlightenment is problematic because it fails to historicise the relationship between philosophical discourse and its present. It fails to ask Kant's other question, which is the question 'what is critique?' or 'what is enlightenment?'. Kant's philosophical reflection on his own knowledge as reflection on his present no longer merely equates enlightenment and critique.

Foucault explains that the 'critical attitude' that is based on a 'suspicion that there is something in rationalisation and perhaps even in reason itself that is responsible for the excess of power...from the Hegelian left to the Frankfurt School there was a whole critique of positivism, of objectivism, of rationalisation, of techne and of technocization' (Foucault, 1996: 388) It is in this 'tradition' (which is not really a tradition) that Foucault places himself, begun as it is from these three 'questions' left in the background of Kant's work: 'the problem of Aufklärung, which is perhaps after all the problem of modern philosophy' (Foucault, 1996: 391). Foucault notes that his approach to this problem makes him 'brothers with the Frankfurt School'. (Foucault, 1996: 391)

#### *The Conditions of Enlightenment/Critique/Revolution*

Foucault discusses Kant's WE on three separate occasions, in these discussions he points out the equivalence of Enlightenment, Critique and Revolution in posing the question of the relationship of knowledge to the present. He calls this the 'critical attitude' or 'the problem of modern philosophy', the understanding that knowledge cannot be separated from the present, or its contingent power. In some sense Foucault wants to detach this 'critical attitude' from the era known as the Enlightenment, that preceded Modernity, but in another he makes it 'the place of origin, the point of departure' of a particular relationship between philosophy, history and power that

enables such self-consciousness. Foucault makes the link between enlightenment in the 'little text' on enlightenment and revolution in CF as philosophical reflections on the present. However, I would argue that he glosses over the conditions of such reflection on the present, for both enlightenment and revolution.

Foucault glosses over the condition for Kant's judgement of the revolution: the significance or meaning of this historical event is not in the success or failure of the 'revolutionary drama', for Kant the proper locus of the value and meaning of the revolution is the spectators, not the actors, '[W]hat matters in the revolution is not the Revolution itself, it is what takes place in the heads of the people who do not make it or in any case are not its principle actors' (Foucault, 1984: 94). Furthermore, in the case of 'WE, the condition for judgement is the differentiation of public and private uses of reason, which we have shown is contingent on the emergence of that strangely doubled 'citizen subject', who we have argued is also the locus of Foucauldian disciplinary power.

I would argue that the condition for reflection on the Enlightenment is the internalisation of the political principle, that is the doubling of 'citizen subject' into private and public selves as the immanent nature of the 'political contract' in Modernity. This enables the 'citizen subject' to be both a passive element of the process of Enlightenment, as well as an active subject obliged to actively bring about man's 'freedom'. There is space both for the non-reflective (private) and critical (public) uses of reason within this double existence. Now, in the case of the revolution, the condition for reflection on the revolution is that its meaning is removed from the actual actors and events of the revolution, and placed with the spectators, who cannot act despite their own *public sympathy*. Isn't this just another kind of doubling of the self, into spectator and actor, if forbidden to act? Spectatorship is the condition for reflection on the revolution, and being 'citizen subject' is the condition for reflection on the Enlightenment, both of which are forms of reflection on the present, i.e. forms of radical critique. Here I mean radical in both senses, of returning to the 'root'; and as in challenging existing power structures, which provide for the more subversive readings of Kant's 'challenge' to Frederick and his approval of the French Revolution. What exactly is the form of this conditional relationship between the spectator/actor or the citizen-subject and

enlightenment/critique/revolution or the present? Surely this constellation is the reason that Foucault kept returning to this 'little text', so obscure 'despite its brevity' (Foucault, 1984: 34).

To work out this relationship we will turn to Hannah Arendt's Lectures on Kant's Political Philosophy. What we will argue is that there is, a particularly 'aesthetic' relationship between the enlightenment, critique and the revolution that is so to speak inherently political, informing and informed by the emergence of the 'citizen subject' as spectator within a Modern philosophy of history based on 'revolution'.

Furthermore, it will be shown that a particular form of critique, that is Foucault's genealogical method and A-H's dialectic, are caught up in this aesthetic relationship to the present. The lack of explicit political position within these modes of 'radical' critique in contrast to Habermas and Arendt will be shown to be inextricable from this aesthetic formulation. To show how revolution acts as a metahistorical concept in the modern philosophy of history we will use Reinhart Koselleck's 'The Semantics of Historical Time', where in three essays he discusses the relationship of the philosophy of history as progress and the French revolution. Arendt shows that the actual location of Kant's unwritten political philosophy is his Critique of Aesthetic Judgement. Arendt's link between Kant's political thought and 'taste' is Revolution.

### **3. The Aesthetic Formulation of the Kantian political-moral problem**

Hannah Arendt's 'Lectures on Kant's Political Philosophy' begin with an antinomy for, explains Arendt, Kant 'never wrote a political philosophy' (Arendt, 1982: 7). My reading of the Conflict of the Faculties was influenced by Arendt's, which made clear to me Kant's focus on the spectators versus the actors of the revolution, and which clearly illustrates the role of publicness in Kant's resolution of the moral-political problem, if only to show me its complications. Similarly, the link that she makes from this to aesthetic judgement also proves to be both revealing and complicated. Of course, the way that Kant judges the revolution according to his philosophy of history is not compatible with his moral philosophy, which as has been shown condemns all acts against the state. <sup>xi</sup>

## Revolutionary Actors and Spectators

Arendt discusses this as 'the clash between the principle according to which you should act and the principle according to which you judge' (Arendt, 1982: 48). This is shown to be the 'conflict between the engaged actor and the judging spectator', or "a conflict of politics with morality" (Arendt, 1982: 48). I have traced this problem of a moral-politics in detail, only to arrive at two possible solutions, the one being 'publicness', as what mediates between civil society and sovereign state. The other solution is articulated in an internalised contract between what we have called the 'citizen subject' whose emergence is concomitant with the French revolution. Arendt's link between the political and the aesthetic via Kant's judgement of the French Revolution will prove instructive on the link between this internalised political principle and a philosophy of history that is itself based on revolution.

Kant's discussions of the French Revolution give a privileged status to the spectator: 'he could discover a meaning in the course taken by events....that the actors ignored; and the existential ground for his insights was his disinterestedness, his non-involvement' (Arendt, 1982: 54). For Arendt this 'supremacy' of the spectator is 'among the oldest, most decisive, notions of philosophy... the superiority of the contemplative way of life' (Arendt, 1982: 55). However, for Arendt 'Kant's view is different' (Arendt, 1982: 55). Kant makes the spectator the 'judge', and so '[T]here is joined to this old notion in Kant an altogether new one, the notion of progress, which actually provides the standard according to which one judges.' (Arendt, 1982: 56) She compares this to the Greek spectator for whom the meaning of the tragedy or a particular event is in its 'end':

[P]rogress as the standard by which to judge history somehow reverses the old principle that the meaning of a story reveals itself only at its end...[I]n Kant, the story's or event's importance lies precisely not at its end but in its opening up new horizons for the future. It is the *hope* it contained for future generations that made the French Revolution such an important event...[I]t is a "world-historical" event because it contains the seeds of the future. (Arendt, 1982: 56).

Arendt now asks 'Who, then, is the subject of the story?', thus of history? (Arendt,

1982: 57) In this 'Perpetual Progress' towards peace, or the realisation of freedom the subject is 'the human race in general'; for Arendt this is the position occupied by the spectator as "world citizen" or "world spectator" (Arendt, 1982: 58), who judges 'behind the backs of the actors' (Arendt, 1982: 59).

