Kant With Foucault: On The Dangers Of The Theoretical Reification Of The Subject To Freedom And The Need For A Practical Psychology

Matthew Gordon Valentine

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KANT WITH FOUCAULT:
ON THE DANGERS OF THE THEORETICAL REIFICATION OF THE SUBJECT TO
FREEDOM AND THE NEED FOR A PRACTICAL PSYCHOLOGY

A Dissertation
Submitted to the McAnulty College and Graduate School of Liberal Arts

Duquesne University

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the degree of Doctor of Philosophy

By
Matthew Valentine

May 2016
KANT WITH FOUCault:

ON THE DANGERS OF THE THEORETICAL REIFICATION OF THE SUBJECT TO FREEDOM AND THE NEED FOR A PRACTICAL PSYCHOLOGY

By

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ABSTRACT

KANT WITH FOUCALUT:

ON THE DANGERS OF THE THEORETICAL REIFICATION OF THE SUBJECT TO
FREEDOM AND THE NEED FOR A PRACTICAL PSYCHOLOGY

By

Matthew Valentine

May 2016

Dissertation supervised by Doctor James Swindal, Ph.D, Dean and Professor

In this dissertation I consider the question, “Is it possible to think the subject qua subject or must any theoretical attempt to understand the subject necessarily reify it?” To answer this question, I appealed to Immanuel Kant’s distinction between theoretical and practical reason, noting that practical reason could think the subject as a free soul rather than as a naturally-determined object. I then divided the sciences of the subject into four general types to determine which science could think the subject qua subject. Three sciences were shown to necessarily reify the subject: empirical psychology, rational psychology, and heteronomous ethics. I then paralleled Kant’s insight with Michel Foucault’s analyses of the human sciences, showing the concrete consequences of objectification. Using Foucault’s work on ethical practice and askesis as a guide, I returned to Kant and explained how practical reason can think the subject qua subject only insofar as it considers the subject as something to be made rather than a theoretical object to know. I then posed the question, “What are the necessary conditions for someone to be a subject of possible experience?” which led into a Kantian-inspired theory of love and intersubjectivity. Finally, I concluded that contemporary psychology is mired in an impasse between happiness and freedom, insofar as therapeutic practice is no longer an ethic. I suggest the need for a practical psychology to solve this impasse.
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My interest in Michel Foucault was sparked by Doctor Fred Evans back in the spring of 2008. Fred and I both share a love for both philosophy and psychology, and I found myself, semester after semester, taking his offered courses. Many of the papers I wrote for him were papers that expressed thoughts I still treasure as most mine, and I am grateful to have had the opportunity to study with him, as well as work for him as a Fellow for the Center of Interpretive and Qualitative Research from Fall of 2014 to Spring of 2015.

It wasn’t until the Spring of 2008 that I was introduced to the work of Alain Badiou by Doctor Jay Lampert. It may not be evident, but this project was fundamentally shaped by an engagement with Badiou and was originally about Kant and Badiou rather than Kant and Foucault. Without Badiou’s distinction between the True and the veridical, for example, I would likely not have considered Kant’s distinction between theoretical and practical interests of reason, nor the epistemological role of affect, nor considered the possibility that ethics could take on forms other than that of bioethics. Jay has been a consistent source of constructive criticism and has no qualms challenging my arguments, which makes me all the more confident that I have produced a work of merit. I am grateful that he has engaged with my work so thoughtfully and so patiently.

But I would like to acknowledge others just as responsible for this work as well:

There have been some who were with me as I committed the first words of this dissertation to page. There were some who sat across from me in coffee shops as I pushed through the over four hundred pages of this work. There are those who were with me, in person and in spirit, as I applied the finishing touches to this behemoth. I couldn’t have finished this dissertation without you and will always have a special place in my heart for you.

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And so also the irresistibility of [nature’s] might, while making us recognize our own physical impotence, considered as beings of nature, discloses to us a faculty of judging independently of, and a superiority over, nature; on which is based a kind of self-preservation, entirely different from that which can be attacked and brought into danger by external nature. Thus, humanity in our person remains unhumiliated, though the individual might have to submit to this domination.

Section 28

*The Critique of Judgment*

‘By itself,’ [O’Brien] said, ‘pain is not always enough. There are occasions when a human being will stand out against pain, even to the point of death. But for everyone there is something unendurable—something that cannot be contemplated. Courage and cowardice are not involved. If you are falling from a height it is not cowardly to clutch at a rope. If you have come up from deep water it is not cowardly to fill your lungs with air. It is merely an instinct which cannot be destroyed. It is the same with the rats. For you, they are unendurable. They are a form of pressure that you cannot withstand, even if you wished to. You will do what is required of you.’[…]

The cage was nearer; it was closing in. Winston heard a succession of shrill cries which appeared to be occurring in the air above his head. But he fought furiously against his panic. To think, to think, even with a split second left—to think was the only hope. Suddenly the foul musty odour of the brutes struck his nostrils. There was a violent convulsion of nausea inside him, and he almost lost consciousness. Everything had gone black. For an instant he was insane, a screaming animal. Yet he came out of the blackness clutching an idea. There was one and only one way to save himself. He must interpose another human being, the BODY of another human being, between himself and the rats. 1984 italics mine

“The fact that electrodes compel rats to consume large quantities of a food that is not bringing them pleasure is evidence that wanting and liking are controlled by different mechanisms of the brain…Wanting is not liking.”

*The Joyful Mind*

Scientific American (August 2012)

1.1 The Ego that is Not: Kant’s Rejection of the Empirical Ego and its Pleasures

Introduction

In all embodied and rational beings, there is a fundamental division between the formal and the material. For Kant, this division manifests as a necessary divide within the faculty of desire itself; the faculty of desire, or the will,¹ can comply with formal practical laws of reason of

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¹ Kant writes in his copy of the first edition: “Transcendental definitions: The causality of representations of representations of a being in respect of the objects of them is life. The determinability of the power of representation to this causality is the faculty of desire. This power of representation, if it is reason, hence is the determinability of its causality in respect of objects, i.e., its faculty of desire [is] will. If pure reason has causality, then the will is a pure will, and its causality is called freedom.” Footnote to page A538/B566:

its own devising, and by actively submitting to them, emancipate itself from the sway of the
natural order; pleasure, on the other hand, being but a product of our passive physiology
(receptivity), shackles the will to the incessant pressures of the natural order. A war for the
subject’s freedom is perpetually waged within, since the inertia of the will seems to be the
pursuit of pleasure, which reduces autonomy to a natural mechanism, while compliance with the
formal law preserves autonomy. In this respect, desire can aim for two horizons: the formal law
or material pleasure. And while Kant not only accepts but endorses the pursuit of happiness in
non-moral matters, he reminds us that we are but higher beasts bound by natural necessity when
we do so. This rigid choice, which determines the very nature of subjectivity, is an antinomy in
its own right, since a moral life without happiness may be free but it is not worth living, while
one that is only happy barely counts as living, since it is not free. Neither would be considered
‘the good life’ in a genuine sense. Reason, whose demands compel ultimate unity, as strongly as
any instinct, cannot help but to find that its moral law becomes but one of two horses pulling at
opposite directions, tearing the hapless human into two separate beings: angel and animal. It is
this choice of agency and its prima facie conflict with animal nature that I ultimately intend to
explore and resolve.

*Sciences of the Self*

When the desiring being is considered as a being that strives towards fundamentally
divergent ends in the manner Kant describes, it can be cognized as if it were two different
species for study. Each species would be an object of investigation for a different discipline,
which I will call a ‘science of the self.’ When humanity is considered merely as a species that
aims towards acquiring pleasure (‘the human animal’), we necessarily recognize that different
causal principles are at play than otherwise. Here we encounter a being that is empirically
‘calculable and regular’\(^2\): an *empirical ego* known *a posteriori* that can be studied by empirical psychology. This is because pleasure is a natural phenomenon produced by natural processes, which an empirical science is equipped to study. To use Kant’s language, the ego is phenomenal, belonging only to the world of possible experience rather than the world as it really is. But there is another self, one that can allegedly be grasped *a priori*: the *soul*. The soul is the subject of what Kant calls ‘Rational psychology.’ Rational psychology, like empirical psychology, takes up the self as a theoretical subject of investigation but instead replaces a posteriori observation with a priori reasoning. Ultimately however, the result is the same for both empirical and rational psychology: *theoretical reason reifies the self into an object. Only ethics, which bypasses the limitations of theoretical reason, encounters a self that is a subject rather than an object.*

To shed light on the sciences of the self, I take as my two philosophical critics Immanuel Kant and Michel Foucault, whose fundamental differences, like Sun and Moon, are in rare instances occluded like an eclipse. Both are suspicious of theoretical attempts to attain knowledge of the subject. Both consider ethics a promising alternative to psychology. Foucault goes so far as to say “the entire art of life consists in killing off psychology” (*L’art de vivre, c’est de tuer la psychologie*).\(^3\) This dissertation, while still presuming a place for empirical psychology, nonetheless argues that we will only encounter the subject as a genuine subject (in other words, as a free agent) rather than as a docile scientific object by acknowledging these concerns, tracing alternative trajectories, and only then attempting unitary reconciliation of the sensible ego with the ideal soul.

\(^2\) To use the language Nietzsche does in the Second Treatise of the *Genealogy of Morality*.

Kant’s Critique of Empirical Psychology

I start however with Kant’s critique of empirical psychology. Once the epistemological problems with empirical psychology are outlined I will then proceed to discuss the epistemological problems Kant identifies with non-empirical ‘rationalist’ approaches to the subject. Foucault’s critique of the human sciences will follow in Chapter 4, in line with the Kantian framework of heteronomy of choice established in Chapter 3.

Kant did not conceive of empirical psychology as we do today. When contrasting empirical psychology with logic, Kant divides the disciplines by faculty in a manner similar to our contrast between ego and soul (and, as we will see, the sensible self and the intelligible self):

The lower cognitive power is characterized by the passivity of the inner sense of sensations; the higher by the spontaneity of apperception – that is, of pure consciousness of the activity that constitutes thinking – and belongs to logic (a system of the rules of understanding), just as the former belongs to psychology (to a sum-total of all inner perceptions under laws of nature) and establishes inner experience.  

It would seem that empirical psychology has one primary method: introspection. This method alone would give the modern reader pause: What kind of data does introspection uncover? Can such a method uncover the laws of nature that underlie inner experience? What kind of science can be produced by means of an introspective method?

It is clear from as early as the Metaphysical Foundations of Natural Science that Kant is skeptical of the “empirical doctrine of the soul.” At best he seems to condone

a historical…systematic natural doctrine of inner sense, i.e. a natural description of the soul, but not a science of the soul, nor even a psychological experimental doctrine…This is because mathematics is inapplicable to the phenomena of the internal sense and their laws, unless one might want to take into consideration merely the law of continuity in the flow of this sense’s internal changes.

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4 Kitcher, Patricia, Kant’s Transcendental Psychology (New York: Oxford University Press, 1990), 12.
5 Kitcher Transcendental Psychology 12.
In this passage, Kant assumes that “a doctrine of nature will contain only so much science as there is ‘applied mathematics’ in it.” Put otherwise,

Were empirical psychology to attempt to ground itself as a natural science it could do nothing other than plot a line as the (spatial) representation of a possible succession of objects of inner sense. This line would tell us nothing about how or why objects of intuition succeed each other in the order in which they do; it would indicate the form of a merely descriptive listing of the succession of inner events – i.e. “and then…, and then…,” etc.

Unfortunately for empirical psychology, the empirical study of inner sense (or of inner psychological states) would amount to little more than the one-dimensional plotting of a continuous, straight line, strewn out without apparent rhyme or reason. In other words, empirical psychology would merely collect and assemble a narrative account of inner sense, not study the empirical ego per se (unless of course the empirical ego is nothing but a sequence of inner states without determinate lawful connections between them, which seems unlikely).

If the term ‘empirical ego,’ indicates a substantive, persisting psychic structure, Kant agrees with Hume: no such ‘self’ is ever found introspectively, only a sequence of changing inner states, states that are themselves experimentally inaccessible and defy sophisticated mathematical

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7 Metaphysical Foundations of Natural Science
8 Cutrofello, Andrew, Imagining Otherwise: Metapsychology and the Analytic A Posteriori (Evanston, Illinois: Northwestern University Press, 1997) 58. Cutrofello follows this up by bringing up an option that did not occur to Kant: “Here it is interesting to consider whether developments in mathematics since Kant’s day would force him to complicate this picture. Topology…is in many ways an offshoot of geometry, but one whose development required that appeals to intuition be given up…[It is] the study of continuity…For Kant, it will be remembered, time is the form by which the continuity of the subject’s experience is given. Yet Kant takes arithmetic, not topology, to provide a mathematical model of time. Even if we were to grant that the line is the basic form of time, topology shows that lines are far richer in their mathematical possibilities than Kant suggests…What if, without ceasing to be a “line,” time could undergo topological transformation? Would this provide a mathematical basis for something like empirical psychology?” Imagining Otherwise 58. The current author must confess that while this option is suggestive, Cutrofello does not concretely explain just how topology could provide the mathematical basis for empirical psychology.

9 Goldman, Avery, Kant and the Subject of Critique: On the Regulative Role of the Psychological Idea (Bloomington: Indiana University Press, 2012) 189. Empirical psychology is called the ‘physiology of the human understanding’ as opposed to the rationalist ‘physiology of inner sense.’

10 Hume’s principles of association, insofar as they seem to concern the principles that dictate why one psychological state (or conceived idea) triggers another, may be an exception, since it is concerned more with the relation of psychological states than it is an ego entity.
schematization. If the proper object of empirical psychology is the ego (not a transcendental I), and the ego cannot be observed, then empirical psychology fails to materialize.

As Avery Goldman notes of any critic who may cite eighteenth century scientific ignorance and the subsequent rise of experimental psychology in the late nineteenth century, …there has no doubt been progress made in the way that we are able to investigate the mind and so map its varied powers. Yet Kant’s criticism of empirical psychology is not that he found himself in the unfortunate position of lacking some data or tool that could at some later point be found, offering a solution for the vexing difficulties concerning self-knowledge. Rather, if empirical psychology is a study of causal relations, it lacks the resources to grasp an adequate object for its study; it cannot know the causes of the representations of inner sense, only their order. This epistemological limitation is likely due to the peculiar nature of inner sense itself since those empirical sciences Kant sanctions all concern objects of outer sense (most notably, physics).

Since inner sense is a pure intuition, and pure intuitions, as a necessary structural part of the mind, can be understood a priori, a reasoned rather than empirical examination of inner sense should be sufficient to reveal its relevant limitations (such ‘armchair psychologizing,’ to which I am limited, would thus be legitimate). In order to fully outline the intrinsic limitations of inner sense, I will first look at its formal limitations, then its material limitations, and finally the methodological limitations of introspection.

The Formal Limitations of Inner Sense

It is perhaps with a sense of humor that Kant rejects empirical psychology on a priori grounds. If we assume that empirical psychology takes both the structure of psychic experience (pure intuitions) as well as its contents (empirical intuitions, or sensations) as its initial investigative objects (like physics takes all pure and empirical intuitions of outer sense as its

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12 Avery 12-13
initial objects) then we can first determine the limitations of the object of empirical psychology by considering the form inner intuitions necessarily must take to be objects of inner sense at all (i.e. by looking at pure intuitions first, and then only afterward the nature of empirical intuitions themselves). From there it may then become possible to see why the application of the concepts of the understanding to the inner manifold is not sufficient to synthesize it into a possible experiential field receptive enough to be adequately mathematized.

For Kant, time and space are not objective features of real world things or their relations, nor do they stand alone as metaphysical entities in their own right. Time and space are the forms phenomena must take in order to be given in perception at all. Rather than having objective existence, time and space are forms of (our) sensibility. Space is the form all phenomena perceived by the five senses must take to be externally perceived (‘extension’). This is what gives space its proper name: outer sense. Time, space’s sensible twin, is more pervasive, since all phenomena, be they inner intuitions like thoughts and feelings, or outer intuitions like physical objects, seem to pass successively from one state to another. Thus, at first it seems that time is the form of both outer and inner sense. But this is technically not the case. Kant qualifies this time-determination: all phenomena are temporal either immediately (objects of inner sense) or mediately (external objects). This becomes more evident when we consider that inner phenomena are presented solely in time, not in space. That would imply that time is the form of inner sense. If we take as given that appearances are appearances for a mind, then all appearances are but ‘determinations of the mind’ itself, and thus conditioned by the form it must be presented in (the form of inner sense).  

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14 “Time is the *a priori* formal condition of all appearances in general. Space, as the pure form of all outer intuitions, is limited as an *a priori* condition merely to outer intuitions. But since, on the contrary, all representations, whether or not they have outer things as their object, nevertheless as determinations of the mind themselves belong to the inner state, while this inner state belongs under the formal condition of inner intuition, and
In a certain respect, a form of sensibility, be it inner sense or outer sense, is nothing but the a priori set of particular dimensions an intuition must conform to if it is to be an intuition at all. Mathematics is thus derived from pure intuitions precisely because mathematics is but the formalization of dimensions. In that respect, the ideality of space and time, which forecloses the (potentially Newtonian) absolute and self-sufficient nature of either, in no way undermines mathematics, but instead provides a possible explanation for how its conclusions are a priori and have absolute necessity.\textsuperscript{15} The pure intuitions upon which mathematics is based are not mere empirical concepts derived from experience, since the latter can only provide general, plausible conclusions. They are instead necessary structures of the mind bearing absolute weight since they condition and structure possible experience absolutely.

Kant contrasts philosophical and mathematical cognition in the often-neglected ‘Doctrine of Method’ section of the \textit{Critique of Pure Reason}:

\begin{quote}
\texttt{Philosophical} cognition is \texttt{rational cognition} from \texttt{concepts}, mathematical cognition that from the \texttt{construction} of concepts. But to construct a concept means to exhibit \texttt{a priori} the intuition corresponding to it. For the construction of a concept, therefore, a \texttt{non-empirical} intuition is required, which consequently, as intuition, is an \texttt{individual} object, but that must nevertheless, as the construction of a concept (of a general representation), express in the representation universal validity for all possible intuitions that belong under the same concept. Thus I construct a triangle by exhibiting an object corresponding to this concept, either through mere imagination, in pure intuition, or on paper, in empirical intuition, but in both cases completely \texttt{a priori}, without having to borrow the pattern for it from any experience.\textsuperscript{16}
\end{quote}

Here we see Kant’s fundamental necessary epistemological condition for theoretical cognition met in an interesting way: theoretical cognition always requires an intuition to be wed to a concept, \textit{but that intuition need not be empirical}. For Kant, the form of mathematical cognition is like a mirror image of the form of philosophical cognition: “Philosophical cognition thus


considers the particular only in the universal, but mathematical cognition considers the universal in the particular, indeed even in the individual, yet nonetheless *a priori* and by means of reason.”\(^{17}\)

This distinction may be lost if we merely focus on how mathematics is quantitative while philosophy is qualitative. The more traditional qualitative/quantitative divide does exist between philosophy and mathematics, respectively, but this later distinction derives from the former distinction rather than the former deriving from the latter: “The form of mathematical cognition is the cause of its pertaining solely to quanta.”\(^{18}\) Kant bolsters this claim by implicitly falling back on the principles of the understanding (also referred to as ‘the physiological principles’), which “are nothing other than rules for the objective use of the categories”\(^ {19}\). Quality necessarily presumes content, or empirical intuition (only sensations have intensities), while quantity does not.\(^ {20}\) Since qualities are only ‘exhibited’ in empirical intuition, “rational cognition of [qualities] can be possible only through concepts.”\(^ {21}\)

Another way of putting this is to say that the intuitions that correspond to the Qualitative categories of Reality, Negation, and Limitation (or even those of Relation or Modality) can only be provided through experience, while Quantitative categories are not bound by such a restriction.\(^ {22}\) “The shape of a cone can be made intuitive without any empirical assistance, merely in accordance with the concept, but the color of this cone must first be given in one experience or another.”\(^ {23}\) Philosophy can cognize mathematical objects and vice versa, but never in the same manner mathematics can. Philosophy can only work with ‘general concepts,’ while

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17 Kant, *Critique of Pure Reason* 631 [A714/B742].
18 Ibid 631 [A714/B742].
19 Ibid 284 – 285 [A161/B200].
21 Ibid 631 [A715/B743].
22 Ibid 631 [A715/B743].
23 Ibid 631 [A715/B743].
mathematics must ‘exhibit’ “the concept in concreto” (i.e. ‘exhibited a priori’ or ‘constructed.’) within intuition. Mathematical cognition thus seems to start with a mathematical concept (such as ‘Triangle’) which can only be cognized when its corresponding pure intuition (let’s say, the shape of a triangle drawn out on paper) is constructed. In this way we come to understand the properties of a triangle a priori, even though we are technically working with only a particular sketched triangle. All triangles of a certain kind will possess the same properties a priori.

Kant provides two illustrations of how this construction takes place, and with it insight into how mathematical cognition is both synthetic and a priori. The first is geometrical, which is derived from the form of outer intuition (space). Intuitively it makes sense that extensive dimensions correlate with geometry since geometric shapes are purely extensive. The second illustrates arithmetic, which Kant says derives from counting. Since counting is successive it is necessarily temporal (constructed from the form of inner intuition).

Starting with geometry, Kant illustrates geometrical cognition in the following manner:

Give a [geometer] the concept of a triangle, and let him try to find out in his way how the sum of its angles might be related to a right angle…He begins at once to construct a triangle. Since he knows that two right angles together are exactly equal to all of the adjacent angles that can be drawn at one point on a straight line, he extends one side of his triangle, and obtains two adjacent angles that together are equal to two right ones. Now he divides the external one of these angles by drawing a line parallel to the opposite side of the triangle, and sees that here there arises an external adjacent angle which is equal to an internal one, etc. In such a way, through a chain of inferences that is always guided by intuition, he arrives at a fully illuminating and at the same time general solution of the question.

This geometrical method is synthetic, since the concept of triangle, and thus cognition of it, is expanded based on the construction of the concept in intuition, not an analysis of the concept of Triangle.

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24 Ibid 631 [A715/B743 – A716/B744].
26 Ibid 632 [A716/B744 – A717/B745]
Arithmetic is given a similar constructive (one may even say ‘performative’) treatment when Kant considers the simple proposition “7 + 5 = 12”:

The concept of twelve is by no means already thought merely by my thinking of that unification of seven and five, and no matter how long I analyze my concept of such a possible sum I will still not find twelve in it. One must go beyond these concepts, seeking assistance in the intuition that corresponds to one of the two, one’s five fingers, say, or (as in Segner’s arithmetic) five points, and one after another add the units of the five given in the intuition to the concept of seven. For I take first the number 7, and, as I take the fingers of my hand as an intuition for assistance with the concept of 5, to that image of mine I now add the units that I have previously taken together in order to constitute the number 5, one after another to the number 7, and thus see the number 12 arise. That 7 should be added to 5 I have, to be sure, thought in the concept of a sum = 7 + 5, but not that this sum is equal to the number 12. The arithmetical proposition is therefore always synthetic…

Arithmetical problems can only be solved by counting, which is no more empirical than the drawing of a triangle is. And while the image of fingers or a collection of dots seems to imply that arithmetic depends on outer intuitions, a collection of fingers or dots alone are not sufficient for arithmetical computation. As Kant says in the Prolegomena, “Arithmetic attains its concepts of numbers by the successive addition of units in time” (as well as ‘pure mechanics’, since motion requires time). Both Arithmetic and Algebra require a set notation by means of which its operations can be conducted.

Thus, inner sense seems to ground arithmetic calculation, which prompts the question: In what way is the sensory manifold of inner sense not mathematizable if it must be given in a mathematizable form (numerically)? Kant, as we recall, presents the problem in part as a formal one: inner intuitions themselves structured solely by the form of inner sense are presented mathematically only in succession as a single continuous line (a single temporal dimension). But the problem may seem more daunting than it actually is. The form of inner sense may be the basis for numbers (symbols that designate collections of counts) and computation (counting

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27 Kant Critique of Pure Reason 144 [B15]
28 Kant Prolegomena to Any Future Metaphysics 25 [283]
collections of counts), and thus be the condition for mathematical sciences, but those numbers may only find their proper use when applied to the phenomena of outer sense. We forget that outer sense too is subjected to three extensive dimensions and that very same temporal dimension. If dimensional complexity is proportional to mathematical complexity, then it is a foregone conclusion that the manifold of outer intuitions lends itself more to mathematical complexity than the manifold of inner intuitions does.

It is evident that mental images, such as fantasies and memories, present themselves to consciousness as if in three extended dimensions. I can imagine myself at the top of the Empire State building conducting an experiment to determine the rate of free fall on an Earth-sized planet by dropping an acorn. Nonetheless, this example only reveals the stark difference between empirical psychology and physics. Empirical psychology (hypothetically speaking) is not the study of the relationships between elements contained immanently within a mental image as if they were actually in space. To attempt to take those internal relationships as an object of investigation is merely to simulate an investigation of outer sense, not inner sense. This imagined experiment may only help me imagine how I might design and conduct a real experiment. The imagined experiment could never qualify as an experiment that could verify a single hypothesis about its imagined objects, but instead is a mental act that at best tests the capacities of imagination itself (‘How must images appear in the mind?’ ‘What are the limits of what I can imagine?’). The dimensions presented in mental images are not the dimensions of the mental process that hypothetically condition the objects of introspective investigation. Most certainly the limits of what the mind can imagine are relevant to empirical psychology, but introspection immediately reveals any imagined extension to be impossible to measure and thus not technically extensive at all. I may certainly imagine something I know to be six feet tall, or
remember seeing an acorn in free fall at a rate of 9.8/m/s/s, but the content of the mental image reveals nothing about the mind’s dimensions, only the world’s dimensions. Even venturing the question ‘What is the rate of free fall of a fantasied object’ borders on absurdity since no hard and fast rule seems to govern it, only the caprice of the imaginer (limited only by the imagination’s capacities), or the actual experience of falling objects. While experience of objects in outer sense may determine the content of psychological objects, it is almost as if the form of outer sense is revealed to be yet another kind of content given in inner sense once introspection seizes upon it in an imagined image.\(^\text{30}\)

From the perspective of the four general kinds of Categories of the Understanding, Kant determines the four kinds of natural science - all of which pertain to ‘corporeal nature’\(^\text{31}\) (i.e. bodies of outer sense) – from the four general classes of Categories of the Understanding (which are mere ‘forms of thought’\(^\text{32}\) and thus not contents proper).\(^\text{33}\) Each progressively adds “a new determination of matter’ by means of progressing from Quantity, to Quality, Relation, and finally Modality:\(^\text{34}\)

The first may be called Phoronomy; and in it motion is considered as pure quantum, according to its composition, without any quality of the matter. The second may be termed Dynamics, and in it motion is regarded as belonging to the quality of the matter under the name of an original moving force. The third emerges under the name of Mechanics, and in it matter with this dynamical quality is considered as by its own motion to be in relation. The fourth is called Phenomenology; and in it matter’s motion or rest is determined merely with reference to the mode of representation, or modality, i.e., as an appearance of the external senses.\(^\text{35}\)

\(^{30}\) Kant’s own proof for space being the outer form of time seems to rely on an imagined scenario in which all content has been subtracted from a space and yet a space still remains. Kant *Critique of Pure Reason* 159 [A26/B42]. This is why I qualify this statement with ‘almost.’

\(^{31}\) Kant *Metaphysical Foundations of Natural Science* 11 [473]

\(^{32}\) Kant *Critique of Pure Reason* 334 [B288].

\(^{33}\) “Under the four classes of quantity, quality, relation, and finally modality, all determinations of the universal concept of a matter in general and, therefore, everything that can be thought a priori respecting it, that can be presented in mathematical construction, or that can be given in experience as a determinate object of experience, must be capable of being brought.” Kant *Metaphysical Foundations of Natural Science* 12 [475-476].

\(^{34}\) Ibid 13 [476].

\(^{35}\) Ibid 14 [477]. Underlines are added to emphasize the derivation of each science from a category class.
From each example it is clear that, according to Kant, a science must always take matter and motion as its object. Both are only found in outer intuition. But why matter and motion? Answering this question with Kant’s own words will further demonstrate why he concludes that inner intuition, when mathematized will only produce a continuous straight line.

It can be agreed that a science ultimately attempts to explain why certain alterations occur (for example, what the causal principle behind a series of alterations is). Starting from this position, Kant says:

In order to exhibit alteration as the intuition corresponding to the concept of causality, we must take motion, as alteration in space, as our example, indeed only by that means can we make alterations, the possibility of which cannot be comprehended by any pure understanding, intuitable. Alteration is the combination of contradictorily opposed determinations in the existence of one and the same thing. Now how it is possible that from a given state an opposed state of the same thing should follow not only cannot be made comprehensible by reason without an example, but cannot even be made understandable without intuition, and this intuition is the motion of a point in space, the existence of which in different places (as a sequence of opposed determinations) first makes alteration intuitable to us; for in order subsequently to make even inner alterations thinkable, we must be able to grasp time, as the form of inner sense, figuratively through a line, and grasp the inner alteration through the drawing of this line (motion), and thus grasp the successive existence of ourself in different states through outer intuition; the real ground of which is that all alteration presupposes something that persists in intuition, even in order merely to be perceived as alteration, but there is no persistent intuition to be found in inner sense.36

In the next section (regarding the material limits of inner sense), I will address the persistence of outer intuitions. For now, however, it is enough to note that outer intuition seems to be a precondition for even thinking about the flow of inner sense. Here Kant is presuming a necessary spatial metaphor for even a pragmatic understanding of time, something later philosophers such as Bergson would challenge. While Kant does not push the conclusion to its limit, we can catch sight of it: A mathematization of the phenomena of inner sense would seem to be a kind of spatialization of inner sense which renders the stream of inner sense into something it is not. But what character do inner phenomena have before we spatialize them?

The Material Limitations of Inner Sense

Previous to noting that thinking about inner intuitions requires the metaphor of a spatial line, Kant mentions a characteristic peculiar to inner intuitions that distinguishes them from outer intuitions:

It is even more remarkable, however, that in order to understand the possibility of things in accordance with the categories, and thus to establish the objective reality of the latter, we do not merely need intuitions, but always outer intuitions. If we take, e.g., the pure concept of relation, we find that 1) in order to give something that persists in intuition, corresponding to the concept of substance (and thereby to establish the objective reality of this concept), we need an intuition in space (of matter), since space alone persistently determines, while time, however, and thus everything that is in inner sense, constantly flows.37

Alteration seems to presuppose a relationship of substance and inherence: an object in space may change but it is still recognizable as the same object throughout its alterations. Extension, being a primary quality of a thing, seems to be another word for that persisting substance. Kant’s claim is that within the stream of internal consciousness, inner intuitions are not mere alterations, or faces, of a persisting inner substance; there is just a persisting flux. Thus neither the object of inner intuition (be it a feeling, a memory, or a fantasy) nor an observable empirical ego undergoing change, seem to be revealed by introspection (or at least not in the same way a physical object endures its various changes).

Furthermore, “the manifold of internal observation is separated only by mere thought, but cannot be kept separate and be connected again at will.”38 This can mean at least one of two things: either introspection cannot effect a consistent division of the inner manifold into discrete mental processes for investigation, or there is no way to keep introspection from bleeding into the internal flow of inner intuitions being observed. The latter interpretation suggests methodological limitations that Kant also covers.

37 Kant Critique of Pure Reason 335 [B291].
38 Kant Metaphysical Foundations of Natural Science 8 [471].
Methodological Limitations of Empirical Psychology

Kant further notes at least two methodological considerations. First, perhaps indicating severe naïveté on his part, Kant claims that “another thinking subject [could not (or perhaps even ‘would not’)] submit to our investigations in such a way as to be conformable to our purposes.”

This may mean either that external observers cannot directly access the inner intuitions of others (which is obvious), or that people would not willingly submit to psychological experiments. Second, “the observation itself alters and distorts the state of the object observed.”

If the object cannot be observed in its purity, then any principles derived from psychological experimentation would be tainted and not pertain to natural psychological phenomena. They would at best pertain to contrived experimental settings. As Patricia Kitcher points out, many of Kant’s criticisms stem from what he assumes to be empirical psychology’s methodology, “to search for regularities among items revealed by introspection,” which he inherited from Christian Wolff.

If he had considered an empirical method besides introspection, his evaluation of empirical psychology may have been different.

Thus, on the surface, it seems that Kant was a critic of empirical psychology as early as the *Metaphysical Foundation of Natural Science*, written a year before the ‘B Edition’ of the *Critique of Pure Reason* was released. And yet, a case can be made that even in the ‘B Edition’ there are still passages that indicate that Kant thought something like empirical psychology was possible.

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39 Ibid 8 [471].
40 Ibid 8 [471].
41 Kitcher, Patricia *Kant’s Transcendental Psychology* 12.
Contradictions: Kant’s Position on Empirical Psychology in the Critique of Pure Reason

The critique of empirical psychology in the Metaphysical Foundations of Natural Science seems at odds with Kant’s own claims in Critique of Pure Reason that empirical psychology’s limitations are merely temporary and contingent upon the advance of scientific investigation:

Once one gives up the hope of achieving anything useful a priori, where does that leave empirical psychology, which has always asserted its place in metaphysics, and from which one has expected such great enlightenment in our own times? I answer: It comes in where the proper (empirical) doctrine of nature must be put, namely on the side of applied philosophy, for which pure philosophy contains a priori principles, which must therefore be combined but never confused with the former…[Empirical psychology] is not yet rich enough to comprise a subject on its own and yet it is too important for one to expel it entirely or attach it somewhere else where it may well have even less affinity than in metaphysics. It is thus merely a long-accepted foreigner, to whom one grants refuge for a while until it can establish its own domicile in a complete anthropology (the pendant to the empirical doctrine of nature).42

Guyer and Wood respond to the contradiction between the Metaphysical Foundations and the first Critique in the editorial notes to the above-quoted section of the Critique:

There could still be a priori principles of inner sense, underwriting the a priori application of concepts of causation and interaction to psychological phenomena without yielding any mathematically interesting principles for these phenomena – indeed, that is precisely what the "Analogies of Experience" and "Refutation of Idealism" have done.43

Thus Guyer and Wood contest Kant’s assumption that a rigorous science requires mathematics as a necessary condition and instead suggest that its possible for the causal relations necessary for empirical psychology to be a science can be derived from a priori principles of inner sense.

But this is not the only suggestive passage. Interestingly enough, Kant admits that the subject has to possess an ‘empirical character’

through which its actions, as appearances, would stand through and through in connection with other appearances in accordance with constant natural laws, from which, as their conditions, they could be derived; and thus, in combination with these other appearances, they would constitute members of a single series of the natural order.44

43 Guyer, Paul and Allen W. Wood, ‘Editorial Notes’ in The Critique of Pure Reason 756. In this note, Guyer and Wood refer to rational psychology, but they are making reference to a passage in the Metaphysical Foundations of Natural Science to the ‘empirical doctrine of the soul.’ It seems that the reference must really be to empirical psychology.
44 Ibid 536 [A539/B567]
Thus, there seems to be something like an empirical ego (an ‘empirical character’) that not only has ‘constant natural laws’ but must also be a theorized object if a scientific theory of the world is to be consistent and complete. The empirical character of the agent seems to be an efficient cause in a chain of efficient causes. But Kant also seems to imply that since this empirical character is an appearance, it is not actually an agent at all; it is really an effect of an agent’s intelligible character, which is a thing-in-itself. In the first *Critique*, Kant says that we can only cognize appearances but that there is nothing logically inconsistent with supposing a co-extensive intelligible realm of things-in-themselves. Despite how an agent’s actions seem predictable based on a comprehensive list of empirical factors that determined an empirical character, we are not supposed to conclude from this predictive efficacy the reality of an empirical agent. Free choices, and thus a real agent, only exist insofar as we consider the agent as a thing-in-itself, or an intelligible character. To say that the agent is the empirical ego is the same thing as saying that there is no agent at all, since such an ego’s actions would be determined by external forces (I will return to this shortly).

Thus two logically possible kinds of causal series emerge. First, there is an apparent causal series of appearances, of which there are preceding influences that determine an empirical character that in turn determines particular actions. Despite being merely apparent, the

45 “I call intelligible that in an object of sense which is not itself appearance. Accordingly, if that which must be regarded as appearance in the world of sense has in itself a faculty which is not an object of intuition through which it can be the cause of appearances, then one can consider the causality of this being in two aspects, as intelligible in its action as a thing in itself, and as sensible in the effects of that action as an appearance in the world of sense. Of the faculty of such a subject we would accordingly form an empirical and at the same time an intellectual concept of its causality, both of which apply to one and the same effect.” Ibid 535 [A538/B566].

46 Ibid 532 [A531–532/B559–B560].
predictive power of this ego construct is proportional to empirical knowledge. Ultimately, the causal laws that can explain the happenings of the world belong to this apparent series, and can only be theorized on the basis of its examination. Second, there is a potentially real causal series of intelligible causes determining empirical effects. Kant often refers to this series as what grounds free choice. Both series are in perfect harmony, even though what explains the consistency within and between each series is fundamentally different47 (similar to the divergent series of causes (Providence) and effects (Events) Deleuze refers to in the Logic of Sense).

47 “Thus every human being has an empirical character for his power of choice, which is nothing other than a certain causality of his reason, insofar as in its effects in appearance this reason exhibits a rule, in accordance with which one could derive the rational grounds and the actions themselves according to their kind and degree, and estimate the subjective principles of his power of choice. Because this empirical character itself must be drawn from appearances as effect, and from the rule which experience provides, all the actions of the human being in appearance are determined in accord with the order of nature by his empirical character and the other cooperating causes; and if we could investigate all the appearance of his power of choice down to their basis, then there would be no human action that we could not predict with certainly, and recognize as necessary given its preceding conditions. Thus in regard to this empirical character there is no freedom, and according to this character we can consider the human being solely by observing, and, as happens in anthropology, by trying to investigate the moving causes of his actions physiologically.

But if we consider the very same actions in relation to reason, not, to be sure, in relation to speculative reason, in order to explain them as regards their origin, but insofar as reason is the cause of producing them by themselves – in a word, if we compare them with reason in a practical respect – then we find a rule and order that is entirely other than the natural order. For perhaps everything that has happened in the course of nature, and on empirical grounds inevitably had to happen, nevertheless ought not to have happened. At times, however, we find, or at least believe we have found, that the ideas of reason have actually proved their causality in regard to the actions of human beings as appearances, and that therefore these actions have occurred not through empirical causes, no, but because they were determined by grounds of reason. Ibid 541 – 542 [A549/B577 – A550/B5578]

“In order to clarify the regulative principle of reason through an example of its empirical use – not in order to confirm it (for such proofs are unworkable for transcendental propositions) – one may take a voluntary action, e.g. a malicious lie, through which a person has brought about a certain confusion in society; and one may first investigate its moving causes, through which it arose, judging on that basis how the lie and its consequences could be imputed to the person. With this first intent one goes into the sources of the person’s empirical character, seeking them in a bad upbringing, bad company, and also finding them in the wickedness of a natural temper insensitive to shame, partly in carelessness and thoughtlessness; in so doing one does not leave out of account the occasioning causes. In all this one proceeds as with any investigation in the series of determining causes for a given natural effect. Now even if one believes the action to be determined by these causes, one nonetheless blames the agent, and not on account of his unhappy natural temper, nor on account of the circumstances influencing him, not even on account of the life he has led previously; for one presupposes that it can be entirely set aside how that life was constituted, and that the series of conditions that transpired might not have been, but rather that this deed could be regarded as entirely unconditioned in regard to the previous state, as though with that act the agent had started a series of consequences entirely from himself. This blame is grounded on the law of reason, which regards reason as a cause that, regardless of all the empirical conditions just named, could have and ought to have determined the conduct of the person to be other than it is. And indeed one regards the causality of reason not as a mere concurrence with other causes, but as complete in itself, even if sensuous incentives were not for it but were indeed entirely against it; the action is ascribed to the agent’s intelligible character: now, in the moment when he lies, it is entirely his fault; hence reason, regardless of all empirical conditions the deed, is fully free, and this deed is to be attributed entirely to its failure to act. Ibid 544 [A554/B582-A555/B583]
Granted that all appearances are only in apparent causal connection with one another (since things-in-themselves are potentially the real causes), the agency of the empirical ego is also apparent. The world of sense, bound up in natural laws imposed by the sensibility and the understanding working in tandem, is a world of objects, not subjects. By definition, if a subject necessarily has agency it cannot exist in the world of appearance. Instead, we find the subject always behind the curtain drafting laws: theoretical and moral.48

Possible Motives behind the Rejection of the Empirical Ego

My consistent claim will be that, for Kant, there is no empirical ego (or at least that it is not properly speaking a subject) and thus any science of the empirical ego (‘empirical psychology’) will inevitably bypass the subject. The motivations behind Kant’s rejection of empirical psychology may be due to his commitment to prove the existence of freedom, a task he lays the groundwork for in the first Critique but only explicitly develops in the second. This is not to say that Kant’s rejection of the empirical ego (and thus the empirical psychology which studies it) is a mere assertion based on his prejudices. Rather, just like Kant defines the Critical project, which attempts to address the problems of metaphysics by inverting the traditional epistemological relationship between the object and cognition, as an ‘experiment,’ we are best served looking at Kant’s positing the possibility of freedom as another such experiment.49 It is quite possible that either experiment might disprove the entertained hypothesis, causing the Critical edifice to come crumbling down.

48 This opens a Pandora’s box of questions regarding the metaphysical status of the faculties (such as sensibility, imagination, understanding, reason, desire, and judgment) fundamental to Kant’s project, especially considering that such psychological speculations seem to be banned by the Paralogisms. Avery Goldman’s book Kant and the Subject of Critique deals precisely with this issue. Avery argues that the Kant’s account of the faculties and the psychological idea overlap, which means that his account of the faculties is regulative rather than dogmatic. A regulative use pragmatically assumes an Idea for the sake of theoretical coherence (i.e. as an organizational principle). A dogmatic use, on the other hand, would be a claim that the psychological Idea Kant articulates actually exists just as he says it does.

49 Critique of Pure Reason 110 – 111 [Bxvi – Bxix].
Taking the thesis of freedom as a starting point, we can say the following: Identifying the self with the empirical ego, a mere appearance, would be fatal to the notion of freedom since “…if appearances are things in themselves, then freedom cannot be saved.” If the self were an empirical ego, it would be a naturally-determinable object subject to the Second Analogy of Experience (a principle of the pure understanding to which all appearances are subject), which states that “All alterations occur in accordance with the law of the connection of cause and effect.” That means any event in the world of sense must be understood as an effect of a preceding cause, making all acts predetermined. Freedom would be impossible. This danger as well as its possible resolution is directly addressed in the Third Antinomy of Reason (an antinomy is technically any error of Reason that results when two mutually exclusive positions seem equally as likely. Kant refers to each as either a Thesis or an Antithesis of that thesis). More specifically, an antinomy is the form of dialectical illusion that results when Reason attempts to find an unconditioned element that can ground a cosmological series so that completeness of cognition can be attained. For example, an atom is an indivisible theoretical entity that is the basic component of all compositions of matter. Without it, a chemical model of the universe would lack a first principle to ground it as a science since compositions would have no basic parts to make them up (I will deal with the topic of dialectical illusion more in-depth in Chapter 2).

Preliminarily, I will note the following: Because Reason, unlike the Understanding, is not bound to experience, it has nothing to ground it besides the law of contradiction. Unfortunately, without the definitive verdict of experience, certain debates (cosmological ones concerned with the world of appearance) will produce equally compelling positions for and against a particular

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50 Critique of Pure Reason 535 [A336/B564]
51 Critique of Pure Reason 304 [A189/B232]
cosmological thesis. The Third Antinomy in particular concerns whether or not there is a first cause to any causal series. In other words, it is the question of whether or not there are ever actions that are performed freely (first causes initiated by an agent). If there are no first causes, and only an empirical character bound up in the chain of cause and effect exists, then the antithesis of the Third Antinomy would apply and “There is no freedom, but everything in the world happens solely in accordance with laws of nature.”

By suggesting that there are two ways to think of a thing - as it appears and as it is in itself - and then by demonstrating that there is no logical contradiction in supposing the latter alongside the former, Kant provides for the possibility that freedom could exist. Kant argues that space and time are forms of sensibility that belong to appearances alone, and not to things as they actually are. This move is crucial because the primary reason why freedom cannot exist in the realm of appearances is because it is time-bound (Anything in time is always preceded by a previous moment that conditions the present moment, making a first causal moment impossible). But if the soul is a thing-in-itself, it may exist in a non-temporal state. Kant concludes that this could allow the soul to be free. As a consequence, however, all theoretical attempts to know the soul fail, since the soul is specifically a noumenal entity (a thing-in-itself), and never presented in appearance. As we know, theory can only understand the world as it appears (the phenomenal), not how it really is.

It might be said that the argument that concludes that ‘empirical psychology threatens freedom’ confuses an epistemological point with a metaphysical one. For example, it may be granted that empirical psychology cannot properly study the empirical ego based on the introspective method (or perhaps any method), which would make the science impossible. But

52 Ibid 485 [A445/B473]. For the sake of convenience, I have quoted the Antithesis of the Third Antinomy, even though it subsequently refutes this position. I have done this because the refuted Antithesis statement most succinctly captures what the Thesis argument ‘proves.’
just because the empirical ego cannot be known does not mean we can speak to its actual
metaphysical status. In other words, empirical psychology may be impossible but the ego may
still not only exist but also be naturally-determined (unfree). After all, we have already noted
that Kant speaks of an ‘empirical character,’ which is the composite of influences based on such
factors as upbringing, company, and natural temper.\footnote{Ibid 544 [A554/B582]. See Footnote 15}
Such a personal nexus of natural factors seems evident every time I reflect on what experiences made me who I am in the present.
Furthermore, empirical psychology of today seems relatively successful at determining how
certain natural influences and experiences shape our characters and decisions. Thus, the claim
that we as subjects are nothing more than the puppets of nature can never be ruled out
completely on theoretical grounds. The grounds upon which the intelligible character (or
subject) is to be eventually secured will not be theoretical but practical.

What is the Empirical Ego?

If the empirical ego is not a subject (or agent), what is it? Consider the following
passage:

If more than the \textit{cogito} were the ground of our pure rational cognition of thinking beings in
general; if we also made use of observations about the play of our thoughts and the natural laws of
the thinking self created from them: then an empirical psychology would arise, which would be a
species of the \textbf{physiology} of inner sense, which would perhaps explain the appearances of inner
sense, but could never serve to reveal such properties as do not belong to possible experience at all
(as properties of the simple), nor could it serve to teach \textit{apodictically} about thinking beings in
general something touching on their nature; thus it would be no \textbf{rational} psychology.\footnote{Ibid 415 [A347/B405 – B406].}

Here Kant admits that the thinking self could have ‘natural laws,’ moreover, natural laws that
can be observed and known. This would seem to be all that empirical psychology ever seeks to
know anyway. Nonetheless, empirical psychology could not “reveal such properties as do not
belong to possible experience at all” nor “teach apodictically about thinking beings in general
something touching on their nature.” The first caveat concerning ‘properties outside of possible

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\footnote{Ibid 544 [A554/B582]. See Footnote 15}
\footnote{Ibid 415 [A347/B405 – B406].}
experience’ is inconsequential to an empirical science and does not rule out empirical psychology, only rational psychology. The second caveat would seem to imply that such natural laws can only be empirical laws, since they are merely probable. Obviously, such a condition is not a problem for an empirical science either, since it never contends to attain apodictic knowledge.

And yet the point remains: if empirical psychology is to find psychological laws, they had to be ‘placed’ in its experiential field of observation by the transcendental mind, since they are the very structure of that experiential field of observation. As Kant says, “…as exaggerated and contradictory as it may sound to say that the understanding is itself the source of the laws of nature, and thus of the formal unity of nature, such an assertion is nevertheless correct and appropriate to the object, namely experience.”\footnote{Ibid 242 [A127]. NOTE: CONTINUING ON…”To be sure, empirical laws, as such, can by no means derive their origin from the pure understanding, just as the immeasurable manifoldness of the appearances cannot be adequately conceived through the pure form of sensible intuition. But all empirical laws are only particular determinations of the pure understanding, under which and in accordance with whose norm they are first possible, and the appearances assume a lawful form, just as, regardless of the variety of their empirical form, all appearances must nevertheless always be in accord with the pure form of sensibility.” Kant 	extit{Critique of Pure Reason} 242 – 243 [A127-128].} If, as before noted, inner sense is merely a flux constantly in transition, without persisting objects within it, like the shifting patterns of a kaleidoscope, this must be because the field of inner consciousness does not permit the application of certain categories, like Substance (we should recall that Kant’s claim seems to be that only outer intuitions are seized by the category of substance). How could an empirical ego exist if the one category that would act as its transcendental condition (rendering a mere conjunction of inner intuitions into a coherent, perceived subject) cannot apply to the field of observation it is supposed to inhabit?

