Rethinking Kant
Volume 6

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Edited by

Edgar Valdez

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ACKNOWLEDGEMENTS

In her opening remarks at the 2018 Eastern Study Group of the North American Kant Society, Patricia Kitcher expressed optimism about the future of Kant scholarship, praising both the established scholars who have maintained the tradition so well and the next generation poised to keep it rich and vibrant. In my view, Kant scholars are stewards of a dynamic tradition and to rethink Kant is keep that tradition alive. This series speaks to the diversity of interests, applications, and scholars in North American Kantian studies. I share the optimism about its future. This volume contains papers presented in the 2018 to 2019 meetings of the regional Study Groups of the North American Kant Society (NAKS). I am thankful to everyone who contributed to these conferences. I am especially grateful to all the contributors to this volume who have managed revisions and improvements during a pandemic that has brought so much uncertainty. I am also grateful to Victoria Mallorga Hernández for her help proofreading and copyediting. Finally, in the spirit of stewardship, Pablo Muchnik has passed the baton of editing the volume with grace and generosity. His guidance and mentorship have been invaluable to the completion of the volume.

—Edgar Valdez

ABBREVIATIONS

All references to Kant's works are in accordance with the *Akademie-Edition* Vol. 1-29 of *Kant's Gesammelte Schriften*, Berlin, 1900–. References to the *Critique of Pure Reason* follow the customary pagination of the first (A) and second (B) edition. Unless otherwise indicated, the English translations are from the *Cambridge Edition of the Works of Immanuel Kant* (Cambridge: Cambridge University Press, 1992–). The following abbreviations are used throughout the book:

AA	*Immanuel Kants Schriften*. Ausgabe der Königlich Preussischen (Deutschen) Akademie der Wissenschaften (Berlin: W. De Gruyter, 1900–)
Anth	*Anthropologie in Pragmatischer Hinsicht* (1798), AA 7 *Anthropology from a Pragmatic Standpoint*
BGSE	*Bemerkungen in den Beobachtungen über das Gefühl des Schönen und Erhabenen* (1764), AA 20 *Notes inserted in the Observations on the Feeling of the Beautiful and Sublime*
BM	*Bestimmung des Begriffs einer Menschenrace* (1785), AA 8 *Determination of the Concept of a Human Race*
Br	*Briefe*, AA 10-13 *Correspondence*
EEKU	*Erste Einleitung in die Kritik der Urteilskraft*, AA 20 *First Introduction to the Critique of the Power of Judgment*
FM	*Welches sind die wirklichen Fortschritte, die die Metaphysik seit Leibnizens und Wolf's Zeiten in Deutschland gemacht hat*? (written 1793-1794, published 1804), AA 20 *What Real Progress Has Metaphysics Made in Germany since the Time of Leibniz and Wolff?*
GMS	*Grundlegung zur Metaphysik der Sitten* (1785), AA 4 *Groundwork of the Metaphysics of Morals*

GSE *Beobachtungen über das Gefühl des Schönen und Erhabenen* (1764), AA 2
Observations on the Feeling of the Beautiful and Sublime

GUGR *Von dem ersten Grunde des Unterschiedes der Gegenden im Raume* (1768), AA 2
Concerning the Ultimate Ground of the Differentiation of Directions in Space

IaG *Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht* (1784), AA 8
Idea toward a Universal History with a Cosmopolitan Aim

KpV *Kritik der praktischen Vernunft* (1788), AA 5
Critique of Practical Reason

KrV *Kritik der reinen Vernunft* (1781, 1787). Cited by A/B pagination.
Critique of Pure Reason

KU *Kritik der Urteilskraft* (1790), AA 5
Critique of the Power of Judgment

LK *Gedanken von der wahren Schätzung der lebendigen Kräfte und Beurtheilung der Beweise, deren sich Herr von Leibniz und andere Mechaniker in dieser Streitsache bedient haben, nebst einigen vorhergehenden Betrachtungen, welche die Kraft der Körper überhaupt betreffen* (1747), AA 1
Thoughts on the True Estimation of Living Forces

Log *Jäsche Logik*, AA 9
The Jäsche Logic

MAM *Muthmasslicher Anfang der Menschengeschichte* (1786), AA 8
Conjectural Beginning of Human History

MAN *Metaphysische Anfangsgründe der Naturwissenschaft* (1786), AA 4
Metaphysical Foundations of Natural Science
MpVT *Über das Mißlingen aller philosophischen Versuche in der Theodicee* (1791), AA 8

On the Failure of all Philosophic Attempts in Theodicy

MS *Metaphysik der Sitten* (1797-1798), AA 6
Metaphysics of Morals

MSI *De mundi sensibilis atque intelligibilis forma et principiis* (1770), AA 2
On the Form and Principles of the Sensible and the Intelligible World

NG *Versuch den Begriff der negativen Größen in die Weltweisheit einzuführen* (1763), AA 2
Attempt to Introduce the Concept of Negative Magnitudes into Philosophy

NL *Neuer Lehrbegriff der Bewegung und Ruhe und der damit verknüpften Folgerungen in den ersten Gründen der Naturwissenschaft* (1758), AA 2
New Theory of Motion and Rest, and the Connected Consequences in the First Principles of the Natural Sciences

NTH *Allgemeine Naturgeschichte und Theorie des Himmels oder Versuch von der Verfassung und dem mechanischen Ursprunge des ganzen Weltgebäudes, nach Newtonischen Grundsätzen abgehandelt* (1755), AA 1
Universal Natural History and Theory of the Heavens, or Essay on the Constitution and Mechanical Origin of the Entire Universe, Treated in Accordance with Newtonian Principles