Arendt identifies that this type of judgement is very different from the practical judgement that occurs in moral matters, which relates the will to some object, and thus always involve an action, an act which accords theory with practise because it can only happen according to the maxim of reason. Most of Kant's political philosophical writings exist in this tension, in what we have called the conflict of theory with practise, or freedom as idea versus as legislated. She shows that Kant's treatment of the French Revolution is an exception, because the event itself is exceptional: 'what constituted the appropriate public realm for this particular event were not the actors but the acclaiming spectators' (Arendt, 1982: 61). It is thus that she turns to the aesthetics, where she finds an 'analagous problem': genius versus taste. (Arendt, 1982: 61)

### **The End of Progress**

From now onwards the direction in which Hannah Arendt's reading leads is determined by her final point, the end, so to speak, of her argument: 'sociability' is the 'very origin, not the goal, of man's humanity' (Arendt, 1982: 74). This allows her to alter Kant's philosophy of history, to redirect it from the end of progress to the origins of 'sociability', or 'society'. She emphasises something Kant calls 'sensus communis' or common sense, as 'a faculty of judgement which in its reflection, takes account (*apriori*) of the mode of representation of all other men...in order, as it were, to compare its judgement with the collective reason of humanity' (Arendt, 1982: 71), quote from Kant. She connects this common sense to the idea of taste as 'the faculty of judging *apriori* of the communicability of feelings that are bound up with a given representation' (Arendt, 1982: 72, Kant). Now, this is not an incorrect reading of Kant, and the 'sensus communis' is essential to his deduction, but I will show that what he means by the airport 'communicability of feelings' is far from an actual communication, and further still from language.

What Arendt does however is to connect common sense to something Kant calls the 'Empirical Interest in the Beautiful', which since Kant's deduction is concerned with 'pure' judgements of taste for Kant it is an aside and thus; 'of no importance for us here' (CJ, §29: 156). It is however, important for Arendt's reading:

[T]he empirical interest in the beautiful exists only in society...[F]urther, a regard to universal communicability is a thing which everyone expects and requires from everyone else, just *as if* it were an original compact dictated by humanity itself.

(Arendt, 1982 quoting CJ: 155)

Now, a judgement of beauty must necessarily occur outside of any interest in the object, that is no desire, no sensation, and no concept of that object. It is a judgement *a priori*, it involves no actual communication with others, but an ability to judge of something called 'universal communicability', an idea I would argue Kant leaves somewhat undefined or ambiguous. My discussion of the ambiguities of Kant's deduction will follow. What is important for now is that this 'empirical' and thus 'aposteriori' interest in the beautiful occurs after the fact, that is 'after it has once been posited as a pure aesthetic judgement', this interest in society combines with it. (154) The 'as if' in the above statement is telling. For Arendt this 'as if' becomes 'the maxim of the actor and the maxim, the "standard", according to which the spectator judges the spectacle of the world', i.e. 'this original compact' is what unites 'actor and spectator' (Arendt, 1982: 75), 'world spectator' is now also 'world citizen' who must judge and act 'as if' universal communicability were an original compact of society (Arendt, 1982: 76). However, the tautology in this is clear. The 'universal communicability' does not exactly presuppose society – but acts *as if* it did. Rather, this empirical interest in society attaches itself to the aesthetic judgement after the fact, i.e. not *a priori*. Nonetheless, Arendt is correct in assuming that 'universal communicability' is the pre-requisite for judgements of taste. However, this far from simply presupposes 'empirical society'. Rather these difficulties or what Kant would call 'antinomies' in this idea of 'universal communicability' are exactly what informs the difficulties in Kant's deduction of aesthetic judgement.

I will show how Kant's deduction of pure judgements of taste is made possible by the idea of common sense and universal communicability, but I will argue that Arendt's

reading, because of its redirection of Kant's philosophy of history from progress to 'sociability', that is to origins instead of ends, continually conflates 'universal communicability' with actual communication that is dependent on the empirical existence of society.

### **A Transcendental Sleight of Hand**

Arendt's connection to 'a similar or analogous situation, the relation between the artist, the maker, or the genius and his audience' as analogous to the relationship of spectator/actor (Arendt, 1982: 65), makes for her connection to the problem of taste in general: how does this most private of senses come to be used to describe the most public of faculties? Essentially this is the same question that CJ attempts to answer, 'How are judgements of taste possible', that is how is it possible that subjective judgements are asserted as if they were objective, as if the statement that something is beautiful will be agreed to by everyone. That aesthetic judgement is referred to as 'taste', that most private and immediate of senses whose 'it-pleases-or-displeases me is overwhelmingly present', yet cannot be 'represented', is symptomatic of the very problem with Kant's deduction of such objective-subjective judgements, such privately-public statements as, 'this is beautiful'. (Arendt, 1982: 66)

The problem of the Critique of Aesthetic Judgement is this:

[I]n all judgements by which we describe anything as beautiful we tolerate no one else being of a different opinion, and in taking up this position we do not rest our judgement upon concepts, but only on our feeling. Accordingly we introduce this fundamental feeling not as a private feeling, but as a public sense. ... [T]he assertion is not that every one *will* fall in with our judgement but rather that every one *ought* to agree with it. Here I put forward my judgement of taste as an example of the judgement of common sense, and attribute to it on that account *exemplary* validity. (CJ, § 22: 84)

In other words Kant attempts to deduce the possibility of how something 'subjectively universal (a necessary idea for every one), could, in what concerns the consensus of different judging Subjects, demand universal assent like an objective principle'. He

asks, how is a subjective judgement to be 'converted into a rule for everyone' (CJ, §22: 84-5)?

We will argue that Arendt's argument is premised on the successful deduction of the 'subjectively universal': she assumes that Kant manages the transcendental deduction of aesthetic judgements. We will argue, however, that Kant's deduction of judgements of taste proves to be a transcendental sleight of hand. Kant explains,

[W]hat makes this deduction so easy is that it is spared the necessity of having to justify the objective reality of a concept. For beauty is not a concept of the Object, and the judgement of taste is not a cognitive judgement. (CJ, §38, *Remark*: 147)

His entire deduction of the judgements of taste as synthetic *apriori* judgements (like the moral law) is based exactly on the 'formal' versus content-based nature of these non-cognitions. He progressively empties the phrase 'judgements of taste' of any empirical content (actual characteristics of the beautiful object) so that it entirely depends on a feeling (of pleasure, or displeasure in the case of the sublime) in the subject. Now, this feeling is not based on a sensation, a delight in the object itself, like a smell or the taste of a meal, it is 'disinterested delight' (49)<sup>xii</sup>. It is, however, universal because of something Kant calls *universal communicability*.

This is the precondition for judgements of beauty, their universal communicability:

it is the universal capacity for being communicated incident to the mental state in the given representation which, as the subjective condition of the judgement of taste, must be *fundamental*, with the pleasure in the object as its *consequent*. (CJ, § 9: 57, italics mine)

This in turn causes the subject to assert his subjective response as universal, not exactly objective in the way that cognitive judgements subsume the empirical manifold of intuition under a concept but in an analogous way to the moral 'ought', in that everyone 'ought' to agree on the beauty of the object. Having made this 'universal communicability' prior to (as in the condition of) the judgement of taste, Kant is able to derive the transcendental status of such synthetic judgements, i.e. that they are *apriori*, that is not *aposteriori* or after the (empirical) fact or experience of the object. He does this by deducing this universal communicability from the

possibility of cognition in general: the accordance of the imagination with the understanding in all cognitions. However, with one slight difference: this is a 'free play' of the imagination with the understanding (CJ, §9: 58).

However, it is my contention that Kant never sufficiently explains how such a free play is possible. How can the understanding work at a merely formal level, when it is exactly the faculty involved in the subsumption of the object under the concept? Kant says that taste 'contains a principle of subsumption, not of intuitions under concepts, but of intuitions or presentations, i.e. of the imagination, under the faculty of concepts, i.e. the understanding, so far as the former in its freedom accords with the latter in its conformity to law' (CJ, §35: 143). So he bases the transcendentalism of judgements of taste on the ability of all men to reason, since everyone is capable of this simple operation of pure reason, or cognition: the subsumption of intuitions formed by the imagination under concepts of the understanding, however this time the subsumption happens formally, with the understanding at the service of the imagination, and 'apart from a concept' (CJ, §9: 60). It is a '*free play* of the cognitive faculties', that is of imagination and the understanding (CJ, §9: 58).