A point that Kant will consistently return to now becomes more apparent: whatever structures experience by means of the categories might not be self-reflexively cognizable by means of them. We may be aware of ourselves as perceivers, knowers, and doers, but when we
subtract the outer perceptions of our experience in an attempt to approach the subject in its purity, it disappears from view, like a painting whose paint has been stripped away, leaving behind nothing but a blank canvas.

 Nonetheless, we may be able to concede that the field of possible psychological experience may still exhibit observable laws even if we can never observe the self in its purity; These very laws may even reveal themselves once we abandon the pursuit of observing the self-subsistent ego and instead see it in the world as a nexus of natural forces (beholding it in its true ‘empirical character’). Granted that we are now contemplating a natural entity, Kant himself has already determined which psychological causes, or impulses, determine it: the ‘pathological sensible impulses’ characteristic of the human animal.\(^56\) Seen in this new light, the self that is uncovered by such concessions is nothing other than the human animal.

 These animal impulses ultimately aim for the acquisition of pleasure and are typically self-serving. As long as the self determines its actions in accordance with these pathological sensible impulses, it cleaves to its bodily contingencies, reacts passively by means of the faculty of sensibility, is bound to the conditioning of the past moment, and for these reasons is not free. It would seem that insofar as empirical psychology concerns itself with the causes that lie behind human behavior insofar as it conceives of man as appearance, it can concern itself only with such animal impulses and not ‘rational’ intentions. In its pursuit of the human subject, empirical psychology finds only the human object. Therefore, in a certain respect, we represent ourselves to ourselves as human animals.

 Yet not all action seems pathologically-driven. Some choices we make even seem to run counter to those we would make if pleasure were our sole interest and aim. Moral choices in particular, Kant argues, reveal the possibility that we may be capable of determining our actions

\(^56\) Ibid 675 [A801/B829 – A802/B830].
freely, not as reactive human objects bound to empirical circumstance like machines, but active rational subjects stubbornly guided by moral principles. Kant has ingeniously turned what is an epistemological disadvantage (Reason’s detachment from experience) and shown it to provide a possible basis for Reason-driven behavior not subjected Nature’s influence. Kant refers to ethical reasoning as practical reason, and opposes it to speculative (or theoretical) reason.

However, the intercession of practical reason into the cognitive apparatus seems to incite further questions: 1) Is not a moral principle still an inner intuition (or empirical representation) by virtue of being inwardly perceived, and thus still a determining ground of the will bound up in the world of appearance?, and 2) Do we ever have a genuine experience of deliberately making a free choice at all, or does inner sense just perceive the passage of thoughts, such as maxims, that then lead to an observed action?

Regarding the first question, transcendental idealism provides us with a class of causes that can determine the will but that are not mere empirical representations: principles that can be known a priori. These a priori principles are found in at least two varieties: either as transcendental conditions for possible experience (such as “All intuitions are extensive magnitudes”), or as the moral law, which takes no consideration of empirical circumstances and commands with absolute authority. The empirical representation of the contemplated principle - namely, the actual thought of it - is not what determines the will, since this is a mere appearance. The rational principle is. The thoughts of a moral principle are not the moral principle itself, so we ought not to be concerned that moral principles may be bound up in the cause-and-effect web of the phenomenal realm, only the representations of moral principles (i.e. the thoughts themselves, not their noumenal referent). Kant merely has to interject an alternative

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57 Many thanks to Dr Jay Lampert for providing the correct phrasing to the question I am proposing.
58 Once again, my thanks to Dr Jay Lampert for pointing this out.
59 Ibid 286 [B202].
impulse to the animal impulse received by our faculty of sensibility. The fact that we might have to represent a moral impulse or principle to ourselves sensibly as an inwardly perceived moment or flourish of sequential, particular, temporalized thoughts, or presentations about a moral principle does not mean that the representation as a mere thought conditions our will to act. Instead, it is said that the representation of the form of moral law – the form of universality itself, which can be drafted into being only by the faculty of Reason – conditions the will, not the inner intuition, or presentation of that representation. Discuss of the moral law will be provided more in-depth in Chapter Six.

The second question – Do we ever experience a free act? – seems to drive at what may ironically be a very Kantian response to a metaphysical question: If we cannot experience something, can it ever be anything to us? Does noumenal freedom leave a phenomenal trace?

The Status of the Transcendental Ego

Up until this point, I have simplified the Kantian subject by reducing discussion to two potential candidates: the a priori soul (the subject of the Critique of Practical Reason and the inner sense of the faculty of sensibility that characterizes our internal subjective experience. These two kinds of subject represent the dueling faculties of desire and pleasure - the tripartite relationship of the will with the faculty of sensibility and the faculty of feeling. In the first Critique, however, there is a third candidate: the ‘I think’ that grounds the unity of apperception.

60 Deleuze distinguishes between cognitions that ‘represent’ and intuitions that are presented: “Strictly speaking intuition, even if it is a priori, is not a representation, nor is sensibility a source of representations. The important thing in representation is the prefix: re-presentation implies an active taking up of that which is presented; hence an activity and a unity distinct from the passivity and diversity which characterizes sensibility as such. From this standpoint we no longer need to define knowledge as a synthesis of representations. It is the representation itself which is defined as knowledge, that is to say the synthesis of that which is presented.” Deleuze, Gilles, Kant’s Critical Philosophy, trans. Hugh Tomlinson and Barbara Habberjam (Minneapolis: University of Minnesota Press, 1984)

61 This of course assumes that there can be intuitions of cognitions and ideas because each in its particular instantiation passes through inner sense as a series of thoughts. This procedure seems to be repeatable ad infinitum.
In our lived experience, we encounter a manifold of intuitions. For example, a trip to the train station will initially present your senses with a patchwork of unrelated sensations: a glint of light off of a window, a sliding door, the metallic rim of a partly concealed wheel, etc. Even once these are taken to be a set of intuitions relatable in some way (e.g. a train), time passes and the immediate form these objects of intuition take will be no more. In order for this patchwork of sensations to constitute a whole, continuous, experience many things must be presupposed, such as a retention of how a present intuition relates to a previous intuition (such as how the intuition of a train traveling out of a station relates to the stationary train it once was 15 seconds previous to its departure). Without retention, we could have no idea of stable objects passing through time at all. But even the retention of an object of sense through time would be impossible if there was no unifying consciousness to which all of these representations belonged, what Kant calls the *transcendental unity of apperception*. This unity in turn gives objects their unity (the notion of a general object that underlies all objective predication: the ‘Object = X’):

It is clear, however, that since we have to do only with the manifold of our representations, and that X which corresponds to them (the object), because it should be something distinct from all of our representations, is nothing for us, the unity that the object makes necessary can be nothing other than the formal unity of the consciousness in the synthesis of the manifold of the representations. Hence we say that we cognize the object if we have effected synthetic unity in the manifold of intuition.62

The ‘I’ of apperception, however, is a mere logical necessity devoid of content. We know it to be the necessary subject to which all presentations and representations belong, and that this ‘I’ actively molds intuitions into cognitions to form experience, but the subject lays beyond all attempts to objectify it and assign it predicates. As the Paralogisms section of the first *Critique* demonstrates, a transcendental illusion regarding the self occurs if content is attributed to the transcendental subject of apperception. This, interestingly enough, follows the pattern Kant takes up in the *Critique of Practical Reason* when he says that content, or ‘material’ cannot

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62 Kant *Critique of Pure Reason* 231 [A105].
be assigned to the representation that determines the will without leading to heteronomy of choice (i.e. an amoral action, at best). Purity of form over the particularity of content is the constitutive thread of the Critical system.

The transcendental subject of apperception at first seems to complicate the situation further since now we are left with three possible subjects rather than the original two. Kant scholars often respond to this tripartite self by suggesting that the transcendental ego falls either on the phenomenal side or the noumenal side. Patricia Kitcher, a representative of the former position, insists that, granted the noumena’s foreclosure from the realm of experience and thus from knowledge, transcendental apperception “must present a phenomenal, if highly abstract, aspect of the self.”

If Kant is right that anything of which we can have knowledge must be governed by causal laws, then synthetic connection will be lawful. Imagination, understanding, and reason will all have their own laws. The I that thinks will be phenomenal and causally determined. This I is, however, too close to us. It is the I with which we identify.

However, Andrew Cutrofello (in response to Kitcher) notes, “…for Kant the transcendental subject [of apperception] is the noumenal subject insofar as it knows nothing about itself other than the fact that it unifies appearances of itself as empirical subject…For in the end Kant thinks there is only one subject – the noumenal subject…”

But a close reading of the text reveals something much more interesting. Kant refers to the transcendental ‘I’ as:

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63 Kitcher, Patricia, *Kant’s Transcendental Psychology* (New York: Oxford University Press, 1990), 139.
64 Kitcher *Kant’s Transcendental Psychology* 139.
65 Cutrofello *Imagining Otherwise* 54
The transcendental ‘I’ is both ‘the form of representation in general’ as well as, by virtue of this formal qualification, bereft of intrinsic content and thus ‘empty.’ It is like the vanishing point in a painting that sets the image in perspective, or the blind spot in a field of vision which is a mere trace of the material conditions that make seeing possible. Like a vanishing point, the ‘I’ necessarily lies outside experience, except as an experienced absence that structures experience, providing it with unity. Kant insists that the proposition “I think” must be taken ‘problematically’ (which belongs to the register of possibility), and thus does not concern an actual object of possible experience. If this holds true, then it makes sense that the empirical ego is never introspected: the appearance or representation of the noumenal ‘I’ appears as the empty trace of the free subject. Lacking intuitional content, this ‘I’ can be thought but not cognized. This thesis is similar to what Avery Goldman argues in *Kant and the Subject of Critique*; namely, that the psychological idea is used regulatively by Kant from the start to structure the critical analysis of the mind.

Controversies aside, the following conclusions are nonetheless implied: 1) Kant does not conceive of an empirical ego as a subsisting entity at all. 2) While all representations of inner sense belong to *me*, I never encounter the ‘me’ to which my representations belong in any phenomenal way.

Kant at no point suggests that we ever experience *the soul* acting freely - since we cannot have intellectual intuition of the soul – only that we can become aware that it is *possible* that we can act freely in a given situation. He only says that experience requires a unifying ‘I’ and that

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66 Kant *Critique of Pure Reason* 414 [A345-A356/B404].
67 Ibid 415 [A347/B405].
moral decisions require freedom. Furthermore, grounds for believing (albeit, not knowing) that the soul is free can be found whenever we act contrary to pathological inclinations\textsuperscript{69} (such as choosing to die rather than provide false testimony against an honorable man).

Suppose that someone says his lust is irresistible when the desired object and opportunity are present. Ask him whether he would not control his passion if, in front of the house where he has this opportunity, a gallows were erected on which he would be hanged immediately after gratifying his lust. We do not have to guess very long what his answer would be. But ask him whether he thinks it would be possible for him to overcome his love of life, however great it may be, if his sovereign threatened him with the same sudden death unless he made false deposition against an honorable man whom the ruler wished to destroy under a plausible pretext. Whether he would or not he perhaps will not venture to say; but that it would be possible for him he would certainly admit without hesitation. He judges, therefore, that he can do something because he knows he ought, and he recognizes that he is free – a fact which, without the moral law, would have remained unknown to him.\textsuperscript{70}

Kant argues, quite plausibly, that it is at least possible for anyone to recognize that decisions can be determined on grounds that have nothing to do with empirical considerations.

But more is revealed in this passage than the possibility of freedom. Kant’s example of ethical action solidifies the implicit tripartite manners in which the self can be conceived: The soul seems to be thinkable as a mere absence or trace of a unifying ‘I,’ cognizable as an animal self, and practically as a moral agent, or soul. Chapter Two will address the problems with developing a psychological doctrine around the empty ‘I’ and Chapter Three around the animal self. Only in Chapter Six will I explicate Kant’s doctrine of the subject qua subject.

1.2 Overview

I will assume for now that difficulties arise in Kant’s doctrine because, granted his arguments, he cannot conceive of the self as an empirical ego, and that any mention of an empirical ego either contradicts his critical system or is a misattribution. Nonetheless, Kant considers the site left by the absent empirical ego dangerous territory for at least two reasons: 1) the empty placeholder is often filled with the dialectical illusions of reason, and 2) it is the nexus

\textsuperscript{69} Kant \textit{Critique of Pure Reason} 675 [A802/B830].

point of the passive faculty of sensibility (animal impulses), the faculty of pleasure and pain, and
the will (i.e. desire). The next two chapters will explore two different threats to human freedom
that Kant identifies: the theoretical threat of rational psychology and the practical threat of
heteronomy. Both involve the misuse of reason, with disastrous consequences.

A summary of these dangers are as follows:

1) Rational Psychology

Rational psychology would seem to conform to a science of the soul not bound to the
fleeting flux of inner sense, or even, if it were possible, an objective arrangement of inner
sense. But, for Kant, this merely presents a solution worse than the problem it addresses.
Rational psychology attempts to theoretically contemplate the soul, which, for Kant, can only
properly be addressed practically as a subject, never as a theoretical object. Thus, I will claim,
rather than rational psychology being guilty of judging the content of the soul empirically, such
as by ascribing to it empirically-verifiable predicates - such as the Epicureans judged the soul to
be made of a fine substance, like fire or wind - it is fundamentally guilty of assuming that the
soul conforms to the form of an empirical subject matter: i.e. that it is an object as such. If ‘I
think’ is the “sole text of rational psychology,” then ‘object = x’ is the paper upon which this text
is written. Surely it cannot be denied that rational psychology makes unjustified claims as to
the content of the soul, but this follows from the fundamental formal misrecognition of the soul
as an object first, and only then as an object of knowledge. Theoretical inquiries necessarily
reify their subject matters. As a further consequence, the fundamental position of the subject of

71 Kant in some ways, as has been mentioned, suggests this is not possible because inner sense is devoid of the
permanence lent by outer sense, but then he goes on to suggest that what we often take to be inner sense relies on
outer sense, suggesting that perhaps some kind of permanence may be evident in psychic experiences. It remains
unclear.

72 The full quote: “I think is thus the sole text of rational psychology, from which it is to develop its entire wisdom.
One easily sees that this thought, if it is to be related to an object (myself), can contain nothing other than its
transcendental predicates; because the least empirical predicate would corrupt the rational purity and independence
of the science from all experience.” Kant Critique of Pure Reason 413 [A343/B401].
apperception as a precondition of experience is also subverted, insofar as any attempt to use the categories to conceive of the subject’s predicates neglects that these very same categories must assume the subject of apperception in order to be applied. In both regards, the ‘subjecthood’ of the soul is inevitably lost.

We will notice that Kant is deliberate when he calls the phenomenal world a world of effects and then places the subject in the world of causes, or actions. This is done so that any description of the transcendental predicates of the subject will describe only its effects – primarily, the transcendental unity of apperception, which is an act of spontaneity that unifies intuitions by means of concepts. Nowhere do we find an account of what the subject is, only the effects of its actions. The same strategy is followed when the subject is properly conceived of by practical reason as a doer of actions, as an agent rather than a patient. The subjecthood of the subject is in both ways retained. Thus, any use of the categories to conceive of the subject must use the categories in such a dynamic manner – to determine what the subject ought to become rather than what it is – which can only be accomplished by means of practical reason.

To understand better the various ways rational psychology reifies the soul, the Paralogisms in Kant’s Critique of Pure Reason must be reviewed. This will require a discussion of how transcendental Ideas are produced by reason (furthermore abbreviated to ‘Ideas’). Ideas are concepts of reason – rather than the understanding – that are not fated to wed intuitions. Ideas refer to entities outside the proper bounds of possible experience because they are not based on anything in the empirical world.

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73 Ibid 414 [A346/B404].
74 Ibid 535 – 536 [A538/B566].
75 By describing consciousness as ‘nothingness,’ Sartre seems to be making a similar move: deny that the subject is substantially one way or another and instead claim it to be a striving towards an end of its own choosing. Foucault also expresses a similar position when he says in Truth, Power, Self that knowing who oneself is may not be as relevant as striving to become someone different.
To better understand what is meant by ‘possible experience,’ I will provide a brief exposition. Let me start off as basic as possible. Right now the reader is aware of perceptions, such as the page that is being read. Kant calls such perceptions ‘empirical intuitions,’ which are presented in the forms of space and time; the latter are called ‘pure intuitions’. By themselves, however, perception as such would amount to little more than a succession of perceived events without any necessary connections made between them. Since in our everyday experiences we do not see a world of flux but instead see objects essentially related to one another, some other faculty of mind must be in play distinct from perception itself: the faculty of understanding. Concepts are the means by which the understanding asserts necessary connections between intuitions. The table of categories,\textsuperscript{76} in theory, contains all possible predicates that can either unify predicates to an object or relate objects to one another:

- **Quantity**
  - Unity, Plurality, and Totality
    - For example, I can judge something to be one, many, or all
- **Quality**
  - Reality, Negation, Limitation
    - For example, I can assert that the Sun is not blue
- **Relation**
  - Of Inherence and Substance, Of Causality and Dependence, Of Community
    - For example, I can assert that the turning of a key starts my car
- **Modality**
  - Possibility – Impossibility, Existence – Non-existence, Necessity-Contingent
    - For example, I can assert that a square circle is not an object of possible experience

Cognition is, typically, the combination of an intuition (a subject) to a concept (a predicate): ‘Socrates is mortal.’ Not merely is ‘mortal’ acting here as a concept, but the judgment is subtended by the more fundamental categories noted above: Unity (since Socrates is

\textsuperscript{76} *Critique of Pure Reason* 212 [A80/B106].
one subject), Reality (‘mortal’ is being asserted of him), Substance and Inherence (mortality is an inherent trait of Socrates), and Existence (Socrates was materially present).

Let us explore the application of the concept of causality, since it is the most accessible. For example, I may be presented with a series of intuitions, such as a needle prick of a finger and a feeling of pain. According to Kant, I only attribute the feeling of pain to the needle prick because the understanding has connected otherwise distinct intuitions by means of the category of causality. As Hume notes, if I just stay loyal to what I perceive, I only perceive a succession of events, never a causal relationship between the pricking of my finger and the feeling of pain. The act of connecting distinct intuitions in accordance with the understanding is called synthesis, a mediating act which is performed by the imagination through what is a called a schema. The imagination acts as the understanding’s hands that mold intuitions together in accordance with the understanding’s directions. The final product – two intuitions synthesized – expresses a knowledge claim, proposition, or cognition (“the needle prick caused me to feel pain”). There is no other way, according to Kant, for knowledge to be acquired about the world of experience other than this synthetic process whereby intuitions are united to concepts of understanding. A perimeter of possible objects of knowledge is thus established based on the world of intuitions (formal intuitions being the basis of mathematics and empirical intuitions of science). This perimeter is referred to as ‘the proper bounds of possible experience.’

Ideas are not like concepts of the understanding because they do not rely on intuitions; they order cognitions in accordance with aims of reason’s own devising, not the understanding’s. Therefore, Ideas, which will be discussed more in detail in the next chapter, concern entities outside the bounds of possible experience. Due to dialectical illusion – three particular tendencies the faculty of reason naturally has to exceed the bounds of possible experience -
however, these purely conjectural entities are treated by reason as if they were, at least, as theoretically grounded as empirical cognitions. There are three Ideas: the Soul (and its immortality), the World (and with it, the possibility of freedom), and God (and with Him, the promise of eternal reward and punishment). Each idea can be taken up as both a theoretical object and a practical subject, the latter indicated by the content in parentheses. The paralogisms concern the Idea of the soul - although its immortality can only be properly demonstrated in Chapter Six where I discuss practical reason. As will be discussed, the paralogisms attempt to describe the soul through an inappropriate application of specific categories. Only after the improper uses of these categories are explained can the groundwork be laid for their appropriate use by reason, a task which will be the primary topic of Chapter Six of this work.

The paralogisms, furthermore, can be better understood if put in their proper historical context. Therefore, I will also supplement the discussion of each paralogism with those philosophical works that Kant most likely had in mind when he identified them. The following list documents such influences and comes from ‘Kant’s Critique of Pure Reason: Background Source Materials,’ compiled and translated by Eric Watkins:77

- **The Paralogisms of Pure Reason** (A338/B396-A405/B432)
  - Christian Wolff: *Rational Thoughts* (1720)
  - Martin Knutzen: *System of Efficient Causes* (1735) and *Philosophical Treatise on the Immaterial Nature of the Soul* (1744)
  - Alexander Baumgarten: *Metaphysics* (1739)
  - Christian August Crusius: *Sketch of the Necessary Truths of Reason* (1745)
  - Leonhard Euler: *Letters to a German Princess* (1760-1762)
  - Marcus Herz: *Observations from Speculative Philosophy* (1771)
  - Johann August Eberhard: *Universal Theory of Thinking and Sensing: A Treatment that Received the Prize Announced in the Year 1776 by the Royal Academy of Sciences in Berlin* (1776)

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- Johann Nicolaus Tetens: *Philosophical Essays on Human Nature and Its Development* (1777)

**The First Paralogism: Substantiality** (A348-A351)
- Christian Wolff: *Rational Thoughts* (1720)
- Alexander Baumgarten: *Metaphysics* (1739)
- Christian August Crusius: *Sketch of the Necessary Truths of Reason* (1745)

**The Second Paralogism: Simplicity** (A351-A361)
- Christian Wolff: *Rational Thoughts* (1720)
- Martin Knutzen: *System of Efficient Causes* (1735) and *Philosophical Treatise on the Immaterial Nature of the Soul* (1744)
- Alexander Baumgarten: *Metaphysics* (1739)
- Christian August Crusius: *Sketch of the Necessary Truths of Reason* (1745)
- Marcus Herz: *Observations from Speculative Philosophy* (1771)

**The Third Paralogism: Personal Identity** (A361-A366)
- Alexander Baumgarten: *Metaphysics* (1739)
- Johann August Eberhard: *Universal Theory of Thinking and Sensing: A Treatment that Received the Prize Announced in the Year 1776 by the Royal Academy of Sciences in Berlin* (1776)
- Johann Nicolaus Tetens: *Philosophical Essays on Human Nature and Its Development* (1777)

**The Fourth Paralogism: Ideality** (A366-A380)
- Alexander Baumgarten: *Metaphysics* (1739)

2) Heteronomy of Choice

Heteronomy of choice, the other danger, is a term that indicates any attempt to direct the will by means of empirical considerations which can neither present us with universal and necessary moral principles, nor escape the orbit of natural domination. Kant refers to it as a “dependence on natural laws in following some impulse or inclination; it is heteronomy because the will does not give itself the law but only directions for the reasonable obedience to pathological laws.”

78 Heteronomy identifies the self only with the empirical character of the self, which is an empirical object (an animal), and not a subject. It is, in a sense, the opposite of

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rational psychology, since its pursuit of ‘good’ objects makes it empirical. Since heteronomy is ultimately rooted in sensation, in particular, ‘good’ psychological states, (namely, in achieving happiness), it is the ethical sister of empirical psychology.

As will be discussed in detail, Kant identifies four different kinds of heteronomous theories, each of which can be identified with a previous or contemporaneous moral theorist. In other words, there are four distinct ways a free subject can subvert its own subjectivity and become an object, all of which occur when an object of some fashion acts as the grounds for determining what the will is going to do. Provided is a brief outline of those heteronomous theories - referred to as the Table of Heteronomy - that make up a comprehensive system of all manners of objects, and thus, of all means of domination.

1. **Subjective-External Objects**
   - **Examples:** Government and cultural authority: law and custom
   - **Thinkers:** Michel de Montaigne, Bernard Mandeville, Thomas Hobbes

2. **Subjective-Internal Objects**
   - **Examples:** Pleasure, Moral Feeling
   - **Thinkers:** Epicureanism, Francis Hutcheson

3. **Objective-Internal Objects**
   - **Example:** Moral perfection
   - **Thinkers:** Epictetus and other Stoics

4. **Objective-External Objects**
   - **Example:** The will of God
   - **Thinkers:** Christian August Crusius and other theologians

Evident here is the role of the object once again in the subversion of the free subject, this time in a *causal* rather than *substantial* role. In fact, this is deliberate on Kant’s part, since reason generates the Paralogisms by means of the categorical syllogism (attended by the category of *substance*), while freedom is a fundamentally distinct kind of causality apart from natural *causality.*
The claim that heteronomy of choice is at odds with what Kant calls ‘autonomy of the will’ may seem to be a strange claim, since all non-Kantian moral theories fall under it by design. After all, the common understanding of domination has less to do with an ill-chosen principle than it does a passive effect suffered by one due to the influences of another. Is there a role in Kant’s theory of domination for such external influences, or is heteronomy of choice concerned primarily with the principles we give ourselves? It would seem that Kant conflates both coercion and heteronomous principles, since heteronomous principles allow an object to determine our will. The coercion is, in effect, the same, since instead of one human being forcing another to submit, heteronomy of choice allows nature itself to coerce us, particularly the animal body and its environment. The objects of coercion identified by the table of heteronomy would thus fall in line with those possible objects, or forces that could coerce us in a traditional sense. In Chapter Six, I will examine how Kant theorizes we can escape the despotism of the object.
2.1 The Faculty of Reason: An Introduction to the Paralogisms

Kant claims that Rational Psychology aims at understanding the subject qua subject (or as an ‘absolute subject’), but that we can only understand subjects by means of predicates (or concepts), never grasp them as they are in-themselves. But when Reason disregards this limitation and tries to reason about the soul, the Paralogisms result.\(^79\) To better understand the paralogisms, it is necessary to know how the mind generates them. This requires an account of the faculty of reason, which produces Ideas. Kant says, “If the understanding may be a faculty of unity of appearances by means of rules, then reason is the faculty of unity of the rules of understanding under principles” (Principles are the means by which cognitions can be synthesized, and in general can be considered universal propositions).\(^80\) An interesting consequence of this is that reason, unlike the understanding, “never applies directly to experience or to any object, but instead applies to the understanding”.\(^81\) Such an empirical detachment makes any direct application of reason to theoretical speculations problematic, since reason is not bound by the parameters of possible experience, as was previously noted. Oddly enough, this disadvantage is turned on its head by practical reason into a fundamental advantage, since reason appears to be a faculty that is not determined by empirical considerations. Thus, the independence of reason translates into the independence of the self: the soul’s freedom.

So, granted the transcendental rather than empirical origins of both the concepts of the understanding and principles of reason, it is not difficult to see how the mind not only can but has a pernicious tendency to go beyond the bounds of possible experience and fall into error. Reason is the faculty which gives “unity \textit{a priori} through concepts to the understanding’s


\(^{80}\) Kant \textit{Critique of Pure Reason} 387-389 [A299-A302/B355-B359]

\(^{81}\) Kant \textit{Critique of Pure Reason} 389 [A302/B359]
manifold cognitions, which may be called “the unity of reason.”” In other words, reason unifies what the understanding produces through its own syntheses in an attempt to unify what the latter could not synthesize by means of concepts alone. In itself, as we will see, there isn’t necessarily anything wrong with this impulse to unify cognitions into a coherent system of knowledge since such a system is more useful. The unity of reason ultimately requires the positing of a founding element, referred to by Kant as an Idea, which will provide totality to a series of cognitions. An Idea is “a concept of the understanding [freed] from the unavoidable limitations of a possible experience” in order to ground the conditioned. In other words, it is the concept of an ‘unconditioned’ something upon which all cognitions pertaining to a particular field of experience rely that, by necessity, can never be an object of possible experience. An Idea is thus a transfigured concept.

Thus, even at such a preliminary moment of discussion, we can already infer that in some way, the Ideas of the soul, the world, and God will allegedly ground what, for Kant, must comprise a comprehensive division of the field of knowledge into three possible disciplines: psychology, cosmology, and theology. Kant lifts this threefold division from Christian Wolff’s major text *Rational Thoughts on God, the World, and the Soul of Human Beings, also All Things in General.* But, as we will see, ‘Ideas,’ by nature, if taken as indicative of something real, can produce metaphysical doctrines little better than spooks of the imagination, pied pipers that lead us into intellectual quagmires and squabbles we cannot get out of without critique to declare a ceasefire and draw up an armistice.

82 Ibid 389 [A302/B359].
83 *Kant Critique of Pure Reason* 461 [A409/B435-B436]
But why these three Ideas? To answer this question, we must turn to the two specific ways in which the mind thinks inferentially: by means of inferences of the understanding (or immediate inferences) and syllogisms of reason (or mediate inferences). Immediate inferences, or those inferences in which the conclusion can be derived from a premise without a second, mediating premise, are made by the faculty of the understanding. Thus, we can know that “All cats are mammals” if the statement “Some cats are not mammals” is false, on the basis of the logical rule of contradiction. No secondary premise is necessary to mediate between the premise “‘Some cats are not mammals’ is false’ and ‘‘All cats are mammals.’” We can notice that an immediate inference has only two terms; e.g. cats and mammals. It would seem that all immediate inferences must be analytic statements.

The faculty of reason, however, is a faculty of mediate inferences, more commonly referred to as syllogisms. The inferences reason is capable of making are not implicated within the initial premise and are not analytic like immediate inferences are. Instead, syllogisms require a third term, called the middle term, to link two premises together.

For example,

Quantifier + ‘Middle Term’ are ‘Predicate Term’
Quantifier + ‘Subject Term’ are ‘Middle Term’
Quantifier + ‘Subject Term’ are ‘Predicate Term’

Kant reworks this standard syllogistic form, associating each component with a faculty:

Major premise – a universal rule thought through the understanding
Minor premise – the cognition subsumed under the condition of the rule
Conclusion - “the actual judgment that expresses the assertion of the rule in the subsumed case.”

85 Kant Critique of Pure Reason 389, 403 [A330/B386, A303/B360]
86 Kant Critique of Pure Reason 390 [A304/B360]
87 Ibid 389, 403 [A303/B360-A304/B361], [A330/B387]
88 Ibid
For the sake of clarity, I will use a straightforward example, since to understand how reason, the faculty of inferences, works, it is best not to jump immediately to an example as complicated as one involving Ideas (the unconditioned). Using a universal proposition as a major premise (which counts as a ‘comparative’ kind of principle, according to Kant): 89

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\begin{align*}
\text{All bodies are extended entities} \\
\text{All heavy things are bodies} \\
\text{Therefore, all heavy things are extended entities}
\end{align*}
\]

Here the major premise (‘All bodies are extended entities’) is a universal principle applied to a particular class of entities (‘Heavy things’) to produce a conclusion (‘All heavy things are extended entities’). Or, to put it otherwise, we have here an example of an analytic proposition concerning the relationship between all bodies and the attribute of extension. This is then applied to a specific class of entities (‘Heavy things’) to produce a conclusion that connects the two cognitions (A relationship between ‘heavy things’ and ‘extended entities’ is determined).

For Kant, several faculties are in play when constructing the syllogism and deriving a conclusion from the premises. First, a rule is determined by the faculty of understanding, which acts as the major premise of a syllogism. Reason is the faculty which infers a conclusion from the universal rule and a subsumed case (the minor premise). As noted, the minor premise only falls under the major premise (the rule) by means of the power of judgment. 90 Deleuze, in Kant’s Critical Philosophy refers to the power of judgment as “a complex operation which consists in subsuming the particular under the general.” 91 There are two kinds of judgment: determining judgment and reflective judgment. In determining judgment “the general is already given, known, and all that is required is to apply it, that is to determine the individual thing to which it

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89 Ibid 388 [A301/B358.]
90 Ibid.
91 Deleuze Kant’s Critical Philosophy 58
applies.” 92 In reflective judgment, however, “the general poses a problem and must itself be found.” 93 As Deleuze further points out, judgment is less a faculty than the accord between various faculties: understanding, imagination, and reason. 94 What faculties are in accord with which depends not only on the kind of judgment (determining or reflective), but also on whether the judgment is theoretical, practical, or aesthetical.

Reason uses syllogisms “to bring the greatest manifold of cognition of the understanding to the smallest number of principles (universal conditions), and thereby to effect the highest unity of that manifold.” 95 In other words, while the understanding unifies the manifold of intuition, making necessary connections between disparate perceptions by means of concepts (or rules) to yield cognitions, reason seeks to unify the produced manifold of cognitions further by means of principles, and ultimately, by means of Ideas. As John Sallis puts it in *The Gathering of Reason*,

> Ideas serve…as directive unities, that is, they serve to direct the understanding in such a way as to bring the latter “into complete consistency with itself”…Without a directedness toward further unification there would be within understanding an inconsistency between, on the one hand, its character as unifying (gathering) and, on the other hand, the disunity, fragmentation, which remains in the knowledge supplied by understanding alone. 96

The ultimate aim of reason is to systematize all cognitions, which requires all cognitions to be derived and collected into a totality. Nonetheless, as Kant will observe, and as I have already hinted at, this unifying inclination can produce metaphysical blunders best to be avoided.

There are two ways inferences can be used to derive a totality of cognitions; the first is an open-ended derivation of conditioned elements by means of assumed conditions (Assuming that “All matter is composed of atoms,” I can then say, “A chair is composed of atoms,” a dining
room set is composed of four chairs, etc. Kant refers to the movement from conditions to the conditioned as a descending series, or episyllogism. The conditioned elements that can be determined by means of a given condition are theoretically endless since the series does not trace backwards but opens up as a “potential progression…that becomes.”

Kant mentions this kind of syllogistic reasoning only to dismiss it, since it cannot ground all possible conditioned elements. In other words, a descending series can never be totalized, which leaves reason constantly frustrated in its efforts to totalize cognitions. The language of episyllogisms isn’t commonly used by Kant, even though it seems to play a fundamental role in practical reasoning, particularly in regards to the argument for the justified belief in the immortality of the soul (more on this argument in Chapter Six). In other words, Kant provides grounds for believing that the soul is immortal based on a descending series – the open-ended, asymptotic attempt for the will to comply with the moral law – for example (it is only on the basis of Divine intuition that such an infinite series can be grasped as a totality). Cast in another light, the ascetic practice of freedom by means of compliance with the universal law depends on episyllogistic reasoning.

On the other hand, reason can attempt to derive a condition by means of a conditioned element. The ascending series that results is referred to as a prosyllogism. As Kant points out, “only under [the] presupposition…that all members of the series are given on the side of the conditions…is the judgment [i.e. the conclusion] before us possible a priori.” The fewer principles which cognitions can fall under, the more unified the manifold of cognitions becomes. The ultimate aim of this unification is to produce a totality of cognitions, otherwise known as a system of knowledge.

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97 Kant *Critique of Pure Reason* 404 [A331/B388]
98 Ibid 404 [A331/B388]
The only way such a totality of cognitions, collected under the fewest principles, is possible is if the unconditioned element that conditions all other (possible) conditions in a series is derived. In the Paralogisms and the Ideal (concerning the soul and God, respectively), reason posits a necessary unconditioned element by means of two forms of syllogistic reasoning (the categorical syllogism and disjunctive syllogism, respectively). The Antinomies of reason are different. In the Antinomies, concerning cosmological Ideas, the unconditioned element can either be a preceding element or the total series of conditions. This has to do with the peculiar nature of the hypothetical syllogism. Returning to my previous example, either an atomic unit will condition all other aggregates of matter, or the infinite series of conditioned aggregates will do so. This distinction will play a significant role in the Antinomies, wherein one side of an antinomy will claim the unconditioned element to be an element, or part that precedes a series of conditioned elements, while the other side of the antinomy will claim the total series of conditioned elements to be the unconditioned element. The former is the dogmatic rationalist response, since it refers to an unconditioned element that can in no way be an object of possible experience. The latter is the empiricist response, since it refers to an unconditioned series that is theoretically observable. In either case, the unconditioned element is meant to act as a unifying principle for the series under consideration (Whether it can be proven to do so or should

99 “Here a new phenomenon of human reason shows itself, namely a wholly natural antithetic…it guards reason against the slumber of an imagined conviction, such as a merely one-sided illusion produces [i.e. the Paralogisms], but at the same time leads reason into the temptation either to surrender itself to a skeptical hopelessness or else to assume an attitude of dogmatic stubbornness, setting its mind rigidly to certain assertions without giving a fair hearing to the grounds for the opposite, Ibid 460 [A407/B433-B434]

100 Now one can think of this unconditioned either as subsisting merely in the whole series, in which every member without exception is conditioned, and only their whole is absolutely unconditioned, or else the absolutely unconditioned is only a part of the series, to which the remaining members of the series are subordinated but that itself stands under no condition…The absolute whole of the series of conditions for a given conditioned is always unconditioned, because outside of it there are no more conditions regarding which it could be conditioned.” Ibid 465 [A417-8/B445]

101 Ibid 497-498 [A465/B493 – A466/B494]
just be pragmatically assumed in order to better organize cognitions will be a question addressed
later in the chapter).

Neither the faculty of sensibility, nor the faculty of understanding, is capable of
discovering these unconditioned elements, precisely because they cannot be ‘discovered.’ They
are neither perceived, nor concepts fitted for union with anything sensible. Thus, these elements,
be they a part that conditions all intuitions of a specific kind, or the synthesized totality of all
intuitions of a specific kind, lie outside the bounds of possible experience. Nonetheless, reason
is intrinsically compelled to hypothesize the existence of these unconditioned elements in order
to unify the manifold of cognitions, since unity does not seem to be possible in any other way.
As I already noted, the hypothesized concepts reason attempts to infer in order to unify the
manifold of cognitions are called Ideas. The three unconditioned elements, or Ideas, are the
Soul, the World, and God. Thus, we now have a general account as to why and how reason
produces Ideas, but I have yet to provide specific accounts of how each Idea is generated. It is to
that task I now turn.

Just as the logical judgments provide a clue for the deduction of the categories, the
logical syllogisms associated with the categories of Relation will provide a clue as to how the
Ideas can be deduced. This makes sense since reason infers by means of syllogisms and the
three syllogisms associated with each category of Relation respectively make up a
comprehensive list of possible syllogisms, or mediate inferences that reason can use. Thus
reason operates in three ways, depending on “the relation of cognition to the understanding;” by

\[\text{102 At Ibid 459 [A406/B432], Kant calls these clues “logical schema.”}\]
means of categorical, hypothetical, and disjunctive syllogisms.\(^{103}\) "What is universal in every relation that our representations can have\(^{104}\) is presented below:

I. The relation to the subject
   a. Corresponds to the *categorical syllogism*, which concerns the relationship between a subject and its predicates
   b. E.g. All M are P
      \[
      \begin{align*}
      \text{All } S & \text{ are } M \\
      \text{All } S & \text{ are } P
      \end{align*}
      \]

II. The relation to the manifold of the object in appearance
   a. Corresponds to the *hypothetical syllogism*, which concerns the relationship between a ground and its consequence
   b. E.g. If p, then q
      \[
      \begin{align*}
      p & \\
      q
      \end{align*}
      \]

III. The relation to all things in general
    a. Corresponds to the *disjunctive syllogism*, which concerns the relationship “between the cognition that is to be divided and all of the members of the division.”\(^{105}\)
    b. E.g. Either A or B
       \[
       \begin{align*}
       \sim B & \\
       A
       \end{align*}
       \]

Each syllogism will have a different class of unconditioned element underlying it, and each has a rational\(^{106}\) science that attempts to take up that unconditioned element as an object guaranteed *a priori*, without appeal to empirical evidence. As is shown below, each syllogism ultimately concerns a kind of relation that a specific science addresses, and can allegedly be grounded in a unique way: For example, categorical syllogisms (which concern the relationship between subject and predicate) ultimately seek a subject that cannot be a predicate: the soul, or bearer of

\(^{103}\) Ibid 390 A304/B361
\(^{104}\) Ibid 405-406 [A333/B390 – A334/B391]
\(^{105}\) Ibid 208 A73/B98
\(^{106}\) ‘Rational’ in this context refers to ‘rationalism,’ an epistemological position I noted above which reasons by means of the logical implications of ideas rather than empirical observation.
all self-predicates. Here is the comprehensive list of each rational science as well as its corresponding Idea, each corresponding to 1, 2, and 3 above, respectively: 107

1. **Rational Psychology**
   a. Concerns the absolute (unconditioned) unity of the thinking subject – “the unconditioned unity of the subjective conditions of all representations in general (of the subject or the soul).” Rational psychology attempts to think of a subject that cannot be a predicate to another subject; i.e. the soul.

2. **Rational Cosmology**
   a. The absolute unity of the series of conditions of appearance – “the unconditioned unity of objective conditions in appearance.” Rational cosmology attempts to think of an element or a series of appearances to start off a causal sequence (be this a spatial or temporal boundary, an atom [or, arguably, a soul], a first cause [freedom], or a necessary being).

3. **Rational Theology**
   a. The absolute unity of the cognition of all objects of thought in general – “the unconditioned unity of objective conditions of the possibility of objects in general.” Rational theology attempts to think of a being that “contains the supreme condition of the possibility of everything that can be thought (the being of all beings)”; 108 i.e. God.

To clarify this further: rational psychology is concerned with finding the ultimate subject, rational cosmology with finding the ultimate cause (or antecedent in a hypothetical syllogism), and rational theology with finding the ultimate totalizing ground (which disjunctive syllogisms do since disjunctive statements are concerned with dividing the whole field of possibles between two or more explicitly demarcated, mutually exclusive options: A, B, etc.). My discussion in the next section will focus on the first Idea of reason: the soul.

2.2 **The Predicates of the Soul and Their Derivation**

   According to Kant, reason makes at least four fundamental claims about the soul, at least insofar as we are addressing speculative claims about its nature. The ‘I think’ of apperception can be interpreted in two ways: either analytically - free of dogmatic conclusions - or

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107 The quoted material can be found on 459 [A405-A406/B432-B433]
synthetically - which leads to dogmatism. Rational psychologists, however, as I will illustrate below, interpret analytic implications as synthetic, making claims about the soul that step beyond the human condition, and with it, the bounds of possible experience. In Chapter Six, I will put my support behind what I will call ‘practical psychology,’ an approach to soul predication that is less concerned with what the soul is than what it could be. Granted that Kant is right and practical reason is sufficient to determine the aims of the self, then we can avoid dialectical illusion.

The error of judgment characteristic of rational psychology, which I will return to later, is captured succinctly by Paul Guyer and Allen Wood’s Introduction to their translation of the *Critique of Pure Reason*: “Rational psychology [argues invalidly, by means of paralogisms] from the formal unity, simplicity, and identity of the thought of the subject of thinking or the “I” to the conclusion that the soul is a real and simple (hence indestructible) substance that is self-identical throughout all experience.”\(^{109}\)

The four predicates of the soul are as follow:

1. The soul is a **substance**, or self-subsisting being
   a. By implication, the soul, taken “merely as an object of inner sense, gives us the concept of **immateriality**”\(^{110}\)
2. The soul is a **simple** substance
   a. By implication, the soul is **incorruptible**
3. The soul is a self-identical being, or **person** persisting throughout time
4. The soul, as a thinking substance, is **distinct** from objects of external sense, including the body
   a. Thinking substance is “the principle of life in matter” and the “ground of animality.”\(^{111}\)
   b. By implication, the soul interacts with bodies,\(^{112}\) spurring on debates as to the manner in which two distinct substances (mental and physical) actually interact

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\(^{109}\) Ibid 15

\(^{110}\) Ibid 414 [A345/B403]

\(^{111}\) Ibid 414 [A345/B403]

\(^{112}\) Ibid 445-446 [B407 – B409], 415-425 [A348 – A367], 414 [A345/B403]
The immateriality, incorruptibility, and personality of the soul comprise spirituality. Combined with thinking substance conceived of as the principle of life, the soul’s immortality is derived. One has but to consider Plato’s *Phaedo* to see that this is not an arbitrary claim, but resonates well with past arguments for the soul’s immortality, such as when Plato argues in the *Phaedo* that the soul is immortal because it is indivisible and a giver of life.

Each soul predicate corresponds to a particular category used to derive synthetic truths from the ‘I think’ of apperception (which must, by necessity, accompany all representations).

The soul’s substantiality derives from the category of substance, its simplicity from the category of reality, its identity (or personality) from the concept of unity, and its distinct nature apart from the body from the concept of existence. Kant argues that these four categories are uniquely suited to conceive of the soul”

...apperception is carried through by all classes of categories, but only toward those concepts of the understanding which in each class ground the unity of the remaining ones in a possible perception, consequently, subsistence, reality, unity (not plurality), and existence; yet reason represents them all here as conditions of the possibility of a thinking being, which are themselves unconditional (*CPR* A404).

As Goldman puts it, Kant starts…

with the category of substance, the very category that offers the syllogism that leads to the Paralogisms…In the categories of relation, it is substance that offers the underlying unity that permits the determination of causality and community; for those of quality, it is reality that provides unity for negation and limitation; for those of quantity, it is the category of unity itself that underlies plurality and totality; and finally, for modality, it is the category of existence that designates the basis from which both possibility and necessity can be determined.\(^{116}\)

\(^{113}\) Ibid 414 [A345/B403].

\(^{114}\) It is ambiguous whether the final soul predicate is in fact derived from the concept of existence or possibility. Note, for example, how Kant first speaks of the predicate of distinction in the A edition of the Paralogisms: The soul is in relation to possible objects in space.” Kant then adds, as a footnote to this predicate: “The reader, who will not so easily guess from these expressions in their transcendental abstraction, their psychological sense and why the ultimate attribute of the soul belongs to existence, will find this adequately explained and justified in what follows.’ Ibid 345/B403. Furthermore, “Thus in itself the soul cognizes the unconditioned unity of existence in space, i.e., nothing as the consciousness of several things outside itself, but rather only the existence of itself, and of other things merely as its representations.” Ibid A404.

\(^{115}\) The ambiguity between existence and possibility is also present here, albeit it seems that the soul must derive its predicates from both.

\(^{116}\) Goldman 138
I take both Kant and Goldman to mean the following: a category in each triad of categories, typically the first one, provides a positive moment or posited beginning element or substrate that must be assumed if the other categories are to be applied at all. The second category seems to be the opposite of the first, and the third is a “combination of the first two in its class.”¹¹⁷ In other words, the two remaining categories appear to be determinations of the posited substrate indicated by the first category. Let us take the categories of Quality: reality, negation, and limitation. Consider the following proposition about an object’s quality: “Theodore Roosevelt’s pet, Maude, was a pig.” The proposition posits that Maude is a pig. Ignoring the veracity of the following statement, we can only say “Maude was not a pig” if we modify the statement “Maude was a pig” by means of the category of negation (negation negates something). On its own, negation cannot stand as the subject of a statement, only the determination of a subject. Last, we can limit the proposition: e.g., “Maude was a non-dog.” This puts Maude in context to all dogs while still implicitly allowing for the designation ‘pig.’ Of course, we should not ignore the fact that “Maude is a pig” is itself a determination of some subject, but all other determinations in the grouping assume this determination as one to modify.

2.3 Background Material on the Paralogisms

Without the appropriate historical context, the four paralogisms in the Paralogisms chapter seem confusing and arbitrary. In other words, the force of the Paralogisms is lost if we do not know the long-standing arguments Kant was trying to critique, most of which do not bring themselves to the attention of the casual reader. Before doing so, we can provide a rough sketch. So what is Kant’s true target in the Paralogisms? The obvious answer is ‘Rational psychology,’ but as Karl Ameriks notes, “the theory of mind in the Critique is much more traditional and

¹¹⁷ Kant Critique of Pure Reason 215 [B110]
rationalistic than it at first appears.”¹¹⁸ That is not to say that Kant is a rationalist, but that we should not think that just because he targeted rational disciplines, such as rational psychology, that he was rejected them wholesale. As we may recall, Kant also critiqued empirical psychology. Furthermore, to pit Kant squarely against Rationalism ignores Kant’s own ambitions to “synthesize Leibniz’s vision of the preestablished harmony of the principles of nature and the principles of grace with the substance of Newtonian science and the moral and political insights of Jean-Jacques Rousseau.”¹¹⁹ Clearly the former answer is not precise enough, since it obscures the various lines of continuity between Rationalist thinkers and Kant himself. However, Allen Wood’s and Paul Guyer’s position that Kant is attempting to synthesize rationalist, empiricist, and Rousseauian ethics and politics into one system provides a plausible context to the Critique that does not succumb to an all-or-nothing false dichotomy.

According to Ameriks, two of the primary targets of the Paralogisms are pneumatism and spiritualism, two positions often adopted by the so-called Rational psychologists. Pneumatism is “the theoretical claim that our mind, as it appears to us now, is our ultimate reality.” In other words, the subjective experience of the noumenal soul would be no different than the phenomenal experience of inner sense. Spiritualism is “the theoretical claim that we can exist in worlds where the substance underlying our body doesn’t exist” or that on a fundamental level the soul is made of “spiritual stuff.”¹²⁰ It will be my task to 1) draw out the arguments of Kant’s predecessors and contemporaries guilty of spurious doctrines such as pneumatism and spiritualism and then to 2) demonstrate how Kant intends to disprove them by revealing them to...