Op *Opus postumum*, AA 21, 22
Opus postumum

Päd *Pädagogik*, AA 9
Pedagogy

PG *Physische Geographie*, AA 9
Physical Geography

PM *Metaphysicae cum geometria iunctae usus in philosophia naturali, cuius specimen I. continet monadologiam physicam* (1756), AA 1

The Employment in Natural Philosophy of Metaphysics Combined with Geometry, of which Sample I Contains the Physical Monadology

PND *Principiorum primorum cognitionis metaphysicae nova dilucidatio* (1755), AA 1
A New Elucidation of the First Principles of Metaphysical Cognition

Prol *Prolegomena zu einer jeden künftigen Metaphysik die als Wissenschaft wird auftreten können* (1783), AA 4
Prolegomena to Any Future Metaphysics

Refl *Reflexion*, AA 14-19
Reflection

RGV *Religion innerhalb der Grenzen der bloßen Vernunft* (1793-1794), AA 6
Religion Within the Boundaries of Mere Reason

SF *Streit der Fakultäten* (1798), AA 7
Conflict of the Faculties

TG *Träume eines Geistersehers, erläutert durch Träume der Metaphysik* (1766), AA 2
Dreams of a Spirit-Seer Elucidated by Dreams of Metaphysics

TP *Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis* (1793), AA 8
On the Common Saying: That May Be Correct in Theory But It Is of No Use in Practice

ÜE *Über eine Entdeckung, nach der alle neue Kritik der reinen Vernunft durch eine ältere entbehrlich gemacht werden soll* (1790), AA 8
On a Discovery whereby Any New Critique of Pure Reason Is to Be Made Superfluous by an Older One

ÜGTP *Über den Gebrauch teleologischer Principien in der Philosophie* (1788), AA 8
On the Use of Teleological Principles in Philosophy

VAMS	*Vorarbeiten zur Metaphysik der Sitten,* AA 23 *Preliminary Works for the Metaphysics of Morals*
VAnth	*Vorlesungen über Anthropologie*, AA 25 *Lectures on Anthropology*
VE	*Vorlesungen über Ethik*, AA 27 *Lectures on Ethics*
VL	*Vorlesungen über Logik*, AA 24 *Lectures on Logic*
VM	*Vorlesungen über Metaphysik*, AA 28, 29 *Lectures on Metaphysics*
VPE	*Vorlesung philosophische Enzyklopädie*, AA 29 *Lectures on the Philosophical Encyclopaedia*
VPG	*Vorlesungen über Physische Geographie*, AA 26 *Lectures on Physical Geography*
VRML	*Über ein vermeintes Recht, aus Menschenliebe zu lügen* (1797), AA 8 *On a Supposed Right to Lie from Philanthropy*
VRL	*Vorlesungen über Religion*, AA 28 *Lectures on Religion*
VvRM	*Von den verschiedenen Racen der Menschen* (1775), AA 2 *Of the Different Races of Human Beings*
WA	*Beantwortung der Frage: Was ist Aufklärung?* (1784), AA 8 *An Answer to the Question: What is Enlightenment?*
WDO	*Was heißt: Sich im Denken orientieren?* (1786), AA 8 *What does it Mean to Orient Oneself in Thinking*?
ZeF	*Zum ewigen Frieden: Ein philosophischer Entwurf* (1795), AA 8 *Toward Perpetual Peace: A Philosophical Project*

INTRODUCTION

EDGAR VALDEZ

This collection focuses on issues in Kant's theoretical and practical philosophy. Its purpose is to bring Kant into conversation with current developments in these areas. The discussion can be organized into the themes of (I) how to properly understand transcendental idealism, (II) the relationship between minds and bodies, (III) freedom, (IV) the role of feelings and passion in morality, and (V) republican ideals in the political sphere.

Part I – Transcendental Idealism

The central epistemological viewpoint of Kant's critical philosophy is transcendental idealism, a core tenet of which is the distinction between concepts and intuitions and the recognition that our knowledge requires both. There is plenty of scholarship devoted to examining how deep the separation runs and the inability for either to perform the function of the other. Despite their differences, they are both under the genus of representation. In his famous letter to Markus Herz, Kant emphasizes this fact, holding that the key to the secret of metaphysics was the question "[o]n what ground rests the relation of that in us that one calls representation to the object (AA 10: 124). That Kant does not define the term "representation" in the Critique has led to some debate on what Kant meant by it. In "Kant on our Notion of Representation," **Houston Smit** argues that the proper focus should be rather on what Kant would have expected his readers to understand by the term, something Smit views as distinct from our contemporary notions. Kant's use of the term is borrowing from a rich and nuanced history Kant expected his German contemporaries to command.

For Smit, we nowadays consider representation to be a two-place relation that has as its *relata* a mental state and what it is about. Kant, however, is operating in a context that conceives of representation in a three-place relation. For the mental state of a subject to be a representation in the latter sense it must play a functional role in an operation: it must provide this subject content that it is to relate to something as one of its

determinations. This functional role is determined by that subject's mental capacities. Thus, the mental state occupies the middle term of a three-place relation of the form "<the subject of some capacity of representation, representation, an object or objects of some psychological or mental capacity had by that subject>." (p. 15) This is a notion that is more complex but nonetheless implicit in the Aristotelian logic Kant is dealing with. It is what Smit calls "the capacity-relative conception of representation." (p. 15) Smit holds that Kant emphasizes representation in his famed letter to Herz because he is putting to use the capacity-relative conception to motivate a new focus in doing metaphysics. The implication in this case is that to read representation as only a two-place relation, like that of a mental state with intention, is an anachronism, for it imposes a contemporary notion on Kant's more complex view. For Smit, the stakes are fairly high because this notion of representation is not ancillary to transcendental idealism and its new way of doing metaphysics. In critical philosophy, then, the ground for 'the relation to the object' that one calls representation "cannot lie in God, as Kant's predecessors had thought, but can lie only in certain supersensible operations of our capacity of cognition." (p. 15)