This 'free play' however, remains a mysterious thing, based on the assumption of the universal communicability that precedes a feeling of pleasure in the beautiful object, but that cannot be known outside this feeling. Several questions remain unanswered. If the faculty of understanding is involved how does one prevent it from subsuming the object under a concept? If so, can one really talk about 'free play' as being totally formal? Kant seems to solve this with the idea that will become so important for Arendt, *common sense*. Kant defines it: 'there must be a subjective principle, and one which determines what pleases or displeases, by means of feeling only and not through concepts, but yet with universal validity. Such a principle, however, could only be regarded as a common sense. This differs essentially from common understanding, which is also sometimes called common sense (*sensus communis*) (CJ, §20: 82)<sup>xiii</sup>.

## Two-Stage Reflection on Revolution

Arendt makes use of Kant's discussions of common sense in his 'Deduction of Pure Aesthetic Judgements' (CJ, §39-40). I would argue that his earlier references to it tend to point merely to cognitive ability, that is the ability to reason in general as the condition for a common sense. For Arendt the basis of common sense is society, or sociability. Kant says that 'we assume a common sense as the necessary condition of the universal communicability of our knowledge, which is presupposed in every logic and every principle of knowledge that is not one of scepticism' (CJ, §21: 84).

Let us look a bit more closely at how Arendt reads the deduction of judgements of taste as successful. Arendt in fact inverts the order of the pleasure in the beautiful object and the 'universal communicability', making the latter a consequence of the former, where for Kant universal communicability 'must be *fundamental*, with the pleasure in the object as its *consequent*' (CJ, §9: 57, italics mine). Her reason for doing this is so that she can break up the judgement of taste into two stages of reflective judgement, involving first the imagination and second 'common sense', removing the faculty of 'understanding' somewhat from the picture so as to politicise or socialise the aesthetic.

Arendt reads aesthetic judgement as a two-stage process, first of 'removing the object' from perception or sensation by the re-presentation of it by the imagination, 'the faculty of making present what is absent' (Arendt, 1982: 66). Thus, 'the object is removed from one's outward senses, it now becomes an object for one's inner senses' (Arendt, 1982: 68), creating the 'proper distance...or disinterestedness' necessary for the 'operation of reflection', that is the second stage, 'the actual activity of judging something' (Arendt, 1982: 68). Now, Arendt makes the move to the political, bypassing the rather mysterious, somewhat messy notion of the 'free play' of the imagination and the understanding, with its orderly store of concepts, altogether. For

Arendt the 'representation' by the imagination is 'immediately present to one's inner sense, and this inner sense is discriminatory by definition: it says it-pleases or it-displeases...it chooses' (Arendt, 1982: 69). Then there is a second stage of reflective judgement on this initial choice: 'this choice is itself subject to still another choice: one can approve or disapprove of the very fact of pleasing' (Arendt, 1982: 69). For Arendt the criterion of this second judgement is 'communicability', and the faculty for determining the communicability of a judgement is 'common sense'. Arendt emphasises one sense of Kantian 'common sense' as that which is necessary for 'communication'. For her this ultimately refers to speech as the action 'that fits us into a community' (70) <sup>xiv</sup>

No-one familiar with Arendt's political philosophy would fail to recognise in this her emphasis on public speech as the most important form of human action<sup>xv</sup>. This prepares for her politicisation of the aesthetic, or her aestheticisation of the political. For Arendt aims to show that aesthetic judgements are based on the existence of 'common sense', which presupposes communication and thus community or empirical society as its criterion for making choices.<sup>xvi</sup> For Arendt Kant's judgement of the French revolution is analogous to the aesthetic since the 'universal yet disinterested sympathy' of the observers can be divided into two stages. First, the observers experience 'pleasure', that is in the form of 'disinterested delight', when they reflect on the aesthetic object of judgement, the revolution, from which they are already sufficiently removed. Next, this pleasure in the beautiful object, the revolution, is determined to be 'universal'. Since for Arendt, the criterion of aesthetic judgements is sociability, it must also be the criterion for this second stage of reflective judgement on the revolution. For Arendt a philosophy of history based on sociability as its origin (and end) implies that there can be a judgement where morality and politics do not conflict. Kant's judgement of the revolution is for Arendt such a moral-political judgement.

While Arendt's reading is by no means far from Kant, I would argue that there are in fact unresolved tensions within Kant's deduction, specifically concerning the primacy of the role of common sense/sensus communis. These tensions necessarily complicate her connection of the political and the aesthetic.

Firstly, it is difficult to discern two stages of reflective judgement, where first the imagination re-presents an object of sense, and then by-passing altogether the understanding has the effect of pleasure (which still sounds like a sensation), so that another stage of judgement on the original judgement/pleasure takes place. Kant does talk about 'pleasure perceived ... to be combined in the mind with the mere estimate of an object' (CJ, §37: 146), and that this delight in the object 'is connected with the mere estimate of its form, then what we feel to be associated in the mind with the representation of the object is nothing else than its subjective finality for judgement...which we may presuppose in all men' (CJ, §37: 146). Here pleasure results from the 'subjective finality', the formal operation of imagination and understanding, that is 'free play' associated with the representation. Thus, its universal communicability is 'fundamental', and pleasure 'consequent'. Furthermore, this

pleasure must of necessity depend for every one upon the same conditions, seeing that they are the subjective conditions of the possibility of cognition in general, and the proportion of these cognitive faculties [Understanding + imagination] which is requisite for taste is requisite also for ordinary sound understanding. (CJ, §39: 150)

This is Kant's transcendental sleight of hand, for he never really explains how understanding can operate without concepts, or what 'proportion' of understanding mixed with imagination is the right recipe for purely formal 'free play'. However, no one can argue about their *apriori* co-operation in cognition in general, already proved in the deduction of transcendental *apriori* categories in the *Critique of Pure Reason*. For the purposes of our argument, Kant has played out his card trick by a sleight of the hand.

It is our argument that while introducing two stages into aesthetic judgements does resolve those difficulties in the transcendental deduction like the role 'free play' and 'universal communicability', it does so by presupposing a *common sense*, that for Arendt amounts to sociability, an ultimately the empirical categories of society and communication in the form of speech. Examining Kant's double sense of the term *common sense/ sensus communis* and its role in judgements of taste will make clear an unresolved tension within the *Critique of Judgement*.

## Common Sense/ *Sensus Communis*

Following the transcendental deduction, Kant again discusses the *sensus communis* or 'common sense'. We will show that Arendt sort of brackets out an ambiguity in Kant's double sense of 'common sense'/*sensus communis*.

An earlier question proves instructive on how the *sensus communis*/common sense fits into Kant's argument. Kant asks,

'[B]ut does such a common sense in fact exist as a constitutive principle of the possibility of experience, or is it formed for us as a regulative principle by a still higher principle of reason, that for higher ends first seems to beget in us a common sense? Is taste in other words a natural and original faculty, or is it only the idea of one that is artificial and to be acquired by us, so that a judgement of taste with all its demand for universal assent, is but a requirement of reason for generating such a *consensus*, and does the 'ought', i.e. the objective necessity of all with the particular feeling of each, only betoken the possibility of arriving at some sort of unanimity in these matters, and the judgement of taste only adduce an example of the application of this principle?' (CJ, §20: 85)

For Arendt taste is natural and original, since common sense is a faculty that presupposes sociability, which is the conclusion of her argument. For Kant, or for our reading of Kant, the answer to the above question is not that simple. We can rephrase the question: do judgements of taste pre-suppose a common sense, that is a 'public sense' or *consensus*, or by their operation actually bring it into existence? If everyone can think, and does so in the same way, that is by subsuming particulars under universals, the concepts of the understanding which Kant has proved exist a-priori, why would any kind of common sense/*sensus communis*, as in 'enlarged understanding,' be necessary a priori in order to test something that is 'common human understanding'?

It seems that Kant's deduction is caught between two senses of common sense. The one is the possibility of any 'common human understanding', that is the possibility of conceptual thought in general, which is sufficient proof that judgements of taste are possible *apriori*, i.e. at a formal level. The other is the democratic sense of common

sense/*sensus communis*, as that ability to change places with the other, to extend one's thought to imagine how others would think. The latter sense of common sense follows the deduction (CJ, §39-40), and here Arendt picks up on Kant's use of political metaphors to describe it. He calls it 'public sense, i.e. a critical faculty which in its reflective act takes account (*apriori*) of the mode of representation of every one else' (CJ, §40:152). Furthermore, it indicates an 'enlarged mind: if he detaches himself from the subjective personal conditions of his judgement...and reflects on his own judgement from a universal standpoint'(CJ, §40: 153), furthermore this is 'the maxim of *unprejudiced* thought' (CJ, §40: 152). It is in this democratic sense that Arendt places 'common sense'/*sensus communis* at the basis of moral-political judgements, which for her are analogous to aesthetic judgements.