¹¹⁹ Guyer, Paul and Allen Wood, “Introduction” Critique of Pure Reason 24. The Leibnizian undertones are clearly evident in the Critique of Practical Reason, wherein Kant assumes that the Natural World of appearances must be resolved to the Moral World of things in themselves.
¹²⁰ “It thus turns out that [spiritualism], which was shown to be the ultimate object of attack in the first two Paralogisms, is also the target of the fourth” Ibid 117; Ibid 36. “Once again the main targets of Kant’s criticism turn out to be pneumatism…and spiritualism.” Ibid 97.
be paralogistic, or guilty *per Sophisma figurai dictionis* ("by sophism of a figure of speech," i.e., a fallacy of equivocation").

Let us recall those predecessors and contemporaries, along with their corresponding works which Kant had in mind while writing the Paralogisms:

- **The Paralogisms of Pure Reason (A338/B396-A405/B432)**
  - Christian Wolff: *Rational Thoughts* (1720)
  - Martin Knutzen: *System of Efficient Causes* (1735) and *Philosophical Treatise on the Immaterial Nature of the Soul* (1744)
  - Alexander Baumgarten: *Metaphysics* (1739)
  - Christian August Crusius: *Sketch of the Necessary Truths of Reason* (1745)
  - Leonhard Euler: *Letters to a German Princess* (1760-1762)
  - Marcus Herz: *Observations from Speculative Philosophy* (1771)
  - Johann August Eberhard: *Universal Theory of Thinking and Sensing: A Treatment that Received the Prize Announced in the Year 1776 by the Royal Academy of Sciences in Berlin* (1776)
  - Johann Nicolaus Tetens: *Philosophical Essays on Human Nature and Its Development* (1777)

- **The First Paralogism: Substantiality (A348-A351)**
  - Christian Wolff: *Rational Thoughts* (1720)
  - Alexander Baumgarten: *Metaphysics* (1739)
  - Christian August Crusius: *Sketch of the Necessary Truths of Reason* (1745)

- **The Second Paralogism: Simplicity (A351-A361)**
  - Christian Wolff: *Rational Thoughts* (1720)
  - Martin Knutzen: *System of Efficient Causes* (1735) and *Philosophical Treatise on the Immaterial Nature of the Soul* (1744)
  - Alexander Baumgarten: *Metaphysics* (1739)
  - Christian August Crusius: *Sketch of the Necessary Truths of Reason* (1745)
  - Marcus Herz: *Observations from Speculative Philosophy* (1771)

- **The Third Paralogism: Personal Identity (A361-A366)**
  - Alexander Baumgarten: *Metaphysics* (1739)
  - Johann August Eberhard: *Universal Theory of Thinking and Sensing: A Treatment that Received the Prize Announced in the Year 1776 by the Royal Academy of Sciences in Berlin* (1776)

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121 Ibid 447-448 [B411], and the footnote found on page 448.
The summary will go as follows: I will discuss how each of these philosophers, respectively, influenced the main thrust of the Paralogisms and then I will discuss how each philosopher is specifically targeted or at least influenced the development of each Paralogism.

In the first section, ‘Background on the Paralogisms in General’ the reader should keep the general form of the Paralogisms found in the ‘B edition’ in mind:

What cannot be thought otherwise than as a subject does not exist otherwise than as a subject, and is therefore substance. Now a thinking being, considered merely as such, cannot be thought otherwise than as subject. Therefore it also exists only as such a thing, i.e., as substance.⁹²

There are several problems with this syllogism, according to Kant. First, the faculty of understanding is unable to cognize the absolute subject due to the limitations of discursive thinking:

Pure reason requires us to seek for every predicate of a thing its own subject, and for this subject, which is itself necessarily nothing but a predicate, its subject, and so on indefinitely (or as far as we can reach). But hence it follows that we must not hold anything at which we can arrive to be an ultimate subject, and that substance itself never can be thought by our understanding, however deep we may penetrate, even if all nature were unveiled to us. For the specific nature of our understanding consists in thinking everything discursively, i.e., by concepts, and so by mere predicates, to which, therefore, the absolute subject must always be wanting. Hence all the real properties by which we cognize bodies are mere accidents…²³

The understanding cannot cognize a subject as a subject, only by means of its predicates.

So, before we even attempt to reason about the soul, or thinking self, we are already defeated.

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¹² Ibid B410-11
¹³ Prolegomena 69-70 (333)
Nonetheless, the Paralogisms are fallacious for other reasons, primarily due to the equivocation between the ‘I’ of apperception, which is a proper subject, and the disparate ego of inner intuition, which is an object. As Kant points out, the major premise concerns a subject as such. It could apply to the absolute subject (and thus substance) that underlies all thinking or intuiting as much as it could to the absolute subject (and thus substance) that underlies the sensible qualities of a table. The minor premise refers to the subject of apperception, or as a logically necessary ‘I’ that is the ‘vehicle’ of the categories. It does not refer to the ‘I’ as an object of intuition, but instead the spontaneous, active ‘I.’ Thus, the conclusion, if it is to necessarily follow from the premises, cannot pertain to an intuited ego that implies a subsisting self with particular attributes. “[I]n the conclusion it cannot follow that I cannot exist otherwise than as subject, but rather only that in thinking my existence I can use myself only as the subject of judgment, which is an identical proposition, that discloses absolutely nothing about the manner of my existence.”124 The syllogism can never prove what we want it to prove.

2.4 Background on the Paralogisms in General

Christian Wolff

The first interlocutor I will consider is Christian Wolff. Christian Wolff was an early 18th century German philosopher and proponent of Leibnizian doctrine, and in a certain respect was synonymous with Leibnizianism in Germany at the time. When Kant iconically cites in the Prolegomena that his “remembering of David Hume was the very thing which many years ago first interrupted [his] dogmatic slumber”125 he is subtly referencing his repudiated allegiance to

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124 Kant, Critique of Pure Reason B410-B412.
Leibnizian-Wolffian metaphysics.\textsuperscript{126} From this declaration alone, it is evident that Wolff held great sway over Kant’s positions, both as a posthumous teacher and as a target. It is often noted (and indeed I have myself already noted) that Kant’s “division of metaphysics into rational psychology, rational cosmology, and rational theology”\textsuperscript{127} in the Transcendental Dialectic is based off of Wolff’s own division. Watkins further notes that much of the terminology found in the \textit{Critique} is lifted from Wolff’s work as well.\textsuperscript{128}

In some ways, Wolff’s position on the soul could not be more at odds with Kant’s critical views, and is a continuation of the much older Cartesian tradition. In \textit{Rational Thoughts on God, the World and the Soul of Human Beings also of All Things in General} (1720), there is a curious syllogism:

Wolff’s Syllogism regarding the Way in which I Cognize that I Exist:

\begin{itemize}
  \item whoever is conscious of himself and other things, exists. \textit{– A self-evident fundamental principle}
  \item we are conscious of ourselves and other things. \textit{– An indubitable experience}
  \item therefore, we exist.\textsuperscript{129}
\end{itemize}

This proof in itself does not seem novel, since it is reminiscent of Rene Descartes’ own proof: “‘I am, I exist’ is necessarily true every time I utter it or conceive of it in my mind.”\textsuperscript{130} The presupposition here is that judgments require those who make judgments. Wolff then proceeds to base his entire philosophy off of the observed certainty found in this syllogism, in a manner similar in spirit to Descartes’ own method:

\textsuperscript{126} As Allen Wood notes, however, “…[I]t is most unfortunate that the remark has been taken as an authoritative autobiographical report about his own philosophical development. For when it is interpreted as saying that Kant began as an orthodox Wolffian metaphysician, only to be roused from complacent rationalism by Hume’s skeptical doubts, the remark simply does not correspond at all to the facts of Kant’s intellectual life. A student of the development of Kant’s philosophy will find that he was from the very start a critic of some of the most basic tenets of Wolffian metaphysics. There never was any “dogmatic slumber” from which to awaken…” Wood, Allen, \textit{Kant}. (Malden, MA: Blackwell Publishing, 2005), 7.


\textsuperscript{128} Watkins 6.

\textsuperscript{129} Wolff 8

For if I know why we have such great certainty about our own existence, then I am aware of how something must be so constituted so that I can cognize it with as much certainty as I do that I must exist. It is a great thing when I can say of important truths without fear: “They are as certain as that I exist,” or also, “I cognize that they exist with the same certainty as I have when I know that I exist…[E]verything that is properly demonstrated is just as certain as our existence because what is demonstrated is proven in just the same way as our existence is.\textsuperscript{131}

In other words, the perceived existence of the self is so unassailable that in a certain respect it is the notion of certainty itself. For both Descartes and Wolff, the certainty of self-existence is the springboard for knowledge in general. For Kant, however, self-consciousness of the ‘I’ is a dead-end, being both a vacuous intuition without a concept and an empty logically-necessary supplement to all cognitions.

If Wolff’s syllogism is analyzed for suspicious assumptions, we can see how the general paralogistic form is in play. First, it seems that Wolff is basing his inference on an intuition or perception of the self being aware of itself. Yet something can only be said to exist based upon the intuited of its own existence if we assume the fallacious inference in the Paralogism, based on equivocation. This inference assumes that there is a subject of thinking and that this subject of thinking is the same subject that intuits itself. But just because an act of judgment – such as when we judge ourselves to be conscious – requires a subject, does not mean that we have said anything about an intuited subject, let alone anything about the thing in itself that I really am (such as a ‘soul’). Thus, it also follows that if the soul continues to survive after death, it will not be the ego – or self that intuits representations in space and time - which persists (pneumatism), but either a being whose nature we do not intuit or cognize, or a substrate that is no longer conscious.

In \textit{Rational Thoughts on God, the World, and the Soul of Human Beings, Also All Things in General} (1720), Wolff defines the soul as “that thing which is conscious of itself and other

\textsuperscript{131} Ibid 8.
things external to it insofar as we are conscious of ourselves and of other things as external to
us.”

He originally attempts to derive a doctrine of the soul based on experience - a method
Kant criticizes elsewhere than in the Paralogisms - but as the text progresses he eventually
moves beyond the bounds of immediate experience. According to Wolff, consciousness
emerges from the recognition that an unchanging thought held for a noticeable duration is the
same persisting thought and that I have consistently held it then as I hold it now: “Thus memory
and reflection produce consciousness.”

The soul has the power to represent the world based on how the senses are affected by
bodies in the world. Representations bear a resemblance to the affecting bodies, but only the
sizes, shapes, and motions of such bodies. This is because, as Wolff says, “A picture that is not
similar to the object that it is to represent is a picture not of it, but of another thing.” If we
assume that Wolff understands by bodies ‘things-in-themselves,’ we can note a disagreement
between him and Kant, since for Kant, (re)presentations don’t need to bear a resemblance to
things-in-themselves. If we could claim this, then we’d have access to that which must always
remain unknown. So, while both Wolff and Kant may agree that the soul has a power of
representation, they differ as to the nature of these representations.

Martin Knutzen

Martin Knutzen (1713-1751) was a German philosopher, fellow Konigsbergian, and
teacher of Kant. Kant scholar Eric Watkins describes his philosophical position as a curious
synthesis of “religious Pietism, Leibnizian-Wolffian metaphysics, and Lockean

132 Wolff 22 (Paragraph 192).
133 Ibid (Paragraph 191).
134 Wolff 46 (Paragraph 727).
135 Wolff 46-47 (Paragraph 735).
136 Wolff 49 (Paragraph 753).
137 Wolff 49-50 (Paragraphs 69-70).
epistemology.\footnote{Watkins v54} In *System of Efficient Causes* (1735) Knutzen theorized that experience could not definitively determine whether mind and body interact by means of so-called *physical influx* (that mind and body directly affect one another) *occasionalism*, (that God effects all causal relations be they mental and physical), and *pre-established harmony* (that mental causality and physical causality do in fact exist but that there is no real interaction between the two; God harmonizes mental and physical causalities so that there is an appearance of interaction between the two substances).\footnote{Knutzen, Martin, “System of Efficient Causes” in ‘*Kant’s Critique of Pure Reason: Background Source Materials*,’ ed. and trans. Eric Watkins (ed. And trans.) (Cambridge: Cambridge University Press, 2009) 57-59} However, Knutzen believed that it could be demonstrated that mental and physical substances could and do engage in mutual interaction – i.e. that physical influx was the more likely candidate – on the grounds that all simples, which are both physical and mental in variety, are capable of influencing one another. Perception results from the trace of the affecting corporeal (or bodily) simple upon the affected mental simple.\footnote{Knutzen 67.} Knutzen demonstrates that it is possible for the mind, being simple, to affect the corporeal simples of the body by pointing out that God is simple, immaterial, and yet affects physical simples.\footnote{Knutzen 69.} He finally notes that physical influx is the more probable position since it is itself a simpler explanation, or “shorter path,” when pitted against pre-established harmony and occasionalism.\footnote{Knutzen 70.}

The soul, existing in place, necessarily represents the external world to itself by means of the body and the place it inhabits.\footnote{Knutzen 70-71.70-71.} The body, being composed of simples, necessarily resists - as must anything simple occupying a specific place another does not - the actions of the mind; thus the influence of one implies reciprocal influence.\footnote{Knutzen 70-71.70-71.} Knutzen is quick to point out that this
does not imply that the mind is merely passive, as it is when it perceives, because there are actions of the mind that are not dependent on the body, such as contemplation.\textsuperscript{145} Even perception does not occur as if the mind were a passive piece of clay to which are imparted ready-made representations transmitted through the body. Bodily motions ‘modify’ the mind to produce these representations within itself.\textsuperscript{146}

At the very least, Knutzen and Kant may agree that there is some modification of the mind that takes place which causes the mind to produce representations, and that what causes this modification is substantially distinct from the mind itself and lies outside of it. For Kant, what exactly influences the mind is deliberately unknown and can hardly be assumed to be the body as Knutzen would have understood it to be.\textsuperscript{147} For Kant, the body is only an appearance, or representation of external sense, produced when the faculty of sensibility is affected by something external to it. It is conceivable that this ‘something’ is distinct from the ‘something’ that lies behind the empirical ego, but then again, neither may be distinct from each other at all.

Possible inspiration for the Ideas found in the \textit{Critique of Pure Reason} and with it the \textit{Critique of Practical Reason} can be found in the \textit{Philosophical Treatise on the Immaterial Nature of the Soul} (1744), where the ideas of freedom, immortality and God are presented:

\begin{quote}
That a God, a creator of all things, exists, whose nature is completely different from that of this corporeal world; that our soul possesses a true freedom, is thus capable of rewards as well as punishments, and that it is created eternal, and for that reason will not be destroyed at the death of the body.\textsuperscript{147}
\end{quote}

Kant shares Knutzen’s contention that the immortality of the soul, freedom, and God are “the foundation of true virtue and all religion,”\textsuperscript{148} which is a similarity we can only fully appreciate in light of Chapter Six. These Ideas are just a repackaging, or rather, the morally-necessary

\textsuperscript{145}Knutzen 73-74.
\textsuperscript{146}Knutzen 74.
\textsuperscript{148}Knutzen 76.
predication of the unconditioned conditions: the Soul, the World, and God. However, pure reason, as I have already mentioned, dogmatically attempts to develop doctrines concerning these hypothetical entities: the Paralogisms ultimately attempt to prove the soul’s immortality, one thesis of the Third Antinomy attempts to prove the soul’s freedom (or that some part of the world – the soul – is a first cause), and the Ideal of Reason attempts to prove God’s existence. As we have already noted, Kant thinks any theoretical advancements on these speculative fronts are illusory, like a hamster spinning in its wheel, going around in circles.

What Knutzen does contribute to Kant’s theoretical doctrine of self is a precursor to the doctrine of the synthetic unity of apperception:

Distinguishing or intuiting the distinction of things consists in a comparison of different representations of things that are found not in many, but in a single subject and that are compared to each other not by many but by a single subject in such a way that, due to this comparison, something can be found in several representations that neither is nor can be found in others.  

Or put otherwise:

The representations of the distinguished things must be pictured in a single subject, and in part that their connection must be brought about by the very same efficacious subject, or come from the first source of them, and by their efficacious power.

Or finally, “thought requires a proper and indivisible unity.” This is used to refute the possibility of materialism, a position Kant is also trying to combat in the Paralogisms when he suggests that there may be a ‘negative utility’ for the rational doctrine of the Soul  

Knutzen concludes his account with a proof for the imperishability of the soul based on its simplicity, an account I will return to when I analyze each specific Paralogism in full.

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149 Knutzen 77-78.
150 Knutzen 79.
151 Knutzen 81.
152 Knutzen 79-82.
153 Kant Critique of Pure Reason A382-383. For example, note A383: “Why do we have need of a doctrine of the soul grounded merely on pure rational principles? Without doubt chiefly with the intent of securing our thinking Self from the danger of materialism.”
Alexander Baumgarten

Alexander Baumgarten (1714-1762) was a German philosopher, popularizer of Leibnizian-Wolffian philosophy, and the author of the *Metaphysica* (1739). Few influences on Kant may be said to have been as significant as Baumgarten, particularly because Kant used the *Metaphysica* in his metaphysics courses for most of his career.\(^{154}\) As Watkins notes, Baumgarten was “a prominent example of the rationalist position that would stand in need of “critical” scrutiny.”\(^{155}\)

In the *Metaphysica*, Baumgarten starts off from the most basic of principles, the principle of contradiction. From there he moves to the principle of excluded middle, and then to the relationship between a ground (or condition) and what it grounds.\(^{156}\) In Baumgarten’s terminology, a ‘sufficient ground’ for something is the ‘sufficient reason’ for it. Upon this principle of sufficient reason Baumgarten draws the principle of things connected on both sides: “Everything possible is a ground and a consequence, hence is connected in a two-fold manner; as connected with its ground, it can be cognized *a priori*, as connected with its consequent it can be cognized *a posteriori*.\(^{157}\) From this he concludes that if something (A) is the immediate ground of something else (B), it (A) is the mediate ground for all things grounded by what is immediately grounded by it (A immediately grounds B, B immediately grounds C, A mediately grounds C, etc).\(^{158}\) This parallels Kant’s discussion of the relationship between the conditioned and its unconditioned and how only judgments concerning the condition of the conditioned can

\(^{154}\) Watkins 84-85.

\(^{155}\) Watkins 85.


\(^{158}\) Baumgarten 92-93.
be known *a priori*. This is directly relevant to the Transcendental Dialectic, and with it, the Paralogisms, since the Soul is the hypothetically posited “absolute (unconditioned) unity of the thinking subject.”

From here, Baumgarten draws a distinction between the determinate, the indeterminate, and the determinable: “Something is DETERMINATE if it is posited that it is A or that it is not A, but if it is posited only that it is either A or not A, it is INDETERMINATE…Whatever can be determined is DETERMINABLE.” Furthermore, a ‘determining ground’ is “the ground by which determining [is to occur].” This distinction recurs in the B Edition of the Paralogisms, where Kant distinguishes between the determinable self (the intuitive ego: the self as object) and the determining self (the synthesizing ‘I,’ or subject). It also is relevant in Kant’s ethical works since, as Kant says, “practical philosophy…has to do only with the grounds of determination of the will.”

As an aside, many of the transcendental and logical categories appear in the *Metaphysica* as well, and it is plausible to assume that Kant relied on them when devising the Table of Categories. For example, reality is defined as an affirmative determination of a ‘mark’ or predicate of a thing, and its opposite, negation. Quality is distinguished from quantity insofar as it is possible or not “to conceive and understand what is given…without assuming another thing, without a relation to another thing,” respectively (i.e. “to comprehend it distinctly” or not). Quality is related to reality insofar as a thing has a certain degree of reality, which is

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160 Kant *Critique of Pure Reason* A334/B391. 
161 Baumgarten 93-4. 
162 Baumgarten 94. 
163 Kant *Critique of Pure Reason* 445-446 [B406-407]. 
164 Kant *Critique of Practical Reason* 18 [20] 
165 Baumgarten 94. 
166 Baumgarten 95. 
167 Baumgarten 103.
reminiscent of the principle of the pure understanding that corresponds to the ‘Anticipations of Perception.’\textsuperscript{168} Unity and plurality are distinguished by means of whether or not two things are completely or rather to some degree only partially the same.\textsuperscript{169} Something is defined as necessary “whose opposite is impossible” while that which is not is contingent.\textsuperscript{170} Accidents are defined as that which “cannot exist except as the determination of another” and also as that which can exist independently as substance.\textsuperscript{171} Likewise, “the existence of accidents, as such, is INHERENCE, the existence of substance, as such, is SUBSISTENCE.”\textsuperscript{172} Finally, Baumgarten identifies cause as “the principle of existence.”\textsuperscript{173} In all, Baumgarten addresses at minimum the following categories more or less by name: unity, plurality, reality, negation, substance (subsistence and inherence), cause (causality and dependence), community (reciprocity between agent and patient),\textsuperscript{174} and contingency-necessity.

In Part Three of the \textit{Metaphysica}, Baumgarten addresses psychology. In it, he divides psychology into two familiar types: empirical and rational.\textsuperscript{175} Baumgarten suggests that the human soul can be analyzed mathematically. He refers to this study as ‘Anthropognosia.’

\textsuperscript{\textsection 747.} The human soul does not in fact admit three-dimensional extension, yet philosophical and mathematical cognition of it, like that of a human body, is possible. A human consists of a soul and of a finite body, hence is internally mutable and a finite and contingent thing. Therefore, philosophical and mathematical cognition of man, i.e., philosophical and mathematical anthropology, or anthropometry, as of empirical [objects] through experience, is possible. The set of rules [that are to be followed] in cognizing what is to be observed about man is ANTHROPOGNOSIA.\textsuperscript{176}

\textsuperscript{168} Kant \textit{Critique of Pure Reason} 290-295 [A166/B207-A176/B218].
\textsuperscript{169} Baumgarten 95.
\textsuperscript{170} Baumgarten 96.
\textsuperscript{171} Baumgarten 96.
\textsuperscript{172} Baumgarten 96.
\textsuperscript{173} Baumgarten 103.
\textsuperscript{174} Compare this category Kant \textit{Critique of Pure Reason} 212 [A80/B106] with Baumgarten’s treatment of the relationship of agent and patient Baumgarten 99-100. Baumgarten does not mention ‘community’ by name, only the relationship between agent and patient.
\textsuperscript{175} Baumgarten 115.
\textsuperscript{176} Baumgarten 125.
Although the *Critique of Pure Reason*, as previously mentioned, endorses an analogous position (despite the soul not being extended in three spatial dimensions), Kant eventually rejects a mathematical science of the soul in the *Metaphysical Foundations of Natural Science* on the grounds that the soul is not mathematically interesting. Unfortunately, Baumgarten does not seem to develop this mathematical position further, leaving the reader to wonder both whether Kant may have been right as well as whether Baumgarten made a claim he couldn’t back up.\(^{177}\)

Baumgarten starts his psychological investigations with empirical psychology, and offers the following argument:

If there is anything in a being that can be conscious of something, it is a *SOUL*.  
*There exists in me what can be conscious of something.*  
Therefore, a soul exists in me *(I exist as a soul).*\(^{178}\)

Here we do not find a proof that ‘I’ necessarily exist, like we found in Christian Wolff’s *Rational Thoughts*. Instead, self-existence is granted and this self is further qualified as a soul.

Baumgarten argues that a soul must be a power because of its capacity to think, or more appropriately, to represent the universe by means of thinking “according to the position of my body.”\(^{179}\) This sounds similar to Wolff’s position, which should come as no surprise. The soul ‘activates’ its faculties by means of the representative power.\(^{180}\) Regarding perception, I can represent both the state of my soul by means of ‘inner sense’ and the state of my body by means of ‘outer sense.’\(^{181}\) Both the soul’s primary capacity to represent as well as the two kinds of perceptions it represents – inner and outer - are similar to Kant’s own position. A marked

\(^{177}\) Admittedly, this may be due to omissions in the referenced text: *Kant’s Critique of Pure Reason: Background Source Materials.*  
\(^{178}\) Baumgarten 115.  
\(^{179}\) Baumgarten 115-116.  
\(^{180}\) Baumgarten 124.  
\(^{181}\) Baumgarten 117.
difference of emphasis between Baumgarten and Kant lies in Baumgarten’s commitment to the
the Leibnizian concepts of obscurity, clarity, and distinctness of perceptions and cognitions.182

Baumgarten also makes a further distinction between lower and higher ‘appetitive’
faculties reminiscent of Kant’s own division between heteronomy of choice and autonomy in the
Critique of Practical Reason. The lower appetitive faculty concerns ‘pleasant’ sensory
pleasures, or stimuli, while the higher appetitive faculty concerns ‘rational desire,’ or motives.183
Put in Baumgarten’s own words, “The faculty of desire and aversion according to what is
pleasing to the senses is SENSITIVE CHOICE, while the faculty of willing and not-willing
according to what pleases itself is (free choice) FREEDOM.”184 One can even notice a similarity
of word construction between both ‘heteronomy of choice’ and ‘sensitive choice,’ and
‘autonomy’ and ‘freedom.’ For Kant, heteronomy of choice refers to any principle that is based
on an object external to the will, and is necessarily mediated by the sensibility (because of this,
Kant will claim that all heteronomous theories are pleasure-based). Autonomy of the will refers
to the will’s rational self-determination on the basis of the moral law. Only the latter is properly
moral, for Kant (more on both in Chapters Three and Six).

Baumgarten also tackles the question of the interaction of soul and body, and evaluates
pre-established harmony, physical influx, and occasionalism, like Knutzen does. Unlike
Knutzen, Baumgarten attempts to defend pre-established harmony against the other two
positions. Baumgarten says physical influx must be rejected for three reasons. First,
Baumgarten presupposes that changes that take place by means of the harmonious interactions of
body and soul require that one is the agent and the other the patient. But since all bodily changes
are cognized by the soul, then “all changes are harmonious and the body does not act by its own

182 Baumgarten 116-117.
183 Baumgarten 119.
184 Baumgarten 122.
power in any of these changes…and is really acted upon by the soul in everything."  But if the soul doesn’t act, then it can’t react, since reaction is “the activity of the patient on the agent.” Second, when the soul represents the world by means of passively reacting to bodily influences, the soul itself cannot be acting, which implies that the soul’s representative acts are not its own actions. Finally, if the soul is changed only by means of the body, freedom is impossible. As previously remarked however, Knutzen’s physical influx theory does allow for soul-acts that are not determined by bodily influences (such as contemplation), so Baumgarten’s third criticism seems disingenuous. Baumgarten rejects occasionalism because freedom is also impossible if all soul-acts are really the acts of an infinite thing (God). According to Baumgarten, only pre-established harmony allows for the soul and the body to influence themselves. Other influences Baumgarten may have had on specific Paralogisms will be noted in the next section, which will comprehensively tackle each Paralogism one at a time (Arguably, the previous discussion could go under the Fourth Paralogism).

Christian August Crusius

Christian August Crusius (1715-1775) was a German Pietist philosopher and theologian critical of the Leibnizian-Wolffian tradition. In Sketch of the Necessary Truths of Reason (1745) Crusius sought a metaphysical position not bound by the principles of contradiction and sufficient reason that allowed for freedom and ‘causal interaction between mind and body.’ Perhaps surprising to most readers of Kant, scholars Paul Guyer and Allen Wood note “To the extent that Kant was a critic of the Leibnizian-Wolffian philosophy, his criticisms came not only

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185 Baumgarten, Section II: On Psychological Systems 127.
186 Baumgarten, Section II: On Psychological Systems 127.
187 Baumgarten 100.
188 Baumgarten, Section II: On Psychological Systems 126-128.
189 Baumgarten Paragraph 767, 128.
190 Baumgarten Paragraph 768, 128-129.
191 Watkins 132-33.
from Hume but even more from Wolff’s Pietist critic Christian August Crusius.”192 Likewise, a reasonable reader interested in a thorough understanding of the Critical enterprise might expect a brief introduction to Crusius’ pertinent work.

Crusius has similar metaphysical commitments to Kant. For example, one finds the following curious passage in the Preface to the *Sketch of the Necessary Truths of Reason*:

Metaphysics in this work will hopefully be what one seeks in it, namely, a universal fundamental science from which all other human cognition that is to be established *a priori* can obtain its grounds and which also contains in itself the grounds for mathematical and practical sciences, although the determinate constitution of the necessary truths that they contain in themselves cannot be justly incorporated into metaphysics. Accordingly, all other sciences contain further determinations of those things that arise in metaphysics. One learns of their actuality *a posteriori*, but metaphysics reveals the grounds of possibility or necessity *a priori*, through which cognition thereof becomes more distinct and complete.193

Metaphysics is distinguished from what we would call both mathematics and the natural sciences insofar as metaphysics is the ground of all other sciences. Compare this passage with two from the *Prolegomena*:

Regarding mathematical sciences:

[Here the question arises:] “How then is it possible for human reason to produce such cognition entirely *a priori*?” Does not this faculty [which produces mathematics], as it is neither is nor can it be based upon experience, presuppose some ground of cognition *a priori*?194

Regarding ‘practical’ sciences, which I take to refer to natural science:

I do not mean how (through experience) we can study the laws of nature; for these would not then be laws *a priori* and would yield us no pure natural science; but [I mean to ask] how the conditions *a priori* of the possibility of experience are at the same time the sources from which all the universal laws of nature must be derived.195

Thus, we can see that both Kant and Crusius thought that metaphysics was necessary to account for how mathematics and natural science could be possible a priori at all.

192 Guyer, Paul, and Allen Wood. ‘Introduction’ *Critique of Pure Reason* 24
194 Kant *Prolegomena* 23 [280].
195 Kant *Prolegomena* 38 [297].
Crusius also attempts to derive the most fundamental or ‘simplest’ concepts since “ontology is supposed to treat the universal essence of things.”\footnote{Crusius 138 [Paragraph 7]} These simple concepts are similar to Kant’s own list, with the marked difference that Crusian concepts do not serve the same function as Kant’s pure concepts of the understanding. The list includes subsistence, space, time, causality, somewhere and ‘external to each other,’ unity, and negation.\footnote{Crusius 162 [Paragraph 102].} Crusius also distinguishes between essence and existence. The ‘metaphysical essence’ of a thing is “everything that we think of with respect to a thing and by means of which we distinguish it from others.”\footnote{Crusius 141 [Paragraph 19].} More narrowly defined, the fundamental essence of a thing is the collection of properties not grounded in other properties.\footnote{Crusius 145 [Paragraph 39].} But the essence of a thing alone does not completely account for it. A thing must also occupy a specific space and a specific time to be considered real. Existence, for Crusius, would be the “the predicate of a thing due to which it can also be found outside of thought somewhere and at some time.”\footnote{Crusius 145 [Paragraph 46].} Crusius further notes that this definition of existence follows from the distinction we make between considering a thing as an object of thought (i.e. as an essence) and as an existing thing (i.e. as also in space and time).\footnote{Ibid 145.} In other words, something can be intelligible without actually existing (such as a million-and-five-sided figure), but if it were to exist, it would exist concretely in space and time (I could point to this million-and-five-sided figure right in front of me). As Eric Watkins notes, Crusius and Kant have very similar positions on space and time being neither relational nor absolute.\footnote{Watkins 134.}
Crusius differs from Kant insofar as he considers time and space to be “abstractions from reality that are brought about by the essence of our understanding” rather than being pure intuitions.203

Another crucial similarity between Crusius and Kant is the epistemological priority afforded to experience, such as can be found in Kant’s Postulates of Empirical Thought. The Postulates of Empirical Thought bind the limits of knowledge to possible experience. Similarly, Crusius notes, “the distinguishing feature of actuality is ultimately always sensation in our understanding. For sensation is precisely that state of our understanding in which we are forced to think something immediately as existing, without first needing to cognize it through inferences…”204 “Simple concepts [are] arrived at through abstraction from actual objects.”205

This may figure into Kant’s distinction between possibility and actuality. These are but a few of the many fundamental similarities that can be found between the Critique of Pure Reason and the Sketch of the Necessary Truths of Reason.

Regarding psychology specifically, Crusius develops what he calls ‘metaphysical pneumatology,’ which is “the science of the necessary essence of a spirit and of those distinguishing features and properties that can be understood from it a priori.”206 Metaphysical pneumatology posits that God’s ultimate purpose involves ‘rational and free spirits,’ which in turn implies that spirit and matter must interact – since material change is but a means for effecting spiritual purposes.207 As Crusius puts it, “Because of divine perfection neither freedom without reason nor a rational subject without freedom is possible.”208 Such doctrines could never find constitutive justification, according to Kant, but they may have practical or perhaps regulative justification.

203 Watkins 134.
204 Crusius 141 [Paragraph 16]
205 Watkins 133.
206 Crusius 174 [Paragraph 424].
207 Crusius 172-3 [Paragraph 363].
208 Crusius 177 [Paragraph 449].
Furthermore, both thinking and willing – which are characteristic of spirits - are fundamentally distinct from motion – which is the only material change possible.\textsuperscript{209} This difference implies that spirit cannot be reduced to matter, even though both can interact with one another. Crusius calls a spirit’s power of thinking ‘understanding’ and an understanding capable of “cognizing the truth with consciousness” ‘reason.’\textsuperscript{210} Crusius defines the will as “the power of a spirit of acting according to its ideas.”\textsuperscript{211} As previously mentioned, this will is ultimately free in order to facilitate God’s rational purposes. This is but an introduction to Crusius’ psychological doctrine. I will return to other principles of metaphysical pneumatology when I interrogate each Paralogism specifically.

\textit{Leonard Euler}

Leonard Euler (1707-1783) was an eighteenth century Swiss mathematician, physicist, and critic of Leibnizian philosophy.\textsuperscript{212} In \textit{Letters to a German Princess}, Euler objects to the Leibnizian principle that change can only be accounted for if bodies have the power to change their own states. Euler’s account, which is more in line with the modern account, theorizes instead that all bodies will continue in their present state unless influenced by an external force. Bodies do not possess the power to change their own states. In other words, all things possess inertia. A thrown ball would continue to fly through space at the same speed forever unless it comes in contact with another body. Bodies exert a force upon other bodies, or cause their states to change, because bodies are both extended and impenetrable. If one body occupies a place,

\begin{itemize}
\item \textsuperscript{209} Crusius 175-6 [Paragraphs 429, 432, 435].
\item \textsuperscript{210} Crusius 176 [Paragraph 441].
\item \textsuperscript{211} Crusius 176-7 [Paragraph 443].
\item \textsuperscript{212} Watkins, Eric \textit{Kant’s Critique of Pure Reason: Background Source Materials}. 180-1.
\end{itemize}
another cannot, unless that body is moved first. The ability of one body to influence another is dependent on mass.\textsuperscript{213} The nature of spiritual entities, however, is different from that of matter. Materialism, or at least the position that the soul is either made of matter or no different than the body, must be dismissed offhand since Euler’s account of matter could never explain how thinking, feeling, and willing are possible. Spirit is neither extended, impenetrable, nor does it succumb to inertia.\textsuperscript{214} Spirit cannot be extended because it cannot be divided into smaller parts.\textsuperscript{215} This argument for the unity of the soul is at minimum as old as Rene Descartes’ \textit{Meditations on First Philosophy} and most likely can be traced as far back as Plato’s \textit{Phaedo}. Furthermore, questions of extensive magnitude, such as the size of the soul or how it may or may not enter into the composition of bodies, should not apply to the soul at all, a position at odds with Leibniz and Wolff. Thus, we ought not to conclude that an extensionless thing is a point, or that the soul is a fundamental unit or point that makes up bodies, since a point is still an extensive magnitude. Euler says that asking such questions makes as much sense as asking “How many feet are there in an hour?”\textsuperscript{216} Euler concludes from this that the soul, being without extension, cannot exist in place either, although it can still affect certain places. To lack a place does not necessarily mean not to exist, just as an hour takes place somewhere but is not in a particular place\textsuperscript{217} – a position at odds with Crusius’ definition of existence.

Euler agrees with Crusius that bodies are a means towards spiritual ends and thus in some manner are influenced by souls, but he says that how this happens can never be known.\textsuperscript{218} In a

\textsuperscript{213} Euler, Leonard, \textit{Letters to a German Princess} in \textit{Kant’s Critique of Pure Reason: Background Source Materials}. 183-194.
\textsuperscript{214} Euler 196-7 [Letter LXXX: Of the Nature of Spirits]
\textsuperscript{215} Euler 198.
\textsuperscript{216} Euler 198-99 [Letter XCII: Elucidation Respecting the Nature of Spirits].
\textsuperscript{217} Euler 199-200.
\textsuperscript{218} Euler 197 [Letter LXXX: Of the Nature of Spirits].
point reminiscent of one Hume makes in the *Enquiry Concerning Human Understanding*, Euler says:

> We are perfectly sensible that the human soul cannot act immediately on all the parts of the body: as soon as a certain nerve is cut, I can no longer close my hand, from which it may be concluded that the soul has power only over the extremities of the nerves, which all terminate and unite in a portion of the brain…

It is furthermore unclear why the soul should affect only nerves rather than, say, arteries. Euler can do no better than to characterize the spiritual control of matter as a “gift of God” whose effects are arbitrarily limited to specific bodies by the will of God alone.220 “It is the body only which cannot be in two places at once, but there is nothing to prevent spirit, which has no relation to place in virtue of its nature, to act at the same time on several bodies situated in places very remote from each other” if God so willed it.221 Death, for Euler, does not imply the soul’s relocation out of the body then, only a cutting off of the soul from its primary means of acquiring knowledge: the senses.222

Notably, Euler agrees with Kant that knowledge is limited to experience; although, for Euler, concepts such as time can be derived from the soul’s perceptions while for Kant, time is a pure intuition.223 Nonetheless, Euler is candid about what he thinks cannot be known regarding the soul, which may have influenced Kant’s own restraint to some degree (although this remains speculation). It is likely though that, for Kant, Euler acts as both a sympathetic, critical voice opposing Leibnizian dogmatism and also a possible target, particularly insofar as he attempts to distinguish qualities of an actual soul with an actual body.

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219 Euler Ibid.
220 Euler 201 [Letter XCIII: The Subject Continued. Reflections on the State of Souls after Death].
221 Euler Ibid.
222 Euler 202.
223 Euler 204 [Letter XCV: Of the Faculties of the Soul, and of Judgment].

Marcus Herz

Marcus Herz (1747-1803) was a German philosopher and physician who studied under Kant. Kant and Herz maintained a close, reciprocally-formative correspondence. Scholars often highlight the Second Letter Kant sent to Herz as indicating that Kant was beginning the Critical project (i.e. the *Critique of Pure Reason*), as well as a critical analysis of practical reason and taste (the *Critique of Practical Reason* and the *Critique of Judgment [Power]* respectively):

You understand how important it is, for all of philosophy – yes even for the most important ends of humanity in general – to distinguish with certainty and clarity that which depends on the subjective principles of human mental powers (not only sensibility but also the understanding) and that which pertains directly to the facts. If one is not driven by a mania for systematizing, the investigations which one makes concerning one and the same fundamental principle in its widest possible applications even confirm each other. I am therefore busy on a work, which I call “The Bounds of Sensibility and of Reason.” It will work out in some detail the foundational principles and laws that determine the sensible world together with an outline of what is essential to the Doctrine of Taste, of Metaphysics, and of Moral Philosophy.\(^{224}\)

There are a few things to note in this anticipatory passage. The first is the distinction between ‘the subjective principles of human mental powers’ and ‘that which pertains directly to the facts.’

In Herz’ philosophical work *Observations from Speculative Philosophy*, Herz uses this distinction as a way out of many traditional metaphysical problems:

I [mean to] show you how those who start from a false explanation of a concept and those who, not heeding the correct explanation, do not properly distinguish its subjective from its objective possibility, are rushing toward error in lockstep. However, merely look at these concepts that are so fruitful in metaphysics, at space and time, and you will find that the notorious difficulties about the location of the soul, the omnipresence of God, infinite divisibility, etc., which are dangerous cliffs for philosophers, are all grounded in the fact that the limits of the actuality of external things are taken to be the same as the limits of our cognition, and for that reason conditions that are prescribed to this [cognition] according to the pleasure of a highest wisdom have been carried over to the state of external things themselves…\(^{225}\)

This distinction is analogous to the common metaphysical criticism Kant offers when he says that many dialectical illusions are generated by means of taking appearances as things-in-themselves. In the above passage, Herz includes three difference kinds of metaphysical


\(^{225}\) Herz, Marcus, ‘Observations from Speculative Philosophy’ in *Kant’s Critique of Pure Reason: Background Source Materials*. 283.
problems which Kant seems to model in the Transcendental Dialectic. Such ‘notorious
difficulties’ as ‘the location of the soul’ fall under the heading of the Paralogisms (albeit the
location of the soul as such can only loosely be paired with the Fourth Paralogism); ‘The
omnipresence of God’ concerns theological doctrines associated with the ‘transcendental ideal;’
‘Infinite divisibility’ corresponds with the Antinomies, particularly the Second Antinomy. Of
course, this parallel could be attributed to the Wolffian distinctions between rational psychology,
rational theology, and rational cosmology, but it is more plausible to conclude that this
distinction was taught to Herz by Kant himself.

The second relevant element in the so-called ‘Herz Letter’ is the ‘mania for
systematizing’ that characterizes the faculty of Reason, as described in the First Critique. As
previously mentioned, the transcendental Ideas are concepts Reason posits (perhaps imprudently)
as necessary in order to systematize knowledge. While it is clear that systematization in itself is
not problematic and is in fact even theoretically necessary, the relentless positing of entities for
purposes beyond organizational (or ‘regulative’) ends could be characterized as ‘mania.’ Since
Herz published *Observations from Speculative Philosophy* ten years before the First Critique was
published, it is unclear just how much influence the text had on Kant’s work. As Herz himself
admits to Kant in the Third Letter,

> You will receive my book by regular mail and I suspect you will find little in it that should cause
> you to make any changes in the work you have at hand. I need hardly tell you, dearest Herr
> Professor, how little I deserve credit for my book. I have merely had your own book before my
> eyes, followed the thread of your thoughts and only here and there have I made a few digressions,
> things that were not part of my original plan but that occurred to me while I was working.  

A discussion of how Herz discusses the simplicity of the soul – the Second Paralogism – will be
presented in the next section.

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Johann August Eberhard

Johann August Eberhard (1739-1809) was a German philosopher, theologian, and contemporary of Kant’s, whose philosophical work, *Universal Theory of Thinking and Sensing* (1776), attempted to reconcile empiricism and Leibnizianism.\(^{227}\) As will be evident to those familiar with Liebnizian philosophy, Eberhard’s focus on distinctness ought to sound familiar.

Eberhard initially attempts to explain how ‘the power to think’ and ‘the power to sense’ reciprocally influence one another.\(^{228}\) This problem is reminiscent of the one Kant attempted to solve by means of the schematism. Eberhard speculates that an “original primitive power of the soul” or “a common point of unity for both” must be posited to explain how one power affects the other.\(^{229}\) If there were no original power but instead a multiplicity of soul powers, how could one soul modification transition into another? Would one power transfer an effect to another? How? It is much simpler to suppose one original power.\(^{230}\) Furthermore, Eberhard claims that there cannot be a multiplicity of powers without there being a multiplicity of substances external to one another in the soul. If this were the case, the soul would be extended. Eberhard seems to be implying that this is implausible – as he does not overtly say so.\(^{231}\) Eberhard broadens this argument in a way that I will return to when discussing the Third Paralogism on the numerical identity of the soul.

But what is this primitive soul power? In a move reminiscent of the one Wolff made, Eberhard identifies the human soul’s primitive power as a “striving to have representations.”\(^{232}\) Eberhard attempts to do this by distinguishing the powers of thinking and sensing. Sensing is


\(^{229}\) Ibid 323.

\(^{230}\) Ibid 327.

\(^{231}\) Ibid 325.

\(^{232}\) Ibid 328.
passive while thinking is active.\textsuperscript{233} The object of thought is perceived as external to the thinker whereas the object of sensation is somehow perceived to be part of the sensing state of the affected subject (‘I feel warm’ is a statement about me being in a state of being warm). This is due to the fact that when I think, I perceive distinctly, which includes distinguishing between me and the object of thought (as well as the various parts of the object of thought). Such a state of distinctness does not exist when sensing, so I do not distinguish between myself and the sensation.\textsuperscript{234} Furthermore,

\begin{quote}
Since the number and strength of representations in [the case of sensing] that come together in one sensation and coalesce into one central point do not permit the time and freedom for dissecting and distinguishing, I also cannot distinguish myself, as the \textit{subjectum inhaesionis} [subject of inherence], from the representations.\textsuperscript{235}
\end{quote}

Eberhard summarizes his principle in the following way:

\begin{quote}
For a limited being in the precise ratio in which the manifold, the warmth and the strength increases in a total representation, the intensity of the unity or the distinctness decreases, and vice versa, or the intensity of the unity is inversely related to the manifoldness and vice versa.\textsuperscript{236}
\end{quote}

It would seem this move is necessary insofar as a continuum of degrees can account for qualitative distinctions between the derivative powers of thinking and sensing without assuming substantial distinctions between them.

Eberhard concludes that thinking is characterized by unity and sensing by manifoldness.\textsuperscript{237} This is similar to how Kant characterizes the unifying powers of both the understanding and reason as opposed to the receptive power of the sensibility which can only receive a disconnected sensory manifold. Eberhard refers to this manifoldness evident in sensing as characterized by representations being next to each other rather than within each other.\textsuperscript{238}

“The more distinct, the less [representations are] next to each other; consequently, the more

\begin{flushright}
\textsuperscript{233} Ibid 329 – 330.  
\textsuperscript{234} Ibid 330-331.  
\textsuperscript{235} Ibid 331.  
\textsuperscript{236} Ibid 336.  
\textsuperscript{237} Ibid 332.  
\textsuperscript{238} Ibid 333.
\end{flushright}
external and next to each other, the more confused.” Sensibility perceives “a larger sum of small representations [crowded] together into a total representation,” leading to its obscure, indistinct nature. And similar to Kant, there seems to be a movement from obscure, or at least disjointed sensations towards clear perceptions and finally distinct cognition.

In a certain respect, Kant may agree that the mind deals exclusively with representations, but Kant does not seem to require a primitive power to underlie the faculties of sensibility and understanding. Instead he appeals to the schematism, produced by the faculty of imagination. Eberhard implies that the imagination plays a role in mediating between the two powers as well: “Insofar as the state of both sensing and thinking contain representations, the replacement of the one state with the other can occur only according to the law of the imagination, or by means of the association of ideas.” Nonetheless, the laws of association (reminiscent of Hume) are not schemata.

**Johann Nicolaus Tetens**

Johann Nicolaus Tetens was a German philosopher (1738-1807), contemporary of Kant, and considerable influence on Kant’s critical work, particularly through one of his central works, *Philosophical Essays on Human Nature* (1777). As Eric Watkins notes, “in a letter to Herder in May of 1779, Hamann claims that Kant always had Tetens’ book open on his desk, and Kant himself mentions the importance of Tetens in a letter to Marcus Herz in 1778.” In this central text, a question by now very familiar to the reader is asked: “Is there a single faculty or cognitive power that is responsible for our knowledge of the world, or are there several heterogeneous

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239 Ibid 333.
240 Ibid 343.
241 Ibid 335, 352.
242 Ibid 339.
principles at work?” Regardless of Teten’s answer to this question, which is predictably in favor of a unitary power, what is important is that he anticipates much of the first Critique. Teten’s attempts to derive a science of the soul by means of what he calls the “observational method,” identified with the method of Locke. Taking the modifications of the soul as they are cognized through a feeling of the self, becoming aware of and observing them with careful repetition and under changed conditions, then comparing and analyzing these observations and seeking out the simplest faculties and the [various] kinds of effects and their relations to each other. Already, as we have seen, Kant was skeptical of such an empirical science of the soul. Observation reveals three seemingly distinct expressions of the soul’s power: impressions, representations, and thoughts, or feeling, representing, and thinking. It is unclear whether these faculties cleanly correspond to the Kantian faculties of sensibility, understanding, and reason, albeit the similarities are notable. Teten argues that the relations between things (such as similarity, identity, and sameness) are subjectively imposed upon things by the understanding and do not exist in things themselves. Further reminiscent of Kant, Teten says that relations of space, time, causality, as well as the relationship of substances to their accidents are “something subjective that we attribute to the objects as something objective…that arises from [a certain act of] thinking.” Truth, which for Teten amounts to a relation of impressions, is considered objective if all cognitive beings would judge the relation to be necessary. Universal subjective necessity is equivalent to objective necessity.

244 Ibid 354.
245 Ibid 357.
246 Ibid 358.
247 Ibid 381.
248 Ibid 361.
249 Ibid 362-3.
250 Ibid 378-80.
Tetens challenges Hume’s claim that the self is merely “a bundle of qualities and changes, which, since they are immediately sensed, actually exist, but that it is one thing, a complete unity, an actual thing.”\textsuperscript{252} In response, Tetens says that when we clearly perceive a feature of the soul, we obscurely perceive the persisting self as a kind of background for it.\textsuperscript{253} This seems reminiscent of the ‘I think’ which, while a vacuous representation, remains the persisting form of consciousness that accompanies all representations. I will return to this response when I discuss the Third Paralogism.