Another way to view the contribution of transcendental idealism is to consider the limits it places on knowledge. Critical philosophy must recognize that there are things about which we are tempted to inquire but cannot come to cognize. For Kant, we cannot come to know things in themselves because of the limits placed on cognition by the understanding and the a priori intuitions of space and time. Kant holds that philosophers—metaphysicians in particular—have been focusing on the matter of cognition but should be directing their attention to the form of cognition. Thus, in "Kant's Idealism and Hylomorphism," **Justin Shaddock** argues that transcendental idealism is not separable from Kant's view of the priority of form over matter, which Shaddock calls Kant's hylomorphism. The neglect of the latter leads to a misunderstanding of the aims of the first *Critique*. While one interpretation is that things in themselves are not accessible to us because of the limits of sensibility, for Shaddock, Kant limits space and time because the categories cannot apply to things in themselves. In Kant's hylomorphism, "our faculty of sensibility relates to our faculty of the understanding as matter relates to form, where matter relates to form as 'the determinable' to 'its determination.'" (p. 46)

This has an important consequence: it is the form of the understanding that limits the form of sensibility and not the other way around. Put another way, on this view of form determining matter, the understanding must determine sensibility whose limits, i.e., the impossibility of intuiting things in themselves, result from the very structure of human understanding and

its categories. For Shaddock, Kant's argument is that concepts can only relate to objects in two possible ways, "either by being made possible by objects, or by making objects possible. The categories cannot derive from things in themselves… nor can the categories produce things in themselves, since they are theoretical concepts. The only way the categories can relate to objects is by making our cognition of objects possible. But in this way, the categories relate to appearances only, not things in themselves." (p. 57) As such, this view of Kant's hylomorphism offers some support to a conceptualist reading of transcendental idealism because it subordinates the form of sensibility to the form of the understanding. The synthesis that produces space and time as the intuitions that ground geometrical and mechanical judgments is a synthesis that requires the categories. That is, the categories' exclusion of things in themselves would pass on to space and time. For Shaddock, this view of Kant's hylomorphism would make the understanding self-determining though not self-sufficient. This way of thinking of self-determination deals with affectation from objects rather than desires of the moral subject but it is no less grounded in a notion of autonomy.

Part II– Minds and Bodies

The debate between conceptualist and nonconceptualists readings of transcendental idealism also has implications for how we consider the relationship between minds and bodies. Kant, of course, views himself as having eliminated, or at least reframed, the dualism of mind and body. More pressing for him is the dualism of phenomena and noumena. Along the way, however, Kant says plenty of interesting things about minds and bodies. Of particular interest is what Kant says about animal minds in trying to contrast them with human minds. The formal condition of human experience is owed to the structure of the subject's mind and so Kant must say something, at least in analogy, about the structure of animal receptivity to the world. In "Kant's Canon: 'Do Not Increase the Principles of Cognitions without Cause'," **Jacob Browning** argues that Kant's references to animal minds are not mere throwaway lines or ways of supporting his own account of human cognition, but a contribution to an ongoing debate on the status of animal minds. In current debates concerning nonconceptual content, nonconceptualists hold that intuition must make a contribution to cognition that is not reducible to the categories.[1] Some nonconceptualists argue that

[1] For conceptualists (e.g. Beatrice Longuenesse and John McDowell), the applicability of the categories relies on an original conceptual synthesis that gives

nonhuman animals provide a helpful way for thinking of this nonconceptual contribution. Such animals must have an analogous receptivity to the world, though they surely lack conceptual representation. The commitment to human exceptionalism is consistent throughout Kant's corpus and so for this analogy to hold nonconceptualists have to contextualize certain remarks Kant makes that seem to deny animals consciousness: "Consciousness is entirely lacking in animals" (VM28:690; see also Br11:345; Log9:11; VL24:845-6; VM28:449-50; VM28:689-90; VM29:878-9; VM29:888). Nonconceptualists hold that Kant in cases like this one is referring more specifically to self-consciousness.

For Browning, this is the wrong contextualization, since it is framed in terms of a current debate among epistemologists. The proper context is the debate in eighteenth century Germany between those Browning calls "disanalogists" and "minimalists." The former group does not presume a correspondence between analogous minds and analogous behavior, while the latter holds that animals possess a minimal form of consciousness. Since Kant believes that animals do not learn, Browning thinks that the minimalist interpretation injects extra layers of cognition to the instinctive behavior we observe in animals, thus violating Kant's proscription that serves as the title of the paper, "Do Not Increase the Principles of Cognitions without Cause." Though certain nonhuman behaviors seem similar to analogous human behaviors, analogous minds are ruled out. According to Browning, "Kant also makes explicit that the analogue of reason functions by doing instinctually and unconsciously the work of consciousness: comparing and distinguishing between representations, forming concepts based on similarity and difference, and choosing what is best." (p.79) Here Kant is not remarking in passing on the nature of animal minds for the sake of distinguishing concepts and intuition; he is, rather, making a more fundamental distinction about animals in nature. The difference between human and nonhuman animals "is not merely cognitive but corresponds to a metaphysical difference in the respective roles of animals and humans in a purposive nature." (p.80) If Browning is right, animal receptivity is qualitatively distinct from human sensibility. Thus, we can neither deduce what their receptivity is like nor can nonconceptualists use it as a placeholder for distinguishing the epistemological contributions of sensibility and understanding.