Our main point, here, is that Kant's deduction does not resolve the contradiction or 'antinomy of taste', since he never resolves the tension between these two ideas of common sense. It is thus very difficult to show that his judgements of taste presuppose any common sense, and I would argue that common sense is a relational concept, that comes about in the act of judging, but sort of presupposes itself in order to make that judgement. There are no judgements of taste without common sense, but common sense only comes about in judgements of taste. In other words 'taste' is contradictory, tautological, circular, revolutionary. As such it is leading us back to the revolution, from which this section began. Before we can arrive at this initial point it is necessary to close our discussion of the unresolved contradictions within Kant's aesthetics.

### **The Sublime and the Genius**

Two sections in Kant's CJ stand apart from the deduction of pure aesthetic judgements of taste, stand apart in that they do not exactly fit in with the rest of his argument: genius and the sublime. Kant places 'fine art', the work of genius, below the beauty of nature, since it is (usually) representational and thus risks requiring a determinate concept of what it is supposed to be. As for the sublime, while located within objects of Nature, or the relationship between the subject and certain objects of nature, Kant excludes the necessity of a transcendental deduction of aesthetic judgements on the sublime, saying that 'the exposition we gave of judgements upon

the sublime in nature was at the same time their deduction', thus confining his deduction of judgements of taste to 'judgements upon the beauty of things of nature.' (CJ, §30: 134). I will show that the unresolved contradictions of the deduction of judgements of taste reside in these two sections, which do not fit into a transcendental deduction that limits taste to 'the beauty of things of nature', with which neither the sublime nor genius are directly concerned.

### **Sublime Subjects, Beautiful Objects**

The sublime in nature is not beautiful, and it is experienced as 'negative pleasure, involving both an attraction and repulsion to the object (CJ, §23: 91). It consists of those objects of nature that are 'ill-adapted to our faculty of presentation...an outrage on the imagination' (CJ, §23: 91). These are objects at which our understanding reaches its limit, to which it is inadequate. Kant gives examples: 'shapeless mountain masses towering one above the other ...with their pyramids of ice, or the dark, tempestuous ocean....the earth's diameter, ....the cosmos' (CJ, §26: 104-5) .

The reason that Kant precludes the necessity of a transcendental deduction for judgements on the sublime in nature is that '[S]ublimity ... does not reside in any of the things of nature, but only in our mind'(CJ, §28: 114) or rather in the subject, the spectator not the object or spectacle. What is sublime is the ability of the subject to attempt to overcome the limits of its knowledge, expressing reason's superiority over sensual experience:

the feeling of the sublime in nature is respect for our own vocation, which we attribute to an Object of nature by a certain subreption (substitution of a respect for the Object in place of one for the idea of humanity in our own self – the Subject); and this feeling renders, as it were intuitable the supremacy of our cognitive faculties on the rational side over the greatest faculty of sensibility. (CJ, §27: 106)

This removal of sublimity from object to subject implies that it is based on the final relation of the cognitive faculties in the subject, which is already '*apriori* final', since the possibility of any cognition is dependent on it, precluding the necessity for a

transcendental deduction. This removal to the subject has implications for the moral nature of aesthetic judgements too.

Paul Guyer explains that most of Kant's contemporaries gave a 'theological account of the moral significance of the sublime' (Guyer, 1993: 259), symbolising the greatness of the creator. The Kantian alternative, however, is that the 'sublime makes the pain of being moral aesthetically cognisable' (Guyer, 1993: 253). In his final section of the CJ, Kant returns to 'freedom', the middle term of any synthetic *apriori* proposition, and as such of any transcendental deduction. He concludes his discussion of aesthetic judgements by showing that they are analogous to moral judgements because both are based on the idea of 'freedom'. Simply put, the autonomy of judgements of taste from sense demonstrates or comes closest to the subject's 'experience of freedom'. That, 'the beautiful is the symbol of the morally good' (CJ, §59: 222-5) means that beauty and morality are formally analogous, as if they follow the same rule, that of autonomy or reason, but they are not the same thing, and in fact an equivalence of the two is for Kant 'even a dangerous threat to morality' (Guyer, 1993: 257). Now, Guyer demonstrates another tension in Kant's relationship between the moral and the aesthetic: for Kant the sublime is 'a better symbol of morality' (Guyer, 1993: 258) since it truly

represents the power of our reason to override all natural determinism...[I]t is precisely the contrast between autonomy and the realm of nature which is the real basis for Kant's startling departure from the standard view that its vast extent and power makes nature itself sublime. (Guyer, 1993: 261)

In other words the sublime is a better symbol of morality because it symbolises 'freedom', or at least the tension within the subject that exercises the 'freedom' of reason.

In fact we will argue that the 'sublime' is reminiscent of the 'schizophrenia' or self-doubling involved in being both actor and spectator, genius and judge, public and private of the 'citizen subject'. Kant explains,

nature is not estimated in our aesthetic judgement as sublime so far as exciting fear, but rather because it challenges our power (one not of nature) to regard as small those things of which we are wont to be solicitous (worldly goods, health, and life), and hence to regard its might (to which in these matters we are no doubt subject) as exercising over us and our personality no such rude dominion that we should bow down before it, once the question becomes one of our asserting or forsaking them. (CJ, §28: 111)

The condition then for the experience of the sublime is an experience that occurs in a state of schizophrenia, 'not pleasure but a sort of delightful horror' (CJ, §29, General Remark: 131), the condition is both an immediate and real 'fear' as well as the fearlessness of 'regarding our estate as exalted above it' (CJ, §28: 114). It is this that Guyer describes as the 'pain of being moral'; that the sublime is experienced in a state of pleasure and 'horror' is symbolic of the moral law's simultaneous requirement of 'freedom' in unfreedom. It is the implications of this 'schizophrenia' in the sublime subject, no longer the natural object, and its connections to the 'citizen-subject' of Kant's moral politics, that we will finally trace out in relation to Kant's discussion of revolution, vis-à-vis Arendt's aestheticisation of it.

### **Genius/Taste?**

Kant's subordination of genius to taste, is for Arendt analogous to the importance of role of the spectator as judge of the French Revolution, instead of its actors. It is necessary to show that once again 'taste' and genius exist in a circular, or dialectical relationship to one another, making for another unresolved tension within the deduction, and thus in its link to the judgement of revolution.

Kant explains that

Genius properly consists in the happy relationship, which science cannot teach nor industry learn, enabling one to find out ideas for a given concept, and, besides to hit upon the expression for them – the expression by means of which the *subjective mental condition* induced by the ideas as the concomitant of a concept may be communicated to others (CJ, §49: 179).<sup>xvii</sup>

What is communicated here are something Kant calls *aesthetic ideas*, and what is communicated is not the idea but the 'subjective mental condition induced by the ideas'. Aesthetic ideas are the expression, but only by association, of the ideas of reason that 'cannot be adequately represented'. These are ideas like 'hell, eternity, creation, &c Or...death, envy, ...also love, fame, and the like' (CJ, §49: 176.) The aesthetic idea 'serves the above rational idea as a substitute for logical presentation' (CJ, §49: 177). This seems to work by the laws of association, much like metaphor in poetry. Genius is the faculty which employs the imagination and the understanding to take these inexpressible ideas of reason and to 'body (them) forth to sense' (CJ, §49: 177).