\textbf{2.5 Discussion of the Specific Paralogisms and Relevant Background Material}

Now that we have reviewed the general philosophical and historical context for the paralogisms, we are prepared to discuss the four paralogisms individually. It should be noted that Kant’s discussion of the paralogisms was significantly reworked in the second edition. Most changes seem to reflect an attempt to simplify the previous edition. I will primarily focus on the first edition, since it is more detailed. I will then discuss those specific philosophers Kant is critiquing in each paralogism.\textsuperscript{254}

\textbf{The First Paralogism}

In the A edition, Kant presents the first paralogism in the following syllogism:

- That the representation of which is the absolute subject of our judgments, and hence cannot be used as the determination of another thing, is substance.
- I, as a thinking being, am the absolute subject of all my possible judgments, and this representation of Myself cannot be used as the predicate of any other thing. Thus I, as thinking being (soul), am substance.\textsuperscript{255}

The first paralogism is the most fundamental of the four paralogisms, since simplicity, personality, and distinction from the body assume that the soul is substantial. The rational

\textsuperscript{252} Ibid 369-70.
\textsuperscript{253} Ibid 370.
\textsuperscript{254} I will be relying heavily on Eric Watkin’s footnotes, which identify which sections of text are relevant to each paralogism.
\textsuperscript{255} \textit{Kant Critique of Pure Reason} 415-416 [A348].
doctrine of substance concludes that the soul is a substance because thoughts are always
determinations of the 'I', but the 'I' can never be a determination of anything else (i.e. the 'I'
cannot be a predicate, but is always the subject predicated). Accidents are always accidents of
something which itself is a substance, not a subsequent accident. And to a limited extent, the
paralogism commits no error:

...[O]ne can quite well allow the proposition The soul is substance to be valid, if only one admits
that this concept of ours leads no further, that it cannot teach us any of the usual conclusions of the
rationalistic doctrine of the soul, such as, e.g., the everlasting duration of the soul through all
alterations, even the human being's death, thus that it signifies a substance only in the idea but not
in reality.\footnote{Ibid 417 [A350 – A351].}

For Kant, the category of substance, like any category, has “no objective significance at all
unless an intuition is subsumed under [it], to the manifold of which [it] can be applied as [a
function] of synthetic unity.”\footnote{Ibid 416 [A348 – A349].} We can recall here the First Analogy of Experience: “In all
change of appearances substance persists, and its quantum is neither increased nor diminished in
nature.”\footnote{Ibid 299 [B224].} As Kant has reminded us, this is a rule for organizing the sensory manifold into
cognitions, and has no objective use outside of experience. There would have to be an empirical
intuition of the self in order for the category of substance to be applicable. All rational
psychology provides us with is logical necessity: the ‘I think’ must accompany all thoughts.\footnote{Ibid 416 [A349].}
Since rational psychology excludes experiential premises, its conclusions can be rejected outright
as baseless.

But can’t such an inner intuition of the self be observed? According to Kant (and Hume),
it cannot. Even after the most meticulous act of introspection, a distinct intuition of the self apart
from any other object of intuition never presents itself.\footnote{Ibid 416-417 [A350].} Thus, the first paralogism
The subject is like the vanishing point in a painting, the gaze that can’t see itself, the condition of knowledge that can’t itself be known as anything more than a condition.

In the B edition, Kant presents the first paralogism in the following syllogism:

- What cannot be thought otherwise than as subject does not exist otherwise than as subject, and is therefore substance.
- Now a thinking being, considered merely as such, cannot be thought otherwise than as subject.
- Therefore, it also exists only as such a thing, i.e., as substance.  

All judgments require an ‘I,’ but this subject is too poor an inner representation to ever warrant the application of the category of substance to it. As Kant says of the paralogisms in general, “Thus through the analysis of the consciousness of myself in thinking in general not the least is won in regard to the cognition of myself as object. The logical exposition of thinking in general is falsely held to be a metaphysical determination of the object.” What rational psychology attempts to do is draw a synthetic proposition about the noumenal self from the logical subject “by adding,” which is impossible. In particular, the first paralogism attempts to “[add] the way of existing to thinking in general,” (i.e. that the ‘I’ is a substance), which exceeds what can be said.

Furthermore, in the second edition, Kant is much clearer as to why this syllogism is guilty of the fallacy of equivocation (i.e. is properly speaking a paralogism) than he ever was in the first edition. The major premise, “What cannot be thought otherwise than as subject does not exist otherwise than as subject, and is therefore substance,” uses ‘thinking’ “as it applies to an

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261 Ibid 417 [A350].
262 Ibid 447 [B410-411].
263 Ibid 445-446 [B407].
264 Ibid 447 [B409].
265 Ibid 447 [B409-410].
266 Ibid 447 [B410].
object in general (hence as it may be given in intuition).”\textsuperscript{267} The second premise, “Now a thinking being, considered merely as such, cannot be thought otherwise than as subject,” uses ‘thinking’ “in relation to self-consciousness, where, therefore, no object is thought, but only the relation to oneself as subject (as the form of thinking) is represented.”\textsuperscript{268} Thus, “in the conclusion it cannot follow that I cannot exist otherwise than as subject, but rather only that in thinking my existence I can use myself only as the subject of judgment, which is an identical proposition, that discloses absolutely nothing about the manner of my existence.”\textsuperscript{269} Or put another way, the thinking referred to in the minor premise is mistaken for an empirical ego, or object which can be predicated by means of the categories, when it really is merely the unity of thinking that acts as a prerequisite for cognition. Without a persisting inner intuition, the category of substance cannot be applied to posit a persisting self.\textsuperscript{270}

\textit{Thinkers Addressed by the First Paralogism}

According to Eric Watkins in \textit{Kant’s Critique of Pure Reason: Background Source Materials}, Kant’s first paralogism is influenced by the arguments of at least two thinkers: Christian Wolff and Alexander Baumgarten.\textsuperscript{271} We have already seen how Wolff argues that the standard of certainty is equivalent to the certainty we have of our own existence. This argument bears a striking similarity to Descartes famous, “I think, therefore I am” argument. In this regard, it seems that Descartes is the explicit target, given that he tries to prove the soul’s mentally-substantial existence based on a logical assumption (‘thinking implies a thinker’) and an inner intuition (‘I am thinking right now’). Given that, this argument is immediately refuted by the first paralogism without much need for in-depth analysis. On the other hand, whether or

\begin{itemize}
\item \textsuperscript{267} Ibid 447 [B411].
\item \textsuperscript{268} Ibid 447 [B411].
\item \textsuperscript{269} Ibid 448 [B411-412].
\item \textsuperscript{270} Ibid 453 [B421-422].
\item \textsuperscript{271} Christian August Crusius is noted in the literature to also be an influence but the resources currently at my disposal do not show a substantial selection of text to justify an exposition.
\end{itemize}
not the first paralogism adequately critiques the explicit arguments Wolff and Baumgarten propose to prove the soul’s substantiability is something we must test, especially if the dogmatism Kant is targeting is the Wolffian-Leibnizianism of his time.

Christian Wolff presents the following case for why the soul is a substance: If the soul is simple, it must be self-subsisting, because all simple things are self-subsisting.\textsuperscript{272} Subsequently, if the soul is self-subsisting, it must only have one power (that of representing the world), since a self-subsisting thing can only have one power.\textsuperscript{273} On the surface, it is unclear how Kant is critiquing this argument by means of the first paralogism. Certainly Wolff is deriving the substantiability of the soul from its simplicity, so the first paralogism would seem to apply. Nonetheless, this argument makes no mention of how the ‘I’ must be a substance because it can never be an accident of something else. On the other hand, since this argument hinges on the simplicity of the soul, the argument may be indirectly addressed by undermining the soul’s alleged simplicity, which Kant does in the second paralogism. As Ameriks notes, the substantiability of the soul and its simplicity are intimately tied.\textsuperscript{274}

Alexander Baumgarten accepts Wolff’s contention that the soul (or ‘spirit’) is simple: “Every substance is a monad. Every spirit is a substance. Therefore, every monad is also a simple thing.”\textsuperscript{275} The soul is merely posited to be a substance, and on this ground is inferred to be simple. Souls, or spirits, are intellectual monads, which are simple points. An intellectual monad is a monad that clearly and distinctly represents the world.\textsuperscript{276} Baumgarten offers a proof for the substantiability of the soul later in his \textit{Metaphysics}, based on what is required for thinking to take place. Since thinking is an accident, it can take place only either in a substance or an

\textsuperscript{272} Wolff 48 (Paragraphs 742-743).
\textsuperscript{273} Wolff 48-49 (Paragraph 745)
\textsuperscript{274} Ameriks \textit{Kant’s Theory of Mind} 25-26.
\textsuperscript{275} Baumgarten 112 (Paragraph 404).
\textsuperscript{276} Baumgarten 110-111 (Paragraphs 399, 402).
aggregate of substances. A possible aggregate of substances that make thought possible is referred to by Baumgarten as thinking matter. Baumgarten rejects the possibility of thinking matter, leaving only the options that “whatever can think is either a substance, a monad, or a whole of which a substance that can think is a part. Therefore, every soul is a substance, a monad…Every spirit is the sufficient ground of the inherence of its accidents.” Here we see the hallmark of the first paralogism: thinking, as an accident, requires a substance to perform the thinking. Granted how familiar Kant was with Baumgarten’s Metaphysics, it’s likely that he has this passage in mind when he formulated the minor premise stating the rule.

The Second Paralogism

In the A edition, Kant presents the second paralogism in the following syllogism:

- That thing whose action can never be regarded as the concurrence of many acting things, is simple.
- Now the soul, or the thinking I, is such a thing.
- Thus [the soul is simple].

The argument goes as follows: there is a difference between those effects produced by an aggregate of substances, such as interacting bodies, which are external effects, and internal effects, such as when a thinking being thinks. Composites are made up of simple substances which have individual actions of their own, which are then added together or canceled out to produce a total motion. Unlike a body, however, the resulting effect of a thinking being thinking a thought cannot be additive. The collection of parts of a thought never constitutes a whole thought, just as the collection of words in a verse cannot be equivalent to the verse itself. Therefore, only a simple substance thinking can account for the holism of a thought.

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277 Baumgarten 123 (Paragraph 742).
278 Baumgarten 123, 125 (Paragraphs 742, 755).
279 Kant Critique of Pure Reason A351.
280 Ibid 417-418 [A351-A352].
However, Kant challenges the “proposition that many representations have to be contained in the absolute unity of the thinking subject in order to constitute one thought.”\footnote{Ibid 418 [A353].} On what grounds is it claimed that the unity of a thought cannot derive from “the collective unity of the substances cooperating in it (as the movement of a body is the composite movement of all its parts)”\footnote{Ibid 418 [A352-A353].} There is nothing analytically contained in the notion of a unified thought that precludes this possibility, since on a conceptual level a unity of many representations can be accomplished in numerous ways.\footnote{Ibid 417-418 [A352-353].} Furthermore, the “necessary unity of the subject…as the condition of the possibility of every thought” cannot be proven on the basis of experience since experience can never prove anything with absolute certainty, nor do we ever experience ‘absolute unity,’\footnote{Ibid 418 [A353].} only a series of passing inner intuitions.

It is not difficult to see why refuting this possibility is crucial to the Critical project, as can be seen in the following passage:

…there can be no insight into the necessity of presupposing a simple substance for a composite thought according to the rule of identity. But that this same proposition should be cognized synthetically and fully \textit{a priori} from sheer concepts – that answer no one will trust himself to give when he has insight into the ground of the possibility of synthetic propositions \textit{a priori} as we have established it above.\footnote{Ibid 418 [A353].}

A synthetic proposition known \textit{a priori} is both a unified proposition and a proposition constituted from parts. If unity cannot be produced, then cognitions, and with them synthetic propositions known \textit{a priori} would be impossible.\footnote{Ibid 418 [A353].}

\footnote{“If by this unity Kant means the basic capacity for synthesis which he ascribes to the understanding and claims no set of data or receptive faculties can ever explain, then evaluating it may involve a global judgement about the validity of Kant’s epistemology (i.e., a claim that a materialist epistemology – even in an extended form – is impossible)...If Kant’s claim is understood in terms of unified acts achieved by particular individuals, it becomes open to a critique based on natural extensions of his own views.” Ameriks 41}
Each paralogism follows a similar, albeit distinct pattern. In this case, Kant theorizes that we conclude that the soul is simple based on misunderstanding the ‘I think.’ The ‘I think’ is indeed simple, but this predicate only describes the simple logical unity of apperception, not a qualitative description of a spiritual substance. The transcendental I can be nothing more than a ‘Something in general,’ which, lacking particular determinations, can only be simple. Furthermore, as we are by now familiar, predication (i.e. synthesis by means of concepts) is only possible if intuitions are present. Since the soul is not persistently present, it cannot be identified as a substance, let alone a simple substance.

Kant claims that even if we concede that the soul is simple, no ground can be gained in proving that it is distinct enough from perishable matter to persist upon death. On a phenomenal level, we can grant that mind is different from matter. My mind is not extended. I cannot see my thoughts and feelings, let alone the thoughts and feelings of others. But nonetheless, on a noumenal level, mind (or soul) may be composed of the same kind of substrate as matter. Thus, both spiritual and material substrata may be simple. They may even be identical with each other.

*Thinkers Addressed by the Second Paralogism*

According to Eric Watkins, Christian Wolff, Martin Knutzen, Alexander Baumgarten, Christian August Crusius, and Marcus Herz were all influences that contributed to Kant’s formulation of the Second Paralogism. This should not surprise us since Kant says that the argument for the simplicity of the soul “is the Achilles of all the dialectical inferences of the pure

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287 Ibid 419 [A354-355].
288 Ibid 419 [A355].
289 Ibid 419-420 [A356].
290 Ibid 419-422 [A356-A361].
doctrine of the soul.”291 We can find similar arguments that attempt to ascribe simplicity to the soul and subsequently its immortality as early as Plato’s Phaedo.

Christian Wolff

In Wolff’s Rational Thoughts, we discover a somewhat familiar argument, since Wolff’s argument for the substantiality of the soul is grounded on a proof for the soul’s simplicity. Wolff assumes that there are only two possible contenders for thinking substance: bodies and souls. He rules out the possibility that composites, such as bodies, are capable of thinking, which will indirectly prove that the soul – which obviously does think – cannot be a composite being. The argument is presented as follows: Changes in bodies can only occur in relation to alterations in size, shape, and the position of their parts.292 This implies that all bodily changes are locomotive, “since none of these can occur without a change of place.”293 Granted this, if bodies thought, they would have to think by means of “a change that occurred in the position of several parts of a certain size and shape through a determinate motion.”294 To pause over a thought would then mean that this motion would either be impeded or similar parts would have to replicate the motion. If one were to then reflect, or become conscious of the similarities and differences between these two states “according to time as well as with respect to its body,” we would have an act of thinking that does not derive from the motion of parts. Thus, “a body cannot be conscious of this change and of the representation that is thereby brought about. Because thoughts bring consciousness with it, no body can think.”295 Since the soul thinks, it cannot be composed of matter, nor can it be a composite being.296 Evident in this argument is the incompatibility between consciousness and a composite substrate. This is similar to how the

[Footnotes]

291 Ibid 417 [A351].
292 Wolff 47 (Paragraph 738).
293 Wolff 45 (Paragraph 615).
294 Ibid 47 (Paragraph 738).
295 Ibid 47 (Paragraph 738).
296 Ibid 48 (Paragraph 742).
unity of thought is argued to be a whole that cannot be a collection of parts, found in the Second Paralogism.

*Martin Knutzen*

Martin Knutzen offers two proofs for why the soul must be a single, simple monad, and never a collection of monads. These proofs bear a striking resemblance to Wolff’s proof, although they lack any reference to motion.\(^{297}\) The first proof claims that only a simple subject can have an intuition of the distinction between itself and something else, since only a simple subject can picture two distinct representations and then connect them. Since matter is always an aggregate and not simple, this further proves that the soul is not material.\(^{298}\) The second proof accepts that thinking must involve simple monads, and by process of elimination, determines that only one monad in an aggregate of monads that make up a body can possibly be responsible for thinking. Knutzen suggests three possibilities: 1) one monad in an aggregate of monads thinks, 2) all monads in an aggregate think, and 3) thought is the collaborative effort of many monads. Knutzen says the first option is unproblematic. The second option is absurd, since it implies that there are many souls within me, even if they all think the same thought. If each monad thinks something different, “then there will be nothing that compares them all against each other and distinguishes them…”\(^{299}\) The third option bears the most resemblance to the argument Kant critiques in the Second Paralogism.

\[\text{[A] thought cannot be produced by the combined powers of several individual monads, or of the simplest parts of matter insofar as the task of distinguishing [things] and thus every thought inevitably requires the unity of the subject in which it occurs, and the unity of the forces by which it is taken up.}\]\(^{300}\)

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\(^{297}\) Knutzen 80 (Footnote 22).

\(^{298}\) Knutzen 79 (Paragraph 6).

\(^{299}\) Ibid 81 (Paragraph 7).

\(^{300}\) Ibid 81 (Paragraph 7).
Wolff’s influence is also easy to note in the second proof. Thus, because matter is necessarily an aggregate, the monad (which the soul is) must be distinct from matter, since it must be simple in order to think at all.

*Alexander Baumgarten*

We have already discussed Baumgarten’s argument for the simplicity of the soul in the First Paralogism section: “Every substance is a monad. Every spirit is a substance. Therefore, every monad is also a simple thing.”  A soul must be a monad because the conditions of thinking do not allow it to be an aggregate. As a monad, the soul must be simple, since monads are not extended. The soul likewise is ‘physically incorruptible’ because it is not possible for an indivisible entity lacking quantitative magnitude to break apart. Little innovation is evident in this account.

*Christian August Crusius*

In *Sketch of the Necessary Truths of Reason*, Crusius starts his proof for the simplicity of the soul by making a move similar to ones we have previously covered: by distinguishing motion (a change of matter) from thinking and willing (changes of the soul). Crusius claims that the distinction between the two general kinds of change is self-evident. Since matter is characterized by motion and the soul by willing and thinking, the soul cannot be made of matter. Already implicit in such a conclusion is that the soul cannot be a composite, like matter is, which Crusius later goes on to explicate. If the soul were a composite, then willing and thinking would have to be motion, which is contradictory. On the other hand, if thinking, willing, and the soul’s other fundamental powers, are not produced via composition but instead existed in each

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301 Baumgarten 112 (Paragraph 404).
302 Baumgarten 123 (Paragraph 742).
303 Baumgarten 102 (Paragraph 242).
305 Crusius 175 (Paragraph 432).
306 Crusius 177 (Paragraph 473).
individual part of the soul composite, then each part would essentially be a soul already, and the soul would in reality be a composite of many self-subsisting souls. Therefore, even if the soul is composite it still must be simple.\(^\text{307}\)

*Marcus Herz*

Lastly, in *Observations from Speculative Philosophy*, Marcus Herz provides a similar argument to the Comparison arguments referenced above, which lends credence to the Second Paralogism as the consistent fallacious syllogistic form underlying arguments regarding the soul’s simplicity. Herz states this argument in at least two places in the *Observations*: the First Division and the Appendix. Since the Appendix version is more aesthetically pleasing, I will quote part of it at length.

Herz asks us to imagine that we and a friend are in a meadow, each of us smelling a different flower:

> Even before I compare to each other the different releases of these two flowers, I had the rose alone and my friend had the narcissus, and each breathed a special stream of voluptuousness, but as much as we convinced ourselves of our pleasure, it was still impossible for both of us together to determine which stream affected our irascible nerves more softly, which one did so more mildly.\(^\text{308}\)

Only after the flowers are switched and the same subject smells both flowers is a judgment regarding which flower is more pleasant possible. Analogously, a simple subject is necessary when any judgment of comparison is made. A relation between two things requires a subject that constitutes that relation by means of comparison. If the subject is composite and each of its parts received a part of a representation, then each part would in turn need to be simple in order to compare the parts of a representation (i.e. for the comparison to be one comparison). If the

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\(^{307}\) Ibid 177-8 (Paragraph 473).

\(^{308}\) Herz, Marcus *Observations from Speculative Philosophy* 310.
soul is simple, it cannot be destroyed.\textsuperscript{309} Once again, the immortality of the soul is concluded from the soul’s simplicity.

**The Third Paralogism**

In the A edition, Kant presents the Third Paralogism in the following form:

- What is conscious of the numerical identity of its Self in different times, is to that extent a person.
- Now the soul is conscious of the numerical identity of its self in different times.
- Thus it is a person.\textsuperscript{310}

Initially, it would seem that the persistence of the self through time is analogous to the observed persistence of an object of outer sense through time. Likewise, I seem to observe with inner sense a series of inner determinations of a numerically identical self over time.\textsuperscript{311} And insofar as “whenever I am conscious of myself, then I am conscious of myself,” there is no controversy, since this is merely an analytic proposition that says nothing.\textsuperscript{312} But this does not necessarily demonstrate the persistence of an identical self over time.\textsuperscript{313} The Third Paralogism seems to argue that since time, as inner sense, is in the subject, the subject must be numerically identical throughout it.\textsuperscript{314} According to Karl Ameriks,

> [this] mistakes the genuine transcendental claim that time is a mere form for us (i.e., only to be experienced from the human perspective in general) with the quite different and incorrect empirical claim that it is but the form of the individual. If time were such an individual form, it would follow that the self is continuous and a person in it.\textsuperscript{315}

From this Ameriks claims that the real target of critique is once again spiritualism, or the claim that the self persists separate from the body.\textsuperscript{316}

Furthermore, Kant suggests that just because the ‘I’ always attends our representations does not mean that the same ‘I’ has persisted throughout. It is conceivable that the contents of

\textsuperscript{309} Herz, Marcus *Observations from Speculative Philosophy* 295-6.
\textsuperscript{310} Kant *Critique of Pure Reason* A361.
\textsuperscript{311} Kant *Critique of Pure Reason* A362.
\textsuperscript{312} Ameriks, Karl 131.
\textsuperscript{313} Ameriks 131-2.
\textsuperscript{314} Ibid 132.
\textsuperscript{315} Ibid 132-3.
\textsuperscript{316} Ibid 117; Ibid 36.
consciousness at one moment can be transferred to another consciousness, which would result in
the illusion of continuity. This second consciousness would subsequently take itself to be the
first consciousness even though it is distinct. Kant compares it to the force of motion that is
transferred between two elastic balls when one ball strikes another.\textsuperscript{317} A continuity of force
remains even though the objects are distinct. A more science fiction-based example may be the
transporter technology used in the Star Trek universe, or in similar science fiction. A transporter
operates by means of breaking apart an individual into energy and then reassembling them in a
different location. Technically, one individual is destroyed and another created in another
location. In other words, the pattern of the individual (which presumably would include the
neurological patterns that constitute our consciousness and its states) would be transferred into
another individual. Kant seems to imply that this possibility is more evident to an outside
observer than to the subject as such.\textsuperscript{318}

In the B edition, Kant has significantly simplified the problem. The ‘I think,’ which
accompanies all representations I am conscious of, is analytically identical with itself at any
given point in time. However, the ‘I’ in this case is not an intuition. Thus, the persisting identity
provided by the ‘I think’ does not necessarily refer to the identity of a person at all. As pointed
out by consideration of the First Analogy, nothing in the flow of inner intuitions is sufficient to
be ordered by means of the category of substance.\textsuperscript{319}

\textit{Thinkers Addressed by the Third Paralogism}

According to Eric Watkins, the development of Kant’s Third Paralogism was shaped by
Alexander Baumgarten, Johann August Eberhard, and Jphann Nicolaus Tetens. Since
Baumgarten’s influence is marginal and comprised primarily by his assertion that personality is a

\textsuperscript{317} Kant 423 [A363-364].
\textsuperscript{318} Ibid 364.
\textsuperscript{319} Ibid B408-9.
trait of the soul that cannot be removed without the soul ceasing to be a soul. I will focus on the two latter thinkers.

Johann August Eberhard

In *Universal Theory of Thinking and Sensing*, Eberhard claims that the soul represents itself to itself as a subject that persists throughout various determinations. Such a numerically identical representation is only possible if the underlying subject is in fact numerically one. A diversity of passing subjects would be as impossible, for Eberhard, as much as a diversity of powers is. It is due to ‘the simplicity of the basic power’ that the soul can think of itself as a numerically identical personality. “For the conservation of the I and of personhood depends simply on the consciousness of its uninterrupted persistence.” Such a line is very similar to the first premise of the Third Paralogism: “What is conscious of the numerical identity of its Self in different times, is to that extent a person.” Thus, when the soul reflects upon its past, it thinks itself to be the subject of all previous changes, up until the present time. If it didn’t, if there was a time in which the soul did not recognize itself as the subject of previous changes, then for all intents and purposes, there would be a discontinuity of self so radical that the same person could not be said to have persisted. “For this reason one easily sees that it is merely the consciousness of the continuity in our representations through which our soul recognizes its numerical identity and assures itself that it still persists as the same I or moral individual.”

Here we have the two essential components of the syllogism: a definition of personality which relies on the continuity of consciousness, and a claim that this continuity is experienced.

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320 Baumgarten 125-6 (Paragraph 756).  
321 Eberhard 325 (Pages 23-25)  
322 Eberhard 326 (Page 25).  
323 Ibid 326 (Page 25).  
324 Kant *Critique of Pure Reason* A361.  
325 Eberhard 326 (Pages 25-6).  
326 Eberhard 326 (Page 26).
Johann Nicolaus Tetens

In *Philosophical Essays on Human Nature*, Tetens responds to the Humean challenge that the self is a disjointed flow of impressions, lent convenient unity by the imagination.\(^{327}\) Tetens responds by saying that Hume has not considered all impressions, and that, despite his observations, a numerically unified subject can be perceived. With awareness of impressions always comes a further awareness that any feeling of modification is but the most present part of a greater, although more obscure feeling of a subsisting background to all of my thoughts and impressions. This background never changes, so it is numerically identical from one moment to the next.\(^{328}\) “For that reason the concept of the identity of our I [comes] from comparing the present feeling of our I, as a subject with the features that are present in it, to a similar feeling that was reproduced from the past.”\(^{329}\) Furthermore, the numerical unity of the representation of the I “is not a collection of individual representations” that our imagination rhapsodically unifies. Instead, the unity of the I is evident in the impression itself.\(^{330}\) Tetens identifies the personality of the self by means of both a fundamental, subsisting feeling, or impression, and a comparison of that feeling with itself, felt at different times, which is similar to the Third Paralogism.

**The Fourth Paralogism**

The Fourth Paralogism of the ideality of outer relation in the A edition is the following:

- That whose existence can be inferred only as a cause of given perceptions has only a doubtful existence.
- Now all outer appearances are of this kind: their existence cannot be immediately perceived, but can be inferred only as a cause of given perceptions.
- Thus the existence of all objects of outer sense is doubtful. This uncertainty I call the ideality of outer appearances, and the doctrine of this ideality is called idealism, in

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\(^{327}\) Tetens 369 (Fifth Essay)
\(^{328}\) Tetens 370.
\(^{329}\) Tetens 370.
\(^{330}\) Ibid 370-371.
comparison with which the assertion of a possible certainty of objects of outer sense is called dualism.\textsuperscript{331}

This paralogism assumes that we only have direct access to objects of inner sense, such as acts of thought and feeling, and that objects of outer sense can only be indirectly posited as the causes of inner perceptions. Without direct access, objects of outer sense cannot be known for certain. Kant refers to this skeptical position as idealism.\textsuperscript{332} He draws two further distinctions: between idealism and transcendental idealism, and transcendental idealism and transcendental realism. Kant’s own position, transcendental idealism, holds that all appearances, inner as well as outer, (within time as well as space), are representations rather than things in themselves. Transcendental realism, on the other hand, takes objects of outer sense, including time and space, as things in themselves rather than as representations, or aspects, of the mind. Transcendental idealism is also a dualism, since it distinguishes between appearances of outer sense, bound up in the pure intuitions of space and time, and inner sense, which is only temporal.\textsuperscript{333}

The Fourth Paralogism is ultimately erroneous because all representations are mere representations of consciousness and when considered apart from their relation to the subject can be nothing at all. Inner objects and outer objects are differentiated not by the former being immediate to the subject and the other being mediate to it, but by the former representations being in time and the latter representations being in both time and space.\textsuperscript{334} To assume that outer objects are inferred causes of perceptions is to, in turn, make it logically impossible to determine whether or not such unknown causes exist outside us or inside us.\textsuperscript{335} This opens the door to solipsism, a threat Descartes invites by assuming a difference between perceptions and the alleged real objects underlying them in space and time. Kant quells this threat by distinguishing

\textsuperscript{331} Kant Critique of Pure Reason A366-A367.
\textsuperscript{332} Kant Critique of Pure Reason A368-9.
\textsuperscript{333} Ibid 425-426 [A368-70].
\textsuperscript{334} Ibid 427 [A370-1].
\textsuperscript{335} Ibid 427-428 [A372].

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between objects encountered in space and transcendentally external objects that affect our senses but are never objects of possible experience.\textsuperscript{336} The materials for outer intuitions and subsequent imaginings must always come from sensations produced by a noumenal object affecting the senses and then subsequently given in space and time.\textsuperscript{337} At the very least, objects in space and time cannot be doubted any more than our inner intuitions can be since the only thing representations can correspond to are themselves.

Kant is ultimately critiquing two extremes that operate by means of the same transcendental realist assumption: pneumatism and materialism. Pneumatism, adopted by the spiritualist, prioritizes the mental world of inner sense, while materialism prioritizes the material world of outer sense.\textsuperscript{338} However, “the transcendental object that grounds both outer appearances and inner intuition is neither matter nor a thinking being in itself, but rather an unknown ground of those appearances that supply us with our empirical concepts of the former as well as the latter.”\textsuperscript{339} Neither mental substance nor physical substance is known to exist in itself, so it is possible that both are underlied by the same kind of thing (if such a distinction still holds on a noumenal level).

Implicit in Kant’s response to the Fourth Paralogism is a response to the soul-body interaction debate, which I discussed thoroughly when covering Martin Knutzen. Transcendental Idealism rejects the notion that objects of inner and outer sense are anything more than appearances, so a material object can never be the cause of a psychic effect, and vice versa. Therefore, neither physical influence (or influx), pre-established harmony, or supernatural

\textsuperscript{336} Ibid 427-428 [A373].
\textsuperscript{337} Ibid 428 [A373-37]4.
\textsuperscript{338} Ibid 431 [A379-80].
\textsuperscript{339} Ibid 431 [A379-80].
assistance (ocassionalism) are viable, since all three assume a substantial distinction between mind and matter.\textsuperscript{340}

Kant changes the Fourth Paralogism to make it more about the subject rather than the object, in the B edition:

That I distinguish my own existence, that of a thinking being, from other things outside of me (to which my body also belongs) – this is equally an analytic proposition; for other things are those that I think of as distinguished from me. But I do not thereby know at all whether this consciousness of myself would even be possible without things outside me through which representations are given to me, and thus whether I could exist merely as a thinking being (without being a human being).\textsuperscript{341}

Whereas the A edition was concerned with the metaphysical and epistemological status of objects of outer sense, the B edition focuses on the distinction of the soul from the body and surrounding world. But, as Kant points out, the soul is defined in contrast to everything else, so we can know nothing about whether or not it can be understood distinct from the body or the outside world. As Kant discusses in the Refutation of Idealism, I can only be conscious of my existence as determined in time by means of a persistent thing. Since inner sense does not provide such a persistent thing, self-awareness relies on the persistent objects of outer sense to be possible at all.\textsuperscript{342} Thus, it would seem that Kant is skeptical of too drastic a cleaving of soul from body and world.

\textit{Thinkers Addressed by the Fourth Paralogism}

According to Eric Watkins, the formulation of the Fourth Paralogism was influenced by Alexander Baumgarten, but it seems just as likely that it was also influenced by Johann Nicolaus Tetens, as well as the more obvious Cartesian tradition. Kant explicitly references Descartes insofar as the Fourth Paralogism produces Cartesian dualism, one of Kant’s targets.\textsuperscript{343} But

\textsuperscript{340} Ibid 436-437 [A389-390].
\textsuperscript{341} Ibid 446 [B409].
\textsuperscript{342} Ibid 326-327 [B274-276].
\textsuperscript{343} Ibid 425-426 [A367-A368].
granted that we have already acknowledged how this kind of dualism is based on the false assumption that representations of outer sense are fundamentally different from those of inner sense (or at least that the source of outer appearances is uncertain), it no longer bears repeating. I will restrict my main discussion to Baumgarten and Tetens.

In the *Metaphysics*, Baumgarten defines many of the positions that Kant will redefine using his own transcendental framework, such as idealism and materialism. Working from a Leibnizian (monadic) framework, Baumgarten defines idealism as the position that only intellectual monads exist in the world. Such a position would represent the pneumatism and spiritualism that Kant is critiquing in the Fourth Paralogism. Materialism is defined as the position that monads do not exist in the universe.

In the *Philosophical Essays on Human Nature*, Tetens presents an argument regarding the priority of impressions and the impressional experience as self-evident testimony of the existence of an outer world similar to the argument Kant provides in the A edition of the Fourth Paralogism. Tetens first distinguishes between the inner feelings of the soul, the feelings of the body, and the impressions of external objects. Since we generate the concept of an actual object from all of them, all three must have the predicate ‘actual object’ assigned to them. Nonetheless, Tetens seems to give special attention to external impressions. When we are affected by an external object, the soul is ‘drawn outside of itself,’ so that only the external impression is felt. “It must be present in the soul alone, separate from all others, and it must subsist for awhile in this way, and it must then also be represented in this way alone again as separate.” The emphasis on the persistence of the impression is analogous to Kant’s emphasis on external

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344 Baumgarten 111 (Paragraph 402).
345 Baumgarten 109 (Paragraph 395).
346 Tetens 373.
347 Tetens 372.
impressions as the only viable intuitions to which the category of substance can be applied, precisely because they do persist.

2.6 Final Words On The Paralogisms

The paralogisms are an inevitable illusion of reason produced when reason attempts the synthesis of the conditions of a thought in general.\(^{348}\) Thus is born rational psychology, a discipline that attempts to understand the nature of the soul without appeal to experience. As a comprehensive doctrine, rational psychology starts from one proposition – the substantiality of the soul – then builds onto this proposition with each additional paralogism. The soul is said to be a simple substance, then a numerically identical simple substance, and finally a numerically identical simple substance that is distinct from the body and the world. These predicates are determined by those four categories in each class which “ground the unity of the remaining ones [of that class] in a possible perception…subsistence, reality, unity, and existence.”\(^{349}\) Rational psychology attempts to think four kinds of unconditioned unity: unity of relation, unity of quality, unity in the multiplicity of time (quantity), and unity of existence in space (modality).\(^{350}\)

Rational psychology takes apperception (the ‘I think’) as its ‘sole text,’ but such a text is barren of all theoretically useful implications. Apperception is the ground of the possibility of the categories but cannot be grasped by means of them: “I cannot cognize as an object itself that which I must presuppose in order to cognize an object at all.”\(^{351}\) Instead, all we can say is that the categories are employed through apperception.\(^{352}\) Each paralogism is a fallacy of equivocation since the major premise uses a category transcendentally while the minor premise

\(^{348}\)Kant *Critique of Pure Reason* 439-440 [A397].
\(^{349}\)Ibid 443 [A403].
\(^{350}\)Ibid 443 [A404].
\(^{351}\)Ibid 442 [A402].
\(^{352}\)Ibid 442 [A401-402].
and conclusion use the same category empirically.\textsuperscript{353} We are left with neither empirical psychology, nor rational psychology as a viable means of conceiving of the soul.

Left unanswerable are three fundamental questions rational psychology attempts to address:\textsuperscript{354}

1. What is the nature of the community of the soul with an organic body? ("i.e., the animality and the state of the soul in the life of the human being")
2. What is the nature of the beginning of this community? ("i.e., of the soul in and before the birth of the human being")
3. What is the nature of the end of this community? (i.e., “of the soul in and after the death of the human being” - immortality).

Evident in these questions is a temporal element: a before, a during, and an after. Kant’s own theoretical framework does not permit us to answer these questions either, and can only safeguard us from the dangers of materialism and spiritualism.\textsuperscript{355} They can be addressed, however, practically. Understanding the subject practically will be the task undertaken in Chapter Six. Before this can be accomplished though, I must return to the second danger to freedom: Heteronomy of Choice.

\textsuperscript{353} Ibid 442-443 [A402-403].
\textsuperscript{354} Ibid 443 [A384].
\textsuperscript{355} Ibid 451-452 [B419-B421].

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3.1 Heteronomy of Choice: Introduction to the Task of the Chapter

While empirical psychology and rational psychology concern themselves with the self as a theoretical object, ethics is concerned with the self as a practical subject. The former consider the self as both an empirical ego and a rational soul (absolute subject). A similar division can be made in the latter. Thus, if we assume that there are two general forms of inquiry (theoretical and practical) and two kinds of material of study (objects and subjects), then an exploration of ethics would complete this study of the sciences of the self. This chapter will concern the practical inquiry into the empirical ego, and will explore in-depth the four kinds of ethical systems that concern that empirical ego. The latter, which concerns the ethical theory addressing the rational soul, will be explored in Chapter Six. I read Kant as saying the following: All ethical theories before his time fail to actually address the practical subject qua subject, and instead, perhaps against their very intentions, address the self as a practical object instead (a contradiction in terms). Only one ethical theory would thus, in his eyes, consider the subject qua subject: his own. In other words, as we will see, the will that complies with principles concerned with what is exterior to itself is not free; it is not acting as an autonomous subject as much as it is a reactive object conditioned by the phenomenal world (in Kant scholarship, whether or not we can so neatly parse the self into a free soul and a determined ego is hotly debated). Kant refers to the state in which the self complies with practical principles concerned with that which is external to itself as ‘heteronomy of choice.’

To do justice to an account of heteronomy of choice and its counterpart, autonomy of the will, I will need to start where Kant does in the Critique of Practical Reason: with an account of the faculty of desire. “The faculty of desire is a being’s faculty to be by means of its

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representations the cause of the reality of the objects of these representations...Life is the faculty of a being to act in accordance with laws of the faculty of desire."\(^{357}\) The will of a rational being can be directed by means of two kinds of principles: those that require an object to be attained, and those that merely tell the will what it ought to will without regard for ends (or objects). The former is called *heteronomy of choice*. A practical principle in such a context can only instruct the will to pursue specific means towards a desired end and amounts to little more than a prudent guideline. These principles are implicitly hypothetical imperatives that suggest the conditions necessary for attaining a conditional end (as opposed to a categorical imperative that obligates an agent to perform it regardless of circumstances). An example of a hypothetical imperative would be ‘If I want a doctorate, then I will write a high quality dissertation.’ In such cases, the desire for the object necessarily precedes the practical principle and determines it.\(^{358}\) I may determine the end but the world determines the means to attain it. Furthermore, whether or not the end is attained is not fully in my control. Even if the object in question is ostensibly an inner state (for example, happiness), it is technically external to the will, seeing that the will cannot will even an inner state of mind such as this the same way it can will to act in a certain way. I may determine pleasure to be the good and a delicious slice of pizza to be a means towards getting it, but the pizza shop may be closed. To achieve a hypothetical end depends rather on a concatenation of conditions outside of the will’s control.

Kant makes the bold claim that all heteronomous principles ultimately seek the same object, pleasure, or, what amounts to the same thing: happiness.

The determining ground of choice is...the representation of an object and that relation of the representation to the subject by which the faculty of desire is determined to realize the object. Such a relation to the subject, however, is called pleasure in the reality of the object. This would therefore have to be presupposed as a condition of the possibility of the determination of choice.\(^{359}\)

\(^{357}\) Kant, Immanuel, “Critique of Practical Reason,” in *Practical Philosophy* 144.
\(^{358}\) Kant, Immanuel, “Critique of Practical Reason,” in *Practical Philosophy* 155.
\(^{359}\) Ibid 155.
Because an object is necessarily external to the will, when the will seeks to attain it, it seeks to attain a particular relationship of the faculty of sensibility to it, which produces pleasure.

“Pleasure is the representation of the agreement of an object or of an action with the subjective conditions of life.” Happiness, for Kant, is not qualitatively distinct from pleasure and is but the extension of this agreeable state over the span of a lifetime (Whether or not there are qualitatively distinct forms of happiness will be addressed in Chapter Six).

Despite the object of desire being affirmed as intrinsically good, Kant seems to imply that the motivation to acquire the object is fundamentally the subjective state resulting from the attainment of the object. This requires some explanation, since it seems counter-intuitive. Because human beings are both rational souls and sensuous egos, there are two concurrent ways the will can be determined: objectively and subjectively. The objective determining ground is the ‘appraisal of the action,’ which determines what is right and wrong. But the objective determining ground is not sufficient to move the agent to act. “Since we are not fully rational, but, rather, partly sensuous, we require a distinct subjective, or motivating, ground that can affect us sensuously” (a maxim, or “subjective principle of volition”). In other words, in order for embodied, rational beings to comply with obligation, some ‘incentive’ must ‘move’ its sensuous nature so that we can comply with obligation and act morally. Morally, that incentive would be respect for the moral law. But we are concerned in this chapter with those practical principles that only appear moral, but are really only precepts of prudence. For Kant, the only non-moral incentive that can motivate an embodied, rational being is pleasure, or happiness.

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360 Ibid 144. Whether or not there could be forms of pleasure that arise without such an agreement between an object or action with the subjective conditions of life is unclear. For example, is sado-masochism an exception?
361 Ibid 156.
364 Ibid 16-17.
Kant’s point here is that if an end, or object, contained in a maxim determines choice, then this determination is contingent upon the empirical fact of whether or not the agent associates pleasure with this end or object. In saying this, Kant implies that it is the anticipation of pleasure that is associated with an end contained in a maxim that determines choice (according to the maxim). Thus, for Kant, the end in which we are interested is associated with pleasure, and this association is not broken when the end is incorporated into a maxim. Maxims are not merely cognitive principles. Instead, they represent the meeting ground of our rationality and our pathology.365

That being the case, the kind of object desired is irrelevant, since all ‘material practical principles’ have the same subjective determining ground, pleasure, and with it, the lower faculty of desire.366

Kant derives an architectonic of material practical principles based on a two-fold classification of objects that Kant takes to be comprehensive. There are objects of outer sense and objects of inner sense. These objects, in turn, are either subjective or objective. All subjective objects are empirical objects, while all objective objects are rational objects.367

Objective objects entail the concept of perfection, either “as a characteristic of the human being” (such as an individual’s moral character, talent, or skill) or “the supreme perfection in substance” (God).368 Ultimately though, all material principles are empirical, including objective material principles conceived in thought, since “perfection in the practical sense is the fitness or adequacy of a thing” for an end, and ends are objects sought for the subsequent agreeable state they permit.369 One may criticize this conclusion by pointing out that the object could be pursued for its own sake and may not be motivated by a pleasurable outcome at all, but even if this were the case, the circumstantial nature of achieving success would make the moral nature of the act contingent.

Kant uses this architectonic to categorize all competing kinds of moral theories, typically including a contemporary exemplar for each sub-variety. Below is the table containing these

365 Ibid 118.
366 Kant Critique of Practical Reason 156.
367 Ibid 172.
368 Ibid 173.
369 Ibid 172-3.
moral theories, which he provides in the *Critique of Practical Reason*. In the next section, I will include a detailed exposition of each moral theory indicated and why it is classified as it is.

**Practical Material Determining Grounds in the Principle of Morality**

We must understand Kant’s general criticism of these moral theories in context to freedom. As noted, these theories propose principles that bind us to the caprice of circumstance rather than self-determination. This parallels a Stoic distinction Epictetus makes in the *Manual of Epictetus*:

> Of all existing things some are in our power, and others are not in our power. In our power are thought, impulse, will to get and will to avoid; and, in a word, everything which is our own doing. Things not in our power include the body, property, reputation, office, and, in a word, everything which is not our own doing. Things in our power are by nature free, unhindered, untrammled; things not in our power are weak, servile, subject to hindrance, dependent on others…There is but one way to freedom – to despise what is not in our power."

For Kant, we can control the manner in which we will, or put otherwise, the determining grounds for our practical principles. The proper province of morality is the will rather than the world. And just like with the Stoics, to determine one’s will in accordance with something out of its control (in this case, an object) means to become unfree. This occurs in two ways: pragmatically

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370 Ibid 172.
and metaphysically. Pragmatically, a will that seeks an object is not sufficient unto itself and can only comply with a heteronomous principle if it has both the power and physical ability to “make the desired object real.”\(^{372}\) If circumstances do not cooperate with the will’s aspirations, the principle cannot be satisfied. Thus, success and failure are not completely determined by the will alone but also by the world. Metaphysically, to pursue an object of desire Shackles the self to the world of sense, and with it, the unbreakable chain of cause and effect. Desires, inclinations, and all other subjectively determining causes belong to feeling and thus the faculty of sensibility.\(^{373}\) The faculty of sensibility is in turn a part of the world of sense, which is the order of appearances.\(^{374}\) As Kant outlines in the Second Analogy of Experience in the First Critique, “All alterations occur in accordance with the law of the connection of cause and effect.”\(^{375}\) Therefore, all appearances, of which all sensible desires and inclinations are included, are bound up in a chain of cause and effect that does not allow for freedom.

And while Kant is not concerned here with ataraxia (to which he gives little moral regard), nor a fortiori with those lifestyles that can best secure it, he is concerned with those practical principles that are counterposed to freedom. Morality, if it is indeed to secure freedom for the self, must secure two kinds of freedom: negative and positive. The former, negative freedom, is freedom from the natural order of cause and effect; while the latter, positive freedom, entails the moral principles that explicitly legislate free actions.\(^{376}\)

I contend that Kant’s Table of Heteronomy is an architectonic for all manners in which the will can be controlled, largely because 1) control can be conceived of as the influence of an object upon a will which undermines its self-determination, and 2) Kant has provided an

\(^{372}\) Ibid 170.
\(^{374}\) Ibid 103-4.
\(^{375}\) Kant Critique of Pure Reason B232.
\(^{376}\) Kant Critique of Practical Reason 166.
architectonic of all kinds of objects, which, when rendered the determining ground of the will (or motivating end), undermine its self-determination. I will use this table to organize Foucault’s analyses of power into a four-fold system in Chapter Four. Such an application is all the more legitimizied by the fact that these four forms of heteronomy are also four kinds of desire, four kinds of imperative that incite the subject to seek its own subjection, just as power does for Foucault.

Thus it is crucial to familiarize ourselves with the intricacies of this table, for the sake of accomplishing three tasks: 1) to provide an account of the practical science of the empirical ego (heteronomous ethics), 2) to better understand Kant’s position on how the will’s freedom may be undermined, and 3) to employ this classification more globally to see Foucault’s work in a different light. In this spirit I will be explicating each moral theory Kant mentions in the Table, starting with the ‘subjective-external’ moral theories of Michel de Montaigne and Bernard Mandeville.

3.2 Subjective-External Material Practical Principles

What does Kant mean by a ‘subjective-external’ material practical principle? A ‘subjective’ principle in this case cannot necessarily mean ‘personal’ since then it would not be external. The only external object that is also subjective, or put otherwise, that lacks objective necessity, is culture, since culture is relative, yet not relative to each individual’s opinion or feeling. Mores, as opposed to morals, are cultural artifacts that vary like any other custom. In a certain respect, the subjective-external register is the sole locus of investigation taken up by the moral (or cultural) relativist, since the latter conflates morals with mores and looks upon the moral codes of a given society as nothing but an arbitrary set of cultural practices contingently selected from a contingent field of possible valuations, neutral and without voice until selected.
It is in this respect that Kant’s condemnation of heteronomous principles resonates with the critic of the moral relativist, *insofar as moral relativism chains us to the contingencies of our culture’s social and historical determinations without providing an objective position ‘outside’ the system to critique its mores and free us.*

Kant identifies two kinds of societal principles: education and civil constitution. Before exploring each individually, it is important to question why Kant distinguishes these two different subjective-external principles from the general pack of subjective-external principles at all, since this organizational decision might indicate a comprehensive division inherent in the nature of subjective-external objects themselves. In fact, this bifurcation can be noted in the subjective-internal register as well, which may point to a characteristic distinction inherent in all subjective objects (even if the principle that distinguishes them turns out to be different in each register). I take it that Kant implicitly emphasizes this in the second *Critique*, since he presents here a simplified, perhaps more refined version of the list of subjective-external moral theories that he provides in his *Lectures on Ethics*.377 The distinction must be more than a difference of scale, since moral education need not be one-on-one, such as the tutor-pupil relationship Montaigne seems to assume in his essay *On the Education of Children.*378 Theoretically, what is to stop a much broader moral educational program from being instituted? To solve this mystery, it seems plausible to look at both practical principles as just the determining grounds they are, namely as formative of something. It is not insignificant that a moral education traditionally applies to children while a civil constitution does not. Regardless of the scale of application, a moral education forms individuals (in this case, cultivating those virtues in a child necessary for

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378 “When, according to our common practice, a teacher undertakes to school several minds of very different structure and capacity with the same lessons and the same measure of guidance, it is no wonder that, among a whole multitude of children, he scarcely finds two or three who derive any proper profit from their teaching.” Montaigne, Michel de, “On the Education of Children” in *Essays.* (London: Penguin Books, 1958), 55.
becoming a responsible adult) while a civil constitution forms societies. We would consider an
education squandered that merely created an orderly classroom, but a civil constitution
successful that created an orderly society.