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rise to the formal character of sensibility. Nonconceptualists (e.g. Lucy Allais, Lorne Falkenstein) argue that such a view would make sensibility reducible to concepts and in turn undermine Kant's claim about the fundamental differences between concepts and intuitions.

Concerns about minds and bodies are not only relevant for situating ourselves in the world but also for the possibility of knowledge of the natural world. The human body is not only necessary for the sense perception. It also plays a role in shifting our cognition from metaphysics to physics, The importance of embodiment is something **Jeffrey Wilson** explores in "Schematism and Embodiment in Kant's *Opus Postumum.*" Wilson holds that self-positing is the proper bridge between nature and freedom in Kant's later work. Self-positing serves as a schematism to transition from the metaphysics of natural science to the actual science of physics. That is, human embodiment allows us as knowers to mediate between a priori spatial synthesis and empirical spatial apprehension, a mediation that is necessary if we are to have physical (and other natural scientific) knowledge of the world. "Both the questions physics poses and the knowledge it acquires must be organized according to quantity, quality, relation, and modality, the four "titles" of the Table of Categories." (OP AA 21: 455-6 and 457) But because physics operates with reference to the material world of physical objects, there is no *prima facie* assurance that its empirical results will be structurable in this way. While the effects of freedom cannot be available to knowledge, freedom requires the subject to be a world inhabitant (*Weltbewohner*) able to link sensible and supersensible principles. (OP AA 21: 31). "In order to view herself as a moral *agent* and not just as another object in the world, the autonomous person must be able to regard the world of spatiotemporal lived experience from two perspectives at once: as governed by a system of physical forces, and as a field of activity for the actualization of free choices." (p. 86)

Gravitational attraction exemplifies the need for a mediating concept (*Mittelbegriff*) that would allow for the systematic body of knowledge required for physics. A mere aggregate of observed gravitational forces lack the requisite systematicity. It is not even enough to have a conceptual correlate. For Kant, "universal gravitational attraction requires that the entire manifold of material nature must be connected into a thoroughgoing system of moving forces by being understood as the expression of the transcendental unity of consciousness itself." (p.87) Part of the difficulty is that concepts of forces are not constructible. A constructed mathematical body is presupposed by a physical body, but the former is insufficient to conceptualize the latter. According to Wilson, the human body plays "a schematic role here, mediating between the two heterogeneous elements of the activity of a priori synthesis and movement through space apprehended empirically." (p. 92) Wilson rejects the notion, suggested by Burkhard Tuschling, that Kant intended to replace the schematism for the transition project with the Ether deduction. "The human body becomes the privileged

locus both of the imposition of the laws of nature on lived experience and the instrument of the actualization of free choices within the same lived experience. The self-determining moral agent is to *inhabit* the very same world upon which the transcendental unity of apperception imposes the categorial structural of the laws of nature." (p. 97) If, as Wilson suggests, human embodiment allows us to schematize from metaphysical to physical explanation, the realms of nature and freedom need not be so starkly separated. Embodiment suggests that theoretical and practical reason, often considered to begin with conflicting premises, can be unified and understood in Kant as a systematic whole.

Part III– Freedom

Few issues in Kant scholarship get as much attention as the question of freedom. Kant has situated freedom at the center of the human condition and our endeavor to understand it. Yet, he has brought out many of the tensions we must face in affording freedom its due significance. One such tension is that between our free moral choices and the deterministic natural scientific explanations of the world. **Patricia Kitcher** works to deal with this tension in "Explaining Freedom Without Explaining It Away." Drawing on a distinction made by Daniel Dennett, Kitcher considers how often an explanation of certain phenomena simply explains that the phenomena do not actually occur but only seem to occur. In this sense, the explanation explains away the phenomena. Kitcher cites the popular example of the sphex wasp that seems to go through clever preparations to ensure food for its larvae but will mechanistically repeat a step in the process when prompted. Thus, "[w]hen we realize that the wasp's activities are nothing but rigid mechanism, her cleverness is not explained, but unmasked." (p. 102) Many explanations of Kant's notion of freedom, appear to do just that: they offer an explanation for the semblance of freedom but actually eliminate it. Kitcher's point is that such explanations miss a key element of Kant's account. While Kant suggests that the possibility of freedom is compatible with determinism, this is not a hard determinism where the complete state of the world at one moment determines the complete state of the world in another. Rather, Kant's view is that the freedom required for morality is possible while we live in a world that is explainable through natural science. A world subject to the laws of natural science is compatible with the actual freedom required for morality.

For Kitcher, Kant's "explanation of the actual possibility of freedom and morality cannot explain them away, because his moral psychology is based on his functional decomposition of the task of morally good action, as that

task is understood in ordinary moral cognition." (p. 115) That is, Kant's moral psychology is a breakdown of the component functions of moral choice and each component is linked to a faculty he holds to be actual. For morality to be actual, the faculties that make up its component functions must operate as described. This keeps freedom from dissolving into the mere subjective semblance of freedom, but remains compatible with (and even necessary for) the law-governed world of science. Kitcher thinks that the advance of natural science supports Kant's view, since science can account for how there are those with the capacities for moral action. Though Kitcher resists considering evolutionary explanation as a mere outgrowth of Kant's views on teleology, an evolutionary perspective would aim to explain the advantages of the capacity for moral behavior and thus provide the kind of natural scientific explanation that is compatible with freedom. If Kitcher is right, this saves Kant from falling into a kind of compatibilism where we must deny metaphysical freedom while stipulating it for the purposes of morality. Such compatibilism would undermine the centrality freedom has for rational and moral pursuits.