This seems simple: we finally know what Kant means by 'free play' of imagination and understanding. It now becomes possible to understand beauty as being a kind of relationship between form and content, which communicates aesthetic ideas universally because everyone has the 'common sense' to recognise them. However, this positive conception of 'free play', and the possibility of representing an idea of reason may introduce something empirical into judgement of the works of genius, empirical in the sense of the ideational content expressed in the form of the object, and the intention of the artist. This positive explanation of genius does not really fit the negativity of the transcendental deduction. This may account for Kant's hierarchy of natural over artistic beauty.<sup>xviii</sup>

Kant seems to resolve this by the introduction of the category of 'taste' into the work of genius. To avoid the beauty of art being based on a concept, the beautiful in art must be that which gives itself a rule, unlike beauty in nature. Yet, to be beautiful art must have the appearance of nature, that is it 'must not have the appearance of being intentional', of following pre-given rules. Genius, is 'the innate mental aptitude ...through which nature gives the rule to art' (CJ, §46:168). While the products of genius must never imitate, 'its products must at the same time be models' (CJ, §46: 168). In other words fine art as the product of genius must always be exemplary, that is to serve as a rule or standard for estimating what is beautiful, and this is only a 'rule by example'. Again, the type of rule that genius gives to fine art in its originality surpasses communication:

It cannot be set down in a formula and serving as a precept – for then the judgement upon the beautiful would be determinable according to concepts. Rather must the rule be gathered from the performance...[T]his is something which cannot be done by mere descriptions (especially not in the line of the arts of speech) (CJ, §47: 171).

‘Taste’ is the means of judging these fine art objects, and thus of the artist’s learning by example. In introducing taste into genius, however, Kant gets himself caught up in the tautology of taste and common sense once more. ‘Taste’ is what ensures the universal communicability of the works of genius, yet this ‘communicability’ involves no communication, least of all anything resembling speech. Here ‘universal communicability’, the rule of thumb of the faculty of judgement, or of common sense, is the rule that comes after the fact. It is the rule, as in form, given by the genius to fine art, the rule of what is beautiful, or what is to be judged beautiful. It cannot precede the judgement, which is at the same time its own judgement. We are far from an Arendtian conception of common sense as the condition for judgements of taste, for her analogous to sociability as the basis of all judgement, as the origin and end of the process of human history. What we have here is a more circular or perhaps a better word would be dialectical relationship of what constitutes the constellation of judgement, genius, and taste or common sense.

### **The Citizen Subject, Genius and the revolution**

Guyer argues that Kant’s discussion of genius excludes the possibility of ‘fine art’ being symbolic of the moral, since it is not grounded in autonomy, since ‘art gratifies our inclination to sociability, which is itself of no direct moral value’ (Guyer, 1993: 271). This is in direct contrast to Arendt’s argument for whom the primacy of taste in Kant’s discussion of genius implies the importance of judgement over action, that is the role of the spectator as judge, and thus makes sociability (in the form of a common sense) the basis of both aesthetic and (radical) political judgement, such as Kant’s moral justification of (the French) revolution from the perspective of his philosophy of history. Rather we have traced the inner contradiction of ‘taste’ within Kant’s transcendental deduction. That the ‘sublime’ is excluded from this deduction is due to its exclusion of the problem of ‘taste’ altogether since it is removed from objectivity to subjectivity entirely. Yet, the condition for this is a kind of internal split

within the subject, now herself 'sublime', who experiences both helplessness (unfreedom) before the very nature, of which she is also fearless because her reason is autonomous (free). This reminds us of another contradictory double we have encountered: the 'citizen-subject' of Kant's moral politics.

Arendt makes a link between the political-moral and the aesthetic premised on a successful transcendental deduction. By definition such deductions can never really be successful, they can only prove the possibility of success, and are premised on a contradiction<sup>xix</sup>: 'the antinomy of taste': the thesis that judgements of taste are subjective and the antithesis that judgements of taste are objective. For Kant [T]here is no possibility of removing the conflict of the above principles...this double sense, or point of view... is necessary for our power of transcendental judgement' (CJ, §56-7: 206)<sup>xx</sup>. We have sketched this contradiction or antinomy of 'taste' in the form of the question of whether common sense is presupposed or whether it comes about in the act of judging.

It is necessary to return to Kant's 'judgement' of the French Revolution according to his philosophy of history, which for Arendt is an 'aesthetic' judgement. We will show that this particularly modern philosophy of history as progress or process is itself based on 'revolution' as metahistorical concept. Kant's judgement of the revolution will now be mapped, not to 'pure aesthetic judgements' of objects of natural beauty, which are symbolic of the moral. Instead, following from the unresolved tensions we have traced in Kant's aesthetics we will show how this judgement is rather manifested in the two categories of the aesthetic that do not exactly fit in with natural beauty or morality: genius and the sublime.

#### **4. Revolution as Metahistorical Concept**

In conclusion, we connect Kant's discussion of the revolution in CF with an idea of history that is peculiar to that period of history we now call Modernity. We will borrow the argument of historian Reinhart Koselleck that this modern idea of history, of the past and its relationship to the past, takes as its point of departure from older forms of history, the French revolution, or more specifically it originates in the problem of how to judge the revolution as an historical event. To show this we will

use Koselleck's conceptual history of the 'revolution' for historical thought in his book 'Futures Past – On the Semantics of Historical Time'.

Koselleck argues that 'revolution' becomes both a supra- and meta-historical concept in Modernity. Previously, history is determined by the religious belief in the final judgement:

[U]ntil well into the 16<sup>th</sup> century, the history of Christianity is a history of expectations...the constant anticipation of the End of the world on the one hand and the continual deferment of that End on the other. (Koselleck, 1985: 6)

What this implies is an a-temporal idea of history, where the past, present and future are able to exist in 'a common historical plane' (Koselleck, 1985: 4) integrated by the idea of the approaching end. What happens in the reformation, however, is an acceleration of the time approaching the End, and he attributes this to a change in the role of the church after the end of the 30 years of religious civil war. For Koselleck, the role of the church is no longer to *sublimate* the end of time in its own history of salvation, but this now becomes the role of the state. As such religious civil war becomes war between states, thus the emergence of 'politics', and the separation of the moral/religious sphere (Koselleck, 1985: 8). This sees the end of predictions of the end. What replaces this is the 'delicate art of political calculation' (Koselleck, 1985: 14), or rational prognosis. However, it is the philosophy of history as progress, or progress as historical process that decisively 'detached early modernity from its past and the same time inaugurated modernity with a new future.' (Koselleck, 1985: 16)

The bearer of the Modern philosophy of historical process was the citizen emancipated from absolutist subjection and the tutelage of the Church: the prophet philosophe, as he was once strikingly characterised in the 18<sup>th</sup> century. (Koselleck, 1985: 17)

It is the French Revolution itself that breaks with the past because of the way that it opens up the future as an unknown. Koselleck says of Diderot's prediction of the revolution in the Encyclopaedia that 'its point of departure is modern' (Koselleck, 1985: 18). For Diderot says, 'What will succeed this revolution? No one knows' (Koselleck, 1985: 19-20)

In his essay 'Historia Magistra Vitae', Koselleck discusses the change from history as 'the greater teacher of life' (Koselleck, 1985: 22), whose events and stories have exemplary validity for the present, for teaching the rulers of the present how to act according to the past, to history as 'geschichte'. Geschichte does not consist of chronicles, of accounts of past lives that serve as examples for present ones. Koselleck calls Geschichte a 'collective singular', consisting of singular histories transformed into a world history:

[T]he writer of history who is worth such a name must represent each incident as part of a whole or, what amounts to the same thing, within each incident illuminate the form of history in general. (Koselleck, 1985: 30-31)

Geschichte takes on the form or the poetics of the epic, or the novel, and 'converged as event and representation' (Koselleck, 1985: 27), demanding that events and individual accounts are integrated into a unified whole: the collective singular called *Geschichte*, that claims to be the true (his)story.

History as teacher for life is now replaced by a history that can only determine 'the general resultant', an era, or a process. As such Geschichte already contains its own philosophy of history within itself: 'History and the philosophy of history are complementary concepts which render impossible any attempt at a philosophisation of history' (Koselleck, 1985: 32). The meaning of the event in other words is not in its 'explanatory value' for the present, but is immanent, contained within its own end. What is meant by this is best explained in Koselleck's comparison of the central place of the revolution in French thought to that of Geschichte in German thought. This was due to the way that 'the French Revolution ... seemed to outstrip all previous experience' (Koselleck, 1985: 33). Its uniqueness meant the impossibility of its 'similitude' to the past examples or its repetition in the unknown future: it is a discontinuity with the past, which is thus temporalised instead of a continuity of past/present/future. The revolution becomes a 'metahistorical concept' (Koselleck, 1985: 46), which for philosopher Niebuhr: has lent "epic unity to the whole" (Koselleck, 1985: 30), serving the purpose of Geschichte, of giving the meaning to history as the form of history.