Furthermore, we should not be too quick to pass over the apparent contradiction between
the subjective axis and the external axis, since it is here, more than anywhere, that Kant
emphasizes *de jure* universality over *de facto* universality. In fact, the external-subjective
designation indicates the qualitative limits of subjective judgment, which reinforces a distinction
Kant makes in the *Critique of Practical Reason* regarding moral necessity and contingency:

But suppose that finite rational beings were thoroughly agreed with respect to what they had to
take as objects of their feelings of pleasure and pain and even with respect to the means they must
use to obtain the first and avoid the other; even then they could by no means pass off the *principle
of self-love as a practical law*; for, this unanimity itself would still be only contingent. The
determining ground would still be only subjectively valid and merely empirical and would not
have the necessity which is thought in every law, namely objective necessity from a priori
grounds, unless one had to say that this necessity is not practical at all but only physical, namely
that the action is as unavoidably forced from us by our inclination as is yawning when we see
others yawn.379

Despite the content of the passage pertaining to happiness, Kant is making a broader point about
the limitations of heteronomous principles, especially those principles that could potentially
claim that their *de facto* scope is identical to the scope of a universal and necessary categorical
imperative. Since happiness is assumed to be the aim of all rational beings, Kant can use it to
test the limits of heteronomy. Happiness, like any contingent psychological state, is a matter of
fact. Morality, for Kant, cannot be grounded on matters of fact, since matters of fact are
contingent. As Kant notes in the second *Critique*, at best such principles can act as ‘general
rules’ but never ‘universal rules.’380 Subjective-external principles, whose domain can
theoretically extend to the boundaries of all human artifice, will never so extend as to outstrip the

379 Ibid 159-60 (5:26)
380 Ibid 169 (5:26)
stain of contingency. A set of mores, even if universally assented to by a cosmic and comprehensive multitude, could always be otherwise.

If the reader may indulge a repackaging of the exposition to follow, Kant outlines not merely a distinct class of moral principle (the subjective-external), but also a different kind of subject: the cultural subject. Such a subject is linked either to societal mores or to civil law and its strictures. Since they are ‘external’ to the pathological immediacy of the individual, we can consider such principles to be ‘ideal.’ Any practical science that stays without the confines of a cultural relativist horizon will find nothing but a patient passively shaped by social forces. The only question such a science may ask is which social force is efficacious. I will now turn to the two forms of subjective-external material practical principles: those grounded in education (Montaigne) and those grounded in civil constitution (Mandeville).

*Michel de Montaigne’s ‘Education-based’ Moral Theory*

In his essay *On the Education of Children*, Montaigne argues that a proper education is most of all a moral education. When describing the ideal curriculum, Montaigne notes, “…the first ideas which [the pupil’s] mind should be made to absorb must be those that regulate his behavior and morals, that teach him to know himself, and to know how to die well and live well.”

> Our pupil should be told…what it is to know and not to know, what the aim of his study should be; what courage, temperance, and justice are; what the difference is between ambition and greed, servitude and submission, license and liberty; by what signs one may recognize genuine and solid contentment; to what extent we should fear death, suffering, and shame.

Foremost amongst the pupil’s education is the liberal art that “makes us free,” philosophy. Already we can note a sentiment shared by Kant and Montaigne: freedom is in the province of morality. Before the pupil has encyclopedic knowledge, the pupil must be reared to know the

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382 Ibid 65.
383 Ibid 65.
proper way to use that knowledge, since, as Plato acknowledges in the Republic, the most knowledgeable have the greatest potential to abuse the knowledge they have.\textsuperscript{384}

Montaigne opposed theoretical pedagogical agendas that bore no practical fruit, favoring instead a pruning of speculative investigations:

If we knew how to restrict our life-functions within their just and natural limits, we should find that most of the branches of knowledge in their current usage are valueless to us; and that even in those which are valuable, there are quite profitless stretches and depths which we should do better to avoid.\textsuperscript{385}

Pedagogy should be hands-on rather than based on the excruciating study of texts (Montaigne sometimes reminds us of how few classics he has actually read from cover to cover).\textsuperscript{386} In line with this approach, the tutor necessarily teaches the pupil that the practice of virtue is joyful rather than burdensome,\textsuperscript{387} just as all learning should be.\textsuperscript{388} Montaigne tears down traditional walls, such as those between happiness and virtue, world and classroom, and mind and body, since an education divorced from utility is constantly at odds with everyday life and can never hope to gain traction in the heart of a pupil who must spend the majority of life outside classroom walls. The world itself becomes the pupil’s classroom,\textsuperscript{389} a classroom that lends its pupil a lens that puts his or her own circumstances in global perspective.\textsuperscript{390} Furthermore, the reserve of the mind must be shored up by the natural endurance of a properly trained and hardened body: “When athletes ape the endurance of philosophers, it is rather out of strong

\textsuperscript{385} Montaigne 65.
\textsuperscript{386} Ibid 49-50. “But as for plunging any deeper, or for biting my nails over the study of Aristotle, the monarch of modern learning, or stoutly pursuing any particular branch of knowledge, that I have never done…I have never settled down to any solid book except Plutarch and Seneca, into which I dip like the Danaids, filling and emptying my cup incessantly. Some part of my reading sticks to this paper, but to myself little or nothing sticks.”
\textsuperscript{387} Ibid 67-9.
\textsuperscript{388} Ibid 72-3.
\textsuperscript{389} Ibid 61. “He must be warned that when in company he should have his eyes everywhere….Let an honest curiosity be instilled in him, so that he may inquire into everything; if there is anything remarkable in his neighborhood let him go see it, whether it is a building, a fountain, a man, the site of an ancient battle, or a place visited by Caesar or Charlemagne.”
\textsuperscript{390} Ibid 63-4.
nerves than a steadfast heart.” And likewise, all idiosyncrasies of taste must be trained out of
the pupil, so that he or she can adapt to any custom or circumstance no matter how foreign or
unusual; the pupil should always choose the good deliberately rather than merely out of
incapacity. “It is not a soul or a body that one is training, but a man; the two must not be
separated.”

However, a complication in Kant’s account immediately arises: in what way can
education be a motivating end for the will? Perhaps Kant means that education is what shapes
the will, and thus determines it, but what is in question for a practical principle is not the method
by which an ethics is acquired but the content of that ethics; what it instructs us to do. In what
way is education such a content?

It is in Kant’s Lectures on Ethics that a clearer (but not necessarily more accurate)
representation of Montaigne’s position is presented which explains how education can act as a
practical material principle:

> The empirical system of the theoretical concept of morality includes…external grounds. Those
> who posit morality therein say that all morality rests on two things: on education and on
government. All morality would be a mere custom, and we judge by custom concerning all
> actions, by rules of education or by laws of the sovereign authority. So moral judgment arises by
> way of example or legal prescription. Montaigne took the first view. He says: In different parts of
> the world we also find that men differ in regard to morality; thus in Africa, theft is allowed, in
> China parents are permitted to throw their children on the street, the Eskimos strange them, and in
> Brazil they are buried alive.

Here Kant refers to practical principles based on education as ‘rules’ and ‘examples.’ Further on
the same page, Kant elucidates this further, claiming that Montaigne’s position (one that assumes
education is the determining ground of the will) is that something is moral merely by virtue of

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392 Ibid 74.
393 Ibid 72.
394 Kant, Immanuel, “Moral Philosophy: Collin’s Lecture Notes,” in Lectures on Ethics, ed. and trans. Peter Heath
custom, or by virtue of being taught it is right to perform. Regarding lying, “Were it to rest upon education…then anyone educated…where lying is permitted, would be at liberty to lie.”

Is this typology congruent with Montaigne’s own position? What is the possible source material for this apparent caricature? While it is unclear which Montaigne essays Kant himself read, there is some textual support for Kant’s reading. Note for example Chapter XXII of Montaigne’s famous *Essays*, called ‘Of Custom, and that we should not easily change a law received:’

The laws of conscience, which we pretend to be derived from nature, proceed from custom; every one having an inward veneration for the opinions and manners approved and received amongst his own people, cannot without very great reluctance depart from them, nor apply himself to them without applause…[W]hatever is off the hinges of custom is believed to be also off the hinges of reason…

By itself, this does not sufficiently demonstrate that Montaigne equates the laws of conscience with morality as such (Kant certainly did not). Nor is there anything prescriptive indicated about this passage.

It is later in this essay that Montaigne shifts from a descriptive to a prescriptive approach to custom, which may give some credence to Kant’s reading:

Let us take another view of the subject: it is a very great doubt whether any so manifest an advantage can accrue from the alteration of a law or custom received, let it be what it will, as there is danger and inconvenience in doing it; forasmuch as government is a structure composed of several parts and members joined and united together, with so strict affinity and union that it is impossible to stir so much as one brick or stone but the whole body will be sensible of it…For my own part I have myself a very great aversion for novelty, what face, or what pretence soever it may carry along with it, and have reason, having been an eye-witness of the great mischiefs produced.

He follows this with a curious epistemological position: “[It seems] to me very wrong to wish to subject public and established customs and institutions to the weakness and instability of a

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395 Kant Lectures on Ethics 49 (27:254).
397 Ibid 46.
private and particular fancy (for private reason is but a private jurisdiction)...” 398 This is not to say that all innovation must be banned outright, as even Montaigne concedes that there are rare occasions that necessitate it, but that without “the hoary beard and wrinkled face of ancient use,” namely custom, we would grow dissatisfied with a great many things bolstered by custom alone which we should nonetheless practice. 399 This seems to be a very strange uncritical position for a philosopher to take. Not only that, but it seems that the grounds Montaigne gives for endorsing obedience to custom – societal stability – would be the implicit moral motivator, not the authority of custom as such.

Interestingly enough, as we have seen, Montaigne has given us insight into how he thinks a child should be educated, in On the Education of Children. If the principles of a moral education were up to the caprice of the tutor, then anything would go, which is clearly not Montaigne’s position on the matter. At minimum, that would suggest that the tutor must work within certain constraints. And while it is likely that those constraints, and thus those virtues, at least overlap with those venerated by (French) society, Montaigne, perhaps in a moment of hypocrisy, seems to be advocating a kind of pedagogical reform which is contrary to his hardline against most innovation. Nonetheless, what is relevant is not the accuracy of Kant’s account, but instead how it acts as an exemplar for a possible moral position in a grand meta-ethical system: one of two versions of moral relativism.

Bernard Mandeville’s ‘Civil Government’ based Moral Theory

The other form of subjective-external practical material principle Kant mentions is political rather than cultural, and includes familiar social contract theories that littered the early modern philosophical landscape, such as those espoused by Thomas Hobbes and Bernard

398 Ibid 47.
399 Ibid 44-5.
Mandeville. Although Kant mentions both Hobbes and Mandeville in his *Ethics* lecture, he specifically singles out Bernard Mandeville in the *Critique of Practical Reason*. Since the modern reader is likely familiar with Hobbes but not Mandeville, I will go more in-depth with Mandeville’s theory, as expressed in his essay *An Enquiry into the Origin of Moral Virtue* rather than Hobbes’ theory, espoused in the *Leviathan*.

Before I begin, I need to note a discrepancy between the *Lectures* and the Second *Critique*. In the *Lectures*, Kant refers to Mandeville’s principle not as a subjective-external moral principle, but as instead resting on “inner grounds.”

> Those who derive morality from the inner grounds of the empirical principle, postulate a feeling, a physical and moral feeling. The physical feeling consists in self-love, which takes two forms, vanity and self-interest. It aims at one’s own advantage, and is a self-seeking principle, whereby our senses are satisfied. It is a principle of prudence. The authors who uphold the principle of self-love include, among the…moderns, Helvétius and Mandeville.

Oppose this to his characterization of Hobbes’ theory, which he says is determined on “external grounds.”

> [Hobbes] says: the sovereign can permit all acts, and also forbid them, so actions cannot be judged morally by reason; we act, rather by example of custom and by order of authority, so that there can be no moral principle other than what is borrowed from experience.

If Kant originally characterizes Mandeville’s position in the *Lectures* as based on an inner principle of self-love (as we will see, primarily based on vanity), why should he re-characterize it as based on an external principle - ‘civil government’ - in the *Critique of Practical Reason*?

To understand how Mandeville’s moral theory lends itself to this ambiguous reading, I will need to provide an exposition of the moral account found in *An Enquiry into the Origin of Moral Virtue*, an essay found in the larger, popular text *The Fable of the Bees*. The text starts with a poem called ‘The Grumbling Hive: Or, Knaves turn’d Honest’, which uses a bee hive as an allegory to explain the necessary role of vice in a thriving society. To demonstrate the

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401 Ibid 49 (27:253).
importance of vice to social prosperity, Mandeville tells the story of how a once vicious but affluent bee hive dispensed with vice, took up of mantel of virtue, and with it, dispensed with all greatness.

In the beginning:

…every Part [of the hive] was full of Vice,  
Yet the whole Mass a Paradise;  
Flatter’d in Peace, and Fear’d in Wars,  
They were th’ Esteem of Foreigners,  
And lavish of their Wealth and Lives,  
The Balance of all other Hives.  
Such were the Blessings of that State;  
Their Crimes conspir’d to make them Great:  
And Virtue, who from Politicks  
Had learn’d a Thousand Cunning Tricks,  
Was, by their happy Influence,  
Made Friends with Vice: And ever since,  
The worst of all the Multitude  
Did something for the Common Good.402

Even this early in the poem, Mandeville gives away the moral of the story, just as he does in the alternative title to The Fable of the Bees: ‘Private Vices, Publick Benefits.’ It is in accordance with human nature to be selfish, since even the most seemingly virtuous, selfless act always has a selfish underbelly.403 The hunger pangs of ego can never be sated, and even within the most devote moralist will merely find ever-more clever, self-deluding, subterranean means of being appeased. As F.B. Kaye notes of Mandeville’s position, so long as politicians properly regulate the selfish inclinations of their constituents, society benefits404 since

If all actions were to cease except those due to unselfishness, the pure idea of good, or the love of God, trade would end, the arts would be unnecessary, and the crafts be almost abandoned. All these things exist only to supply purely mundane wants, which, according to Mandeville’s analysis, are all at bottom selfish.405

405 Ibid xlviii.
Mandeville illustrates this dire consequence of crowned moralism in his poem when he speaks of what follows when the ‘knaves’ of the hive turning honest:

> But all the Rogues cry’d brazenly,  
> *Good Gods, Had we but Honesty!*  
> *Merc’ry* smil’d at th’ Imprudence,  
> And others call’d it want of Sense,  
> Always to rail at what they lov’d:  
> But *Jove* with Indignation mov’d,  
> At last in *Anger* swore, *He’d rid*  
> *The bawling Hive of Fraud*; and did.  
> The very Moment it departs,  
> And Honesty fills all their Hearts…

With the end of vice, superfluous careers perpetuated by or dependent on vice fall away, industry is reduced to only bare necessities (since all else is vain luxury), and all traces of affluence and greatness are removed. The parable ends with the bees, decimated by war, abdicating the hive and moving into the hollow of a tree, since even to partake of the ease and comfort of the hive is deemed too vicious. From this we are meant to begrudgingly embrace the inefficiencies and injustices of society (of course within reason), despite our distaste for them, since to eradicate them means to remove the engine of societal prosperity and growth.

Already we can see why, in the *Lectures*, Kant insinuates that the thread of self-love runs throughout Mandeville’s ethical theory. Humans are essentially selfish and even in their virtue seek to appease their self-interests. But why then does Kant characterize Mandeville’s principle as a subjective-external principle based on civil government in the Second *Critique*? A clue can be found in the Introduction to *The Fable of the Bees*, wherein Mandeville scholar F.B. Kaye himself orbits around this ambiguity in Mandeville’s work. Kaye notes that Mandeville both traditionally esteems selflessness as virtue but secretly affirms personal happiness and net societal utility - as can only be secured through the pursuit of self-interest - as the true value:

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407 Ibid 35.
Mandeville decided upon the public results of private actions according to utilitarian standards. That which is useful, that which is productive of national prosperity and happiness, he called a benefit. But he judged the private actions themselves according to an anti-utilitarian scheme, whereby conduct was evaluated, not by its consequences, but by the motive which gave it rise…The paradox that private vices are public benefits is merely a statement of the paradoxical mixing of moral criteria which runs through the book.\textsuperscript{408}

The distinction lies between the concepts of the Good and Virtue. A state of affairs or a thing can be good or evil (for example, the experiences of pleasure and pain), but only personal character can be either virtuous or vicious. Kant’s Lectures focus on Mandeville’s conception of the Good while the Critique of Practical Reason addresses his conception of Virtue. As Mandeville himself says, “There is an Ambiguity in the word Good which I would avoid; let us stick to that of the Virtuous.”\textsuperscript{409} Thus, what we need to identify is what virtue means for Mandeville, rather than what Mandeville himself seems to be implicitly advocating. This question can be answered by turning to An Enquiry into the Origin of Moral Virtue, the text in which Mandeville both defines virtue as selflessness and as the product of political intervention.

It seems as if Kant read the speculative historical account of the origin of the notion of virtue Mandeville provides as Mandeville’s moral principle itself. According to Mandeville, the original lawgivers recognized both that Man is inherently selfish and that this selfish nature, left uncurbed, would always undermine social stability. But this selfishness could also be turned to the advantage of society. As beings of passion, humans seek praise and avoid contempt. All lawgivers had to do was draw on humanity’s own vanity by praising those who cultivated any rational traits that set them apart from other animals, and condemning those irrational appetites humans and animals share. Similar to Hobbes’ own social contract theory, even the most selfish recognized the mutual benefit of advocating virtue and discouraging vice:

\textquoteleft\textquoteleft It being the Interest then of the very worst of them, more than any, to preach up Publick-spiritedness, that they might reap the fruits of the Labour and Self-denial of others, and at the same time indulge their own Appetites with less disturbance, they agreed with the rest, to call every

\textsuperscript{408} Ibid xlviii-xl ix.
\textsuperscript{409} Ibid xlix.
thing, which, without Regard to the Publick, Man should commit to gratify any of his Appetites, VICE; if in that Action there cou’d be observed the least prospect, that it might either be injurious to any of the Society, or ever render himself less serviceable to others: And to give the Name of VIRTUE to every Performance by which Man, contrary to the impulse of Nature, should endeavor the Benefit of others, or the Conquest of his own Passions out of a Rational Ambition of being good.  

Mandeville draws on the example of praising and scolding children to illustrate how this practice continues on from generation to generation. As soon as a child learns it is a high mark of distinction to ‘behave,’ they behave. In this way, self-love was turned against itself, leading to the valorization of selflessness. But at its heart, selflessness is merely the pursuit of praise from others, and at best, the pursuit of self-flattery.

To those who may claim that morality springs from religion rather than politics, Mandeville has an interesting response. Throughout time and various cultures, there have been many different religions. Sometimes these religions host a plethora of deities that seem to act contrary to virtue. The Greek and Roman gods are notable examples, since to emulate the actions of a Zeus or a Hera would make one a rapist and a murderer. But none could deny that even in these cultures virtue was praised rather than vice. That is because even in these cultures we can see the political hand at work, esteeming the courageous and self-sacrificing with monuments and encomiums.

Thus, a virtuous character is whatever lawmakers decide to esteem for the sake of maintaining society. Such a moral principle is determined by social convention, and is thus, according to Kant, subjective-external, even if it is fundamentally internally grounded by self-love. It should not surprise us that Kant would seem to ignore this more fundamental level, since

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411 Ibid 52-54.
412 Ibid 49-51.
we have previously established that all heteronomous theories are ultimately grounded on a principle of self-love, including Mandeville’s own position.

3.3 Subjective-Internal Material Practical Principles

Let us now turn to a different kind of material practical principle (the subjective-internal), with the expectation that a different kind of ethical subject will be revealed that is no more autonomous than the cultural subject: the *sensible subject*. While the subjective-external register could be considered ‘ideal’ (since it concerns ideal precepts) the subjective-internal register could be considered ‘sensible,’ determined not by external conditions but ‘pathological’ conditions. What this means will become clear as each subjective-internal material practical principle is explored.

Since all heteronomous theories are fundamentally based on a principle of self-love, Kant’s account of subjective-internal principles based on inner states such as happiness, may, in a certain respect, be the most important general heteronomous position to examine. Kant identifies two kind of subjective-internal principles: those that affirm a specific physical feeling – in this case, Epicurus’ valorization of pleasure, and those that affirm a specific moral feeling, like Francis Hutcheson. If both are distinct from subjective-external principles, they cannot be ultimately grounded on societal values (although this is not to say that societal values do not play a role in determining what is pleasurable or conscionable, since it would be patently absurd to do so). They must in some way be natural.

But why this division? Let us return to the passage in the *Lectures on Ethics* which distinguishes the two from each other:

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413 Because, as we recall, happiness is nothing but the consciousness of having the right object, and any principle based on pursuing personal happiness is a principle of self-love Kant, Immanuel. *Critique of Practical Reason* 156 [5:22].

414 Ibid 172 [5:40].
If a system of ethics is based on empirical grounds, it rests either on inner or outer grounds, drawn from the objects of inner and outer sense. If morality rests on the inner grounds, then this is the first part of the empirical system; if it rests on outer grounds, then it is the second part of that system. Those that derive morality from the inner grounds of the empirical principle, postulate a feeling, a physical and moral feeling. The physical feeling consists in self-love, which takes two forms, vanity and self-interest. It aims at one’s own advantage, and is a self-seeking principle, whereby our senses are satisfied. It is a principle of prudence. The authors who uphold the principle of self-love include, among the ancients, Epicurus, in that he employed, in general, a principle of sensuality…The second principle of the inner ground of the empirical system arises if the ground is posited in the moral feeling whereby we can discriminate what is good or bad. The leading authors are Shaftsbury and Hutcheson.415

Principles based on physical feeling seem to be ‘principles of prudence.’ Kant does not explicitly refer to principles of moral feeling in the same way, even though, as we know, all heteronomous theories are ultimately principles of prudence.416 More importantly, Kant notes that principles based on physical feeling are ultimately self-serving, while he does not say the same for moral theories based on what Francis Hutcheson calls a ‘moral sense.’ While most would equate an internal sense of morality with a conscience, we’d be wrong to do so. A moral sense is an internal sense which perceives the good, just as external senses perceive external objects, like eyes perceive light. For Kant, or at the very least the Kant of the Lectures, the problem with basing ethical decisions on a moral sense is ultimately that such judgments are still based on taste, which is contingent.417 Later, when Hutcheson’s ‘moral sense’ is discussed more in-depth, I will show that Kant implicitly suggests in the Critique of Practical Reason, that Hutcheson’s misrecognizes what is meritorious about his own theory, and that it may actually be duty-based.418 I will return to that argument after I have outlined both subjective-internal moral positions.

416 Since all heteronomous theories are hypothetical imperatives, which cannot command but merely advise us on how to attain a conditional end. Kant, Immanuel, Groundwork of the Metaphysics of Morals 69 [4:416].
What we must recognize is that a subjective-internal principle no more secures our autonomy than does a subjective-external principle. An imperative obligating us to maximize an internal state (like pleasure) or to comply with a moral feeling is as heteronomous as one that obligates us to comply with custom. This may seem paradoxical since the former are ‘internal’ motors. But Kant would have us consider these two different determining grounds – the former an actual good to be sought, the latter the faculty which determines the good to be sought - as distinct from the (autonomous) will. Both pleasure and a moral feeling would pertain not to reason but the faculty of sensibility, since both are feelings. Pleasure is a state that is produced only when the faculty of sensibility encounters a beneficial object which is nonetheless contingent, external to us, and thus outside of our control to acquire. A moral feeling, and the subsequent feeling of pleasure that results from encountering or practicing benevolence (maximizing societal happiness), while based on a principle, is similarly problematic, since it is dependent on actualizing a certain state of affairs. And while it might seem like acting from a principle, such as benevolence, as Hutcheson will describe, is a rational decision, concerned mostly with motives rather than consequences, and thus a free one, “the interests on which the reasons for choice are based” are determined by and explicable from a ‘naturalistic causal explanation.’ Reason, if it is to be genuinely free, cannot be determined by empirical interests, only rational ones.⁴¹⁹ I will start my exposition of subjective-internal material practical principles with the exemplar Kant provides for physical feeling based moral positions: Epicureanism.

Epicurus’ ‘Physical Feeling’ based Moral Theory

While Epicurus is known to have written over 300 works, all but the Letter to Herodotus, Letter to Pythocles, Letter to Menoeceus, Principal Doctrines, Vatican Sayings, and a collection

of fragments have been lost to time. The Epicurean position is well-known, and best summarized in the *Letter to Menoeceus*. The common characterization of Epicurean doctrine is that pleasure is good and pain is bad. However, many critics assume that this preliminary judgment of what is good and bad is sufficient for determining which actions are choiceworthy to perform and which are not. This uncharitable and shallow reading often leads critics to label Epicurus a reckless hedonist and libertine who sanctions any act as long as it produces pleasure in the agent. While it is true that Epicureanism does not consider the pleasures or pains felt by anyone besides the agent of the act when determining whether or not an act is choiceworthy (which is admittedly a problem), this does not necessarily translate into the sanctioning of actions common opinion often regards as immoral (such as libertinage and crime). It is clear that insofar as Epicurus distinguishes between the good and the choiceworthy, he does not believe that the *rightness* of an act is the same as the *good* psychological state afforded by performing an act. Although not explicitly framed in such a manner, Epicurus seems to be distinguishing between the notions of the Good and the Right. As long as a reader of Epicurus keeps this distinction in mind, neither confusion, nor contradiction will follow from Epicurus’ moral prescriptions.

The appropriateness of each action is decided by whether or not more pleasure than pain results in the long-run. Those desires that always lead to more pleasure than pain in the long-run Epicurus tends to consider ‘natural and necessary,’ those that seem natural but don’t alleviate pain he refers to as ‘natural and unnecessary,’ and those that cause more pain than pleasure in the

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long-run he calls ‘unnatural.’\textsuperscript{421} This nuance accents a more pertinent feature than the immediate intensity of a pleasure, and can even allow for short-term pain:

Since pleasure is the first good and natural to us, it is for this reason also that we do not choose every pleasure; instead, there are times when we pass over many pleasures, whenever greater difficulty follows from them. Also, we regard many pains as better than pleasures, since a greater pleasure will attend us after we have endured pain for a long time. Every pleasure, therefore, because of its natural relationship to us, is good, but not every pleasure is to be chosen. Likewise, every pain is an evil, but not every pain is of a nature always to be avoided. Yet it is proper to judge all these things by a comparison and a consideration of both their advantages and disadvantages. For on certain occasions we treat the good as bad, and, conversely, the bad as good.\textsuperscript{422}

Perhaps surprising to one who thinks that virtuous behavior requires a selfless attitude, the kinds of actions, or indulged desires, which pass the Epicurean test are those that align with the virtuous life:

Prudence teaches us how impossible it is to live pleasantly without living wisely, virtuously, and justly, just as we cannot live wisely, virtuously, and justly without living pleasantly. For the virtues arise naturally with the pleasant life; indeed, the pleasant life cannot be separated from them.\textsuperscript{423}

The claim may at first seem hard to believe, especially since virtue often seems to imply self-sacrifice. Yet it is in the personal self-interest of the Epicurean to live a moderate and just life, since immoderation leads to insatiable desires and injustice to either swift punishment or an anxious life full of fear of capture.

In contrast to the moralist who conflates pleasure with excess and indulgence, Epicurus does not usually define pleasure positively, but rather, more often negatively:

When we say that pleasure is the goal, we are not talking about the pleasure of profligates or that which lies in sensuality, as some ignorant persons think, or else those who do not agree with us or have followed our argument badly; rather, it is freedom from bodily pain and mental anguish. For it is not continuous drinking and revels, nor the enjoyment of women and young boys, nor of fish and other viands that a luxurious table holds, which make for a pleasant life, but sober reasoning, which examines the motives for every choice and avoidance, and which drives away those opinions resulting in the greatest disturbance of the soul.\textsuperscript{424} (italics mine)

\textsuperscript{421} Epicurus, \textit{Principal Doctrines} 56.
\textsuperscript{423} Ibid 67.
\textsuperscript{424} Ibid 66.
Rather than picture intense pleasure or joy, the appropriate reading of pleasure is closer to peace of mind or a lack of mental disturbance. Both physical pain and mental pain must be minimized. Physical pain may result from pursuing the wrong pleasures, but mental anguish (or fear) has a different source: superstitious thinking.

It is interesting to note the parallel between Epicurean superstition and Kantian dialectical illusion, since the first Epicurean superstition concerns the soul, the second natural phenomena, and the third the gods, just as rational psychology concerns the soul, rational cosmology the universe, and rational theology God. Perhaps this parallel suggests that Kant may be right when he argues that Reason necessarily invents these Transcendental Ideas and that they are a source of confusion. While Epicurus does not refute these errors by means of critique, nor cordon Reason off from engaging with such metaphysical concerns, but instead encourages the theoretical investigation of these phenomena, it is in the spirit of highlighting the parallel between superstition and dialectical illusion that I include a brief discussion of these superstitions below.425

As noted, philosophy’s proper agenda is two-fold and involves both practical and theoretical aims: it advises us on how best to avoid physical pains (prudence)426 and it demonstrates why superstitious beliefs should be abandoned. There are three427 superstitions that grip humanity with fear. The first superstition is that the gods are personally invested in human affairs and will punish or reward us in accordance with Divine judgment or caprice. The second superstition is that death is bad, and thus something we ought to fear. According to this superstition, death either brings with it divine judgment or oblivion, both of which are judged to

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425 This parallel likely deserves much more scholarly attention than I will provide.
426 Technically Epicurus seems to distinguish prudence from philosophy: “The beginning and the greatest good of all these is prudence. For this reason prudence is more valuable even than philosophy: from it derive all the other virtues.” (Ibid 67). A larger question would seem to be “Does prudence merely concern the avoidance of pain or does it also play a theoretical role?” I am assuming the former rather than the latter.
427 The Letter to Menoeceus does not mention the third, which concerns celestial phenomena.
be matters of concern.\textsuperscript{428} As is obvious, both superstitions implicate each other. Thus when Epicurus disproves the first superstition, he is already halfway towards dispelling the second.

The third is that celestial phenomena affect human affairs:

\ldots[The] chief disturbance in the minds of humankind arises when they think that…heavenly bodies are blessed and immortal but have at the same time wills, actions, and motives that are opposed to these divine attributes; and when they are constantly expecting and fearing some everlasting pain, as happens in myths.\textsuperscript{429}

As is clear from the language Epicurus uses when describing heavenly bodies, the third superstition is likewise implicated by the first and second.

According to Epicurus, a careful philosophical investigation of each reveals these fears to be groundless. The gods, being immortal and blessed, cannot be angered by our actions, since we cannot harm them. Nor can we please them since they are already happy. Thus, the gods are indifferent to human affairs, and do not interfere in the course of our lives, nor in any hypothetical afterlife. Life’s misfortunes and blessings are due to the contingencies of an atomistic world, not the gods’ intercession. Pleasure and pain are typically the immanent worldly consequences of one’s actions, not externally imposed. Once this truth is acknowledged, the sole reason motivating our fear of the gods is removed. Thus, even if the soul survives death (which Epicurus denies), we ought not to fret about the gods’ judgment.

That would leave us with only one other possible reason to fear death: the possibility of oblivion. It is not Epicurus’ intention to demonstrate that we ought not to fear death because everyone is guaranteed a pleasant afterlife. That would make death good, which Epicurus denies. Instead, Epicurus fully embraces the mortality of the soul but provides a reason as to why oblivion is not something we should fear. In the \textit{Letter to Herodotus}, Epicurus establishes that the soul must be made of atoms to account for why it can influence the body, which is

\textsuperscript{428} Ibid 61-64.
\textsuperscript{429} Epicurus \textit{Letter to Herodotus} 40-41.
definitively known to be made of atoms. If the soul were incorporeal, it would have to be empty space, since Epicurean metaphysics only allows for the existence of atoms and void. But empty space cannot affect anything, so by process of elimination, the soul must be made of atoms.\textsuperscript{430} Since the soul nonetheless does not seem visible or tangible in the same way our bodies and most other physical bodies are, it must be akin to natural phenomena that also border on intangibility, like wind and fire, whose atoms are very fine.\textsuperscript{431} Sensations, such as pleasure and pain, only manifest when the soul and the body are united. But the soul’s atomic composition implies its destructibility, since things with parts can be and inevitably are dispersed. We call the destruction of the soul ‘death.’ Since sensations, such as pleasure and pain, can only be felt by an entity that exists, and pain is the only thing deemed bad, oblivion is nothing to be feared.\textsuperscript{432} Death is neither good nor bad. Thus the wise man neither fears it nor chases after it.\textsuperscript{433}

Since not even the soul, the most seemingly intangible of entities, is exempt from material status and can be explained by means of an atomic theory, \textit{a fortiori}, every other natural phenomenon can be explained in this manner as well. Even the immortal gods are made of atoms.\textsuperscript{434} Subsequently, the materialist account of the universe reveals that the movements of the heavenly bodies do not dictate our fate but are just one of many natural phenomena whose actions are controlled by the collision of atoms.\textsuperscript{435} While it is pure speculation that Kant’s derivation of the three forms of dialectical illusion was influenced by the three forms of superstition highlighted by Epicurus, the three-fold parallel does seem to validate Kant’s claim

\textsuperscript{430} Epicurus \textit{Letter to Herodotus} 33-34.
\textsuperscript{431} A modern-day physicist of course knows better than to attribute state changes such as ‘gas’ and ‘plasma’ to the size of atoms.
\textsuperscript{432} Ibid 61-64 and \textit{Principal Doctrines} 69.
\textsuperscript{433} Epicurus \textit{Letter to Menoeceus} 63-64.
\textsuperscript{434} Presumably they have more resilient bodies and souls and thus do not die. As it is evident that our bodies do die, the mortality of man and the immortality of the gods are not at odds.
\textsuperscript{435} Epicurus, \textit{The Letter to Herodotus} (19-42) and the \textit{Letter to Pythocles} (43-60) firmly establish these mechanistic laws.
that Reason is necessarily drawn to speculate in these three manners (especially since the parallels run even further, such as how the Second Antinomy is simultaneously about atoms and the soul).

Even though these theoretical investigations into the soul, the world, and God are not practical investigations, like those in the *Critique of Practical Reason*, they are motivated by practical ends. As Epicurus reminds Pythocles at the beginning of the *Letter to Pythocles*: “[We] must not think that there is any other aim of knowledge about the heavens, whether treated in connection with other doctrines or separately, than peace of mind and unshakeable confidence, just as it is our aim in all other pursuits.”

This brings us back into the orbit of prudence and the role it plays in determining the right course of action. Prudence may not have the capacity to dispel superstition but it does encourage us to pursue philosophy for the sake of dispelling superstitious anguish. Here we see Kant’s criticism of the Epicurean ethic in its most transparent light: As Epicurus implies, the Epicurean ethical principle is no different than prudence, and prudence is no more than the rational pursuit of pleasure, which is Kant rejects it.

Free of these superstitions, the Epicurean indulges only those desires that correspond with necessary needs, which in turn, are easy to satisfy. Thus, the prudent life mimics the virtuous life because the simple life of the ascetic is the most self-sufficient. While an Epicurean may be compassionate towards others and appear to privilege intellectual pleasures over bodily pleasures, both tendencies are due to a hedonic calculus that determines that a life that embraces friendship and intellectual pursuits is more pleasant than a life that is egocentric and sensuous. For Kant, it is a given that the prudent life aims at personal happiness, and that, in non-moral matters, a principle of self-love has its place. But prudence is not the same as morality, and any overlap between prescribed acts is merely contingent and coincidental: “The maxim of self-love

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436 Epicurus *Letter to Pythocles* 44.
(prudence) merely advises; the law of morality commands. But there is a great difference between that which we are advised to do and that to which we are obligated.”

Francis Hutcheson’s ‘Moral Feeling’ based Moral Theory

Kant identifies another way the faculty of sensibility could conceivably be used to posit a heteronomous moral principle. While Epicurus assumes that the faculty of pleasure is the only faculty relevant for cognizing the good, Francis Hutcheson’s theory relies on something he refers to as ‘moral sense.’ Moral sense is not the same as moral conscience, even though both can please or displease the agent in accordance with personal conduct. Hutcheson dedicates the first portion of An Inquiry into the Original of Our Ideas of Beauty and Virtue, to establishing an ‘aesthetic’ sense, which is meant to lead into the more controversial claim that a similar, moral sense, exists as well. Often aesthetic connotations of beauty seep into Hutcheson’s moral exposition. This is not necessarily surprising since both aesthetics and ethics are in some way dependent on the perception of some non-subjective quality in an object, be it in a thing, or those actions that express a virtuous character, in contrast to previously discussed theories. Because Kant would view aesthetics as a bridge between the theoretical and the moral, Hutcheson’s position is all the more relevant to better understanding the Kantian architectonic. As I will later explore, Hutcheson will go to extreme lengths to distance himself from all subjective-external moral principles, particularly Bernard Mandeville’s position. For Hutcheson, morality and personal advantage do not overlap.

Hutcheson starts off by defining moral good and moral evil based on the affect an act or person elicits in a third-party observer or disinterested patient: ‘Moral good’ denotes “our Idea of some Quality apprehended in Actions, which procures Approbation and Love toward the Actor,

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437 Kant Critique of Practical Reason 169 [5:36].
from those who receive no Advantage by Action.’”439 ‘Moral evil’ ‘denotes our Idea of a contrary Quality, which excites Aversion, and Dislike toward the Actor, even from Persons unconcern’d in its natural Tendency.’” (sic)440 Hutcheson distinguishes the moral good from natural good, since the latter only concerns those actions that bring us either immediate or mediate pleasure. Hutcheson often refers to natural goods under the umbrella term ‘Advantage,’ since we are motivated to secure them from the vantage point of self-love alone.441 The naturally good and the morally evil can often blur, insofar as acts of evil are typically precipitated by a selfish pursuit of natural goods.

It is important for the prospective Kantian reader to note how Hutcheson frames morality in the affective register. Already we can rightly predict that any principle Hutcheson proposes on this basis will be much too subjective to satisfy Kant’s moral criteria since affect is based on an act of perception. Likewise, the moral sense is characterized as an inner sense. It is on the basis of this moral sense that we can judge the goodness or badness of our own potential actions and judge them accordingly. The moral sense ‘sees’ the good, just as any other sense sees its object, and reacts with the appropriate emotion. Any moral principle based on such a subjective-internal sense will thus be a subjective-internal principle.

There are two morally-relevant motivating emotions: Love and Hate.442 Love has two general forms: ‘Esteem and Complacence’443 and ‘Benevolence.’ Esteem is the feeling that arises within us when we observe a good act or encounter a virtuous character. Esteem is disinterested, because upon reflection, it does not seem possible for us to esteem the character of

440 Ibid 85.
441 Ibid 86.
443 I will be conflating Esteem and Complacence, just as I do Contempt and Displience’ since Hutcheson does not clearly distinguish them from one another. Likewise, the second term seems to have fallen out of common usage.
a bad man, no matter how much we may benefit from his mischief.\textsuperscript{444} While esteem seems to be mostly a passive response to the character of others, benevolence seems to motivate the actions of the agent. It is also disinterested, since we would never call an action benevolent if it is motivated by self-gain rather than genuine concern for another.\textsuperscript{445}

Hate also has two general forms: ‘Contempt and Displience’ and ‘Malice.’\textsuperscript{446} We naturally hold those in contempt that we judge to be vicious. Contempt seems to be the negative analogue to esteem. Contempt is also disinterested, since we cannot have contempt for a good person regardless of the advantage that could result from doing so. To harm a good man may not necessarily elicit guilt, but it does elicit the awareness that guilt is appropriately felt.\textsuperscript{447} While this may seem to imply that it is impossible to resent another for their virtue – which is patently false – it is not possible to hold a good person with contempt. Hutcheson does not foreclose the possibility of resentment, jealousy, or the kind of negative feelings that accompany opposing a virtuous foe, only contempt, since it is a moral feeling.

But does benevolence have a negative analogue, such as malice? Can we be actively motivated to harm another if we perceive no advantage in inflicting harm? Since the answer is controversial, it is worth quoting Hutcheson’s response in full to do his position justice:

\begin{quote}
As to Malice, Human Nature seems scarce capable of malicious disinterested Hatred, or a sedate Delight in the Misery of others, when we imagine them no way pernicious to us, or opposite to our Interest: And for that Hatred which makes us oppose those whose Interests are opposite to ours, it is only the Effect of Self-Love, and not of disinterested Malice. A sudden Passion may give us wrong Representations of our Fellow-Creatures, and for a little time represent them as absolutely Evil; and during this Imagination perhaps we may give some Evidences of disinterested Malice: but as soon as we reflect upon human Nature, and form just Conceptions, this unnatural Passion is allay'd, and only Self-Love remains, which may make us, from Self-Interest, oppose our Adversarys.\textsuperscript{448}
\end{quote}

\textsuperscript{444} Ibid 102-103. 
\textsuperscript{445} Ibid 103. 
\textsuperscript{446} Ibid 102-103. 
\textsuperscript{447} Ibid 102-103. 
\textsuperscript{448} Ibid 105.
According to Hutcheson, malice seems to be either rare or outright non-existent. Malice only seems to exist when a foe is perceived to be a threat, and dissipates once that perceived threat is resolved. Since nothing perceived to be a threat can be viewed disinterestedly, it’s not really malice that’s felt. We can no sooner maintain animosity towards another than the necessity arises within us to view that other as a villain (or lesser thing) deserving poor treatment. In other words, we must rationalize our hatred of the targeted other. We must convince ourselves that our negative actions towards him are in some way justified. Otherwise, we are generally well-disposed towards outside parties and wish them well. It seems only the pursuit of personal advantage pits man against man, not disinterested malice.\textsuperscript{449}

Hutcheson entertains an interesting hypothetical scenario to prove this point. Imagine a crew of pirates who plague the seas, upset commerce, and take lives. We would be justified in despising these criminals. But suppose that these men eventually became forever shipwrecked on an island, away from civilization, where they could no longer do any harm. Would not even the most self-righteous man’s heart turn warm in such an instance? Would not even he, now freed of resentment from past injuries and fears of future ones, hope that such barbarous men would embrace benevolence rather than Justice’s sword, and live out their days in peace? Who, asks Hutcheson, would still wish misery upon such men?\textsuperscript{450}

Ultimately, Hutcheson acknowledges three hypothetical kinds of moral evil: disinterested malice (which, as we have shown, remains for Hutcheson a likely flight of fancy), aggressive acts based on self-love, and self-neglect. Even the most infamous of tyrants, such as Nero, were less guilty of malice than of holding their actions to be in some way justified or motivated by

\textsuperscript{449} Ibid 103 – 106.  
\textsuperscript{450} Ibid 105-106.
personal advantage. A Grand Inquisitor thinks himself justified in torturing a potential heretic and would quickly loosen the straps if such justification were suddenly to be annulled by compelling evidence. More commonplace aggressive acts are motivated mostly by self-love. An opponent is considered to have contrary interests to the agent. For example, two people competing for the same office may do evil to one another. Finally, self-neglect, although not as bad as aggression, is still an evil, since a wholly selfless being would so compromise himself as to become completely ineffectual as a moral agent. While absolute selflessness displays a virtuous character, it ultimately does more harm than good and in general should be avoided.

Up until now, I have spoken of benevolence without fully explaining the term. Benevolence is Hutcheson’s shorthand term for what is likely to be for the reader a very familiar utilitarian formula for the calculation of the moral good: “That action is best, which procures the greatest Happiness for the greatest Numbers; and that, worst, which, in like manner, occasions Misery.” An agent acts benevolently when choosing that action which best suits the whole of society. Our moral sense ‘sees’ those actions and characters that are in harmony with this principle and naturally esteems them as admirable and lovable. Even God’s judgments are determined by this principle. Hutcheson develops an elaborate formula to illustrate this

451 Ibid 122-123.
452 Ibid 123-124.
454 Ibid 125.
455 Ibid 182.
456 Relevant Axioms for Computing the Morality of Actions (128-129)
1. The moral Importance of any Agent, or the Quantity of publick Good produc’d by him, is a compound Ration of his Benevolence and Abilitys: or (substituting the intial Letters for the Words, as M = Moment of Good, and μ = Moment of Evil) M = B x A.
2. In like manner, the Moment of private Good, or Interest produc’d by any Person to himself, is in a compound Ratio of his Self-Love, and Abilitys: or (substituting the initial Letters) I = S x A.
3. When in comparing the Virtue of two Actions, the Abilitys of the Agents are equal: the Moment of publick Good produc’d by them in like Circumstances, is as the Benevolence: or M = B x 1.
4. When Benevolence in in two Agents is equal, and other Circumstances alike; the Moment of publick Good is as the Abilitys: or M = A x 1.
simple principle: a virtue is proportional to the degree of internal and external adversity that the agent must overcome in order to accomplish the selfless act (i.e. any act which aims to maximize happiness for the whole of society). For example, someone wealthy who donates $100 to charity is not as virtuous as a poor man who donates the same amount (or even less of an amount). Likewise, someone who is normally a villain who works against his nature to do a selfless act has acted more virtuously than the kind-hearted man who has never felt temptation.

Intention plays a fundamental role in moral assessment. The intended social benefit is more relevant than the actual social benefit, at least when it comes to assessing the virtue of the agent. Any degree of selfish intent diminishes the virtue, or benevolence, inherent in the action. For example, if that same wealthy man donated money, in part to gain a tax write-off or to gain good press, but also in part out of disinterested benevolence, the virtue of the act would equal the latter minus the former (presuming, of course, that these tendencies can in some way be quantified). Since Hutcheson contends that we are naturally inclined towards the public good, even apathy towards the public good is evidence of evil, since some negative tendency must be overriding that natural moral tendency. Little of this moral account would, at first glance, appear to be out of the ordinary or in some way at odds with commonly-held moral

5. The Virtue then of Agents, or their Benevolence, is always directly as the Moment of Good produc’d in like Circumstances, and inversely as their Abilitys: or B = M/A.
6. But as the natural Consequences of our Actions are various, some good to our selves, and evil to the Publick; and others evil to our selves, and good to the Publick; or either useful both to our selves and others, or pernicious to both, the entire Motive to good Actions is not always Benevolence alone; or Motive to Evil, Malice alone; (nay, this last is seldom any Motive at all) but in most Actions we must look upon Self-Love as another Force, sometimes conspiring with Benevolence, and assisting it, when we are excited by Views of private Interest, as well as publick Good; and sometimes opposing Benevolence, when the good Action is any way difficult or painful in the Performance, or detrimental in its Consequences to the Agent. In the former Case, M = (B + S) x A = BA + SA; and therefore BA = M – SA = M – I, and B = (M – I)/A. In the latter Case, M = (B – S) x A = BA – SA; therefore BA = M + SA = M + I, and B = (M + I)/A.
   a. …in advantageous Virtue, B = (M – I)/A.
   b. And in laborious, painful, dangerous or expensive Virtue, B = (M + I)/A.
   i. Interest in this case is all the benefit lost by being virtuous. (129)

457 Ibid 128-130.
458 Ibid 131.
positions, and, as Wolfgang Leidhold notes, much of it informed the political agendas of the Founding Fathers.\footnote{Ibid ix.}

This is not to say that all acts motivated by perceived personal gain are evil. In a rare moment of agreement, both Hutcheson and Mandeville say that the whole of society would be harmed if everyone, or even a significant number, of its members were completely selfless. Where this momentarily shared path diverges hinges on the question of whether selfless acts are even possible. Hutcheson sees little problem with selfish acts, as long as they also benefit the whole, or at minimum, do no harm to it.\footnote{Ibid 122.} As previously stated, self-love diminishes the benevolence of the act, but it does not necessarily negate it completely. Assumed in this conclusion is the obvious position that genuine selfless, benevolent acts are possible, even commonplace, and not merely self-interest in disguise.