The tension between our theoretical explanation of the world and our practical moral purposes also arises when considering whether or not we can know or cognize our freedom. That is, must we consider the freedom that is necessary for morality as outside the bounds of objective validity? **Clinton Tolley** addresses this question in "Practical and Productive Freedom in Kant's Metaphysics of Reason." Tolley distinguishes between several senses of freedom and is especially concerned with distinguishing practical and productive freedom. Practical freedom concerns the will and the power of choice, while productive freedom concerns the causality of freedom where its effects are outside the soul, that is, in space. While further clarification is necessary for a comprehensive view of Kant's account of freedom, this particular distinction is crucial to make sense of certain alleged contradictions. For example, throughout the critical period, Kant both affirms and denies that we can cognize that reason is free –a view that can only be coherent if we recognize the particular sense of freedom Kant has in mind. Our practical freedom is one we can cognize because its causes and effects are contained within the soul. But the same is not true for our productive freedom.

One reason Tolley thinks it important that we make this distinction is that it is not an invention of Kant's, as it can be traced from the Ancient tradition through the Medieval and Early Modern period. Beginning with Aristotle, the distinction is threefold: between *theoria* (cognition), *praxis* (willing or deliberation), and *poeisis* (production). In *praxis*, the good action is itself the end and the principle inheres in the action. In *poeisis*, the thing

produced is the end, and although the principle inheres in the producer, it is not in the thing produced. Aquinas preserves a version of this distinction in separating *actio*, an activity that remains within the agent, and *factio*, an activity that passes into an external thing. This, in turn, leads to the distinction in Baumgarten between immanent and transient action, where the only genuine case of transient action is the divine creation of the world. "Like Baumgarten, Kant means to emphasize God's status as being not just 'distinct from the world [*a mundo diversum*]' (against Spinozism) but also 'outside of the world [*extramundanum*]', and 'outside' specifically in the sense of not being in reciprocal 'interaction [*commercium*]' with the world, such that each would have 'influence [*Einfluss*]' on the other (and so, also against Stoic doctrine of the divinity as the 'world-soul'; 28:1041-43). Yet, though the world has no influence on God, God does 'have influence on the world' in virtue of being 'active [*thätig*]' (28:1043)." (p. 133)

In this way, the productive sense of freedom is the one that is ontologically problematic, while practical freedom can be taken as a given in the formulation of our moral framework. That is, when we distinguish properly between the different notions of freedom, we can identify which is at issue when considering our inability to cognize it. Our practical freedom does not concern producing anything in the world, and is thus not problematic for our cognition.

Part IV– Feeling and Passion

Kant is often accused of having a view of moral agency that is too harsh on emotions. Such a view, many contend, fails to recognize the fullness and complexity of the human condition. While some Kant scholars will concede that Kant is inflexible, many would see Kant as leaving a role for feeling. One such example comes from **Robert English** in "Kant on Grief and Grieving." At least as far back as the Stoics, there are many examples of philosophers who think that grief—and other kinds of affect like fear and anxiety—constrain and inhibit our moral decision making. Beyond the general rigorist outlook of Kant's moral framework, there are passages where Kant seems to endorse the view that would have us move beyond grief. But English makes room for a Kantian account of grief by separating it from grieving, the intentional brooding that does inhibit our free moral decision making. Though grief seems to be the kind of affect Kant would have us avoid, English suggests that Kant's prohibition on grief as affect is not as forceful as his prohibition on grief as passion, because he allows for affects to "coexist with the best will" (MS 6:407-8).

For Kant, both affects and passions can adversely influence free rational deliberation, though they do so in different ways. Affects are short and intermittent while passions are temporally extended and habitual. Affect, Kant tells us, is like drunkenness that one sleeps off, although a headache follows afterward; but passion is regarded as a sickness that comes from swallowing poison, or a deformity which requires an inner or an outer physician of the soul (Anth 7:252) More importantly, we do not subject affects to rational reflection. English wants to distinguish between grief as affect and our intentional brooding over some misfortune. For English, Kant is not such a rigorist as to deny us the sadness and related feelings associated with the misfortunes of life. He "allows for normatively justified feelings of even quite deep sadness in response to loss, provided that these feelings do not undermine the sovereignty of reason." (p. 172) When it comes to our moral duties and decision making, however, Kant does expect us to keep such sadness from undermining reason. On this view, Kant would remain the rigorist he claims to be because there are no exceptions to or suspensions of the moral law. Distinguishing between grief as an affective response to episodic misfortune and grieving as a passion that undermines reason allows Kant to make room for the misfortunes that befall us all. He thus defends a rigorism that speaks to the complexity of the lived human experience.

Another point of resistance to Kant's rigorism is his all or nothing determination of moral character. Kant's view of moral character is often criticized for being all or nothing because he seems to allow for only two possibilities: either a moral agent subordinates the sensible to the moral or the moral to the sensible. That is, either an agent is morally good or morally wicked. There is no room for those who sometimes incorporate the moral law into their maxims, because the supreme principle determines the agent's moral character at the highest level of generality. In "Evil or Only Immature? Kant and the Complexity of Moral Failure," **Anastasia Berg** makes the case that too often Kant's account of moral character too finely differentiates between moral virtue and moral evil. The result is that those of frail and impure moral character, two lesser shortcomings by Kant's account, can be forced into a qualitative similarity with wickedness. This pitfall must be avoided to allow for the possibility of moral corruption but also of moral improvement.