Now, this 'metahistorical' concept, revolution, is somewhat contradictory. Koselleck traces its uses from the French to the first industrial and then the second industrial revolution, and to the American civil war as well as to the postcolonial, showing how it is the 'catchword' of modern political vocabulary, used to denote almost any major change. He traces its origins to the natural cycle of the planets, as such 'transhistorical', to its post-French revolutionary historical sense. This Historical use of the concept, since the revolution, that is after 1789, is determined by the French revolution. It becomes 'a collective singular', uniting within itself 'the course of all individual revolutions'. It is a political transformation that implies a social transformation: the question was 'to make out of the French revolution a social revolution, that is an overturning of all currently existing states' (Koselleck, 1985: 48-9). It is characterised by the 'acceleration of time...an unconscious secularisation of eschatological expectation' (Koselleck, 1985: 47). This acceleration of the present to become the future is once again 'fixation on an end-state by participating actors...the subterfuge of a historical process, robbing them of their judgement' (Koselleck, 1985: 18). Thus revolution already contains reaction to revolution within itself: the end of the revolution; thus acceleration implies retardation. This philosophy of historical process as progress is characterised both by an open future, but because of this the historical subject, or citizen, 'cannot wait for this future. He wants this future to come more quickly and he himself wants to accelerate it' (Koselleck, 1985: 18).

It also implies a total social revolution, along with the individual political ones, 'a world revolution', but at the same time the acceleration of the end implies its incompleteness and revolution implicitly contains its contrary: 'counterrevolution' or reaction. (Koselleck, 1985: 52) Thus, it is necessarily declared a 'permanent revolution': 'history of the future will be the history of revolution' (Koselleck, 1985: 49). Yet, the 'revolution' demands that the future be unknown. Thus, while historical time is differentiated by, or after, the revolution according to the cycle of acceleration and retardation, the cycle of revolution/reaction, how can it presuppose an unknown future, which is the condition for the philosophy of history as progress? To answer this contradiction let us return to Kant on revolution.

In fact Arendt concludes her *Thirteenth Session* with an inkling of the self-contradiction within the philosophy of history as progress being the rule for any (radical) judgement of the present, and the peculiarly aesthetic nature of such a judgement:

We were talking about the partiality of the actor, who because he is involved, never sees the meaning of the whole. This is true for all stories....The same is not true for the beautiful or for any deed in itself. The beautiful is, in Kantian terms, an end in itself because all its possible meaning is contained within itself, without reference to others – without linkage, as it were, to other beautiful things. ... [I]n other words, the very idea of progress – if it is more than a change in circumstances and an improvement of the world – contradicts Kant's notion of man's dignity. Progress, moreover, means that the story never has an end. The end of the story itself is in infinity. There is no point at which we might stand still and look back with the backward glance of the historian. (Arendt, 1982: 77)

This somewhat misplaced reference to the philosophy of history in Arendt's final session, after her argument is concluded, seems to complicate her conclusion that it is sociability and not progress that are the basis of moral-political judgements of the present. It is this final contradiction that my work has ultimately led from and returned to, like the revolution that circles back on itself. As in Arendt's unravelling of her own conclusion, this makes for another critique that is also struggling to conclude itself.

### **Is the human race *still* improving?**

Arendt quotes Kant,

Now I claim to predict to the human race—even without prophetic insight – according to the aspects and omens of our day, the attainment of this goal. That is, I predict its progress toward the better, which from now on, turns out to be no longer completely reversible. For such a phenomenon in human history is *not to be forgotten*...But even if the end viewed in connection with this event should not now be attained, even if the revolution or reform of a national constitution should finally miscarry, or after some time had elapsed, *everything should relapse into its former rut (as politicians now predict)*, that philosophical prophecy still would lose nothing of its force. For that event is too important, too much interwoven with the interest of humanity, and its influence too widely propagated in all areas of the world to not be recalled on any favourable occasion by the peoples which would then be roused to a repetition

of new efforts of this kind...[T]o him who does not consider what happens in just one people but also has regard to the whole scope of all the peoples on earth who will gradually come to participate in these events, this reveals the prospect of an *immeasurable time*.' (Arendt, 1982, quote from CF: 46, italics mine)

All of the characteristics of Koselleck's 'revolution' as metahistorical concept are present here: the 'immeasurable time' of the future, the prediction of the 'relapse' of the revolution into counter-revolution and the 'philosophical prophecy' of the progress of mankind, which has no end point but that will be characterised by the repetition of revolution. The antinomy of the metahistorical concept of revolution as 'open future' and as 'repetition of revolution/reaction' becomes clear when we retrace the link to the aesthetic.

It is the main argument of this dissertation that the French revolution is the point of departure of a strangely aesthetic relationship between the historical subject and history. If we take the revolution to be an art object, instead of a beauty of nature, since it is manmade, we could say that the revolution is the beautiful object, as it contains its end within itself: counterrevolution. The genius, the 'nation of gifted people' (Kant, CF: 182), has substituted this aesthetic idea of revolution for the abstract idea of progress. Progress, however, is the metahistorical concept by which we judge the revolution as an historical event, i.e. as beautiful. This would explain the contradictory nature of 'revolution' as metahistorical concept. For the actor there is no future outside of revolution/repetition, but for the historical subject, the spectator, the future is open for progress, itself an idea exemplified by the revolution.

However, to quote Foucault on Kant,

[W]hat matters in the revolution is not the Revolution itself, it is what takes place in the heads of the people who do not make it or in any case are not its principle actors. (Foucault, 1984: 94)

The rule is not deduced from the object itself, as if it were the aesthetic form given to the content of a rational idea, like progress. In fact philosophy and history struggle to make sense or meaning out the revolution, and the reaction, the terror; it 'seemed to

outstrip all previous experience' (Koselleck, 1985: 33). The progress of the human race is deduced from the disinterested sympathy of the public of world spectators, who judge their own judgement as 'universally communicable'. It is this judgement which seems to assume a beautiful form, becoming symbolic of the moral disposition in the human race (for Kant beauty is symbolic of morality). It is the consensus, the singular collective reaction to the revolution that becomes the beautiful object, itself the form or the aesthetic idea the genius, the philosophy of history, substitutes for progress, which gives the rule according to which to judge only in the act of judging.

But what of the contradictions contained within 'common sense', taste, and genius? Are these really the correct terms with which to make the link from political judgements to the aesthetic? Since judgement judges itself, it presupposes the 'common sense' that it in fact brings about via deducing a rule by which to judge. Our argument has refused to resolve this contradiction by dividing judgement into a two-stage process thereby making 'common sense' *apriori*, thus opening Kant's text up to make the 'empirical' existence of society the condition for judgement. Instead of making 'common sense' *apriori*, that is the sense of being in society, of having a common rule or moral obligation to society, we would rather say that this 'common sense' comes about only in the act of judging, as a requirement for it, a kind of trick or sleight of hand. A brief discussion of Althusser's reading of Rousseau will be helpful on this point.

Althusser locates a discrepancy within the 'exchange' that characterises Rousseau's 'Social Contract':

the paradox of the Social Contract is to bring together two RP's [Recipient Parties], one of which exists both prior to and externally to the contract, while the other does not, since it is the product of the contract itself, or better: its object, its end. (Althusser, 1972: 129)

Furthermore this

discrepancy can be recognised between ... the juridical concept of the contract, which Rousseau imports into his problematic to give it cover, and the actual content of his contract... [I]n fact, his social contract is not a contract but an act of constitution of the second RP for a possible contract, which is thus no longer the primordial contract. (Althusser, 1972: 131).