Much of Hutcheson’s moral treatise is dedicated to refuting Mandeville’s position that what passes for virtue is really some kind of social convention that masks and codifies self-interest. Therefore, his refutations are quite extensive.\footnote{I beg the reader’s indulgence.} Hutcheson’s first response distinguishes moral goods from natural goods, which already anticipates his direct critique of Mandeville’s position. The very fact that we do not value a selfless gesture the same way as a useful happenstance already implies that they are distinct goods.\footnote{Ibid 89.} Let me take as an example the acquisition of money. If I were poor, purchased a lottery ticket, and won, I would judge the circumstance to be advantageous, but in no way a matter of virtue. However, if someone gave me the same amount with good intentions, I would judge that person to be acting virtuously. In the case of what is naturally evil and morally evil, no one judges a natural disaster, like a

\footnote{Ibid ix.}
hurricane, to be morally evil.\textsuperscript{463} There are no courts of justice that hold Nature accountable for the harm it inflicts. This indicates another way in which the natural good is distinct from the moral good: only rational agents can be morally good, while any kind of object or entity could, in theory, be naturally good.\textsuperscript{464} We can even withdraw ourselves from a situation entirely and witness a benevolent act without receiving any benefit whatsoever, and yet still esteem the act to be morally good. Likewise we do not need to be harmed by an evil act to judge its perpetrator to be contemptible.\textsuperscript{465} And even in those cases in which we benefit from someone’s actions, we would judge them differently if they were doing so with benevolent intentions rather than self-serving ones.\textsuperscript{466} The former would garner our esteem, the latter our suspicions.

Hutcheson’s \textit{explicit} critiques of Mandeville’s (and Hobbes’) positions are even more extensive, most of them highlighting circumstances of moral judgment in which advantage is not gained. I will sample but a few. For example, why should we admire those from bygone eras known for their virtue if the only things we esteem to be good are things that benefit us? What has the remote past to do with my particular present?\textsuperscript{467} Secondly, if a corrupt man were to bribe me or otherwise benefit me in the pursuit of bettering himself, would that miraculously convince me of his virtue?\textsuperscript{468} Thirdly, noting the personal benefits that result from a selfish action might incite me to perform it, but never to approve of it as I would a virtuous act.\textsuperscript{469} Fourthly, in a similar vein, someone could never convince me of their virtue by pointing out how much they

\begin{enumerate}
\item\textsuperscript{463} Ibid 90.
\item\textsuperscript{464} Ibid 89.
\item\textsuperscript{465} Ibid 90-91.
\item\textsuperscript{466} Ibid 90.
\item\textsuperscript{467} Ibid 94.
\item\textsuperscript{468} Ibid 94.
\item\textsuperscript{469} Ibid 95.
\end{enumerate}
benefitted from performing an act.\textsuperscript{470} Kant himself mentions this counter-argument in the

\textit{Critique of Practical Reason}:

Suppose that an acquaintance whom you otherwise liked tried to justify to you his having given
false testimony by first pleading what he asserts to be the sacred duty of his own happiness and
then by recounting all the advantages he had acquired by doing so, pointing out the prudence he
had observed in order to be secure from discovery even by yourself, to whom he reveals the secret
only because he can deny it at any time; and suppose he were then to affirm, in all seriousness,
that he had fulfilled a true human duty: you would either laugh in his face or shrink back from him
with disgust, even though, if someone has directed his principles solely to his advantage, you
would not have the least objection to bring against these measures.\textsuperscript{471}

Fifthly, why should persuasion, or even torture, be necessary to convince another, if the moral
good lay squarely on the side of personal benefit? How could someone resist from the vantage
point of virtue if the principle of self-love avidly pleaded for the staying of the blade?\textsuperscript{472} Sixthly,
why should the perpetrators of crimes feel guilt, even in those cases in which they escaped
punishment and reaped only rewards?\textsuperscript{473}

In the previous section, I provided Mandeville’s origin story for virtue: politicians of the
past recognized that certain traits and actions were more useful to the State than others. The
former were praised and esteemed in order to appeal to the vanity of citizens who themselves
would then be inclined to adopt such traits and perform those actions which garnered praise and
esteem from their peers. Such praise and esteem rendered these traits and actions into what we
would call ‘virtue.’\textsuperscript{474} Thus, virtue as a concept is merely the product of political puppetry.

Hutcheson first responds to this charge by providing a military counter-scenario: If a foreign
citizen were to decide to become a turncoat and betray his country for the benefit of our own,
would we still not consider him a contemptible villain, despite the benefit we received from the
traitorous act? Admittedly, the results would be lauded but the traitor would receive no

\textsuperscript{470} Ibid 95-96.
\textsuperscript{471} Kant \textit{Critique of Practical Reason} 168 [5:25]
\textsuperscript{472} Ibid 95.
\textsuperscript{473} Ibid 95.
\textsuperscript{474} Ibid 97. I have stuck to Hutcheson’s recounting.
celebratory parades in our town squares. Contrarily, we may face an unassailable yet honorable adversary on the battlefield and still, despite ourselves, esteem him. In both cases, our esteem runs counter to advantage. Furthermore, assuming that virtue aligns with the self-interest of the state, we have but to consider cases of those who have sacrificed for the state – Hutcheson names Marcus Atilius Regulus, Cato, and Decius Mus – who could never actually recognize that benefit, and thus, according to this definition of virtue, are thus incapable of recognizing the virtue of their own actions. Hutcheson continues, “Regulus and Cato could not possibly praise or love another Hero for a virtuous Action; for this would not gain them the Advantage of Honour; and their own Actions they must have look’d upon as the hard Terms on which Honour was to be purchas’d, without any thing amiable in them, which they could contemplate or reflect upon with Pleasure.”

Hutcheson is incredulous that Mandeville’s origin account is even possible, since by what means could a person who only knows self-interest as his guiding moral principle be convinced that the good lie squarely in everything counter to his self-interest? How could such a man even conceive the selfless actions of others to be good if he had never known such acts to be good in the past? Instead, it seems more plausible to Hutcheson that the perception of the goodness of public-minded acts comes first and the assessment of the benefit of such actions comes second. How else could a criminal recognize the justness of a sentence passed against him?

Hutcheson’s ethical prioritization of maximal happiness, being already of a social nature, is explicitly applied to politics at the end of the Inquiry. Hutcheson defines a ‘right’ in the following manner: If “a Faculty of doing, demanding, or possessing any thing, universally

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475 Ibid 97.
476 Ibid 97.
477 Ibid 97-98.
allow’d in certain Circumstances, would in the whole tend to the general Good” we say someone has a right to “do, possess, or demand” it. Hutcheson marks something as a right if social happiness results when it is universally performed or possessed. But technically, this definition is much too narrow and more accurately defines only what Hutcheson calls ‘perfect’ rights. As a whole, there are three different kinds of rights: perfect, imperfect, and external. Hutcheson defines perfect and imperfect rights in negative terms, or rather, in the context of the consequences of their violation, to give us a means of clarifying the distinction without falling into the positively-phrased definition of rights as such.

Perfect rights are defined as “of such necessity to the publick Good, that the universal Violation of them would make human Life intolerable; and it actually makes those miserable, whose Rights are thus violated.” Most of these rights are so basic that we take them for granted. For example, we have the right to self-preservation, but also to the fruits of our labor (presumably guaranteeing property rights) and contractual arrangements. If everyone lived under the real and constant threat of murder of self and loved ones, theft of property, or dishonest contracts, no one would be happy. We could go one step further than Hutcheson and even conclude that it is unlikely that any society could be possible at all without these rights being guaranteed in some manner by a state structure. Presumably such a social arrangement would be analogous to the infamous state of nature. Hutcheson refers to any violation of perfect rights as ‘evil.’ All violations of perfect rights are punishable by the state, since they circumvent the general good of society.

479 Ibid 183.
480 Ibid 183.
481 Ibid 184.
482 Ibid 185.
Imperfect rights are defined as those rights which “when universally violated, would not necessarily make Men miserable” but that nonetheless benefit society.\textsuperscript{483} Charity,\textsuperscript{484} for example, benefits society, but it is neither necessary for the happiness of the whole nor would it be reasonable to legislate and enforce it. Not only is compulsory charity a contradiction in terms, but the joy of giving comes from choosing to give. Generally good people respect most imperfect rights, although it is likely impossible for all imperfect rights to be respected, since that would likely call for a perfect moral character. Violations of imperfect rights are not properly punishable by the state, since making such violations illegal would lead to more general misery than happiness.\textsuperscript{485} Hutcheson refers to these violations as ‘weak benevolence.’\textsuperscript{486}

Finally, there are external rights, which are things we technically have right to, but that are not particularly positive. Hutcheson defines external rights,

\ldots as when doing, possessing, or demanding of any thing is really detrimental to the Publick in any particular Instance, as being contrary to the imperfect Right of another; but yet the universally denying Men this Faculty of doing, possessing, or demanding that Thing, or of using Force in pursuance of it, would do more mischief than all the Evils to be fear’d from the Use of this Faculty.\textsuperscript{487}

External rights are rights only insofar as more harm would come from outlawing them than overlooking them. For example, it is the right of a lender to call in a debt even if the debtor is poor and would be put at a severe disadvantage by paying it.

At minimum, we can preliminarily note two similarities between Hutcheson’s moral formulation of rights and Kant’s formulation of duties in the \textit{Groundwork for the Metaphysics of Morals} (the latter to be discussed more in-depth in a later chapter). First, Hutcheson subjects a possible action to a principle of universality and then considers the material consequences: Does

\begin{flushleft}\textsuperscript{483} Ibid 184. \textsuperscript{484} Ibid 184. \textsuperscript{485} Ibid 184. \textsuperscript{486} Ibid 184-185. \textsuperscript{487} Ibid 185.\end{flushleft}
the action make more people happy or sad? While Kant would reject the second part, he embraces the first as the primary test: Can the action be universalized at all? The form of lawfulness is universality; therefore, our actions should be universalizable, or rendered into laws. Upon some readings, only cognitive consequences that follow a priori from assumed premises, like logical consistency, are of concern. Material consequences drop out of the equation entirely.

Second, Kant does not repudiate a notion of moral feeling, only Hutcheson’s conception of it. For Hutcheson, we love what is beneficent and hate what is selfish. Thus, we feel disinterested pleasure from the good and disinterested pain from the evil. But for Kant, the only feeling that is moral, and moreover, a priori, is respect for the law. Kant turns Hutcheson’s intentions on their head and suggests that the pleasure gained from perceiving the good is in some way the determining ground or motivating end of the action because a principle based on a moral feeling must be heteronomous and thus only empirically motivated. In a later chapter, I will return to the question of love’s role in a potential science of the subject and how it is necessary if others are to be encountered in their full personhood rather than as mere rational, ethical beings.

Third, Hutcheson delineates between perfect and imperfect rights based on what produces happiness if universalized, and what does not. While not identical, Kant distinguishes between perfect duties (those which, if universalized, do not produce a logical contradiction) and imperfect duties (those which, if universalized, do not produce a contradiction of the will). The so-called imperfect duty of beneficence does obligate us to help others pursue goals that lead

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\(^{488}\) "We must be able to will that a maxim of our action become a universal law: this is the canon of moral appraisal of action in general. Some actions are so constituted that their maxim cannot even be thought without a contradiction as a universal law of nature, far less could one will that it should become such. In the cases of others that inner impossibility is indeed not to be found, but it is still impossible to will that their maxim be raised to the universality of a law of nature because such a will would contradict itself. It is easy to see that the first is opposed to strict or narrower (unremitting) duty, the second only to wide (meritorious) duty…” Kant, Immanuel, ‘Groundwork of the Metaphysics of Morals’ in Practical Philosophy, ed. and trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 75, [4:424].
to their own personal happiness, since to live in a world where people do otherwise would contradict the will’s own pursuits. This may be Kant’s partial vindication of Hutcheson’s moral theory of benevolence. So while Kant did not adopt Hutcheson’s moral theory of benevolence in toto, he did augment and integrate those parts which could be formalized. Interesting enough, Hutcheson, whose theory goes to such lengths to formalize a foundational moral principle as a mathematical equation, in a certain respect, fails to go far enough.

Now that we understand Hutcheson’s moral theory of benevolence in general, we can see that it appears to be the implicit target of the Second Critique. Consider the following passage:

The principle of happiness can indeed furnish maxims, but never such as would be fit for laws of the will, even if universal happiness were made the object. For, because cognition of this rests on sheer data of experience, each judgment about it depending very much upon the opinion of each which is itself very changeable, it can indeed give general rules but never universal rules, that is, it can give rules on the average are most often correct but not rules that must hold always and necessarily; hence no practical laws can be based on it. Just because an object of choice is here is put at the basis of its rule and must therefore precede it, the rule can be referred to and can be based upon nothing other than what one approves, and so it refers to and is based upon experience, and then the variety of judgment must be endless. This principle, therefore, does not prescribe the very same practical rules to all rational beings, even though the rules come under a common heading, namely that of happiness. The moral law, however, is thought as objectively necessary only because it is to hold for everyone having reason and will.

Since what makes one person happy differs from another and can only be determined empirically, universal happiness as an end cannot furnish the basis for a categorical moral principle that binds with one unambiguous voice without exception. Furthermore, the faculty of sensibility itself is contingent and could potentially vary from person to person, as Kant notes in Lectures on Ethics: “If [the principle of morality] rested on a moral feeling, then anyone not possessed of a moral feeling so fine as to produce in him an aversion to lie would be permitted to lie.” Hutcheson would no doubt claim that, since malice seems, at worst, to be rare, his moral principle of benevolence based on moral sense would hold in general. For Kant, what is general

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489 Ibid 75 [4:423].
490 Kant Critique of Practical Reason 169 [5:26].
is still, nonetheless, not necessary and universal, so Hutcheson’s principle would remain tainted by the contingency of a faculty’s makeup.

We might be tempted to fall back on the principle of maximal happiness (or benevolence) to vindicate Hutcheson’s theory. But Kant seems to anticipate this response. Kant furthers this critique by demonstrating that its moral value lies outside of its matter and instead in its form. It is worth quoting at length:

…the matter of the maxim can indeed remain, but it must not be the condition of the maxim since the maxim would then not be fit for a law. Hence the mere form of a law, which limits the matter, must at the same time be a ground for adding this matter to the will but not for presupposing it. Let the matter be, for example, my own happiness. This, if I attribute it to each (as, in the case of finite beings, I may in fact do) can become an objective practical law only if I include in it the happiness of others. Thus the law to promote the happiness of others arises not from the presupposition that this is an object of everyone’s choice but merely from this: that the form of universality, which reason requires as a condition of giving a maxim of self-love the objective validity of a law, becomes the determining ground of the will…”

In other words, a principle of benevolence is only properly moral on the basis that it possesses a universal form that makes it an objective law. Thus, Kant seems to allow for Hutcheson’s ‘object’ (general happiness) but only after the true moral content (universal form) is acknowledged.

It’s interesting to note that Kant’s further critiques of moral sense theories continue this line of reasoning. The feelings of esteem we have for our own benevolence or the contempt we have for our own selfishness cannot themselves be the means by which right and wrong are revealed, since we must already be virtuous by some measure in order to feel them in the first place. One must already feel the weight of obligation in order to feel the sting of non-compliance or the pleasure of acquiescence. Thus, if these moral feelings of esteem or contempt are right, then they presuppose knowledge of the moral law and duty, as well as respect for that

492 Kant *Critique of Practical Reason* 167 [5:34].
moral law.\textsuperscript{493} That said, is Kant not begging the question? Why must an affect be a reaction to a judgment? Perhaps the more material point is that such a feeling cannot be universalized, nor necessary because it is grounded in the faculty of sensibility. But is not mathematics also grounded in sensibility, yet its calculations are both universal and necessary? What would an ethical theory look like that was grounded in pure intuition? Is it even possible to talk of pure intuitions that aren’t the forms of time and space?

3.4 Intermezzo: From the Subjective to the Objective

The transition from subjective material determining grounds to objective material determining grounds marks a shift in Kant’s sympathies, since on the surface there is a movement away from the sensible to the rational.

Those in the first group are without exception empirical and obviously not at all qualified for the universal principle of morality. But those in the second group are based on reason (for, perfection as a characteristic of things, and the supreme perfection represented in substance, i.e. God, are both to be thought only be means of rational concepts).\textsuperscript{494}

Nonetheless, perfection, from a practical rather than a theoretical perspective, can only be a talent and skill for achieving an end. Since these ends are objects exterior and thus heteronomous to the will, all material practical principles based upon them, such as all objective material principles, are still empirical. This makes intuitive sense, since we not only must empirically verify whether or not an end has been achieved by means of the faculty of

\textsuperscript{493} “More refined, though equally untrue, is the pretense of those who assume a certain moral sense which, instead of reason, determines the moral law and in accordance with which consciousness of virtue is immediately connected with satisfaction and pleasure, and consciousness of vice with mental unease and pain, so that everything is still reduced to desire for one’s own happiness…I want only to note the deception going on here. In order to represent someone vicious as tormented with mental unease by consciousness of his offenses they must first represent him as morally good, at least to some degree, in what is most basic to his character, just as they must represent someone who is delighted by consciousness of his dutiful actions as already virtuous. The concept of morality and duty would therefore have to precede any regard for this satisfaction and cannot be derived from it. Now, one must first value the importance of what we call duty, the authority of the moral law, and the immediate worth that compliance with it gives a person in his own eyes, in order to feel that satisfaction in consciousness of one’s conformity with it and bitter remorse if one can reproach oneself with having transgressed it. Thus one cannot feel such satisfaction or mental unease prior to cognition of obligation and cannot make it the basis of the latter. Someone must be at least half way toward being an honest man even to frame for himself a representation of those feelings.” Ibid 171.
\textsuperscript{494} Ibid 172 [5:41].
sensibility, but also can only fully attain it if circumstances properly align. As discussed, the affective state produced by the subject’s acquisition of an object is pleasure, so to want the acquisition of that object is no different than to want that state of pleasure. Thus, these principles “can become motives of the will only by means of the happiness we expect from them.”

Kant’s discussion of objective ‘reason-based’ principles is curiously more complicated in the Lectures on Ethics than it is in the Critique of Practical Reason, and includes not just perfection as potential bases for a moral principle, but also unity and truth:

The rational grounds are also (1) internal, and (2) external. The former have been derived from metaphysical grounds, namely, from the concepts of unity, truth, and perfection. Almost all writers have derived them from unity, because reason likes to have a rule. But we disapprove a thing on moral grounds, even though there is a rule. Cumberland has a principle of truth. A wicked man, he says, never tells the truth, because he cannot disclose his evil dispositions, without being at variance with himself. The principle of perfection, or of the harmonizing of the manifold into one comes from Wolff.

The conscientious reader of Kant’s Critical works will recognize the three-fold list - unity, truth, and perfection – as a scholastic inheritance mentioned by Kant in Section III of the Transcendental Analytic in the Critique of Pure Reason: “Quodlibet ens est unum, verum, bonum” (“Every being is one, true, and good”). In the first Critique, Kant demonstrates how each of these three concepts is not a fundamental category to be added to the list of twelve, like some metaphysician critics might contend, but instead derives from one of the three categories of quantity (unity, plurality, and totality). Kant’s critique is familiar: “These supposedly transcendental predicates of things are nothing other than logical requisites and criteria of all cognition of things in general…”

495 Ibid 173 [5:41].
497 Kant Critique of Pure Reason B113 (216).
498 Ibid B113-114 (217).
“In every cognition of an object there is, namely, unity of the concept, which one can call qualitative unity insofar as by that only the unity of the comprehension of the manifold of cognition is thought, as, say, the unity of the theme in a play, a speech, or a fable.

Second, truth in respect of the consequences. The more true consequences from a given concept, the more indication of its objective reality. One could call this the qualitative plurality of the marks that belong to a concept as a common ground (not thought of in it as a magnitude).

Third, finally, perfection, which consists in this plurality conversely being traced back to the unity of the concept, and agreeing completely with this one and no other one, which one can call qualitative completeness (totality).”

In other words, not only are unity, truth, and perfection not anything more than necessary preconditions for cognition, but they are also derivative, qualitative interpretations of the categories of Quantity.

The Critique of Pure Reason is not concerned here with assessing the moral value of these three concepts, and could potentially preserve their use in a practical sense while rejecting their theoretical use. This would be consistent with how Kant broached at least three Ideas (the soul, freedom, and God), which were critiqued on theoretical grounds, only to be spirited away to their proper practical sphere. However, it becomes clear by the time the categorical imperative is drafted, that one of these moral concepts takes precedence: unity, or ‘universality.’ Interestingly enough, this is the only scholastic category that seems identical with the Kantian category associated with it. However, as we will see when I explicate Kantian ethics in a later chapter, the duty of truth will reveal itself to be the quintessential example of duty as such, as it provides one of the only clear demonstrations of how the categorical imperative can determine a clear, unambiguous, obligatory maxim.

3.5 Objective-Internal Material Practical Principles

While, as Kant indicated in his Lectures on Ethics, rational principles could conceivably be based on either unity, truth, or perfection, Kant only attacks objective-internal material practical principles based on perfection in the second Critique. Since the table of heteronomy is

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499 Ibid B114-115 (217).
meant to be a comprehensive system of possible ethical theories based on material grounds, this omission is perplexing. However, if the objective-internal/objective-external divide is looked at symmetrically, then the omission makes more sense. Let us return to the passage in question in the *Critique of Practical Reason*: “But those in the second group are based on reason (for, perfection as a characteristic of things, and the supreme perfection represented in substance, i.e. God, are both to be thought only be means of rational concepts).”\(^{500}\) Presumably, if 1) there is only one objective-external material practical principle – Divine Command theory – and it is predicated on perfection, and 2) both objective-internal and objective-external run parallel and are based on the same concept (perfection), then there is no systemic place for objective-internal material practical principles based on unity and truth. Or, perhaps in some way, unity and truth fold into either the aforementioned theories, or in some way can be attributed to a *formal* practical principle, like the one Kant formulates. Therefore, either Kant’s table of heteronomy is 1) complete, and truth and unity are either 1a) ‘formal’ practical principles, or 1b) morally irrelevant, or 2) the table of heteronomy is incomplete, unity and truth actually provide the ground for material practical principles, and Kant has either 2a) forgotten to add them, or 2b) deliberately omitted them to maintain the symmetry of his system.

*The Stoic Perfection-based Moral Theory*

*Stoicism*

In the *Critique of Practical Reason*, we can recall that Kant describes perfection “as a characteristic of the human being” that is “nothing other than talent and what strengthens or completes this, skill.”\(^{501}\) Talent and skill is determined and thus proportionate to how efficiently

\(^{500}\) Kant *Critique of Practical Reason* 172 [5:41].

\(^{501}\) Kant *Critique of Practical Reason* 173. [5:41]
a rational being achieves a particular end. Since any end is prior to and external to the will as a standard that it must empirically measure itself up against, the principle itself is empirical.\textsuperscript{502}

Nonetheless, it is still unclear which specific form this objective internal object (‘perfection as a characteristic of the human being’) takes in Stoicism. In the \textit{Lectures on Ethics}, we are provided with this suggestive fragment: “[The Stoic] sage [was] ranked above the gods, for not much pertained to their gods, since divinity had no temptations or obstacles to overcome; but a sage of that kind would have attained to such perfection by his strength in overcoming obstacles.”\textsuperscript{503} By no means is Kant suggesting that a sage thinks he has surpassed the gods in physical skill or breadth of knowledge (nor is Epicurus suggesting something like this when he claims that the prudent man lives like a god\textsuperscript{504}). A sage is not physically or intellectually superior to the gods, but superior in another manner. Is Stoic perfection a certain standard of character then? If so, how would a principle that legislates the will (i.e. determines a will to be of a certain character) be any different from a formal practical principle that passes Kant’s moral test, which is only concerned with the will? Is not the will an internal object? By turning to the primary texts of Stoicism, I hope to fill in this nebulous type with something more concrete.

\textit{Early Stoicism: Zeno, Cleanthes, and Chrysippus}

Stoicism was founded by Zeno of Citium in the 4\textsuperscript{th} century B.C., and was further developed by his successors Cleanthes of Assos (c. 300-232 B.C.) and Chrysippus of Soli (c. 282-201 B.C.).\textsuperscript{505} Since few early Stoic texts have survived, most accounts of their respective positions are found in secondary sources, such as Diogenes Laertius’ \textit{Lives}, the works of critics,

\textsuperscript{502} Ibid 172-173. [5:41]
\textsuperscript{503} Collins “Moral Philosophy” 46. [27:250]
like Cicero and Sextus Empiricus, and the works of later Stoics, like Seneca.\textsuperscript{506} We have already observed that Kant subsumes the Stoic tradition under the moniker of its founder, ‘Zeno.’ Unfortunately he is not particular as to which Stoic thinkers he has read or has in mind when he provides his account of objective-internal material practical principles. Since Zeno’s works are largely missing, it seems unlikely that he is the primary source from which Kant is drawing. It is unlikely that a more nuanced analysis of Stoicism would suit Kant’s purposes, since what seems to matter most for Kant is the meta-system of ethical theories rather than the component theories themselves. Nonetheless, if we are to better understand what an objective-internal material practical principle (or object) is and how it specifically undermines freedom, such a nuanced analysis seems necessary.

The moral principle that Zeno adopts which fundamentally defines Stoicism as a moral philosophy is the command to live a “life in agreement with nature.”\textsuperscript{507} But such a principle, appearing on the surface to be no different that its Cynic progenitor, has in Zeno’s formulation mutated in connotation to mean something other than the subtraction of social conventions. Unlike the Cynic, the Stoic does not take for granted an originary momentum of human nature overcome and corrupted by the artificial counterforce of society. Instead, the Stoic seeks to realize humanity’s full potential within society, since society is not at odds with human nature; rather it is humanity’s proper niche.

But what exactly is human nature according to the Stoics? What is humanity’s specific natural potential? For one who has read Plato and Aristotle, the answer should come as no surprise:

\textsuperscript{506} Ibid 111-132.
The peculiar potentiality of man as distinct from the rest of natural creation is reason, which subsumes all the traditional virtues; a man can be brave and continent and just only if he understands the folly of their opposites. Man’s goal is therefore the achievement of perfect reason, but nothing less than perfection will do…

Already we can see in this passage an emphasis on the very imperative towards perfection that Kant highlights under the objective-internal register. That perfection is, in turn, tied to both human nature and virtue. For Zeno, the natural life is no different than the virtuous life. This claim might at first seem counter-intuitive since typically most people today take it as a given that nature is amoral. Without Reason acting as a mediating term, the Stoic inference between nature and virtue seems baseless.

But the notion of ‘nature’ as a standard-bearer was not born fully-formed. As Diogenes Laertius recounts, Cleanthes assumes only a common nature while Chrysippus develops this notion further to include not only common nature but also the nature of man. Ultimately, humanity is but a part of a larger Universal whole, and each of us is slated a part to play in that dynamic whole. Vice results when one goes against what we are naturally predisposed to do. This is not to say that we are naturally virtuous, but that we must work to fall in line with human nature. Interestingly enough, it seems that Man’s very nature, rationality, can only be revealed and thus made a standard for actions by means of Reason itself. Those points aside, we can see how Stoicism is trying to reconcile the two connotations of nature, since ‘human nature’ is

509 Ibid 111.
511 The reader may, perhaps presumptuously, even hear echoes of Plato’s definition of Justice in these conceptions of virtue and vice, since we are ultimately being commanded to ‘mind our own business.’ Plato Republic trans. C.D.C. Reeve (Indianapolis: Hackett Publishing Company, 2004), 119 [433]
concluded to be a part of ‘Nature as such,’ just as a hand is part of the body.\textsuperscript{512} To act in accordance with human nature (reason) is thus to act in accordance with Nature.\textsuperscript{513}

In nature, we find three kinds of things: good things, bad things, and things that are neither, namely, indifferent. Stoics would disagree on the status of indifferent things, some arguing that many of the things commonly thought to be good, such as health and wealth, although technically indifferent, are nonetheless preferred indifferents. Unlike virtue, such indifferents can be used for both good or ill, so they cannot be specifically either.\textsuperscript{514} This delineation mirrors Kant’s own discussion of what is “considered good without limitation” in the *Groundwork of the Metaphysics of Morals*.\textsuperscript{515}

According to the Stoics, virtue is both a means to an end and an end in itself: “On the one hand, insofar as [virtues] cause happiness, they are means, and on the other hand, insofar as they make it complete, and so are themselves part of it, they are ends.”\textsuperscript{516} The Stoic attempts a precarious balancing act between happiness and virtue. He calls happiness (or peace of mind) the highest good while simultaneously attributing the same status to virtue. The Kantian depiction of Stoicism, as we will see in the next section, will suppose that virtue and happiness are the same while Diogenes Laertius’ account underscores virtue’s dual role as both means and end.

\textsuperscript{514} Ibid 118. [SVF III, 117]
\textsuperscript{515} Kant, *Groundwork of the Metaphysics of Morals* 49-50 [4:393-4:395]
Later Stoicism: Seneca and Epictetus

Seneca

Seneca developed the Stoic position even further. The works of his history has preserved (which are many) are often letters specifically addressing the concerns of a struggling Stoic, friend, or relative. For example, in On Providence, Seneca addresses the classic problem of theodicy: Why do the gods let bad things happen to good people? Seneca responds by challenging the presuppositions of the very question. Bad things never happen to good people. Herein lies a subtle ethical doctrine that fleshes out what is good and what is bad. If we presume, like Seneca does, that the universe is governed by a just providence, then all the negative afflictions that good people often bear, such as poverty, persecution, violence, and death, can’t actually be bad but instead in some way must benefit the virtuous and society as a whole.

Seneca most vividly illustrates how what appears to be bad in actuality benefits the afflicted in a letter he wrote to his mother during his temporary exile, called The Consolation of Helvia. In it, he attempts to convince her that his exile, which appears bad, is really for his benefit, which should allay her grief. To a modern reader, the claim that poverty could be preferable to affluence seems like an act of rationalization in the face of misfortune rather than an honest assessment. However, this notion was already implicit in Epicureanism when it distinguished between natural and necessary desires and unnatural desires (aspects of affluence aligning more with the latter than the former). Similar to Epicurus, affluence, according to Seneca, can lead to vice, since it creates unnatural desires which cannot be sated. Vice leads to misery since it places us squarely in Fate’s province: What has been given by Fate will inevitably be taken away, like an immaculate rug pulled out from under us. It is better to not stand on such
a rug at all. That is why the poor man is actually more likely to be content than the wealthy man since he is neither burdened with these bottomless desires, distracted by the acquisition of luxuries, nor worried about their imminent loss.\footnote{Seneca, “Consolation of Helvia,” in \textit{The Stoic Philosophy of Seneca: Essays and Letters}, trans. Moses Hadas (New York: W.W. Norton & Company, 1958), 124.}

A man who keeps himself within the bounds of nature, therefore, will not feel poverty; but one who exceeds those bounds will be pursued by poverty; but one who exceeds those bounds will be pursued by poverty even in the greatest opulence. For necessities even exile is sufficient, for superfluities not even kingdoms are. It is the mind that which makes men rich; the mind accompanies us into exile, and when it has found adequate sustenance for the body even in the most desolate wilderness its own resources provide an abundance which it can enjoy.\footnote{Ibid 120.}

Poverty is akin to a medicine hard to swallow, since it cures by removing the very luxuries that lead to vice.\footnote{Ibid 120.} Once again, the Stoic emphasis on the affective costs of vice (misery) seems to highlight Kant’s own characterization of this moral imperative as ultimately aiming at pleasure.

At minimum, the benefits proffered by apparent evils can be reduced to one: we can only grow stronger if we are tested. The gods do not show disapproval but stern love for those they test through hardship. ‘Strength’ in this context is two-fold. Physically, our bodies grow stronger when they are put to work.\footnote{The most robust part of the body is that which is most frequently put to active use. We must offer ourselves to Fortune so that we may be inured against her through her own agency; gradually she will make us her peers, and constant exposure to peril will beget contempt for danger. So sailors’ bodies are hardened by enduring the sea, and farmers have calloused hands, and soldiers’ biceps are powerful for hurling missiles, and runners have nimble legs; the member each exercises is the most robust. Seneca, ‘On Providence’ in \textit{The Stoic Philosophy of Seneca: Essays and Letters}. trans. Moses Hadas (New York: W.W. Norton & Company, 1958), 39.} But physical strength is secondary to what may be called either mental strength, or virtue. “By suffering misfortune the mind grows able to belittle suffering.” Mental endurance is but one aspect of virtue as such. Only through hardship can we determine the caliber of our virtue, or lack thereof. “You do not shine outwardly because all your goods are turned inward.”\footnote{Ibid 44.} Those who live an easy life only attain a superficial happiness...
that wavers at the slightest misfortune.\textsuperscript{523} To these people Seneca says, “I account you unfortunate because you have never been unfortunate. You have passed through life without an adversary; no one can know your potentiality, not even you.”\textsuperscript{524} With prosperity comes temptation to vice: “Death by starvation comes gently, gluttony makes men explode.”\textsuperscript{525}

For Seneca, the duty of a good man ultimately amounts to “offer[ing] himself to Fate,”\textsuperscript{526} since “nothing can be wrested from a man if he does not cling to it.”\textsuperscript{527} In a sense, this is nothing more than a reframing of Zeno’s position that we ought to act in accordance with Nature. Seneca, pre-empting Epictetus’ own words, seems to suggest that what is properly mine cannot be taken from me, but what can be taken from me belongs to the gods and can fairly be repossessed at any time.\textsuperscript{528} The measure of our virtue is proportional to how little the loss of externals bothers us, or even occasions joy in us. Another way of saying this is that proper virtue immunizes the Stoic against the whims of Fortune, leaving the state of mind of the Stoic unaffected by externals.

\textit{Epictetus}

The \textit{Enchiridion} may be one of the most concise and yet comprehensive of Stoic ethical texts. The text itself is more of a collection of adages meant to guide the Stoic initiate than a streamlined essay. Epictetus grounds his interpretation of ‘living in harmony with nature’ through delineating between what is in our power and what is not. The list of things in our power include thought, impulse, will to get (desire), and will to avoid (aversion); while things

\begin{thebibliography}{99}
\bibitem{523:i} Ibid 44.
\bibitem{524:i} Ibid 36.
\bibitem{525:i} Ibid 38-39.
\bibitem{526:i} Ibid 42.
\bibitem{527:i} Ibid 41.
\bibitem{528:i} Ibid 41.
\end{thebibliography}
such as the body, property, reputation, office, and loved ones are not in our control. It is undeniable that the former are ‘internal’ objects, so Kant’s categorization seems so far apt.

Remaining ‘in harmony with nature’ means to focus on what we can control and to accept that it is in the nature of things outside of our control to inevitably be taken from us. For example, it is in the nature of mortal beings to perish, so we would be at odds with nature if we expected them to transcend death. To dread the passing of the mortal is to invite discontent since it will inevitably happen, while to accept it as inevitable is to remain unfazed regardless of circumstances. Many critics may read this as a cold reaction to the passing of someone dear. The modern assumption is that emotional distress should be proportional to the love felt for the departed. But to a Stoic, things not in our control should be thought of as on loan to us from the Divine. Likewise, it makes little sense to feel indignant rather than grateful when something is reclaimed by its proper owner, since one was never owed use of the reclaimed item to begin with.

Epictetus uses a theatrical example to illustrate what our duty is:

Remember that you are an actor in a play, and the Playwright chooses the manner of it: if he wants it short, it is short; if long, it is long. If he wants you to act a poor man you must act the part with all your powers; and so if your part be a cripple or a magistrate or a plain man. For your business is to act the character that is given you and act it well; the choice of the cast is Another’s.

Of course this analogy spawns several provocative questions. Does this mean that the so-called cripple should decline opportunities to improve his condition? Furthermore, while we may be born into some roles, such as Marcus Aurelius was, neither career, talent, health, nor social standing are static from birth. Each is determined by our choices. Aptitudes may manifest, but only after significant practice determined by an initial decision that may have been arbitrary.

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530 Ibid 134.
531 Ibid 135.
532 Ibid 137.
And even granted that there are innate aptitudes, an aptitude could dispose someone towards a myriad of roles. And what of conflicting roles? A man may be born into an imperial lineage, but what if he has a once-in-a-generation ear for music? Which role does he take up?

Ultimately, Epictetus concludes that the only quality about oneself that carries value (and presumably, moral weight) is one’s response to impressions.\footnote{533}{Ibid 135.} This is due to the reduction of the sphere of what one truly is to the realm of what is in our control, namely, the will. This can be inferred from the following passage: “Sickness is a hindrance to the body, but not to the will, unless the will consent. Lameness is a hindrance to the leg, but not the will. Say this to yourself at each event that happens, for you shall find that though it hinders something else it will not hinder you.”\footnote{534}{Ibid 135.} The path dedicated to what is in one’s control is at odds with the path dedicated to things outside of our control, insofar as one frees us from the contingencies of things out of our control while the other one shackles us more firmly to them. True contentment only lies on the former path, momentary pleasure and persistent disappointment on the latter path.\footnote{535}{Ibid 136.} That is not to say that the path of true contentment is the one that will gain the accolades and attention of others, since such things can usually only be ‘earned’ by following the slavish path.\footnote{536}{Ibid 139.}

What makes something pleasant or distressing is ultimately the judgment we have about the events rather than something intrinsic to the events themselves.\footnote{537}{Ibid 134.} Otherwise, why would the same circumstance that causes me pain be viewed by others with indifference? If it were otherwise, would not everyone view it the same way?\footnote{538}{Ibid 139.} Things happen as they must, leading Epictetus to conclude that “there is nothing intrinsically evil in the world.”\footnote{539}{Ibid 139.}
Now that we have examined various Stoic texts, it is worth noting how Kant critiques Stoicism and compares it to the other ancient ethical theories, particularly Epicureanism. Notably, it is in his criticism of the Stoic ideal that we encounter an unfamiliar Kant, one critical of any ethics predicated solely upon a disembodied, passionless duty. Kant identifies three approaches in Antiquity which took a different object to be the ideal of the highest good: The Cynic ideal, the Epicurean ideal, and the Stoic ideal. Each, in its own way, seems to be the inversion of one of the others.

The Cynic ideal is unique for several reasons. Traditionally, Cynicism is considered a precursor to Stoicism, yet Kant claims that neither shares a common ideal: the Cynic ideal is *simplicity (or innocence)*, the Stoic ideal *wisdom*. Furthermore, Kant finds a place for both the Epicurean and Stoic ideals in the table of heteronomy but the Cynic ideal is strangely omitted from the second *Critique*, perhaps for the sake of systemic symmetry. What makes the omission more perplexing is how he identifies Cynicism with the position of one of his contemporaries: Jean-Jacques Rousseau (In the *Lectures on Ethics* Kant refers to Rousseau as ‘that subtle Diogenes’). Apocryphal stories involving late-day walks aside, Rousseau’s influence on Kant is difficult to overestimate. Paul Guyer and Allen W. Wood say the following about Rousseau’s impact on Kant’s ethical work:

...Kant’s philosophy can be thought of as an attempt to synthesize Leibniz’s vision of the preestablished harmony of the principles of nature and the principles of grace with the substance of Newtonian science and the moral and political insights of Jean-Jacques Rousseau...Kant [transformed] Leibniz’s vision of a harmonious world of monads under the rule of God and Rousseau’s vision of a social contract expressing a general will into ideals of human reason, neither of which can simply be asserted to exist in well-founded cognitive judgments made within

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542 Ibid 45. A more detailed treatment of these ideals is forthcoming.
543 Ibid 45.
the limits of human sensibility and understanding, but both of which can and must represent the ultimate even if never completely attainable goals of human theoretical and practical thought and conduct.\textsuperscript{544}

Is Kant’s pairing of the Cynic ideal and Rousseau’s position, as well as the glaring absence of both in the table of heteronomy, in some way an implicit agreement with this position? This answer, as well as how Kant distinguishes Cynicism from Stoicism, can only be discovered by further probing the Cynic ideal of simplicity.

The ideal or archetypal Idea of Diogenes and the Cynics was ‘the man of nature.’\textsuperscript{545} By esteeming the natural over the conventional, morality consists of preserving the natural state: not only nature but morality itself is put at odds with society. Maintain only natural needs rather than supplementing those needs with conventional ones, and the happiness that results from the appeasement of needs will be assured. Natural man wants for nothing and in this way technically has no needs. He is naturally good: “for if one has no needs, one also has no desires, and then our actions coincide with morality; for such a man, it costs nothing extra to be honest, and so virtue would be only an Idea.”\textsuperscript{546} For Kant, however, such an individual could be moral but never virtuous, since there is no natural adversity to overcome in order to act morally.\textsuperscript{547}

In contrast to the seemingly-extraneous role played by the Cynic ideal, the Epicurean and Stoic ideals are two sides of a virtue and happiness debate that Kant sees as founded on false grounds. For Kant, the highest good is ‘highest’ only by virtue of two criteria: that it is ‘supreme’ over all other goods, and that it is complete, lacking nothing.\textsuperscript{548} Virtue fulfills the first criterion, but the happiness of agents must be proportionate to their virtue for the second criterion to be met. A virtuous man lacking in happiness could never be said to possess the highest good,

\textsuperscript{546} Ibid 45. [27:249]
\textsuperscript{547} Ibid 45. [27:249]
\textsuperscript{548} Kant \textit{Critique of Practical Reason} 228. [5:110]
such as Aristotle notes of King Priam after the loss of his sons at the hands of the Greeks. Even
an impartial observer would judge such a virtuous yet tragically sad man’s plight to be unjust.
While the world gives no guarantees that good people will live happy lives, we nonetheless judge
good people to *deserve* happiness, and are saddened when they are plagued by misery and
misfortune. Furthermore, nothing stirs ire and disgust like the awareness that a wicked man is
beset with lavish blessings and enjoys the greatest happiness despite what punishments he is
owed.549

Kant differentiates ancient ethical theories based on the varieties of possible logical
relationships that can hold between virtue and happiness: either the pursuit of one is identical
with the other (they are the same), or the pursuit of one causes the other to occur (they are
distinct).550 Epicureanism and Stoicism assert a relationship of identity between virtue and
happiness, which, for Kant, is the source of their error. Given that we have two terms – virtue
and happiness – there are two ways that relationship of identity can be expressed:

The Epicurean said: to be conscious of one’s maxim leading to happiness is virtue; the Stoic said:
to be conscious of one’s virtue is happiness. For the first, *prudence* was equivalent to morality;
for the second, who chose a higher designation for virtue, *morality* alone was true wisdom.551

The Epicurean archetypal Idea – ‘the man of the world’552 – judges all actions that lead to
pleasure (*ataraxia*, or peace of mind) to be virtuous. The first term defined is happiness, and
virtue is only defined in reference to it, as identical with the proper means towards achieving
*ataraxia*. “Epicurus wanted to give virtue motives and no value; the motive was happiness, and
the value worthiness…So he took away the value from virtue, in that he made morality into a
means of happiness.”553 The prudence required to achieve *ataraxia* does not come naturally, but

549 Ibid 228-229. [5:110-5:111]
550 Ibid 229. [5:111]
551 Ibid 229. [5:111]
552 Collins “Moral Philosophy” 46. [27:250]
553 Ibid 46. [27:250]
instead is an art.\textsuperscript{554} Philosophy as such. On this point, Epicureanism and Stoicism agree: People are not born virtuous but instead have an inclination towards vice. Naturally, people are plagued by irrational beliefs and values. They discount long-term consequences and pursue immediate pleasures accompanied by long-term pains.\textsuperscript{555} They pursue unnatural, or vain, pleasures instead of natural and necessary ones, even though a life spent pursuing them leads to pain and anguish. Most people naturally succumb to superstitious thinking that makes them fear baseless threats. Philosophy thus had to be invented to correct this innate tendency.

A contrast with Epicureanism illuminates Kant’s interpretation of Stoicism and its failings. Kant identifies the Stoic ideal with the Sage.\textsuperscript{556} While the Epicurean tries to change circumstances to those that accord the agent peace of mind, the Stoic tries to change himself so that he is immune to the contingencies of circumstances. The sage, by mastering himself, masters fate, since he controls how he responds to the whims of fortune. He never becomes distraught by events because he aligns his will with these events: “He is a king, in that he rules over himself, and cannot be constrained, in that he constrains himself.”

It is easy to see how Zeno reverses Epicurus’ position: “Zeno extolled the inner value of virtue, and located the highest good in it, and took away the motives to virtue…Zeno did the opposite [of Epicurus], locating happiness in value, and assigning no motive to virtue.”\textsuperscript{557} Stoicism inverts Epicureanism, privileging the logical over the sensible\textsuperscript{558} (In a way, Kant and Foucault are but the avatars of this ancient debate). “According to the Epicurean the concept of virtue was already present in the maxim of promoting one’s own happiness; according to the

\textsuperscript{554} Ibid 45. [27:249]  
\textsuperscript{555} Ibid 45. [27:249]  
\textsuperscript{556} Ibid 46. [27:250]  
\textsuperscript{557} Ibid 46-47. [27:250]  
\textsuperscript{558} Kant \textit{Critique of Practical Reason} 230 [5:112]
Stoic, on the other hand, the feeling of happiness was already contained in consciousness of one’s virtue.”

Neither the Epicureans, nor the Stoics, acknowledged the fundamental difference between happiness and virtue, because they “sought the unity of the principle [of the highest good] in accordance with the rule of identity.” An innovation of Kant’s critiques, evident here as it was in the first *Critique* (when he criticized Leibniz’s conflation of intuition and concept in the Amphiboly) is to divide what must be distinguished. Both ethics and metaphysics have been plagued by improper conflations between things of different natures. For ethics, that conflation was not between intuitions and concepts (like it was for the Amphiboly) so much as between happiness and virtue. This irreconcilable difference ultimately undermines the Stoic project (as well as the Epicurean project). Happiness cannot come merely from the esteem we hold for our own virtuous actions like the Stoic thinks, since we are not mere minds but embodied beings with all-too-human sensuous desires and needs. Happiness arises from the satisfaction of these desires and needs. It may be noted that virtue, while not at odds with happiness, does not concern itself with the personal happiness of agents, only prudence does. Yet when it comes to the matter of what is fair, happiness and virtue are related. A worthy man is warranted a greater share of happiness, a moral fact all the more evident when a bad man is unjustly blessed with it. Therefore, consciousness of this injustice is not allayed by a virtuous character but is contrarily exacerbated by it. Thus, the unfortunate Stoic may reflect upon his actions favorably and hold himself with the highest esteem, but be all the more pained that he

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559 Ibid 230 [5:112]  
560 Ibid 229 [5:111]  
deserves happiness and yet lacks it. The pain of righteous indignation only increases the more worthy the Stoic feels himself to be.\ foot{\textsuperscript{562}} 

For Kant, both the Epicurean and the Stoic fail to recognize that this discordance cannot be resolved by anything other than divine assistance, such as Christianity promises.\ foot{\textsuperscript{563}} While Epicureanism esteems the Man of the World, and Stoicism the Sage, Christianity endorses the Holy Man and holiness as its ideal, the latter of which is a kind of moral perfection unattainable by man’s own efforts. The ultimate incentive to attain this ideal is blessedness, or perfect happiness, attainable only by means of grace and dispensed only after the fetters to this life and world have been severed. Unlike those ethical theories that conflate virtue and happiness by means of a principle of identity, Christianity correctly posits a causal relationship between virtue and happiness that acknowledges the difference of kind between them. This causal relationship respects this difference in kind insofar as virtue does not produce happiness in the sensible world so much as give God grounds for offering it as a reward for virtue..\ foot{\textsuperscript{564}} By making happiness a reward, happiness and virtue are fundamentally divorced from each other. Ancient ethical positions, such as Epicureanism and Stoicism “had no greater [concept of] moral perfection than that which could come from the nature of man,’ and subsequently “accommodated virtue to human weakness.”\ foot{\textsuperscript{565}} Because Christianity assumes ‘divine assistance’ (by which Kant likely means both grace and salvation simultaneously) its standards can be unflinchingly perfect and pure.\ foot{\textsuperscript{566}} While this statement only sheds a dim light on Kant’s own ethical positions (to be covered in Chapter Six), it does allow us to see how Kant sees both positions as brothers of the

\footnotesize{\textsuperscript{562} Collins “Moral Philosophy” 47. [27:251] \hspace{1em} \textsuperscript{563} Collins “Moral Philosophy” 47. [27:251-27:252] \hspace{1em} \textsuperscript{564} Kant Critique of Practical Reason 232. [5:114-5:115] \hspace{1em} \textsuperscript{565} Collins “Moral Philosophy” 47. [27:251-252] \hspace{1em} \textsuperscript{566} Ibid 47. [27:251-252]}
same bifurcated branch grounded on at least two fundamental errors: namely, heteronomy of choice and a misrecognition of the relationship between virtue and happiness.

*General Reflections on Stoicism as Heteronomy*

Despite the Stoic emphasis on freedom, Kant nonetheless judges Stoicism to be heteronomous rather than leading to true autonomy. That is because the Stoic is concerned with moral perfection, which according to Kant, can only be determined empirically by how well one achieves an end. Although Kant is not explicit about what this end is, it’s likely to be two-fold: 1) whether or not the will wills that things should be as they already are in the world, and 2) whether the inner intuition of ataraxia is observed. Both criteria are clearly empirical.

Furthermore, for Kant, it is unavoidable that the subjective determining grounds of the will must be that very sensible state of agreeableness (ataraxia). And while, as we will see, Kant will turn to nature as a model for his moral principle, he turns towards the *form* of nature (lawfulness) while the Stoic appeals to its *content* (natural states of affairs).