To this end, Berg argues that frailty and impurity ought to be conceived as versions of moral immaturity that allow for the building of moral character through habituation, something Kant is often mistakenly taken to devalue. This is possible because just before Kant's defense of rigorism he defines the levels of evil, and while wickedness is understood in terms of the general adoption of the supreme maxim, the other shortcomings are not.

Frailty is defined in terms of the agent's weakness in complying with maxims she has adopted, and impurity in terms of the agent's tendency to mix immoral incentives with moral ones. For Berg, neither definition appeals to a fixed or stable feature of moral character. We cannot simply dismiss the way in which these flaws differ from wickedness: "frailty and impurity constitute fundamental phenomena of moral life: doing something wrong with some apparent awareness that it is the wrong thing to do and doing the right thing with some apparent awareness that it is anyway in one's interest to do it. Second, frailty and impurity are necessary in order to make sense of the distinctions between characters that are not wholly good, but that are not wholly and stably bad, either." (p.181) For Berg, Kant understands frailty and impurity in a way that allows for a process of maturation. They are not fixed and so their wickedness is unlike that of evil.

Thinking of frailty and impurity as cases of moral immaturity need not abandon any fundamental Kantian commitments. For Berg, moral immaturity precedes a stable moral character and allows for development. Berg, however, is not suggesting that we must abandon reading Kant as the rigorist he claims to be. Rather, Kant's distinction of levels (*Stufen*) of evil requires that the acquisition of moral character be a rational act, not merely an empirical coincidence. The tension in supposing that there are levels of evil comes when juxtaposed with Kant's view that we cannot have rational agents who on occasion subject their maxims to the moral law.

Part V– Republican Ideals

Kant's political theory has been a cornerstone of political liberalism in the West. Recently, as Western, and especially Anglo-American traditions have begun to come to terms with their racist and sexist pasts, an analogous reckoning appears underway in Kant scholarship. Charles Mills, for example, has denounced the racism imbued in Western political traditions at the feet of Kant, holding that Kant's notion of personhood is an invention that paves the way for considering some to be subpersons. Rather than dispense with Kant altogether, as some would do, Mills argues that Kant's notion of moral personhood can be saved and radically reconstructed. **Elvira Basevich**, however, is skeptical about this project. She argues that Kant's version of moral personhood lacks some of the tools necessary for such a reconstruction. In her essay, "The Category of Moral Personhood, On Race, Labor and Alienation," she holds that extending moral personhood to historically-excluded racial groups and trying to accommodate various forms of exclusion and subjugation is necessary but insufficient, precisely because of the concerns of reparative justice that Mills and others have in

mind.

For Basevich, a robust anti-racist political critique would also need: "(1) a clarification of what the public recognition of moral personhood can legitimately entail as a requirement of justice enforceable by legal protections, and (2) an account of non-alienated labor that challenges socially denigrating and exploitative norms in the organization of labor markets." (p. 198) Even if these factors do not exhaust all that is necessary for a radical reconstruction of Kant, they highlight the thinness of his notion of moral personhood for doing so. Mills' view is that the just state prescribed by Kant must provide solutions to the nonideal reality of racial subjugation and "a reeducated and reconstructed Anti-Racist Kant" would judge:

> racial disrespect for others to be a fundamental violation of the categorical imperative and, when implemented as public policy, as an unconscionable transgression of the ground rules of the *Rechtsstaat*…A reconstructed Anti-Racist Kant, then, is not going to be a compromiser on these issues but a hardliner (2015, 551)

Basevich argues that while this recognition of equal moral personhood might offer a schedule of basic rights and liberties in the domain of juridical right— "precisely the upshot of the moral equality of persons that Kant delineates in his theory of justice" (p. 198)—it fails to capture the other dimensions of social life through which personhood and subpersonhood are reinforced and unrecognized.

Similar concerns, particularly about labor, emerge in **Nicole Whalen**'s "Kant's Commercial Republicanism." Whalen holds that, as happens often with Kant, contemporary distinctions of economic positions fail to capture his outlook on the market. While the strong connection between Kant's practical philosophy and republican freedom suggests an uncomplicated association with liberal economics, it is necessary to situate Kant within an eighteenth-century framework of different versions of republicanism and their corresponding relationships to the market. On the one hand, there are philosophical commitments associated with a liberal economic position like those of Adam Smith, which are consistent with Kant's republican ideals. Here Whalen has in mind Smith's view that commerce and manufactures lead to liberty and security for individuals. On the other hand, Kant's commitment to certain interventions on behalf of the state (like import restrictions and wealth redistribution) suggest a welfarist concern compatible with republican political theory but in tension with free market liberal economics.

To resolve this tension Whalen distinguishes between classical, agrarian, and commercial republicanism. An important feature in distinguishing these various forms is the role played by labor. In the classical model "any involvement in trade or labor was associated with unfreedom." (p. 218) This is because the classical republican society required a class of unfree citizens that made possible the civic engagement and liberties of the free class. These same liberties serve as a justification for liberal economics in the eighteenth-century republican model. While classical and agrarian republicanism see alienated labor (enslaved and hired, respectively) as an impediment to free political participation, commercial republicanism views wage labor as a liberal instrument since laborers own their labor and are free to alienate it. For Whalen, Kant's embrace of unsocial sociability is a rejection of the classical and agrarian views that think of commerce as opposed to civic virtue. Rather than contrary to republican ideals, Whalen reads Kant as treating contracts and commercial policies as justified by a liberal republican outlook: "through contracts, acts that would otherwise be coercive become expressive of freedom. Granting another the use of your powers or the right to set ends for you, becomes permissible in this context." (p. 230)

Whalen and Basevich are bringing Kant into conversation with contemporary political debates about social and political inclusion and subjugation. In this sense, Kant is not only a key figure in the history of republican political theory, but also a major player in its future. A point that is illustrated, as this volume shows, by all those who –with their particular inflexion– engage in the task of rethinking Kant.