In other words, we have again arrived at the impasse between the positions of Foucault (and implicitly A-H) and Habermas and Arendt. One could argue that Habermas and Arendt base the aesthetics of their critique of power, or their respective political philosophies on an *apriori* assumption of 'common sense' or communicability, that presupposes society, a shared or common understanding at the basis of all political, moral and historical judgements. It is thus that they present the 'social' as a legitimate contract, bracketing out the discrepancy noted by Althusser. Foucault and indirectly A-H have very different conceptions of power irreconcilable with its presentation as legitimate contract. Our problematisation of Kant's transcendental deduction and thus the link of aesthetic to political-moral judgements echoes Althusser's reservations about Rousseau's 'Social Contract'. We too have picked up a 'discrepancy' in judgements of taste, and in moral-political judgements: how can a judgement be made according to a rule of which not the object/event itself, but the judgement of the object/event is exemplary. How can 'common sense' exist prior to the judgement which necessarily presupposes it as *apriori*?

Several interesting points of convergence present themselves here. Is the juridical-political contract a type of aesthetic imaginary? Does the so-called 'contract' actually bring into existence the very society that contracts, in a way analogous to the way that a judgement of taste brings into existence the 'taste' or 'common sense' required to make such judgements. themselves of 'empirical interest' to 'society'? Is this then the 'aesthetic' form of the Arendtian and Habermasian critiques of (civil) society? What is the relationship between this aesthetic and morality; is it a natural beauty, a natural obligation to society and thus symbolic of the 'moral', or does it merely present itself as natural, even though there is some genius behind it?

It is not my intention to follow up on these questions here; I am interested in those critiques that fail to resolve the 'discrepancies' in taste or political-moral judgements: Foucault, Adorno and Horkheimer, and if only indirectly, on a subtextual level, Kant himself. Each in turn articulates their radical critiques in terms of the contradictions we have been so careful to keep alive throughout this dissertation. It is now to finally formulate the aesthetics of this 'radical critique'.

## The Sublime *Citizen Subject* of History

If we return to Kant's internalisation of the political principle, the double life of 'citizen subject', that comes after the revolution, or grows up with it, then the relationship of the 'citizen subject' to its present, is we propose, an aesthetic relationship. This is an aesthetic relationship to revolution-enlightenment-critique or power-knowledge-history that leaves the citizen subject in the somewhat strange position of being a spectator, and an actor who cannot act. As we have discussed the double life of the 'citizen subject', as both public and private, spectator and actor, is sublime. The condition then for the experience of the sublime is an experience that occurs in a state of schizophrenia, both an immediate and real 'fear' as well as the fearlessness of 'regarding our estate as exalted above' that fear (CJ, §28: 114). It is this that Guyer describes as the 'pain of being moral'. When Foucault connects Kant's historicisation of his own knowledge, enlightenment, to his discussion of revolution, and furthermore connects this to his own mode of genealogical critique, he inherits the Kantian antinomies of the historical relationship between reason-power-knowledge and the judging subject. If being the double 'citizen subject' is the condition for historical reflection on Enlightenment; and being spectator, unable to act, is the condition for judgement of the revolution then such judgements happen in state of sublimity within the judge, who is necessarily split into citizen and subject, spectator and actor, who cannot act on his judgement, for he cannot rebel.

The judgement is not of the revolution as beautiful object, but of the spectators, who enter into a sublime relationship with themselves in relation to the revolution. This judgement of the revolution is made in an excess of spectatorship, an 'excess of history' (Nietzsche, 19984:115) as Nietzsche would say, at the expense of a real actor or a real genius. It is the attempt to escape from the cycle of revolution, via the history of philosophy as progress. At the same time this history, itself its own philosophy of history, is based on a metahistorical concept itself derived from that revolution. It is itself revolutionary: a cyclical operation of being yourself and not quite yourself, of making rules where there are only examples, from which you cannot learn.

Finally, as this judgement is 'sublime' it is necessarily symbolic of the 'moral', that is of 'the pain of being moral', which is based on *freedom* in *unfreedom*. How free can

such judgements be? While Kant excludes the category of the sublime in art from his CJ, what if we were to connect this judgement of the sublime to artistic genius, the one who gives the rule by which to judge and who is somewhat excluded from the autonomy necessary for morality? The genius would be the one who presents the aesthetic idea of revolution as a substitute for 'progress' and who does so via providing 'progress' as the very rule by which to judge, not the revolution itself, but the spectators who watch with 'disinterested delight'. Is this the genius 'the philosophy of history as progress' herself? If so then the rule according to which you judge is the genius, a genius who produces its own object, which is itself a judgement (thus a double object- revolutionary action and world spectators). It is a genius with an excess of taste.

### **Genealogy/Dialectic/Aesthetic**

It is my argument that A-H's dialectical philosophy of history as enlightenment/Enlightenment is caught up in the metahistorical concept of revolution/reaction. This Dialectical history, the progression of domination/regression of civilisation, is revolutionary in that like the revolution it too contains its reaction within itself, the end is always nigh, progress is already regression, enlightenment becomes myth. This is the history in which the actors of revolution are caught up: they accelerate the coming of the revolution but at the same time they accelerate it towards its end. Adorno and Horkheimer's attempt to reflect on their present in the form of a radical critique is an attempt to distance themselves from it, that is an attempt too 'break' with it by positing 'Enlightenment' as a *break* with all previous forms of enlightenment, in much the same way as the philosophy of history as progress posits The French revolution as break with the past, and with its *Historie*. The former 'break' is the condition for the dialectical philosophy of history, but it is also its undoing as demonstrated in section I. The 'break' of the French revolution with all previous forms of history has been shown to be the condition for Kant's 'radical' reflection on his own present, which I have shown to have an aesthetic form, and to be based on the sublime existence of the 'citizen subject'. As such A-H get caught up in the very problematics of that aesthetic; that is in its excess of spectatorship, and in the genius of a philosophy of history that substitutes the

(metahistorical) concept of revolution as the aesthetic idea of progress, removing the ability to judge from the actors, and the ability to act from the spectators.

Thus both Foucault and A-H are caught up in this same aesthetic predicament of judgement. In order to detach oneself from the present, that is to escape its cycle of revolution/reaction, it is necessary to assume the position of spectator, who cannot act, that is to become the double 'citizen subject' of a history, who is the artist that creates your judgement herself.

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<sup>i</sup> The book is presented take up the proposed debate between Foucault and Habermas on the topic of Modernity, a conference apparently proposed by Foucault on Kant's WE. As such it 'implicitly addresses the impasse' of their positions on the questions of 'critique, power, and modernity'. (Kelly, 1994: 3-4)

<sup>ii</sup> Habermas traces its emergence from the bourgeois, liberal private sphere, economically separate from the state and originally taking the form of a critical literary public that plays a political, that is critical role in the dualism state/civil society. It is the 'recovery of the ideal from flawed material practise' (Calhoun, 39) that Habermas wants in tracing the decline of the public sphere into a commodified public opinion.

<sup>iii</sup> For Arendt 'speech' is the basis of political, public life, versus labour and work, which are essentially activities of the private sphere. (Arendt: HC)The 'politicisation', making 'public' of labour and work in the 'social question' results in actual depoliticisation due to the inability to separate actual political, public issues from the material needs of 'mass society', who are in fact subordinated to a homogenising public opinion.(Cohen & Arato: 188-9).

<sup>iv</sup> 'Rorty welcomes Foucault as a convert to this way of thinking' (Norris, 1993: 69) as evidenced by Foucault's private-aestheticist ethos, erasing the boundary between philosophy and poetry.

<sup>v</sup> Walzer's 'liberal communitarian' position also takes aim at Foucault's 'stress on the autonomy of ethical judgement', but is critical of it's a-political implications for 'our active, participant role' (Norris, 1993: 53).

<sup>vi</sup> Both these critiques converge on Foucault's discussion of Baudelaire as exemplary modern subject, 'which promotes a view of ethics as entirely bound up with the project of aesthetic self-fashioning' (Norris, 1993: 68)

<sup>vii</sup> It is here that Foucault leaves Kant's text and demonstrates the attitude of Modernity as exemplified by Baudelaire's 'heroization' of the present. It is this slide from philosophy to poetry which becomes the common ground for readings by Walzer and Rorty.