*The Wolffian Perfection-based Moral Theory*

Kant classifies the Leibniz-inspired ‘rationalist (or cognitivist)’ perfectionism’ tradition in the same objective-internal category as Stoicism, and does not distinguish the two positions as subtypes, as was common in the ‘subjective’ moral theories previously covered. Nonetheless, rationalist perfectionism, albeit similar, is distinct from Stoicism rather than a mere modern reiteration of it.

The substance of the view was that the primary duty of human beings is to admire or even imitate the perfection of God, and that from that derive the duties to perfect their own minds and bodies in order to facilitate that and to assist each other in achieving such perfection.568

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What this position ultimately means is that we as human beings are obligated to perfect our cognitive capacities, since only then do we fully grasp God’s perfections. Since humans are not purely spiritual entities, this requires us to perfect those bodily and external conditions that act as necessary conditions for achieving that cognitive perfection. To know God’s perfections is to necessarily love God, which in turn makes us happy. Striving towards self-perfection is thus just a means towards understanding God, and all duties towards benefitting others are also just means towards facilitating their understanding of God.

However, the position could be restated in a manner without reference to God that sounds more in line with Stoicism, as Lewis White Beck does in *Early German Philosophy: Kant and His Predecessors*. As Beck notes, according to Wolff, “No revelation of God is needed to teach men their duty; an intelligent atheist can know and fulfill his duty.” To know a perfection is to necessarily desire it. But one cannot want one sole perfection, since all perfections are bound together as reciprocally reinforcing, and a given perfection is grounded by the other perfections:

To know a perfection is to will an interconnection of every act so that each one supports and gives a ground for the others; it is to be independent of the accidental and obscure features of our circumstance, and when we act so as to actualize our own nature we are living “according to nature.”

Thus a variant of natural law theory emerges that suggests that, as previously discussed, we have a duty to help others to perfect themselves as well as to perfect ourselves, which when attained leads to happiness.

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569 Ibid 1516.
570 Ibid 1516.
571 Ibid 1516.
573 Beck 272.
574 Ibid 272.
575 Beck 272.
Conclusions regarding Objective-Internal Material Practical Principles

The duty to comply with nature as well as the subsequent happiness that results from doing so has much in common with Stoicism, albeit Wolff is much more explicit about the standard of perfection towards which we should strive. It’s clear by now that Kant is not going out on a limb when he suggests that moral perfectionism, be it Stoic or Wolffian, is heteronomous and eudaimonistic. Both Stoicism and rationalist perfectionism explicitly express a necessary relationship between moral perfection and happiness. As we have covered, this connection is the naïve one Kant identifies with the Ancient perspective, a connection he attempts to thoroughly sever. Wolff does admit that the body must be perfected as well, which may comply with Kant’s requirement that sensuous nature also be appeased, so Kant’s critique on this point may in fact miss the mark. Nonetheless, both positions also depend on satisfying criteria external to the will. Even though a seemingly unempirical a notion such as ‘the perfections of God’ may be derived rationally, whether or not we measure up to those standards can only be confirmed empirically.

3.6 Objective-External Material Practical Principles

Finally, Kant identifies moral theories based on objective-external criteria. Kant divides objective practical principles into two kinds of perfection: perfection as a ‘characteristic of the human being’ (objective-internal material practical principles) and perfection as ‘the supreme perfection in substance.’ The latter is God and His “adequacy…to all ends in general.” For Kant, the latter acts as a practical principle insofar as the will of God can act as a standard to which our will must conform. It still remains a eudaimonistic principle insofar as the only subjective motive for complying with it remains the happiness expected from complying with it.

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576 Kant The Critique of Practical Reason 173. [5:41]
577 Ibid 173. [5:41]
It is also empirical not because God Himself is empirical but because compliance with an external standard must be determined empirically. Another way of expressing this moral position is to say that what is right and wrong is determined solely by God’s will. Kant cites one near-contemporary who holds this position: Christian August Crusius.

**Crusius’ Divine Command Moral Theory**

In Chapter Two we encountered Crusius as a critic of the Wolffian-Leibnizian metaphysical and epistemological tradition. However, he was also a critic of the Wolffian-Leibnizian ethical tradition. Contrary to Leibniz and Wolff, Crusius sees right and wrong as determined solely by the will of God. Crusius opposed Wolff’s cognitive perfection with an emphasis on ‘conscientious feeling.’ Contrary to Wolff, who claimed that to know the good means to desire it, Crusius divides the understanding and the will, cleaving the presumed necessary connection between knowing and willing. In a move that parallels Kant’s own subservience of the theoretical to the practical, Crusius concludes that “thought and understanding exist only for the sake of action and the will.” The understanding helps us to understand the natural ends, or ‘perfections’ which we must strive to attain while the will implements the means the understanding has reasoned out to achieve those ends. These means are referred to as goods. God, however, designed us with not only an understanding that grasps the good and a will that desires it, but also with fundamental impulses or desires for specific natural ends. These fundamental desires include the desires for truth, self-perfection, happiness, and to love God, but also a desire to obey God’s commands. Happiness is found by

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578 Ibid 173. [5:41]
580 Ibid 459.
582 Ibid 401.
obeying these divine commands, or, in other words, with complying with the ‘impulse of conscience’ God has given us. Therefore, humans possess innate feelings that grasp the Divine will. Since one of the natural ends of humans is to comply with divine commands, ethics is grounded on God’s will. The will, being free, can choose to assent to the commands of the Divine will or to act contrary to them. We are free to comply or not regardless of our desires or concerns for our own happiness. Once again, it becomes clear why Kant thinks that the subjective determining ground of the will, even in this case, is happiness.

Beck suggests that this is not technically the same position as Divine Command theory per se, since what is good is ultimately determined not by God’s arbitrary whim but instead by those natural ends God originally chose. Nonetheless would not this position still be an indirect or roundabout version of Divine Command theory (or even Natural Law theory), since presumably God arbitrarily chose humanity’s natural ends when He designed human nature?

3.7 Final Remarks on Heteronomy and Its Threat to Freedom

From this concluding vantage point, an interesting pattern seems evident in the Table of Heteronomy. Granted a left-to-right reading of the Table itself (which I have presented), we can see a (dialectical) movement from the most groundless moral theories to those that asymptotically approach a universal grounding. Subjective-external material practical principles are anarchic, since they seem to be arbitrarily determined by the tastes of a given culture. They bear the force of law without being the moral law. They are in a sense the simulacra of the moral law, since they give the appearance of law without bearing the substance of law (universality). Subjective-internal principles, being internal, are at minimum planted on a purely subjective

583 Ibid 401 – 402.
584 Ibid 402.
585 Ibid 459.
586 Ibid 402.
ground and, having returned into their purely subjective essence, can find a less arbitrary object to affirm: a real subjective state (pleasure) which can be determined by means of what can at best be described as a theoretical analogue to practical reason (prudence). By conceiving of the agent as a theoretical object (namely, a body, or at best, an empirical ego) actual, specific circumstances that will elicit that internal state can be calculated. It is thus an advancement from the previous moral relativist position since it is mediated by reason, albeit prudential reason rather than practical reason. Nonetheless, taste can never be the basis for universal and necessary moral principles, as what pleases one patient may displease another. Objective-internal principles, in some ways similar to Kant’s own practical principle, seem to aim at autonomy. Seneca, for example, seems to articulate the Stoic position as one in which the agent frees himself from the whims of Fortune by withdrawing the boundaries of the self to the sphere of the rational. Nonetheless, this is not absolute autonomy, since practical perfection amounts to mere skill and compliance with external (human) nature. With objective-external principles we are provided with an example of absolute autonomy (God), but such autonomy, in principle, must be arbitrary without a rational grounding, since any ethical criterion other than the will of God would mitigate the power of that will. Divine Command theory is the purest material practical principle since from a limited human perspective it presents itself as if it were rationally determined from a position of absolute freedom (divine decree). But such a conception proves self-contradictory, since this very Logos seems arbitrarily grounded. Rational beings aside from God can only attain autonomy by means of rationality. Rational autonomy and its concomitant formal practical principle will be explored later when we return to Kantian askesis.

The following chapter has highlighted the four kinds of heteronomy, primarily by providing more in-depth expositions of those ethical theories Kant places under the headings of
each kind of heteronomy. Even after doing so, it is not necessarily clear which texts Kant read to familiarize himself with each position. Interestingly, our investigations of each ethical theorist’s position did not always confirm a clean correspondence between each theorist and his respective heteronomous variant. There even seemed to be moral theorists that were strangely omitted granted not only their impact on Kant’s own moral development, such as Jean-Jacques Rousseau, but also because of Kant’s claim that his was a comprehensive architectonic of moral theories outside of his own. One wonders what is more important: Kant’s conception of each heteronomous variant or the actual theories. In this chapter I attempted to find a middle ground.

At minimum, Kant does succeed at providing a framework for not only organizing but predicting possible theories that identify a particular kind of contingent object as good. It is arguable that there may be valued objects that are neither subjective or objective, nor external or internal, but at present, what those objects could be remain merely a logical possibility devoid of actual content. And in those cases when it is clear that a theory does conform to the heteronomous rubric, it is not always clear where it properly belongs. This analysis has shown that to some degree what Kant considers the privileged object of a moral theory is arbitrarily chosen on his part, or at minimum that convincing arguments could be made to the contrary. For example, why should a metaethical analysis of Mandeville’s theory privilege custom when he also seems utilitarian (i.e. to privilege pleasure)?

These complications aside, Kant’s strongest point remains how any practical principle that judges a state of affairs to be either good or bad based on an object, necessarily exterior to the will, leaves an agent at the caprice of factors outside of his control. The agent’s decisions become reactive instead of active, ensnared to the phenomenal realm of determined cause and effect, rather than self-determining. And even if Kant’s typologies are not faithful renditions,
they still articulate ways in which external conditions can replace the conditions the will sets for itself.

The table of heteronomy is thus a crucial architectonic of domination whose usefulness can be exported from the realm of metaethics. It is from this perspective that I will approach Michel Foucault’s investigations into power-knowledge in the next chapter.
4.1 The Table of Heteronomy as Architectonic for Foucaultian Forms of Control

In Chapter Three, we explored the four primary manners in which Kant claimed the will’s autonomy could be subverted. This, paradoxically, was represented in a table of possible goods the will could pursue:

<table>
<thead>
<tr>
<th>External:</th>
<th>Internal:</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Education (Montaigne)</td>
<td>*Physical Feeling (Epicurus)</td>
</tr>
<tr>
<td>*Civil Constitution (Mandeville)</td>
<td>*Moral Feeling (Hutcheson)</td>
</tr>
<tr>
<td></td>
<td>*Will of God (Crusius and other theological moralists)</td>
</tr>
<tr>
<td>Internal:</td>
<td>External:</td>
</tr>
<tr>
<td>*Perfection (Wolff and the Stoics)</td>
<td></td>
</tr>
</tbody>
</table>

Because each good and the means towards acquiring it are external to the will and thus in some respect contingently bound to the faculty of sensibility and its situational relationship to the phenomenal realm of cause and effect, the will founders and is no longer autonomous if the success of its strivings is measured by their acquisition. Put otherwise, insofar as we are merely concerned with a being that seeks goods, we do not encounter a rational self-determining agent but a sensuous patient that is bound up in the causal web of natural forces, reacting to stimuli much as the metal ball impacted by another in a Newton’s Cradle communicates its kinetic force to the others mindlessly, prompting a reflexive back-and-forth no more autonomous for being so.

Rather than eschew the label of possible ‘goods’ and look only at the structural aspects of the Table, we must recognize that the form of domination a theorist such as Michel Foucault is concerned with always persists and perpetuates itself through a nexus of posited human goods:
the ‘normal,’ after all is supposed to be the human good and the ‘abnormal’ the human bad. Such a reading would remain in the spirit of Kant’s own engagement with these heteronomous imperatives insofar as he deprives these imperatives of their moral pretentions while acknowledging that they are indeed *pretentions*. We can thus re-read the Table of Heteronomy as illustrating two interdependent forms of domination: metaphysical domination that determines the actions of subjects and social domination that determines the norms to which subjects must conform. The Table itself would thus provide us with a comprehensive grid of the forms of domination. Ironically, a table meant to illustrate objects necessarily illustrates forms. Put another way, granted that the norms at issue that constitute normalcy are human norms, each quadrant of the table could thus represent a kind of norm meant to standardize a specific facet of human nature. Each quadrant would represent a problematic field of human nature which is consistently re-investigated, reconceived, and regulated.

Michel Foucault’s corpus is, by design, meant to be asystematic. However, I take issue with Foucault’s claim that his work need be so, and can be more effective when systematized. I will argue that if Foucault’s work is categorized in line with Kant’s Table of Heteronomy, the rhapsodic array of his investigations will suddenly appear consistent and that methodological differences between each text will be shown to indicate less a rejection of previous methods than they do a change of problematic field. I argue genealogy does not replace archaeology but rather is a distinct, albeit related, manner of interrogating different objects.

What is really at stake in both Kant and Foucault’s work on domination is the object of the human sciences: Man. As both Foucault’s *Introduction to Kant’s Anthropology* and *The Order of Things* indicate, Modern thought is inherently anthropological and embroiled in the ‘analytic of finitude.’ Kant signals the beginning of Modernity (and Man himself) because he is
the first to make man’s finitude the basis for knowledge (which is an implicit contradiction borne out over time).\textsuperscript{587} It is by means of the Critical project and its empirical-transcendental distinction that Man, as an ‘empirico-transcendental doublet’ became possible.\textsuperscript{588} More accurately, Man and Anthropological thought are constituted by three doubles: the transcendental/empirical, the cogitio/unthought, and the retreat/return of origins. These doubles are the “three ways in which man’s factual limitations (the positivities) are both distinguished from and equated with those conditions which make knowledge possible (the fundamental).”\textsuperscript{589} Kant is the first to distinguish the form of knowing (the transcendental conditions for knowing), from the contents of what is known (the empirical object). Kant also argues that ‘the form of thought and action’ may be clear while the content of knowledge, in principle, is inexhaustible and inevitably unthought in its totality. Finally, we always seek an origin when we seek to ground what we know, but that origin consistently retreats. Those after Kant attempted to overcome each double by means of making finitude the condition of knowing, and, according to Foucault, consistently fail.\textsuperscript{590} Man is the persisting product of that failure.

In claiming that man has existed only since the eighteenth century, Foucault is asserting that there was no “epistemological consciousness of man as such,” no domain that was specifically proper to man before the modern period. “Renaissance ‘humanism’ and Classical ‘rationalism’ were indeed able to allot human beings a privileged position in the order of the world but they were not able to conceive of man.”\textsuperscript{591}


\textsuperscript{590} Dreyfus and Rabinow, \textit{Michel Foucault} 26-43.

By means of three emerging disciplines (economics, biology, and philology: production, life, and language, respectively) that underpin the human sciences (sociology, psychology, and language analysis), Man as an epistemological ‘figure of finitude’ emerged as a being…

…condemned to exist by the sweat of his brow, an organism living under the sentence of death, [and] a process of thinking forced to lodge its thought in the density of language. His essentially finite identity is proclaimed through these domains of knowledge in which he has sought enlightenment. The experience of human reality as “man” is as a living body, an appetite in relation to which value emerges, and as a user of language.

On Deleuze’s reading, the Man-form, as a figure of finitude, emerges “when the forces within man enter into a relation with forces of finitude from outside” (namely, the forces of Life, Labor, and Language). According to Foucault, these three disciplines “cover the entire domain of what can be known about man.”

Foucault’s over-archig task is to analyze Man, reveal the ways in which the figure of Man restrains us, and to overcome him (indeed, he already thinks the dissolution of Man is underway). He does this in his works by analyzing the emergence of discourses on the Mad, the Crackpot, the Delinquent, and the Pervert, discourses embedded in practices of domination. The Table can thus be interpreted, upon my reading, as Foucault’s four-fold interrogation of Man that reveals the manners in which Man as a figure of finitude constrains us.

Since I am attempting to prove that Foucault’s work can be mapped onto the Table of Heteronomy, it may help to know before that analysis what I mean by each of the four designations in context to Foucault’s theoretical system and domination: objective-internal, objective-external, subjective-external, and subjective-internal. Let us start with what could be

593 Bernauer, James W., *Michel Foucault’s Force of Flight*. 70.
594 Deleuze *Foucault* 127.
595 Bernauer 79.
596 “Anthropology constitutes perhaps the fundamental arrangement that has governed and controlled the path of philosophical thought from Kant until our own day. This arrangement is essential, since it forms part of our history; but it is disintegrating before our eyes…It is no longer possible to think in our day other than in the void left by man’s disappearance.” Foucault, Michel, *The Order of Things: An Archaeology of the Human Sciences* ((New York: Vintage Books, 1970), 342.
meant by the Objective-Subjective distinction. To preliminarily substantiate this approach, I will take as a guide Gilles Deleuze’s categorization of Foucault’s work, provided in his work *Foucault*. Deleuze’s reading of Foucault is not particularly unconventional, and on the surface seems to model the archaeological/genealogical divide common in Foucault studies. “The study of stratified relations of knowledge culminated in *The Archaeology of Knowledge*. The study of strategic power relations begins with *Discipline and Punish* and culminates paradoxically in *The History of Sexuality*.“⁵⁹⁷ Deleuze identifies *The History of Madness* (*Madness and Civilization*), *The Birth of the Clinic*, *The Order of Things*, and *The Archaeology of Knowledge*, with ‘stratified relations of knowledge’ and *Discipline and Punish* and *History of Sexuality: Volume I*, with ‘strategic power relations.’ Foucault himself divides his work between focuses on knowledge, power, and the subject. I will argue that insofar as Foucault addresses ‘stratified relations of knowledge’ he is concerned with objective forms of domination, and on the other hand, when he broaches ‘strategic power relations’ the subjective forms of domination. Prima facie this makes sense insofar as knowledge concerns objective claims while power is necessarily subjective assertion. Domination characterized by the former would thus consider epistemological limitations of discourse while those of the former immanent social forces in agonistic tension. Or, to put it otherwise, claims of knowledge, if they are to at least be pretenders to the crown of knowledge rather than mere beliefs, must claim to be objective. On the other hand, as we saw with Kant, ‘Subjective’ does not necessarily mean a ‘personal’ epistemological designation, since society and its cultural practices fell under the ‘Subjective-External’ register. Thus, power-relations permeating society concern the Subjective registers.

It is important to note an important distinction between ‘domination’ and ‘power’ before moving onto the ‘Internal-External’ axis. Technically, domination refers to a totalized control

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without freedom, akin to the control of an inert object: “When an individual or social group succeeds in blocking a field of power relations, immobilizing them and preventing any reversibility of movement by economic, political, or military means, one is faced with what may be called a state of domination.”\textsuperscript{598} But \textit{power} can only exist where there is freedom and thus resistance. As we will see, Foucault allows for the possibility that a power relation can be reversed so that domination, properly speaking, rarely happens. But Foucault uses ‘domination’ in another way as well, in \textit{The Subject and Power}, when he discusses the difference between forms of \textit{domination} (ethnic, social, and religious), forms of \textit{exploitation} that separate individuals from what they produce, and forms of \textit{subjection} (what ties the individual to himself and submits him to others by means of it).\textsuperscript{599} I do not intend the word ‘domination’ to be limited to repression, as it will become clear as we proceed that these forms of control are always operative in a given historical period.

Granted that the Objective-Subjective axis is adequate, a second axis must be considered to complete the Table: the Internal-External axis. Whereas in the first classification the difference was epistemological (subjective vs objective), the second seems to involve the domain: Is the form of domination concerned with the internal domain of the self or the external domain outside of it? Traditionally, we pair the subjective with the internal domain and the objective with the external. Kant, however, has provided us with two other kinds of objects: the objective-internal and the subjective-external.

A preliminary attempt at mapping Foucault’s major works (or at least the ones I will discuss) onto these axes might produce the following:

- *The History of Madness (Madness and Civilization)* concerns the mental state of the mad, which is Internal.\(^{600}\)
- Both *The Order of Things* and *The Archaeology of Knowledge* concern the discourse within which the human sciences are framed, which is External.
- *Discipline and Punish* concerns the manner in which power disciplines and regulates by means of institutions, like prisons. The social practices of control are External.
- *The History of Sexuality: Volume I* considers how Western discourse conceives of a hidden inner truth: the truth of our Sex and the incitement to confess it. ‘Sex’, in turn, acts as a means of self-control. This seems ultimately Internal.

This seems to map onto Kant’s Table of Heteronomy nicely, granted that the Objective-Internal theories Kant cites are concerned with virtuous character (an ideal mental state), the Objective-External exemplar with the Will of God (the Logos), the Subjective-External exemplars with education and government (discipline), and the Subjective-Internal exemplars with physical and moral feelings (pleasure and desire).

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\(^{600}\) *Madness and Civilization* is the abridged version of *The History of Madness*. *The Birth of the Clinic* is a difficult book to place, insofar as it does concern something internal, namely the anatomy of the body, while also being a structuralist analysis of the field of medicine that articulates that anatomy and its maladies. Dreyfus, Hubert L., and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (2e), (Chicago: University of Chicago Press, 1983), 12 – 15. For now I have chosen to table placing it within this system.
Thus, we are left with the following table, which is a map of the course of discussion in this chapter:

<table>
<thead>
<tr>
<th>Foucault's Corpus and the Forms of Domination</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subjective-External</strong></td>
</tr>
<tr>
<td>Discipline and Punish</td>
</tr>
<tr>
<td><strong>Subjective-Internal</strong></td>
</tr>
<tr>
<td>History of Sexuality: Volume I</td>
</tr>
<tr>
<td><strong>Objective-Internal</strong></td>
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<tr>
<td>The History of Madness (Madness and Civilization)</td>
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<tr>
<td><strong>Objective-External</strong></td>
</tr>
<tr>
<td>The Order of Things</td>
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<tr>
<td>The Archaeology of Knowledge</td>
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</tbody>
</table>

The following exposition will fall in line with the chronological sequence of Foucault’s works, from *The History of Madness*, to *The Order of Things*, *The Archaeology of Knowledge*, *Discipline and Punish*, and then *The History of Sexuality: Volume I*. As Herman Nilson notes, the first three characterize ‘negative domination-forms’ while the last a more ‘positive’ form. Much of this categorization aligns with Foucault’s own division of his project into examinations of three modes of objectification that “transform human beings into subjects”: the mode of inquiries that try to give themselves the status of sciences,” (such as *The Order of Things* and *The Archaeology of Knowledge*) the mode concerned with ‘dividing practices’ that divide the subject either from himself or others (such as the *History of Madness* and *Discipline and Punish*), and the mode concerning how humans turn themselves into subjects (*The History of Sexuality: Volume I*).

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After documenting the four kinds of domination, I will then proceed onto Foucault’s ethical writings, such as *The History of Sexuality: Volume Two* in Chapter Five. I will start with *The History of Madness* and the Objective-Internal quadrant.

### 4.2 Objective-Internal Forms of Domination: The History of Madness

*Criteria for the Objective-Internal Form of Domination*

We may recall that Kant describes the Objective-Internal material practical principle as pertaining to the perfection of a human ‘characteristic,’ ‘talent,’ or ‘skill’ in accordance with reason. Because the principle pertains to the human being it is internal and because the standard of perfection is rational rather than empirical it is objective. Therefore, any physiological or psychological standard or norm can serve as the basis for such a principle, since physiological and psychological states are characteristics of the human being. Deviations from a physiological norm are referred to as illness while from a psychological norm as madness. Both norms carry the potential for nonconsensual intervention, since a doctor can intervene when a patient is incapacitated in either body or mind. In such instances, intervening authorities (medical or otherwise) may have carte blanche control over their patients. In the forthcoming section, I will explore how this license to intervene and silence what Foucault calls ‘the experience of madness’ has changed forms: from the exclusionary practices of the Renaissance which sought to exile Unreason, to the Houses of Confinement which sought to contain and hide it, to the asylums that sought to cure it, but not as Unreason but as mental illness. By doing so, we will gain a better understanding of the forms of objective-internal domination to which we are subjected.

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603 Kant *Critique of Practical Reason* 172-173 [5:41]
Foucaultian Epistemology in The History of Madness

Foucault’s *History of Madness* is an extensive chronicle of how madness was experienced in the Middle Ages, the Renaissance, the Classical Age, and the Modern Age, with a particular focus on the Classical Age (or ‘Age of Reason’). But before getting a sense of how each epistemological era (or *episteme*) experienced madness distinctly, it is crucial to point out that Foucault is not charting an inevitable progression from religious superstitions about madness to the more enlightened scientifically-informed medical model of madness of today:

The point here is not to establish a hierarchy, nor to demonstrate that the classical age was a step backwards in comparison to the sixteenth century and the knowledge it had developed on madness. We shall see that medical texts from the seventeenth and eighteenth century are enough to prove the contrary. What matters here is to remove all chronology and historical succession from the perspective of a ‘progress’, to reveal in the history of an experience, a movement in its own right, uncluttered by a teleology of knowledge or the orthogenesis of learning. The aim here is to uncover the design and structures of the experience of madness produced by the classical age. That experience is neither progress nor a step backward in relation to any other. It is possible to talk of a loss of the power of discrimination in the perception of madness, and to say that the face of the mad began to be erased, but this is neither a value judgment nor even a negative statement about a deficit of knowledge. It is a manner, still very exterior, of approaching the experience of madness in its positive reality, an experience which stripped the madman of the precise individuality [and] status that the Renaissance had given him, which prepared him, beyond the field of our customary experience, a new face, where the naivety of our positivism believed that it could recognize the nature of madness.  

Here we can see an object of inquiry that appears to belong to the Objective-Internal field: ‘The design and structures of the experience of madness.’ As Hubert Dreyfus and Paul Rabinow note, the relationship between reason and madness

...changes radically from period to period...[What] seems to be a series of approximations to an unseizable ontological condition of pure otherness...[lies] at the center of Foucault’s analysis. Foucault seems to have thought that there was “something” like pure madness which all these different cultural forms were groping after and covering up...  

But we would be wrong to not notice a pattern, or culmination resulting from this historical series of epistemic shifts. As we will see, these approximations, which have culminated in

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605 Dreyfus, Hubert, and Paul Rabinow 4.
present-day psychiatry and psychology, are ultimately but the means of mastering madness rather than understanding it:

Having mastered his madness, and having freed it by capturing it in the gaols of his gaze and his morality, having disarmed it by pushing it into a corner of himself finally allowed man to establish that sort of relation to the self that is known as ‘psychology.’

What Foucault discovered was the “history of the conditions of possibility of psychology.”

While Foucault at this point is taking madness to be self-subsistent and historically persistent, his neutrality regarding inevitable historical progress already foreshadows a form of phenomenology that Dreyfus and Rabinow consider more radical than previous phenomenological methods:

Not only must the investigator bracket the truth claims of the serious speech acts he is investigating – Husserl’s phenomenological reduction – he must also bracket the meaning claims of the speech acts he studies; that is, he not only must remain neutral as to whether what a statement asserts as true is in fact true, he must remain neutral as to whether each specific truth claim even makes sense, and more generally, whether the notion of a context-free truth claim is coherent...Going Husserl one better, Foucault treats both reference and sense merely as phenomena.

Later, in \textit{The Archaeology of Knowledge}, Foucault will seem to suggest that he didn’t go far enough in \textit{The History of Madness}, and that the text was wrongheaded:

We are not trying to reconstitute what madness itself might be, in the form in which it first presented itself to some primitive, fundamental, deaf, scarcely articulated experience, and in the form in which it was later organized (translated, deformed, travestied, perhaps even repressed) by discourses, and the oblique, often twisted play of their operations….This is written against an explicit theme of my book \textit{Madness and Civilization}…[Nonetheless], such a history of the referent is no doubt possible….

This passage seems at odds with my thesis that Foucault’s methods vary depending on their object, until we note the last sentence: “[Nonetheless], such a history of the referent is no doubt possible…” The referent (the experience of madness) is not being denied. Foucault is merely acknowledging that he is not concerned about it in \textit{The Archaeology of Knowledge}.

\footnote{606} Foucault \textit{History of Madness} xxiv.
\footnote{607} Ibid xxiv.
\footnote{608} Dreyfus, Hubert, and Paul Rabinow ,49-50.
\footnote{609} Foucault, Michel, \textit{The Archaeology of Knowledge} trans. A.M. Sheridan Smith (New York: Pantheon Books, 1972), 47.
The History of Madness chronicles a progressive objectification of Man.\(^6\) I will explicate this process through three historical eras: the Renaissance, the Classical age, and the Modern age. Along the way, I will highlight how this history is an exposition of an objective-internal form of domination. If the thesis is in fact true, then we should see changing engagements with the same problematic objective-internal field, as well as efforts taken to control it. Therefore, the expression ‘objective-internal form of domination’ implies an ambiguity I would like to preserve between an objective-internal ‘problematic site’ (the objective state of the ‘inner’ man where both virtue and mental health blur) as well as a form that characterizes a kind of domination.

The Renaissance

What was the Renaissance experience of madness and in what way did those in this period attempt to control it? Foucault notes that the Renaissance signaled an apparent cultural shift in anxieties away from the ever-looming presence of Death towards Madness. However, in reality, this was not a decisive break but instead “a new twist within the same preoccupation” with the “nothingness of existence.” Madness is nothingness, like death, but a nothingness interior to life rather than its “absolute limit,” a nothingness that could be “disarmed” through mockery, allaying existential fears: “From the knowledge of that fatal necessity that reduces man to dust we pass to a contemptuous contemplation of the nothingness that is life itself. The fear before the absolute limit of death becomes interiorized in a continual process of ironization.”\(^6\)

Therefore, Madness was viewed both as symbolic of an existential threat and as a means of disempowering that threat through mockery. There was something about madness that, to the

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\(^6\) I use ‘Man’ loosely, as Foucault has a specific use for the term in his later work, such as *The Order of Things*.

Renaissance mind of the Fifteenth century, foreshadowed the End Times, in which madness would overrun the world.\textsuperscript{612}

Of importance to our task is the objective dimension revealed by this interiorization. In other words, Madness initially symbolizes not a subjective truth about an individual psyche but an objective existential truth: the truth of Death that haunts all men, an immanent nothingness. Furthermore, madness, as a facet of a greater Unreason, is conceived of as an internal threat insofar as it threatens the very foundations of subjectivity: “Unreason, like death, is the unsettling force that puts the subject into question.”\textsuperscript{613} This subjective threat is not in itself subjective, given that it is not concerned with a subjective truth but the objective truth of subjectivity: the very conditions of subjectivity are put into jeopardy. Therefore, identifying it with the objective-internal locus seems appropriate.

But this experience of madness was not monolithically interpreted by Renaissance artists and writers alike, but instead fractured along the fault lines of different forms of representation: the Image and the Word. The former revealed a perverse fascination with madness while the latter assumed a necessary connection and dialogue between Reason and Unreason (to which madness belonged). In the Middle Ages, the Image transparently communicated moral and religious lessons. But as time went on, such symbolism became more and more overburdened with significations. For the Renaissance painters, such as Bosch, Brueghel, and Durer, the Image, overburdened with these significations, no longer communicated clear moral or religious lessons, but instead “began to gravitate around its own insanity.”\textsuperscript{614} The image, populated by grotesque bestial forms, communicated both a perverse inversion of the natural order, where Animal

\textsuperscript{612} Ibid 15.
\textsuperscript{613} Huffer, Lynne, \textit{Mad For Foucault: Rethinking the Foundations of Queer Theory} (New York: Columbia University Press, 2010), 54
\textsuperscript{614} Foucault \textit{History of Madness} 17.
triumphed over Man, as well as a secret, forbidden knowledge of man’s true nature, the world, and its end, knowledge only the madman possessed.\textsuperscript{615} Foucault refers to this experience of madness as ‘tragic.’

Often when Foucault talks about the process of domination that silenced madness, or when he refers to how mental illness “is simply alienated madness, alienated in psychology,”\textsuperscript{616} it sounds like he is referring to the occlusion of the tragic experience of madness. For example, Foucault speaks of Sade, Goya, (and later, Nietzsche and Artaud) as if they are a long-forgotten eruption of the tragic experience of madness once again surging forth after centuries of neglect, something hidden but nonetheless always lurking:

In Sade, as in Goya, unreason still watches in its night; but through that watchfulness it connects with younger powers. The non-being that it was becomes the power to destroy. Through Sade and Goya, the Western world rediscovered the possibility of going beyond its reason with violence, and of rediscovering tragic experience beyond the promises of dialectics.\textsuperscript{617}

Therefore, if madness is presented as an objective-internal ‘problem,’ then understanding how this tragic experience was silenced is an important component to understanding objective-internal forms of domination.

How then was the tragic experience of madness silenced? As we will see, this process began when the tragic experience was separated from the critical experience of madness, as was found in the humanism of Erasmus.

\textit{Renaissance Literature: Erasmus and the Humanists}

On the side of the Word, madness was conceived of in another way. There was already a tradition dating at least as far back as the Thirteenth century that conceived of madness as Folly, as merely one member of a family of vices. The Renaissance modified this tradition by elevating

\textsuperscript{615} Foucault \textit{History of Madness} 18-19.
\textsuperscript{617} Ibid 535.
folly above the other vices: “Madness now has absolute privilege, and reigns over all the negative aspects of the human character.” It is important to note how the Western tradition pairs madness and vice together, since this theme will recur for centuries in different forms.

But for the Renaissance humanists, such as Erasmus, folly did not bear a resemblance to the monstrous visage of madness populating Renaissance paintings: Rather, folly “controls indirectly all the possible aspirations to good, the ambition that creates wise politicians, the greed that causes wealth to grow, and the indiscreet curiosity that fires the research of philosophers and men of science.” Nor did this light-hearted madness speak a forbidden knowledge, since, rather than being a bearer of truth, madness was often the natural punishment plaguing those intellectuals that sacrificed experience for abstruse theoretical speculations. For thinkers like Erasmus, madness “was not about truth or the world, but rather about man and the truth about himself that he can perceive.” The madness characteristic of folly was more likely to manifest as delusions of grandeur, incited by self-love, since such delusions prompt us to mistake ourselves for the opposite of what we are (a fool believes himself wise, an ugly man handsome, etc.). As long as folly was controlled and mastered and did not descend into such errors, it could be a necessary, playful and carefree distraction in a difficult world.

Tragic Experience vs Critical Consciousness

These two conceptions of madness, the tragic experience of the world and the critical consciousness of man’s folly (‘moral reflection’) no longer constituted a unitary experience and would only further diverge from one another as time passed, notably by the Sixteenth century:

“In short, the critical consciousness of madness was increasingly brought out into the light, while

618 Ibid 21-22.
619 Ibid 22.
620 Ibid 22.
621 Ibid 23.
622 Ibid 23.
623 Ibid 24.
its more tragic components retreated ever further into the shadows, soon to almost vanish entirely.\(^{624}\) This antagonism persisted in many guises throughout the centuries, the tragic experience only rupturing forth intermittently, its pitch like a maddening scream, reverberating in its violence like a struck tuning fork or raw nerve, before fading back into silence and retreating back into the darkness.

Foucault claims the submission of the tragic to the critical happened in a particular sequence: First, madness and reason entered into a

…perpetually reversible relationship which implies that all madness has its own reason by which it is judged and mastered, and all reason has its madness in which it finds its own derisory truth. Each was the measure of the other, and in this movement of reciprocal reference, each rejects the other but is logically dependent on it.\(^{625}\)

The reason of men, when compared to the reason of God, was like madness, since things in their essence were always the opposite of how they appeared; life was really death, death life, beauty ugliness, wealth poverty.\(^{626}\) Nonetheless, to discard earthly reason to approach God meant to exchange one form of madness for another. As Nicholas of Cusa wrote, “When man abandons the realm of the senses, his soul falls prey to a kind of dementia.”\(^{627}\) Furthermore, “if madness can only exist in reference to some sort of reason, the whole truth of reason is to allow a form of unreason to appear and to oppose it, only to disappear in turn in a madness that engulfs all.”\(^{628}\)

But ultimately this reversible relationship became one-sided, as “Madness then became a form of reason,”\(^ {629}\) as is evident in the works of Montaigne and Pascal. A new division arises between ‘mad madness’ (which “turns its back on the madness that properly belongs to reason”) and ‘wise madness’ (which acknowledges the rightful place of madness in reason).\(^ {630}\) By
accepting that madness was an inevitable part of the pursuit of reason, as is demonstrable from how easily wise men can slip into it, madness was placated and disarmed.631 The stage was set for a silencing of madness, an oppressive concealment that would last about 150 years.

_The Ship of Fools_

This experience of madness worked in tandem with a form of social control: embarkment. During the Renaissance, it was common practice for the mad to be banished from the city walls. Sometimes the Mad were left to wander the countryside, but on other occasions they were passed off onto seafarers, who would transport them aboard their ships, sometimes to possible holy sites of pilgrimage and miracles, sometimes to wherever was most convenient. These ships were referred to as the Ships of Fools. Feminist scholar Lynne Huffer describes the ship of fools as “neither an image of absolute freedom nor of absolute containment, the ship is a figure of an agonistic struggle whose stakes are defined by reason’s grappling with its own limits as unreason.”632 Insofar as Madness was recognized as an immanent nothingness within life, the mode of domination that held it at bay was likely to reflect a similar ambiguous tension.

The Mad were prisoners of the outside, the watery beyond to which he was banished, dwelled, and returned.633 Freedom became the very means of captivity that held immanent nothingness at bay. In the Renaissance imagination, madness and water were intimately linked. Thus while it is clear that there was a very concrete purpose served by banishing potential troublemakers, there was also a likely spiritual element in play in which the forced embarking of the mad acted as a gesture of purification. Perhaps in some way this watery banishment was

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631 Ibid 32-35.
633 Foucault _History of Madness_ 11.
meant to cure.\textsuperscript{634} By any means, a precedent of forced internment was set that would mutate into a new kind of domination in the Classical age: Confinement. 

\textit{The Classical Age (The Enlightenment Period)}

The Renaissance had an ambivalent relationship with madness. As Foucault prefaces, “After defusing its violence, the Renaissance had liberated the voice of madness. The Age of Reason, in a strange takeover, was then to reduce it to silence.” The Classical age will, like Descartes famously accomplishes in the \textit{Meditations on First Philosophy}, make reason and madness mutually exclusive. Descartes illustrates this clearly: Madness will no longer haunt reason because “madness is precisely a condition of impossibility for thought…While \textit{man} can still go mad, \textit{thought}, as the sovereign exercise carried out by a subject seeking the truth, can no longer be devoid of reason.”\textsuperscript{635} For Foucault, Descartes’ exclusionary gesture is but the theoretical manifestation of a radical shift taking place in the West’s experience of madness during the Classical age. This shift will silence madness both by exiling it into the isolated cells of confinement and by erasing its conceptual boundaries, blurring it with other forms of Unreason. In this section, I will summarize what the practice of Confinement meant as well as the Classical medical interpretation of madness. By doing so, I will demonstrate a mutation both in the experience of madness and the objective-internal modes of domination that control it.

As we will see, these two distinct approaches to madness comprise two distinct domains of madness unique to the Classical age. Foucault divides the possible domains of madness in accordance with the permutations that can derive from combining four kinds of ‘consciousnesses of madness’- the critical, the practical, the enunciatory, and the analytical. In the Classical age, Confinement represented but one possible domain of madness (the unity of critical and practical

\textsuperscript{634} Foucault, \textit{History of Madness} 8-12.
\textsuperscript{635} Ibid 45, 47.
forms of consciousness) while the enunciatory and analytical forms of consciousness of madness were united in another domain more in line with what we today might be tempted to consider a medical approach to madness. Confinement frames madness in opposition to “all that is reasonable, ordered, and morally wise” (the critical) and then ceremonially partitions and silences it by means of internment (the practical). The remaining domain of madness attempted to recognize it (the enunciatory) and know it (the analytical). What essentially characterizes the Classical age is the lack of dialogue between those practices which sought to master “all that went against nature and [reduce] it to silence” (Confinement), “and a form of knowledge that tried to decipher the truths of nature” (Theoretical knowledge). I will explicate both, starting with Confinement and then moving onto Confinement’s medical brother.

The Domain of Confinement

Confinement in France originally started in Paris in 1656, with the establishing of the first Hôpital Général, followed by the founding of Hôpital Générals in every city of France in accordance with a royal edict issued on July 16th, 1676. Held in these houses of confinement weren’t just criminals, but also the poor, the unemployed, the irreligious, the promiscuous, libertines, and the insane. These inmates were provided for, but only at the expense of their freedom. Despite housing the mad, these houses were not medical establishments, but rather, as ‘semi-judicial structures,’ were ‘administrative entities’ “granted powers to deliberate, judge and pass sentence independently of other pre-existing authorities and court.” They were “an instrument of order, of the new bourgeois and monarchical order that was beginning to take
shape in the France of that time."  Similar institutions spread throughout Europe contemporaneously, suggesting that a shared sensibility created them to solve a universal problem menacing the West.

The moral regimen of the General Hospitals as well as all houses of confinement were endemic of a new mode of objective-internal domination that worked in tandem with a new experience of madness: What is virtuous character if not the objective, rational standard for the inner man? And how else does the Age of Reason characterize Madness at this time than as Unreason within? As vice? As falling short of the standards characteristic of Bourgeois society? Of *homo faber*? Given that bourgeois society is founded upon two institutions – Industry and Family – we might expect that the new objective-internal mode of domination would force the conformity of character to these norms, or at minimum, confine those who cannot do so. That is in fact what history reveals to have happened in the West at this time.

*Madness and Bourgeois Standards of Industry*

Houses of Confinement, as was noted, confined a myriad of social types that, to us, seem unrelated. Part of understanding the organizing principle that effected this unity concerns a change in attitude towards poverty:

This complex unity brings together a new sensibility to poverty and the duty to relieve it, new forms of reaction to the economic problems of unemployment and idleness, a new work ethic, and the dream of a city where moral obligations go hand in hand with civic duties, all held together by the authoritarian forms of constraint.  

This move was only possible due to a shift from the Medieval attitude, which afforded poverty a spiritual significance, to a Classical attitude, that viewed it as a social ill the State was commissioned to addressed. Since the mad, in Medieval times, were considered sacred only in conjunction with the valorization of poverty and the obligatory charity owed to the poor, a

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643 Ibid 49.

644 Ibid 52.

645 Ibid 54.
change in attitude towards poverty was ultimately mirrored in the change of attitude towards madness. The duty of charity once levied on the individual, wary that the neglected beggar was Christ in disguise, was now placed on the shoulders of the state, since as of “the creation of the General Hospital and the charitable bureau, God no longer appeared in a poor man’s rags.” Instead, the mad, like the poor, were considered instigators of social disorder due to their idleness, a festering population of beggars that congested the streets in times of economic decline that needed to be hidden away, provided for, and put to work.

Within the newfound work ethic that characterized the Classical age lies one of the vital functions houses of confinement were meant to serve: “In times of high wages and full employment, they provided a low-cost workforce, while in a slump they absorbed the unemployed, and protected society against unrest and riots.” Ultimately though, houses of confinement failed to be the instruments of economic correction they were meant to be and were abandoned in the early nineteenth century, since the cheap labor they employed merely created unemployment elsewhere and “any effect on prices was at best artificial, the cost of the products manufactured being out of proportion to that of production when the cost of confinement was included.”

But houses of confinement were not merely institutions of socio-economic utility since work itself was valorized as a kind of moral cure for laziness. The obligation to work was “a moral ascesis, a punishment, and the sign of a certain disposition of the heart.” To lack it and fall idle was an act of rebellion against God, since the Fall of man condemned man to labor and toil for his subsistence. An idle man foolishly presumed himself exempt from this inherited curse and

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646 Ibid 61.
647 Ibid 60.
648 Ibid 62.
649 Ibid 66.
651 Ibid 73.
instead expected God to provide for him. For those in the Seventeenth century, sloth was the worst of sins, spurring on all other vices, and causing general social discord.\textsuperscript{652} It was in this respect that the General Hospital was “a moral institution destined to punish and castigate a certain ‘void’ of conscience, which was not serious enough to be brought before a human court, but which the severity of penance alone was insufficient to correct.”\textsuperscript{653} The constraints and repressions of Confinement, viewed as moral treatments, would carry over into the Modern age, shaping the therapeutic care the mad would receive once isolated into asylums.\textsuperscript{654} The Reformers would time and again return to the curative powers of labor.

\textit{Madness and Bourgeois Standards of Family}

Nonetheless, Confinement did more than banish those who could not contribute economically. Confinement meant to banish Unreason in its various forms, forms that took on the status of character types defined by their deviance from a social norm,\textsuperscript{655} in order to mitigate scandal in bourgeois society. Scandal possessed a dangerous power to dishonor entire families, to inspire imitation,\textsuperscript{656} so those social types of unreason that provoked it had to be excluded from society. These social types…

…can be summed up by saying that they all touch either on sexuality and its organization of the bourgeois family, or on profanation in relation to the new conception of the sacred and of religious rituals, or on libertinage, i.e. the new relations that were beginning to emerge between free thinking and the system of the passions. Together with madness, these three domains of experience form a homogenous world in the space of confinement where the meaning of mental alienation as we know it today was born.\textsuperscript{657}

The net cast by Confinement was wide, including the venereal, the debauched, the dissolute, blasphemers, homosexuals, alchemists, libertines, suicides, the poor, and the mad.\textsuperscript{658} Although

\begin{footnotes}
\textsuperscript{652} Ibid 70-71.
\textsuperscript{653} Ibid 73.
\textsuperscript{654} Ibid 87.
\textsuperscript{655} Ibid 102.
\textsuperscript{656} Ibid 143.
\textsuperscript{657} Ibid 82.
\textsuperscript{658} Ibid 101-102.
\end{footnotes}
distinct to our eyes, Foucault suggests that, to the Classical eye, they may have been united by ‘a common experience of unreason’ lost to us once the practice of Confinement ceased and only the mad were left. Here, in confinement, there were only the ‘frenzied,’ those who led a disordered life that may have bordered on but never crossed the juridical line into criminality.

It is important to note how Confinement conflated madness and sexuality, since it was this association that carried over into psychoanalytic interpretations of mental illness. Sexuality acts as a third term between Madness and Family.

In an important sense, confinement and the whole police structure that surrounded it served to control a certain order in family structures, which was at once a social regulator and a norm of reason. Family and its requirements became one of the essential criteria of reason, and it was above all in its name that confinement was demanded and obtained. The whole era bears witness to the great confiscation of sexual ethics by family morality…The institution of the family traced a circle of reason, and outside it lurked all the perils of insanity, where man might fall prey to unreason in all its fury.

Confinement “banded together a whole group of blameworthy behaviors, creating a halo of guilt around madness.” Through this conflation of madness, morally-condemned forms of sexuality, and family crises, the stage was later set for psychoanalysis to assume madness to be underpinned by guilt, libido, and family dysfunction. But everything it was to discover had been placed there by the practice of Confinement in the Classical age.

In the same vein, the contours of modern day madness were defined by the other disparate ‘unreasonable’ social types consigned to exile as well. For example, the rituals of today’s obsessional echo the rituals of the condemned magician; the ‘morbid desire to profane’ (also evident in obsessional behavior) echoes the profanities of the condemned heretic and libertine. The asylums of the Modern age that house the mad still ring with the echoes of their

659 Ibid 107.
661 Ibid 88-89.
662 Ibid 89-90.
663 Ibid 91.
664 Ibid 91.
665 Ibid 105.
former non-mad inhabitants. For Foucault, such historical echoes or repetitions indicate “the dark memory that accompanies madness.”^666^ Confine ment acted as a synthesizer of these disparate elements, producing a novel experience of madness. It accomplished this, in large part, by divesting those elements of sacred significations (some significations of which would have led many of these social types to burn at the stake) and instead reinvesting them with moral significations that warranted exclusion and civil correction in houses of confinement.

Madness as we experience it today thus still bears the traces of Confinement’s hidden alchemy, transmuting disparate elements into a unified experience taken to be natural. But rather than being a mere historical accident, is it not more plausible to conclude that objective-internal forms of domination operate in this way: that they synthesize disparate elements into a unity and then conceal their very synthetic operation behind the façade of nature? And is not ‘nature’ in this case an oblique moral judgment? Does this process not attempt to legitimize domination? Certainly history seems to corroborate such a suspicion, and in the realm of sexuality, Foucault later explores quite a few examples (normative natural sexual identities to be shaped vs abnormal unnatural sexual identities to be regulated). Paradoxically, it is by means of naturalizing this composite that it could be marked as deviant.

As a point of criticism, one has to wonder if symptoms of various mental illnesses really did emerge in such a manner. Did the religious and sexual obsessions and compulsions of Freud’s Rat Man really present themselves as they did in a symptomatic unity (Obsessional neurosis) because a century or so beforehand Houses of Confinement grouped together magicians, heretics, and libertines? Why not a synthesis of heresy and poverty? Without explaining why one collection of condemned practices was synthesized into a symptom complex

^666^ Ibid 105.
(or disorder) rather than others, Foucault can only suggest a possible connection. Rather than prove a connection, Foucault merely tempts us with the intriguing possibility of one.