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PART I:

TRANSCENDENTAL IDEALISM

KANT ON OUR NOTION OF REPRESENTATION

HOUSTON SMIT

> I noticed that I still lacked something essential, something that in my long metaphysical studies I, as well as others, had failed to consider and which in fact constitutes the key to the whole secret of metaphysics, hitherto still hidden from itself. I asked myself the question: On what ground rests the relation [*die Beziehung*] of that in us that one calls representation [*Vorstellung*] to the object [*auf den Gegenstand*]?
>
> Letter to Herz, February 21, 1772; AA 10: 124

Kant here poses what is, arguably, the fundamental question that drives the investigation he pursues in the *Critique of Pure Reason*. Indeed, this question, and the answer to it he offers in the first Critique, also directly informs the projects he undertakes in the second and third Critiques. So this question informs his entire critical philosophy. I want to consider a question about this passage that readers of his critical philosophy do well to ask: What sense did Kant expect Herz to know to attach to '*Vorstellung*' in reading the clause "that in us that one calls *Vorstellung*"? With other 18th century philosophers writing in German, Kant follows Wolff in using '*Vorstellung*' as the German equivalent of '*repraesentatio*'. Indeed, in the *Critique of Pure Reason* he provides the latter as the Latin equivalent of the former (A320/B376), and I will use 'representation' to translate both. So we may generalize the question I am raising: What sense did Kant expect his contemporary audience to know to attach to '*Vorstellung*' and '*repraesentatio*'?

Notice that this question – call it 'our question' – is one more determinate than the question, 'What does Kant mean by "representation"? The latter is naturally construed as we would 'What does Linnaeus mean by "whale"?': namely, 'What new sense does Linnaeus's new system of the classification of living things assign this term?' This is, obviously, *not* the sense of our question. I am not, in the first instance at least, asking after the sense of any new philosophical terminology that Kant may be introducing, terminology that breaks with that he took to be standard. What I am asking after is, rather, the sense that Kant expected his target contemporary readers to know to attach to 'representation' in reading him, because it already

enjoyed currency among them, well before he published the *Critique of Pure Reason*.

We will see that Kant and his contemporaries shared, as the one we are to employ in doing philosophy of logic and metaphysics, a conception of representation importantly different from that standard today. On both, what we mean by 'representation' in using it to refer to something in us is a mental or psychological state that, in respect of its content, is – in some sense that is not easy to specify – about, or directed toward, something. But we now typically conceive of this aboutness as a *two-place* relation that has as its *relata* that state and what it is about. By contrast, on the conception still standard in Kant's day, this aboutness is conceived rather differently, and as one that consists in a *three-place* relation. What it is for a mental or psychological state of a subject to be a representation is for it to be suited to playing a certain functional role in an operation of that subject's capacity of representation: namely, providing this subject content that it is, in this operation, to relate to something as one of its determinations. This functional role is, in respect of its form, determined by the nature of that subject's mental and/or psychological capacities. A mental or psychological state is suited to playing this role, and constitutes a representation, as what occupies the middle term of a three-place relation of the form <the subject of some capacity of representation, representation, an object or objects of some psychological or mental capacity had by that subject>. Call this complex conception, one implicit in the Aristotelian conception of logic, 'the capacity-relative conception of representation'.[1] Far from rejecting these conceptions, the Critical Kant purports to find an entirely new way of doing first philosophy, one that puts the capacity-relative conception of representation to use in providing a radically new account of what our capacity of cognition would have to consist in. This account shows that the ground on which rests "the relation to the object" had by "that in us that one calls 'representation'" cannot lie in God, as Kant's predecessors had thought, but can lie only in certain supersensible operations of our capacity of cognition.

[1] The conception of representation that I will be ascribing to Kant bears important points of similarity with the conceptions of perception developed and defended by Burge (2010) and by Schellenberg (2018). It would be worthwhile to examine these points, as well as some of their dissimilarities, but I will not do so here.

I. The Difficulty of Answering Our Question

Our question is prompted, in no small part, by the fact that in his Critical works, including the *Critique of Pure Reason*, Kant puts the term '*Vorstellung*' to work without providing any preliminary articulation of the sense he expects his reader to attach to it. Now, to be sure, the same can be said of a host of other terms Kant employs. But one might have expected him to make the sense we are to attach to 'representation' explicit in introducing the project of the first critique: this work is the first Kant publishes after having posed his question to Herz, and one in which he sets out to provide this question his first and most fundamental answer.[2] Shouldn't he tell us, right at its outset, the sense that one attaches to this term when "one calls" something in us 'representation'? That he doesn't, strongly suggests that Kant expected his target contemporary audience to know to attach, without any help, some commonly recognized sense to the term '*Vorstellung*' generally, and in using it to refer to that in us that we take to answer to it. What I have dubbed 'our question' is simply the question, what is this sense?