<sup>viii</sup> Althusser also uses the word 'alienation' in this sense to describe what occurs in Rousseau's 'Social Contract', as 'an act of exchange' between the individual and the community (Althusser, 1972: 129).

<sup>ix</sup>This provides for a more complex link to the aesthetic than a mere aesthetic self-fashioning or aestheticisation of politics.

<sup>x</sup> Sheehan discusses the how the 'French revolution reverberated through German intellectual life' (Sheehan, 1989: 210).

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<sup>xi</sup> Hannah Arendt delivered these lectures at the New School for Social Research, in 1970. They would have formed part of her last volume of the *Life of the Mind*, "Judging". The lectures have been edited from seminar notes by Ronald Beiner. (Beiner, 1982: vii-viii)

<sup>xii</sup> 'One must not be in the least prepossessed in favour of the real existence of the thing, but must preserve complete indifference in this respect, in order to play the part of judge in matters of taste.' (43)

<sup>xiii</sup> Kant later swaps the terms: *sensus communis* initially refers to 'common understanding' as opposed to 'common sense' necessary for judgements of taste (CJ, §20: 82), and later *sensus communis* is referred to as the 'public sense' necessary for aesthetic judgement (CJ, §40: 151).

<sup>xiv</sup> Paul Guyer ('Pleasure and Society in Kant's Theory of Taste') also proposes a 'duplex process of reflection' (Guyer, 1982: 21): direct reflection on the object leading to pleasure and reflection on this initial experience, which he notes as contradictory, since Kant presupposes 'communicability' as necessary for both stages.

<sup>xv</sup> For Arendt 'speech is what makes man a political animal', in her hierarchical three-fold division of the 'vita-activa' it falls under 'action', i.e. the history-making activity between men, versus labour and work, which are essentially activities of the private sphere. (Arendt, 1958: chapter 1)

<sup>xvi</sup> Guyer resolves this by introducing two types of pleasure, associated with each respective stage. His solution again presupposes the existence of empirical society as necessary for the second stage of reflection: 'there is no taste in solitude' (Guyer, 1982: 52). This, however, reintroduces an 'empirical' condition into the *apriori*, as we have argued: '[T]he *empirical* interest in the beautiful exists only in society' (CJ, §41: 155, italics mine).

<sup>xvii</sup> Eva Schaper asks, 'how Kant can maintain the inclusion of the judgement on the sublime in the class of aesthetic judgements next to ...the j. of the beautiful' (Schaper, 383). For her the sublime introduces Kant's discussion of genius and art.

<sup>xviii</sup> This is taken up by Paul Guyer ('Nature, Art, Autonomy').

<sup>xix</sup> Synthetic *apriori* propositions can be shown to exist in 'the domain proper to dialectical illusion' (Forster, 1989: 6). For example the proof of the subjective conditions of the possibility of knowledge in Critique of Pure Reason depend on showing the possibility of an independent objective order, knowledge of which is not possible.

<sup>xx</sup> Transcendental deductions generally require the introduction of a third term between subject and predicate; in the *Critique of Pure Reason*, this is the transcendental subject. It could be argued that Kant by making Beauty a symbol of morality and thus introducing 'Freedom' as the mediating term only really resolves the 'antinomy of taste' in his 'Dialectic of Aesthetic Judgement' (CJ, §55-57: 204-209)

#### 4. Conclusion

If Enlightenment is critique, and both are revolution, then all our judgements on our own present, whether political or historical, are caught up so to speak in the aesthetics of revolution, which have become the aesthetics of the modern philosophy of history as progress, itself inseparable from the metahistorical concept of revolution, which means both an open future and the endless repetition of revolution. As such the relationship of the 'citizen subject' to revolution, which is also enlightenment and thus critique, is aesthetic: it is a judgement made subjectively that presents itself as objective and the rule by which it judges (taste) is only ever a product of that very act of judging, of which it takes the judgement, not the object as exemplary. However, the 'citizen subject' can only judge its own judgement of the present, in the form of the revolution or the enlightenment or critique, while refusing to act. Actor and spectator are one person. The genius is always the same: the philosophy of history as progress. This act of judging, in other words, can only ever be 'sublime'.

It is perhaps for this reason that Adorno and Horkheimer connect Nietzsche, Sade and Kant. Sade writes a novel that defies all the requirements of the beautiful object, but invokes its opposite: disgust. As such it is a kind of non-novel, with no storyline but the repetition of the logic Juliette's orgies, murders and long philosophical discussions of the latter. In 'The Uses and Abuses of History for Life', Nietzsche, says that '[t]he oversaturation of an age with history...creates a contrast between inner and outer' (Nietzsche, 1983: 83), and that this is because, he

who allows his artists in history to go on preparing a world exhibition for him; he has become a strolling spectator and has arrived at a condition in which even great wars and revolutions are able to influence him for hardly more than a moment. (Nietzsche, 1983: 83)

Nietzsche's attempt to detach himself from this excess of history and to redirect it from the idea of history as progress is influential on Foucault's genealogical method<sup>1</sup>, which attempts to unravel the knot of power-knowledge-history.

Kant, Sade, Nietzsche, as well as Foucault and the Frankfurt School attempt to articulate their critiques, their thought in relation to the very historical moment that determines that thought. While they do this for different reasons and at different times, they all attempt a 'radical' critique of the present, in the sense of aiming at the roots, or the heart of the present, and at its established authorities. In doing so, I would argue, they get caught up in the very aesthetic form of the problem of critique/enlightenment/revolution that I have traced in the Kant. I have followed Arendt's reading of Kant to show that there is a different way of working out the formal relationship between the aesthetic and the political, or the present, which does not resolve the contradictions within these aesthetic judgements. I have shown that these contradictions carry over into the aesthetic form of political and historical judgements in the categories of genius and the sublime.

Here I refer to the emergence of the sublime 'citizen subject' of history from the French revolution, her double existence has been shown to resemble the 'schizophrenia' of the Kantian sublime, and thus to be the condition of judgements of the present that are 'radical', as exemplified by Kant's approval of the revolution. It could be argued that Kant attempts to make a radical critique of his present: he attempts to justify revolution, yet without taking an actual political position. He does this via jumping out of the present entirely to look at it from the perspective of the philosophy of history which takes his relationship to that present, whether it be in the form of revolution, enlightenment or his own critique, to be exemplary of the rule of that history, that is the rule by which to judge not so much the historical event or its moment but his own relationship to it as world spectator. This is the dilemma of radical critique when faced with its relationship to political practise, and it is perhaps a further connection between all these thinkers that while their thought is imminently political, it fails to articulate a directly political position. Our aim was not to read a politics into any one of these thinkers but to show how each one comes up against the same formulation of the problem, the same *cul-de-sac*, which is essentially a problem of the philosophy of history based on the metahistorical concept of revolution. As such the form of the problem is aesthetic.

What are the implications of the aesthetic formulation of the impasse of radical critique and political practise in Modernity? What is the role of the intellectual in

relationship to power, and its changing historical configurations? Is the way out of this impasse via a new philosophy of history, one that manages to disentangle itself from the aesthetics of the revolution and the artist we call progress? What are the implications of a formal link between the political-historical and the aesthetic? Are there two aesthetics, one for the juridico-political model of power and one for the disciplinary model? It is not possible for this dissertation to take up the questions raised by this theoretical account, it remains an interpretative exercise that for lack of space has not been applied in practice, say to a literary text. Instead we must leave these questions open, for now.

Thus, I conclude the argument of this dissertation, which has no pretension of calling itself a critique. Any radical critique of the present that attempts to escape it via the Modern philosophy of history will necessarily become caught up in the sublimity of being a Modern 'citizen subject' of history. As such this means being caught up in the particularly modern form of an aesthetic<sup>2</sup> that is for lack of a better word, revolutionary.

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<sup>1</sup> In 'Nietzsche, Genealogy, History', Foucault discusses the several notions of history present in Nietzsche, to show how he complicated the idea of historical origin.

<sup>2</sup> Aesthetic is used here in the Kantian sense of a non-logical cognition, something without a determinate concept, and 'whose determining ground *cannot be other than subjective*' (CJ, §1: 24, italics mine), but which nonetheless presents itself as objective.

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