When one sets out to answer our question, one finds a second, equally striking, fact that seems, prima facie, to make our question more challenging to answer than the parallel ones one might ask of the rest of Kant's philosophical terminology: Kant does not, in the works he published, offer any characterization of representation considered simply as such.[3]

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[2] This answer sets to one side the ground on which rests the relation "that in us that we call 'representation'" has to the *Gegenstand* in our practical thinking, our aesthetic judgments, and judgments in which we ascribe purposiveness. Our practical thinking, in the sense I have in mind, is our thinking that is aimed at determining the actions in which we bring about the state of affairs we represent, in that thinking, as what we are to bring about. In the first Critique, Kant answers the question he poses to Herz only with respect to the relation that our representations have to their objects under the principles of the real use of our understanding, which principles are ones of our theoretical (by contrast with practical) cognition. This answer is the most fundamental, because it is presupposed by all these other relations had by "that in us that we call 'representation'" to the *Gegenstand*.

[3] Dickerson remarks on the absence of any account of representation in general in the *Critique of Pure Reason*, and on how sharply Kant differs, in this respect, from Leibniz, who of course offers us an account of representation in terms of expression: "The notion of representation tends to be treated as a primitive notion in Kant's epistemology" (2002, 4). The answer I propose to our question puts us in a position to see how and why, from the early 1760s onward Kant holds, not just that this notion is primitive, but that an account of representation in general, such as Leibniz offers, is one that we cannot give.

There is an important passage, midway through the *Critique of Pure Reason*, in which Kant says something by way of explaining the senses in which he has, to that point, been employing his terms for specific kinds of representation (including 'concept' and 'intuition'). This passage is to be found in Kant's introduction of the Transcendental Dialectic, and it offers a taxonomy of representations intended to restore to 'idea' its original sense, that in which Plato used it (A320/B376-7). Because Kant refers to this taxonomy as a '*Stufenleiter*' ('stepladder') of the species of representation, this passage has come to be referred to as 'the *Stufenleiter*', a practice I will follow. I have already cited this passage, and it will figure prominently in what follows. Nonetheless, the *Stufenleiter* does not offer any characterization at all of representation in general (*ueberhaupt*); in dubbing what occupies the place of the highest genus in his taxonomy '*Vorstellung*', all Kant does by way of conveying the sense he expects his reader to attach to this term is to provide '*repraesentatio*' as its Latin equivalent.

It is only when we delve into Kant's *Nachlass* that we find him advancing what we are clearly intended to take as characterizations, of some kind, of representation as such (as against particular species of representation, such as those that belong to the *Stufenleiter*'s taxonomy).[4] As will emerge, these characterizations are, however, ones explicitly of that *in us* that we are to subsume under our concept <representation>,[5] and this as what is to have some sort of use for us in acts of thinking that are imputable to us. Moreover, these characterizations are to be found only in his *Nachlass* on logic: one in a very early *Reflexion* on logic, the other two in transcripts others made of his lectures on logic. These characterizations have received precious little attention, no doubt because they are themselves somewhat cryptic, as are the contexts in which we find them.[6]

II. A Puzzle about Kant's Characterizations of Representation

We will be concerned with the two characterizations we find in transcripts of Kant's lectures on logic. It is hard to see what, exactly, Kant

[4] In the A-Edition Deduction, Kant does advance, as a premise, a crucial claim concerning representation taken in general and as such: "All representations, as representations, have their objects [*Gegenstaende*]" (A108). But Kant does not advance this claim as a *characterization* of representation in general.

[5] Single brackets (<,>) indicate that I am speaking about a concept (the representational content), single quotes, that I am speaking about a word.

[6] George (1982) offers a brief treatment of some of the remarks Kant makes in his lectures on logic regarding representation in general; see 31-2.

takes himself to be doing in offering them, in part because he gives them hard on the heels of denying that we can define representation:

> What representation is cannot actually be explained [*erklaert*]. It is one of the simple concepts we necessarily must have. Every man knows [*Jeder Mench weiss*] immediately what representation is. . . . Cognition and representation are taken in logic to be of the same sort. Every representation is something in us [*etwas in uns*], which, however, relates to something else [*sich beizieht auf etwas anderes*], which is the object [*Object*]. (*Blomberg Logic*; AA 24: 40; early 1770s).

Call this C1, short for Characterization 1.

> Representation cannot be defined [*definiert*], because for that one would need ever new representations. All representation is either sensation or cognition. It is something that has a relation to something in us [*etwas, welches eine Beziehung auf etwas in uns hat*]. (*Vienna Logic*; AA 24: 805; early 1780s)

Call this C2, short for Characterization 2. In each of these lecture notes, Kant goes on to put the characterization he supplies to use, inter alia, to provide a philosophical account of logic, where logic is understood, along traditional Aristotelian lines, as itself a purely a priori science of our capacity of understanding.

These passages raise a puzzle: how can these characterizations be fit for the use to which Kant puts them if they are not explanations, of some sort, of what representation is? Even though C1 and C2 are characterizations specifically of that *in us* that we call representation, why aren't they explanations of what representation is, merely as representation? Moreover, mustn't they implicate some characterization of representation that holds for representation more generally? Why don't they, then, implicate some explanation of what representation is more generally, if only one that elucidates the content of some concept of representation we have?

Here, in brief, is the solution I propose to this puzzle. Kant does not offer C1 or C2 as characterizations of representation, per se, at all, let alone as explanations of what representation is. He offers them, rather, as characterizations of "something in us" that we take to answer to our simple concept <representation> in taking it to have some use in acts of thinking that are imputable to us. However, as we will see, Kant holds that this is but one way in which we can conceive of something as what answers to our notion <representation>. Notice how this reading explains why Kant supplies these characterizations in lecturing on logic: he intends C1 and C2 as characterizations, suitable for use in logic, of what makes representations