_Madness, Animality, and Absolute Freedom_

Confinement, as a form of civil correction had one aim: moral conversion. In order to understand this treatment, we must understand how the mad were perceived, a manner divorced from the medical models we are accustomed to now. Foucault contrasts two experiences of madness that characterize the Classical age: madness according to the law and madness according to the world of confinement. “For men of the law, madness essentially attacked the faculty of reason, and altered the will, thus making it innocent…By contrast, in the world of confinement, it mattered little if the faculty of reason had been affected or not.” Of primary importance for the confinement experience was the quality of the will itself.

The experience of madness found in Confinement, on the surface, seems to lack definition, but nonetheless there is a coherent perception and understanding that underpins it. At its worst, Confinement presented the mad not as humans but as animals, which accounted for why they were often bound and chained to the walls and bed, or kept in small quarters. Foucault recounts how in even one hospital at Bethnal Green, one woman was “kept in a pigsty, her legs and arms bound, whenever she began to rave.”

The violence of these practices demonstrates quite clearly that they were not governed by a consciousness of the need to punish, or by the duty to correct behavior. The notion of resipiscence is quite foreign to the whole system. What haunts the hospices is an image of bestiality. Madness here took its face from the mask of the beast. The men chained to the walls of the cells were not seen as people who had lost their reason, but as beasts filled with snarling, natural rage, as though madness at its furthest point was liberated from the moral unreason where its milder forms languished, and was revealed in all its immediate, animal violence. That model of

\[\text{667 Ibid 113.}\n\[\text{668 Ibid 137.}\n\[\text{669 Ibid 137.}\n\[\text{670 Ibid 146-147.}\n\[\text{671 Ibid 146.}\n\[\text{672 Mental recovery}\]
animality slowly came to dominate the asylums, and explained their cage-like, menagerie aspects.\textsuperscript{673}

The paradox of this condition that chaffs the most with modern sensibilities of mental illness is that within the Classical imagination not only was madness not considered an illness, it was readily evident that a madman was immune to sickness. “The mad were protected by their animality from all that was fragile, precarious and delicate in man.”\textsuperscript{674} It was accepted as fact based on observation that the mad seemed indifferent to the elements and could endure horrendous living conditions (which was convenient, granted how atrocious their living conditions actually were). “It was common currency until the late eighteenth century that the mad could put up indefinitely with the miseries of existence. Hence there was no need to protect them, cover them or even provide warmth for them.”\textsuperscript{675}

Because the mad were not ill, there was no reason to medically treat or correct them when they were most captivated and swept up in the maelstrom of madness.\textsuperscript{676} Instead, “unchained bestiality could only be tamed or trained.”\textsuperscript{677} Madness was a form of radical, unpredictable liberty, a “counter-natural violence of the animal world,” or ‘negativity’ that threatened the natural order.\textsuperscript{678} “Madness was not a mechanism, but a freedom to roam among the monstrous forms of animality.”\textsuperscript{679} Unreason, of which madness was but one manifestation, was the ever-present danger of absolute liberty and error, and had to be kept in check.\textsuperscript{680} Madness was accorded a unique status in the realm of Unreason since it synthesized its two extremes. Madness stood…

\textsuperscript{673} Ibid 147.
\textsuperscript{674} Ibid 148.
\textsuperscript{675} Ibid 148.
\textsuperscript{676} Ibid 149.
\textsuperscript{677} Ibid 149.
\textsuperscript{678} Ibid 150-151.
\textsuperscript{679} Ibid 156.
\textsuperscript{680} Ibid 156-157.
...between moral failing, the relative choice, the faltering will, and animal rage, freedom chained to frenzy and the initial, absolute fall; the bank of clear, liberty and the opposite bank of dark, freedom. Madness summed up the whole of unreason in a single point – the guilt of day and the innocence of the night.\textsuperscript{681}

And while the treatment of confinement removed the stain of scandal from madness by acknowledging that all humanity had been lost to bestiality,\textsuperscript{682} freedom from its confines would never be granted to such unfortunate souls, whose collective fates for 150 years would be as dark as the cells they were forced to inhabit. Thus Classical objective-internal forms of domination ‘tamed’ the mad for the sake of controlling the absolute freedom they embodied.

\textit{The Medical Experience of Madness}

Nonetheless, there was another way in which madness was conceived in the Classical Age: medically. As noted, houses of confinement were institutions of exclusion, rather than providers of medical treatment. Foucault characterizes the Classical Age as fundamentally divided between critical and practical consciousness’ of madness, which found unity in the practice of Confinement, and enunciatory and analytical consciousness’ of madness, which found unity in the medical practices of taxonomy.\textsuperscript{683} This division must be considered constitutive of the Classical mode of objective-internal domination. A unity of disparate elements, such as the venereal, the debauched, the dissolute, blasphemers, homosexuals, alchemists, libertines, suicides, the poor, and the mad could not be effected on the basis of a medical engagement with madness. Only after this unity had been effected could such medical disciplines as psychoanalysis ‘discover’ it. As Paolo Savoia notes, “Secret kinships between the

\textsuperscript{681} Ibid 158.
\textsuperscript{682} Ibid 150.
\textsuperscript{683} Ibid 170-171.
mad and all kinds of social, moral, political, and sexual deviants percolated, and these will become the object of the positive style of thinking about madness in the nineteenth century.”

Classical medicine did not discover such a hodgepodge entity under its microscope, but instead sought to derive “abstract classifications, trying to mold itself according to the taxonomies of natural history” (classifications that fit into the so-called ‘Garden of Species’). These classifications were not deployed in the houses of confinement, which instead classified the denizens of Unreason in accordance with their own experiences of it. Medical engagement with madness at this time seems minimal and certainly did not resemble the aggressive psychiatric treatments of the Nineteenth and Twentieth centuries. Despite this, I will mention this perspective to highlight both continuities and discontinuities between the Classical experience of madness, which conceived of treatment as inducing changes in both body and soul, and the Modern experience of madness, which often employed similar techniques employed by Classical physicians but for different purposes (a moral conversion of the patient through psychological procedures, such as punishment and reward). In other words, I will highlight the Classical medical perspective on Madness in order to elucidate the medical tenor of the Modern objective-internal form of domination, a tenor that seems to inherit the moral undertones of Confinement.

Some Classical thinkers, such as Bayle and Fontenelle, seemed to maintain a continuity with Renaissance thought and understood madness to be a natural instrument in the service of reason: “The madness of love is necessary for the preservation of the species, the delirium of ambition is required for the good order of political bodies, and insane greed is necessary for

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685 Savoia, Paolo 275.
686 Savoia, Paolo 276.
wealth to be created." Nonetheless, Foucault notes that even amongst such thinkers, a shift had taken place. No longer were the signs of madness readily known, even though who qualified as mad and who didn’t was immediately perceptible to the reasonable. The essence of madness went out of focus just as the madman came into focus thanks to the implicit rationality of perception which immediately recognized the madman not in his positivity but merely as non-rational, as Other. One can see how this shift lent itself to an explosion of types conceptualized and then organized in relation to one another.

The unity of the enunciatory and analytical consciousness’ of madness produced a classification system (‘the Garden of Species’) that both demarcated the immediately perceived difference between madness and reason (the enunciatory) as well as attempted to differentiate each form of madness in accordance with its positivity and structural placement on a table (the analytical). Such taxonomical projects were initiated by such thinkers as Plater (1609), Johnston (1644), Sauvages (1763), Linnaeus (1763), and Weickhard (1790). In this, Foucault anticipates his later characterization of the Classical episteme as one of Representation and the Table.

Ultimately, however, these classifications merely recapitulated “a gallery of ‘moral portraits.’” Any attempt by the Classical thinkers to classify the most specific forms of madness inevitably described specific vices instead. For example, when Thomas Arnold attempted to derive all the species of ‘pathetic madness’, he invariably included in his classifications such vices as ‘avaricious’ and ‘arrogant.’ This curious development highlights Foucault’s point that despite the lack of direct communication between the discourse of

687 Foucault History of Madness 177.
688 Ibid 177-180.
689 Ibid 190.
690 Ibid 196.
691 Ibid 196.
Confinement and the discourse of Theory, parallels consistently cropped up because both were confronting a ‘moral experience of unreason.’

Despite our Cartesian temptations to assume that mind-body dualism is insurmountable, or at least problematic, the Classical physician assumed the unity of body and soul. In this spirit, madness was often referred to as a “disease of the organs of the brain” or head. Only after we acknowledge the blurring of mind and body in the Classical imagination will their theories involving the remote and immediate causes of madness make sense. And, as noted, it is upon this basis that treatments were prescribed that were later adopted by Nineteenth century psychiatrists for differing purposes.

An immediate cause is the internal dynamic of ‘neural’ parts that produce visible symptoms. The parallel between visible qualities attributed to a given mental disorder and the actual internal cause easily translate into each other. For example, mania’s “lively, unpredictable and ardent qualities” may be paralleled by underlying vigorous animal spirits that, due to their force and acidity, produce the wild associations of ideas and hyperactivity. Remote causes were considered external (or ‘environmental’) influences, often perceived as antecedent to madness, such as a sudden draft, unrequited love, or an over-stimulating theatrical performance.

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692 Ibid 172. Also 196-197.
693 Ibid 208, 212-213.
694 Willis, whose account I’m providing, divides the immediate cause into mechanical and chemical alterations, both of which will reflect this pattern. Mechanically, so-called ‘animal spirits’ within the nervous system become over-energized. In the maniac the spirits move with considerable violence, and can therefore force their way into unknown regions where they should not venture, and these new paths result in an eccentric flow of ideas, sudden and inexplicable movements, and a redoubled strength that seems to far exceed the patient’s natural force (Ibid 214). Chemically, the animal spirits within the maniac become more acidic, which further exacerbates the penetrative force and scope of the hyperactive animal spirits. In time the position that there must be a qualitative mirroring between the visible qualities of the pathological behavior and the qualities of the internal cause was abandoned and replaced by a theory of ‘linear causality.’ Experiments conducted by Meckel, who dissected the brains of the deceased mentally ill, led him to conclude that certain observed abnormalities were the causes of the mental illnesses they suffered and already reflected a change in medical assumptions. Such medical assumptions and approaches seem close to our own today. Ibid 214-219.
Here we see a developing conception of the human organism’s vulnerability to a surrounding milieu, which in the Nineteenth would figure so importantly not only in a conception of madness but also criminality, as we will see when we discuss criminality in *Discipline and Punish*.

For many Classical physicians, the essential cause of madness was passion. Passion was privileged, in part, because “passion was always the interface between the body and soul, the point of contact between their activity and their passivity.” Passion’s conceived role in madness changed over the course of the Classical age. Early theories based on the humors considered the reciprocal relationship certain passions had with specific humors. A passion, such as anger could agitate bile, which in turn would upset the body. Bile would then proliferate, inciting more anger. A positive feedback loop would result. Eventually humor theories were replaced by theories based on how passions incited not humors but ‘animal spirits’ whose movements within the body and influences upon the soul were supposed to produce a parallel transcripion in both, resulting in a mental fixation upon the object of passion transcribed in the soul. Once again, passions create an internal state that reinforces its own expression until those passions can no longer be controlled. But ultimately, Eighteenth century medicine will conceive of passion not as a mere remote cause at all, but instead as the ‘general condition of possibility’ for madness itself.

Tension and relaxation, hardness and softness, rigidity and rest, and swelling and desiccation are all qualitative states of the mind as well as of the body, and ultimately refer to an indistinct and mixed situation regarding the passions, imposing its common forms on the flow of ideas and feelings, the state of the nerve fibers and the circulation of the fluids.

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695 Ibid 221.  
696 Ibid 224.  
697 Ibid 225.  
698 Ibid 226.  
700 Ibid 227.  
It is not a question of a physical state prompting a mental illness, for example, since this would neglect the unity between body and soul that passion presupposes.\textsuperscript{702} As Whytt contends, a strong emotion can simultaneously do physical violence to nervous fibers as well as ‘shock the soul,’ leading to madness and sometimes even death. In this case, madness does not properly start until the system is overloaded by its own excesses and becomes immobilized.\textsuperscript{703}

Madness partakes of the necessity of passion and at the same time of the anarchy that passion brings, which although triggered by passion moves far beyond it, and goes so far as to challenge all that passion supposes. It culminates by being a movement of the nerves and muscles of such violence that nothing in the course of images, ideas, or will seems to correspond to it any longer.\textsuperscript{704}

Mental illnesses are simultaneously disturbances of the brain and disturbances of the soul.\textsuperscript{705} Nonetheless, the very unity that gives passion its lease on the body and the soul enables its dissolution in a fit of madness.

But what exactly is this rupture effected by the passions? It is the dissolution of the totality of the body and soul, but not a severing of one from the other. If one were to imagine a pie, with the crust representing the body and the filling the soul, and one were then to imagine a slice of it cut from the rest, we would see that the unity of the pie has been compromised but the unity of crust and filling remains intact in both the removed slice and the remaining pie. Likewise when the unity of the self is shattered into fragments, the unity of body and soul remains intact. The self, now divided from itself, is alienated it not only from itself but from reality.

Amidst this fragmentation and alienation occasioned by the passions, the imagination now plays its essential role in madness’s gestation. Madness was conceived of as “a

\textsuperscript{702} Ibid 227.
\textsuperscript{703} Ibid 229.
\textsuperscript{704} Ibid 230.
\textsuperscript{705} Ibid 228.
derangement of the imagination.” 706  Madness is essentially bound to the image, although it is not solely contained within it. Dreams and misperceptions are experienced by even the most reasonable of people and insofar as they are considered as mere images (or appearances), no error is contained within them. Madness begins when a truth-value is assigned to a unreal image, which is, in effect, an error. Taking the unreal image to be real, the madman then reasons based on that belief. 707 Thus madness is reason in the service of error.

A man who imagines that he is made of glass is not mad, for any sleeper might have that image in a dream. But he is mad if, thinking that he is made of glass, he concludes that he is fragile and in danger of breaking, and that therefore he should avoid contact with hard surfaces, remain immobile, and so forth.708

Beneath the surface phenomena of madness exists a logically consistent discourse masquerading as reason: a delirious discourse.709 “Madness, in the classical sense, does not designate a certain change in the mind or the body, but the existence of a delirious discourse that underlies the alternations of the body and the strangeness in behavior and speech.”710 In the end, madness and all the passions and images associated with its eruption all orbit around this delirious discourse. Discourse is what “liberated passion from its limits, and clung to the liberated image with the constraining weight of its affirmation.”711 We can thus see how Reason is inserted into the heart of Unreason and how dreams were similar but not identical to the experience of madness.712

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706 Ibid 231.
708 Ibid 233.
709 Ibid 234-237.
710 Ibid 237.
711 Ibid 237.
712 For Zacchias, a seventeenth century physician, there was a three-tiered internal process of sleeping and dreaming involving vapors that was paralleled in the waking state when someone was mad. During the initial phase of sleep, thick, dark, chaotic, turbulent vapors rise to the head, agitating the nerves and muscles while stirring no images in the mind. This state of mind parallels manics and the frenzied, who are not so much possessed of fantasies as there are by “intense agitation.” In the second stage of sleep, the thick, chaotic vapors begin to clear and organize, enabling the manifestation of grand images such as we experience while dreaming. In the paralleled waking state, we find those with dementia who take what is not real (the fantastic images of the imagination) to be real, falling into error. Finally, when the vapors calm and are most clear, the dreamer may reflect on memories, albeit with minor distortions. The paralleled waking state is that of melancholics, who are not so much plagued by fantasies as they might be about an actual loss. Ibid 239
As we have seen, madness requires more than an anarchical freedom of the image; it also requires error.\textsuperscript{713} As Sauvages says, “…it is that constant error of the soul that is manifested in its imagination, in its judgments and desires that constitutes the character of this class.”\textsuperscript{714} The kind of error, or ‘access to the truth’ that is problematized, is often viewed as the principle that differentiates the various categories of madness.\textsuperscript{715} The ‘void of error’ is then filled with fantastical images which are then logically connected and affirmed as real.\textsuperscript{716} Madness is the nothingness that manifests its nothingness through the mask of reason.\textsuperscript{717} It is a manifestation of non-being itself.\textsuperscript{718} “Blindness is perhaps one of the words that get closest to the essence of classical madness…reason dazzled.”\textsuperscript{719}

The Classical imagination experienced madness as unreason, which was nothing more than the ‘negativity of reason,’ which was ‘nothing at all.’\textsuperscript{720} Ultimately, all mental disorders existed on a continuum, with Unreason on one end and Reason on the other: dementia, melancholy and mania, and finally hysteria and hypochondria, respectively (just as there are degrees between non-being and full being).\textsuperscript{721} Foucault notes, quite startlingly, how the purpose of Confinement was ultimately an acknowledgement of the very conclusions Classical medicine independently derived: “return nothingness to nothingness.”\textsuperscript{722}

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\textsuperscript{713} Ibid 240.
\textsuperscript{714} Ibid 240-241.
\textsuperscript{715} Ibid 241.
\textsuperscript{716} Ibid 242.
\textsuperscript{717} Ibid 242-243.
\textsuperscript{718} Ibid 249.
\textsuperscript{719} Ibid 242-241. The madman, washed in the same light of day as the man of reason, nonetheless sees nothing but darkness. From the dark come imaginings that fill the void, which the madman takes to be real. While ‘classical’ reason is constituted by the relation between truth and clarity, madness is essentially the relation between delirium and dazzlement. It is the prevailing of the law of the division between day and night, which dominates in the discourse on madness but also for truth and error itself, that undermined any kind of dialectic between reason and unreason. It is in this discursive atmosphere that a philosophical project such as Cartesian doubt could be born. Ibid 243-244.
\textsuperscript{720} Ibid 249.
\textsuperscript{721} Ibid 252.
\textsuperscript{722} Ibid 250.
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Confinement registers the desire for the madman’s death were not cruel per se but merely responding as one would who conceived of madness as nothingness. This characterization should be considered a condition for the Classical mode of objective-internal domination (Confinement), its justification.

But by the second half of the Eighteenth century, the experience of madness was about to change. Partly due to the eventual incorporation of hysteria and hypochondria under the classification of madness, a new moral interpretation of madness began to arise which conceived of madness as a consequence of civilized lifestyles at odds with nature.

This incorporation…

…gave this madness a whole content of guilt, moral sanction, and just punishment that was in no way part of the classical experience. It weighed down unreason with all these new values, and instead of making blindness the condition of possibility of all these manifestations of madness, it described them as the psychological effect of a moral fault. And it thereby compromised all that was essential in the experience of unreason. What had been blindness was to become unconsciousness, what had been error became fault, and all that which pointed in madness to the paradoxical manifestation of non-being became the natural punishment of a moral wrong. In short, the vertical hierarchy that constituted the structure of classical madness, from the cycle of material causes to the transcendence of delirium, was toppled over and spread on the surface of a domain first simply occupied and soon disputed by psychology and morality. The ‘scientific psychiatry’ of the nineteenth century had become possible.

We must consider the ‘moral’ mutation that led to psychology one of Foucault’s most important insights into how the Modern mode of objective-internal domination operates. But before the moral dimension of psychological treatment can be understood, we must contrast it with the medical treatment of the Classical age.

\[723\] Ibid 249-250 In a certain regard, we have here a resonance with Boethius who contended both that the wicked only appeared to be human but in nature were really lesser animals, and technically, as evil, in some respect, non-existent. But just as Boethius acknowledged that this non-existence still manifested in a plethora of ways, Classical thinkers perceived many species of madmen, fixed between the poles of Unreason and Reason.

\[724\] Ibid 296.

\[725\] Ibid 296.
Medical Treatments

The story of the transition from the Classical age to the Modern age is largely one of how Confinement in general hospitals was transformed into controlled medical treatment in asylums. Therefore, it is incumbent upon us to trace out both how the moral ‘treatment’ of Confinement became explicitly medical as well as how psychiatric and psychological therapies have a hidden moral underbelly inherited from the Classical era. Treatments at this time did not distinguish between mind and body, so they are not psychological treatments. Cures for madness developing around the time shared several themes. The last two techniques – immersion and mobility - were to be reinterpreted and reused during the Modern age. The focus will lie mostly on them.

First, there was a presumption that madness was due to a secret weakness of some sort in the animal spirits or the fibers. A proper cure would strengthen these weakened spirits or fibers, restoring them to a natural vitality and stability. Iron, for example, was often administered, since it possessed the paradoxical, yet therapeutically reinforcing qualities of strength and pliability. Proper administration of iron could transfer those qualities onto the animal spirits or fibers. The crudest form of iron treatment involved the consumption of iron filings.

Second, a cure should purify the body of those harmful elements, such as humors, responsible for illness. Some cures attempted to make openings in the body as an exit for congesting elements, like black vapors. Infecting patients with scabies was also thought to draw the maddening corruption out from within the body and towards its surface. Other cures tried to dissolve the problem from within the body. It was thought that various fermentations of vapors propagated madness and needed to be dissolved. Bitter liquids, like coffee, were believed

726 Ibid 307-308.
727 Ibid 308-309.
728 Ibid 310-311.
to help purge these harmful fermentations.\textsuperscript{729} Administering soap was also believed to aid in purification since its normal hygienic function was already a form of purification.\textsuperscript{730}

Third, immersion was also a technique used to cure madness, since contained in this notion is one of both cleansing and ‘impregnation.’\textsuperscript{731} “From the end of the seventeenth century onwards, the cure by baths was, or was once more, the most common form of treatment for insanity.”\textsuperscript{732} Naturally, immersion in water was the most common form of this treatment since water itself possessed qualities of purity and purification.\textsuperscript{733} Here the reader would not be mistaken to read connotations of baptism into this practice, as such ritualistic practices involving water further cemented in the Classical mind water’s purifying qualities. Water of various temperatures was said to effect different changes in the body. Typically disorders thought to be caused by excessive heat in the body, like mania and frenzy, were treated with cold baths.\textsuperscript{734} Cold baths were also thought to constrict the body, fortifying it against an internal softening characteristic of too much moisture (which would lead to feminization).\textsuperscript{735} Nonetheless, water had such an over-abundance of supposed qualities, sometimes so much at odds as to suggest contrary treatments, that its use in this manner waned by the end of the Eighteenth century.\textsuperscript{736} In its place, immersion in cold water by shower or bath would be used by modern doctors, such as Pinel, but whereas such immersions in the Classical mind aimed at effecting a physiological change based on trying to reestablish a connection between the patient and the truth of the world, the Nineteenth century was more interested in how the violence of sudden water exposure could

\textsuperscript{729} Ibid 311.
\textsuperscript{730} Ibid 312.
\textsuperscript{731} Ibid 313.
\textsuperscript{732} Ibid 314.
\textsuperscript{733} Ibid 313.
\textsuperscript{734} Ibid 315.
\textsuperscript{735} Ibid 316.
\textsuperscript{736} Ibid 317.
puriﬁ737 and correct by means of punishment. “The cure no longer revolved around a core idea of truth, but was dominated by the idea of a behavioral norm instead,” a realigning of the organism with ‘its own nature.’738

Finally, mobility was considered a treatment for madness, since madness was thought of as caused by the immobility and weakness of various animal spirits, ﬁbers, and humors.739 “The idea behind this particular therapeutic theme was the restoration of a movement of harmony with the well-ordered mobility of the outside world.”740 Travel was privileged. Travel by sea provided the patient with exposure to natural motion (a theme that hearkens back to the Renaissance Ship of Fools), while travel by land could stimulate the mad in a healthy way by engaging their attentions in the immediate world and away from their own internal delusions or obsessions.741 “The subject is to be restored to his initial purity, torn away from his pure subjectivity, and reinserted in the world; the non-being that alienates him from himself is to be destroyed, that he might be opened again to the plenitude of the world and the solid truth of being.”742 Later, modern techniques would employ the use of motion, such as by strapping patients into rotatory machines, with the intended purpose of bringing “about a number of internal changes of a purely mechanical and psychological variety.”743 With the notion of reconnecting the patient with the truth of the world lost, there would no longer be any need for the motion to be situated in a beautiful landscape, on the water, or anywhere in nature.

The transition between Classical and Modern experiences of madness would require the disintegration of the unity of body and soul that Classical medicine assumed, as well as a

737 Ibid 317.
738 Ibid 321.
739 Ibid 318.
740 Ibid 318.
741 Ibid 319.
742 Ibid 320-321.
743 Ibid 321.
recognition of the differences between physical medicine and ‘moral’ treatments. Few places illustrate these contrasts better than the way Classical and Modern physicians employed the passions to effect change in the patient. Fear, for the Classical physician, was thought to both overcome the anger of the frenzied and to reduce the erratic movements of overly-energetic fibers. But for the modern, fear was a punishment whose usefulness was borne by its psychological or moral significance. This conversion of affects only occurred after the patient was reconceived of as a morally responsible subject who must accept his guilt, which took place in the Nineteenth century. “A purely psychological medicine was only made possible when madness was alienated into guilt.”

Transition to the Modern Age

Michieus

The mid-Eighteenth century signaled the beginning of the end for the Classical age. Almost overnight the houses of confinement, once thought to adequately contain and silence Unreason, became viewed as ground zero for a spreading contagion in Paris in 1780, spurring on a public outcry and a medical investigation of the Hospital. Foucault refers to this moment as “the first agent of synthesis between the world of unreason and the medical universe.”

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744 Ibid 322-324.
745 Ibid 324.
746 Ibid 325.
747 Ibid 326.
748 “People were in dread of a mysterious sickness that apparently emanated from houses of confinement and was soon to spread throughout the cities.” Ibid 355. In the Classical imagination, the evil harbored within the walls of the hospitals was a kind of putrid rot that, once mixed with the outside air, was picked up by the wind, exposing everyone within miles.

In 1780, an epidemic spread through Paris, and its origin was attributed to an infection at the Hôpital Général, and there was even talk of going to burn the buildings at Bicêtre. Faced with panic among the populace, the Lieutenant of Police sent in a commission of inquiry that included, along with several royal doctors, the dean of the Faculty and the physician from the Hôpital Général. Ibid 357

And while a ‘putrid fever’ was found to be there because of poor air quality and poor sanitary conditions, authorities assured the public that the Hospital was not the source of the epidemic. And while the original
‘The Great Fear’ indicated that the experiences of unreason and madness were changing. Perhaps inspired by Rousseau and a new focus on ‘nervous disorders,’ a new historical awareness began to flower: with the passage of generations and the flourishing of civilization, we were growing ever-more alienated from nature and, as a just consequence, were now more and more frequently afflicted with madness.\textsuperscript{750} Unreason and madness were starting to separate, the former taking on the status of the untimely and the latter the status of the timely historical degeneration of humanity.\textsuperscript{751}

Slowly the great cosmic forces responsible for madness started to become broken down into what the Nineteenth century would call ‘milieus.’\textsuperscript{752} Non-natural milieus produced madness in their inhabitants. Milieus characterized by excess of political freedom and economic prosperity, as well as religious milieus were notable environments for stoking the fires of madness.\textsuperscript{753} In a move reminiscent of Rousseau as well as the Renaissance position on the connection between abstract study and madness, even civilization itself was considered a milieu

\begin{footnotes}
\footnote{749} Ibid 355-357.
\footnote{750} Ibid 358.
\footnote{751} Ibid 363.
\footnote{752} Ibid 365.
\footnote{753} Ibid 366.

For example, too much political freedom and national economic prosperity produced in the soul a state of indecision about the truth that bred inner turmoil. When a position was finally adopted, a politically free milieu fostered heated quarrels, which led to an excess of passion. Where men were free to choose their interests, they abandoned natural desires for the sake of personal, monetary interests. Ibid 366-367. “In short freedom, far from allowing men to become their own masters, drove them ever further from their essence and their world.” Ibid 367. Intense religious milieus could also incite madness. Religious fervor, if not kept in check, could induce hallucinations, delirium, and melancholy. Nonetheless, religion itself tended to be less the problem and more of the vehicle by means of which error was made. In fact, Moehsen argued that when religion once structured the day and through its regulation of the lives of the laity immediately expunged guilt by means of swift punishment, people were healthier. Lax religions had no mechanisms for either regulating the passions (since a lack of rites left time open for unhealthy leisure) or expunging guilt (since no punishment was administered). Ibid 368-369.

The ancient religion of happier times was the perpetual celebration of the present. But as soon as it became more idealized in the modern age, it surrounded the present with a temporal halo, an empty milieu, that of leisure and remorse, where men’s hearts were given over to worry, and where passions opened time to indifference or repetition, a milieu where madness could ultimately develop freely.\textsuperscript{753} Ibid 369.

Nonetheless, as we will see, reformers such as Pinel remained suspicious of religion and attempted to retain the morality of religion while jettisoning its fantastical content.
\end{footnotes}
wrought with potential dangers. For example, erudition could slip into manic study, ‘abstract speculations,’ ‘perpetual agitation of the spirit,’ and inactivity of the body.\textsuperscript{754} Sciences that deal with the immediate perceptual world are less likely to compromise the brain in a way that could lead to madness.\textsuperscript{755} Complex, abstract thinking presents “the soul with a form of exercise that fatigues the inner sense on account of the over-lengthy strain placed upon the brain.”\textsuperscript{756} Thus, the argument is not necessarily that erudite studies, characteristic of civilization, deal with unreal things as much as they overtax the brain. Civilization also removed us from the sphere of natural influences since it also produced numerous ‘milieus for the perversion of sensibility.’\textsuperscript{757} For example, people no longer had to go to bed with the onset of night, nor awaken with the rising sun, but instead obeyed the timetables set by society. The theater and novels also stirred the passions, while the latter did so ever more intensely by conjuring fantastical worlds detached from the immediate and sensible.\textsuperscript{758}

A great change was taking place. Madness and Unreason, which had once been blurred together, were now to separate.\textsuperscript{759}

In the landscape of unreason where it had been placed by the seventeenth century, madness concealed a meaning and origin that were obscurely moral; its secret likened it to sin, and the imminent animality perceived in it paradoxically did nothing to make it more innocent. In the second half of the eighteenth century, it was no longer recognized in all that brought men close to their timeless fall, or to their indefinitely present animality. It was situated instead in the distance that men took from themselves, from their world, and from all that was offered to them in the immediacy of nature.\textsuperscript{760}

The milieu, conceived of as the negativity of nature’s withdrawal, was an artificial environment filled with artificial values and practices that induced madness.\textsuperscript{761} By the end of the Eighteenth

\begin{itemize}
\item \textsuperscript{754} Ibid 369.
\item \textsuperscript{755} Ibid 369.
\item \textsuperscript{756} Ibid 370.
\item \textsuperscript{757} Ibid 370-371.
\item \textsuperscript{758} Ibid 370-371.
\item \textsuperscript{759} Ibid 376-377.
\item \textsuperscript{760} Ibid 371.
\item \textsuperscript{761} Ibid 372.
\end{itemize}
century, the madman was seen as one who lost *his* truth rather than *the* Truth.\textsuperscript{762} Moreover, an inversion took place that no longer saw animality as the counter-natural source of madness hidden within, but instead saw animality as “the tranquility and happiness to be found in nature.”\textsuperscript{763} Furthermore, “the animal could not be mad, or at least it was not in its animality that its madness could originate.”\textsuperscript{764} Now that the historical process of civilization rather than an untimely animality was considered the cause of madness, the stage was set for the Nineteenth century’s obsession with ‘degeneration.’\textsuperscript{765}

Nonetheless, over the course of the Nineteenth century, madness’ connection with history would be severed: “Madness was no longer conceived of as the counterpart of history, but as the hidden face of society.”\textsuperscript{766} Morel, for example, reversed the relationship between affluence and madness, and argued that madness was a possible effect of poverty. For him, madness was an ‘obstacle’ to the ‘normal flow’ of human history, not necessarily a product of its development.\textsuperscript{767} Madness “became the stigma of a class that had abandoned the forms of bourgeois ethics…The medical and psychological concept of insanity was severed from history to become instead a moral criticism in the name of the compromised salvation of the species.”\textsuperscript{768}

*Institutional Transitions*

By the mid-Eighteenth century, asylums exclusively designed for the insane began to appear.\textsuperscript{769} These initial movements towards separating the mad from the other inmates of

\textsuperscript{762} Ibid 379.  
\textsuperscript{763} Ibid 373.  
\textsuperscript{764} Ibid 373.  
\textsuperscript{765} Ibid 375.  
\textsuperscript{766} Ibid 378.  
\textsuperscript{767} Ibid 378.  
\textsuperscript{768} Ibid 378.  
\textsuperscript{769} Ibid 383-384.
unreason had nothing to do with humanitarian efforts\textsuperscript{770} but would eventually lay the groundwork for those humanitarian efforts.

Over the course of the Eighteenth century, Unreason began to lose its nuances. Eventually only two categories remained: the mad and the libertine.\textsuperscript{771} “Unreason, increasingly, was just a power of fascination, while madness became an established object of perception” becoming increasingly differentiated in the registries in houses of confinement.\textsuperscript{772} The most essential division made within the community of the mad involved danger: was the madman a danger to others, to himself, or benign?\textsuperscript{773} Subsequent to this, another distinction was drawn between ‘the alienated’ and ‘the insane.’ The alienated was someone most lost to madness; he was “a man who had entirely lost truth” and had surrendered to his illusions.\textsuperscript{774} The insane man, on the other hand, “was not entirely a stranger to the world of reason, but demonstrated instead something like reason perverted.”\textsuperscript{775} The alienated and the insane were distinguished on an axis of nonsense and sense.\textsuperscript{776} Foucault refers to the new perception that produced these new categories as ‘the asylum perception of madness.’\textsuperscript{777} As we previously noted, the categories derived from this new perception and the more theoretical ‘analytics’ of physicians, for a time, belonged to their own worlds and resisted one another.\textsuperscript{778} For Foucault, it was in the former perception that madness found its own voice. He describes this as a ‘tear’ in the experience of

\textsuperscript{770} Ibid 386.  
\textsuperscript{771} Ibid 387.  
\textsuperscript{772} Ibid 388-389.  
\textsuperscript{773} Ibid 390.  
\textsuperscript{774} Ibid 391.  
\textsuperscript{775} Ibid 391.  
\textsuperscript{776} Ibid 392.  
\textsuperscript{777} Ibid 392.  
\textsuperscript{778} Ibid 393.
madness, “a rent between madness considered by our science as mental illness, and all that it can
give of itself in the space in which it has been alienated by our culture.”

But what initially enabled the mad to become seen, the separation of the mad from the
rest of the inmates of unreason, was unexpectedly instigated not by calls on behalf of the mad,
but for those housed beside them, originally from the non-mad confined themselves. Houses
of confinement, haunted by madness, came to be seen as symbols of despotism, as places where
the establishment sent those it sought to silence. A call arose to remove all but the criminal
and the insane, cementing the presumption that confinement and madness mutually implied
each other.

After 1770, Confinement was on the decline. Already Confinement had been
challenged, which made various external social and economic complications all the more
devastating. A series of economic disasters, notably in France and England, demonstrated that
Confinement could not curb massive unemployment and out of control prices. Unemployment
in the countryside, largely due to the confiscation of common lands, undermined the common
opinion that unemployment was an urban problem caused by indolence. Furthermore, the
shift from a mercantilist economy to an industrial capitalist economy caused a shift in how
poverty was interpreted and valued, dispelling the motives for confining the poor. The poor
were viewed as a necessary part of a healthy economy and needed to be reincorporated into the workforce.\textsuperscript{788} That was but one of many reforms that started to empty the houses of confinement; unreason (libertines), poverty, and eventually criminality were expunged from the orbit of confinement, leaving only the mad to occupy its space.\textsuperscript{789}

What disappeared in the course of the eighteenth century was not the inhumane rigor with which the mad were treated, but the obviousness of confinement, the global unity into which the mad had been unquestioningly subsumed, and he countless threads that locked them into the unbroken weave of unreason.\textsuperscript{790}

In the transitional period around the time of the Revolution, the mad began to become objects of pity requiring assistance.\textsuperscript{791} Medical treatment, which had previously been conducted in an external structure before confinement was deemed necessary, now became incorporated into the same structure, although the process was slow.\textsuperscript{792} Asylums could not be considered medical (or modern) until the act of confinement was considered a medical measure, a process begun in a nascent form by Tenon and Cabanis. Tenons, for example, argued that confinement, while still a form of imprisonment, could still be a setting that allowed the mad to express their madness in a harmless way.

To Tenons, the animal rage associated with the mad was largely due to ‘constant oppression,’ so an attenuated form of liberty could be therapeutic.\textsuperscript{794} Constraint pushed the mad further within their own imaginary worlds, while freedom allowed them to constantly confront reality.\textsuperscript{795}

\textsuperscript{788} Ibid 409.
\textsuperscript{789} Ibid 417.
\textsuperscript{790} Ibid 418.
\textsuperscript{791} Ibid 432-433.
\textsuperscript{792} Ibid 434.
\textsuperscript{793} Ibid 435.
\textsuperscript{794} Ibid 435.
Confined freedom cured of its own accord, just as liberated language was soon to do for psychoanalysis, but in a movement that was its exact opposite: not by allowing fantasy to take shape in language and use it as a medium of exchange, but by forcing it instead to disappear when confronted with the insistent and heavily real silence of things.  

Thus, through a paradox, the mad could be most free only when confined and best cured when left to their own devices. Society, in turn, was still protected from them.  

Where once the mad were viewed as guilty of indulging in the most absolute bestial liberty, now they were seen as fundamentally unfree and unresponsible for their actions. “The disappearance of liberty, once a consequence of madness, now became its foundation, secret and essence.” The madness within each individual was to be investigated and adjustments to his liberty and treatment were to be made accordingly. Those who watched over the mad and made these observations were free of the influences of either families or even the prejudices of medicine. It was in the spirit of this kind of observation that the ‘asylum journal’ was invented. “Madness was no longer to be inscribed in the negativity of existence, as one of its most brutal figures, but now progressively took its place in the positivity of known things.”  

This fall into objectivity was a far more effective means of mastering madness than its previous enslavement to the forms of unreason. Confinement, in the light of these developments, could offer madness the luxury of liberty – as it was now enslaved, and stripped of its deepest powers. If this evolution was to be summed up in one sentence, we might say that the kernel of the experience of Unreason was that madness was there its own subject, but that in the experience that came into being in the late eighteenth century, madness was alienated from itself through its promotion to a new status as object.  

By becoming an object of investigation, *madness had become an object.*

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795 Ibid 436.  
796 Ibid 436.  
797 Ibid 374.  
798 Ibid 439.  
799 Ibid 439.  
800 Ibid 441.  
801 Ibid 443.  
802 Ibid 443.  
803 Ibid 443.
The Beginnings of Psychology

At the same time, a reversal of Classical justice and its relationship to scandal produced by the French Revolutionary imagination was setting the groundwork for psychology. Scandal, which was once hidden, was now considered a proportional punishment for vice. Those guilty of vice (would-be criminals) would not be confined, nor their sins kept secret, but were instead dragged out into the public light to suffer the shame of exposure, to deter criminal behavior.804

As a consequence, psychology and the knowledge of all that was most interior to men were born from the fact that public conscience had been elected to the status of universal judge, as an immediately valid form of reason and morality for judging men. Psychological interiority was constituted on the basis of the exteriority of scandalized conscience. All that which had previously made up the content of the old classical unreason could now be taken up in these new forms of psychological knowledge.805

Note how psychological interiority was allegedly created: ‘on the basis of the exteriority of scandalized conscience.’ Here we have the hallmarks of objective-internal domination: the internal domain – the psychological man - is itself created as not only the product of but also the means for enacting a self-perpetuating mode of domination.

Psychology arose from this moral foundation, and on these grounds must be considered the Modern objective-internal mode of domination par excellence:

Psychology is not rooted in a study of man but in a certain “homo psychologicus,” whose alliance with certain historical developments situated man within two fundamental axes: “an external dimension of exclusion and punishment” and “an internal dimension of moral assignation and guilt.” This alliance reduced madness to mental illness.806

This new psychology is best introduced in its most forceful expression: criminal evaluation. It is worth quoting Foucault at length:

The psychology of individuals would not have been possible without [the] reorganization of scandal in the public conscience. Knowledge about the concatenations of heredity, the past and motivations only became possible when fault and crime ceased having intrinsic value and were no

804 Ibid 447-449.
805 Ibid 449. Italics mine.
longer seen purely in relation to themselves, but took their meaning instead from the universal
gaze of the bourgeois conscience.\textsuperscript{807}

The psychology of individuals was now considered pertinent in a court of law. The public
consciousness of crime and the concomitant public conscience were embodied in juries.\textsuperscript{808}

This new psychology was not value-neutral but instead reinforced bourgeois values since
guilt could be attenuated if criminal behavior was motivated by bourgeois values.\textsuperscript{809} Here we
have the notions of the ‘insanity defense’ and ‘crimes of passion’ in their beginning stages.\textsuperscript{810}
For example, in 1792, a 52-year-old laborer named Gras was charged with murdering an
unfaithful mistress. The murder itself was not questioned. But the jealousy that incited his
violent act, motivated by a sense of outrage at infidelity, was argued to provide grounds for an
attenuated sentence because fidelity, although not a legal issue, was a moral issue.\textsuperscript{811} On the
other hand, at this period of time, if no such moral ground motivated the action, the accused was
considered guilty, even if it was motivated by a ‘perverse nature’ or ‘a vicious education.’\textsuperscript{812}
Thus, madness was divided between ‘good’ and ‘bad’\textsuperscript{813} based on the degree of
bourgeoisification of the accused.

\textit{The Modern Age and the Great Reformers: Tuke and Pinel}

The rise of psychology, for Foucault, in the modern age, as we have seen, is rooted in a
simultaneous movement that liberates madness only because it has been rendered an inert
object.\textsuperscript{814} “Psychology became possible in our world only when madness had already been

\begin{footnotes}
\item[807] Foucault \textit{History of Madness} 450.
\item[808] Ibid 449-450.
\item[809] “This region of madness and frenzy where the criminal act came into being only rendered it innocent to the extent that it was not rigorously neutral morally, but rather...exalted a value that society recognized, while being unable to give it any currency.” Ibid 456.
\item[810] Ibid 455.
\item[811] Ibid 453-457.
\item[812] Ibid 456-457.
\item[813] Ibid 458.
\item[814] “The knowledge of madness supposes in the person who holds it an ability to distance the self from it, and to remain aloof from its perils and charms, a certain manner of not being mad.” Ibid 460.
\end{footnotes}
mastered.” Madness was the starting point for the objectification of Man, and became its “first objectifying form” and the “means by which man could have an objective hold on himself.” Madness was “the first great figure of the objectification of man.” This inner psychological Man is the ‘objective-internal’ object this investigation has been looking for.

Traditionally the great reforms that led to the liberation of the mad are attributed to Samuel Tuke, in England, and Philippe Pinel, in France. Tuke, a member of the York Quakers, founded the Retreat, a place for the treatment of the mad, in 1796, in response to “old legislation regarding the poor and sick” judged to be unfair. Pinel was the head physician at Bicêtre during Revolutionary France, an institution required at the time to assume the medical responsibilities previously had by the Hôtel-Dieu. In this role, for reasons that may have been politically motivated, Pinel ‘liberated the mad.’ But for Foucault, we must be skeptical of these humanitarian efforts: “Pinel and Tuke, in those simple gestures that were to provide its paradoxical origin to positive psychiatry, interiorized alienation, and installed it inside confinement, delimiting it as the distance from a madman to himself, and thereby invented the myth of alienation.” But what were these gestures? Let us look to both Tuke and Pinel and observe both their similar forms of treatment and the moral underpinnings Foucault saw to be so suspicious.

816 Ibid 461.
817 Ibid 461.
818 Ibid 467.
819 Ibid 468.
820 Ibid 470-471.
821 Ibid 481.
Tuke

Tuke founded the Retreat in the countryside, where the mad could live simple lives tied to the regularities of nature. Granted that madness was the consequence of a social lifestyle that deviated from a natural lifestyle, the former had to be replaced by the latter if madness was to be cured.\textsuperscript{822} Reason was not believed to be totally effaced but instead dormant, needing to be reawakened through natural living.\textsuperscript{823} “…A new myth was beginning to take shape, which was to become one of the great organizing forms of the psychiatry of the nineteenth century – the myth of the three natures: Nature as Truth, Nature as Reason, and Nature as Health.”\textsuperscript{824} The truth of nature could restore reason, which could restore health.\textsuperscript{825} Furthermore, the community was to act as a surrogate family, with the authorities being the parents and the patients the children, a social arrangement believed to be the most originary.\textsuperscript{826}

But a further look reveals the Retreat was anything but. Adopted in what was essentially a Quaker institution, the patient was to be regulated and placed into a moral milieu of ‘Law and Guilt’ in which fear was used to restore the mad to reason.\textsuperscript{827}

Fear here was directed straight at the patient, not through any instrument but purely by means of discourse. There was no question of limiting a raging liberty, but of defining and exalting a region of simple responsibility, where any manifestation of madness would be linked to a punishment.\textsuperscript{828}

Patients were made to feel guilt for their madness, and by means of an instilled conscience, would regulate themselves.

Through this guilt, the madman became an object of punishment always offered to himself and the other; and from that recognition of his status as object, and his consciousness of his own guilt, the madman was to return to his consciousness as a free, responsible subject, thereby regaining reason.\textsuperscript{829}

\begin{itemize}
\item \textsuperscript{822} Ibid 472.
\item \textsuperscript{823} Ibid 473.
\item \textsuperscript{824} Ibid 473.
\item \textsuperscript{825} Ibid 473.
\item \textsuperscript{826} Ibid 474.
\item \textsuperscript{827} Ibid 483.
\item \textsuperscript{828} Ibid 484.
\item \textsuperscript{829} Ibid 485.
\end{itemize}
Presumably, liberty could only be secured for the mad after an effective means of neutralizing them had been devised.

Tuke accomplished this self-regulation by means of Work and the Gaze.\textsuperscript{830} Work as a practice introduced discipline insofar as it bound the patient to the strictures of a schedule and focused attentions towards accomplishing a task. Work, in this manner, kept the patient rooted in reality (by grounding them to a real task that yielded real fruits) and morality (since it encouraged responsibility).\textsuperscript{831} A patient, once responsible, would then curtail their liberty deliberately, accomplishing internally what physical constraint only appeared to do.\textsuperscript{832}

Few practices reveal the irony of liberation as that of the Gaze. In the age of Confinement, the gaze was reciprocal, since not only were the mad watched, but the mad, like Nietzsche’s infamous abyss, looked back at the watcher, a reminder of the hidden madness that could creep into even the most reasonable of men. Now the gaze was one-way, critical, objectifying, and disarming.\textsuperscript{833} For example, tea parties would be orchestrated so that patients could be observed in the most technical and unforgiving ways, so that they could be scrutinized for behaviors both deliberate and accidental that revealed a hidden madness at work.\textsuperscript{834} A reward and punishment system was established that did not enter into dialogue with the object but instead only considered its visible aspects.\textsuperscript{835} Two words capture the new regime setting in: Surveillance and Judgment.\textsuperscript{836} But these would come to nothing if not for ‘The Doctor’: ‘the

\textsuperscript{830} Ibid 485.
\textsuperscript{831} Ibid 485.
\textsuperscript{832} Ibid 486.
\textsuperscript{833} It was to track the least perceptible indications of madness in patients, hunting for the point where madness was secretly attached to reason, and barely began to drift apart from it; and it was a gaze that the madman could never return in an form, for he was only ever the observed; he was like a newcomer, the last settler in the world of reason.” Ibid 486.
\textsuperscript{834} Ibid 486-487.
\textsuperscript{835} Ibid 487.
\textsuperscript{836} Ibid 488.
incarnation of Reason,’ “bearing the full force of the authority invested in him by the fact of his not being mad.”837

Tuke organized the Retreat in accordance with the model of the Bourgeois family unit, since this Family ideal was both the antithesis of the societal milieu that caused madness and the “truth and norm for all the relations that could be struck up between madmen and men of reason.”838 From this soil would eventually sprout the psychoanalytic elevation of the Family as the locus of psychological development and madness. Where once there had been the endless battle between Reason and Unreason there would now be the oedipal battle of instincts against the institution of the Family and the Father.839

Pinel

Much is made of Pinel’s ‘liberation of the mad of Bicêtre.840 But the liberation offered by Pinel was conditional: “the madman, freed from the animality to which his chains confined him, could only rejoin humanity as a recognized social type.”841 This social type was one that both incorporated the madman into a moral world and reinforced a master-servant power dynamic.842 For example, one patient, a soldier taken with delusions of grandeur, referred to as Chevingé, was rendered ‘sane’ when Pinel released him from his bonds and took him on as his servant. “The miracle happened, and the virtues of a faithful valet were awoken in that troubled

837 Ibid 488. Technically, in this passage, Foucault says ‘the superintendent,’ but it is clear that this is an early incarnation of the personage of the doctor he later discusses.
838 Ibid 490.
839 Ibid 490.
840 A story is often told of Pinel’s famous faceoff with Couthon, a brutal member of the Convention who came to investigate Bicêtre for possible political enemies in hiding. The tale came to symbolize an interesting inversion: Couthon was the brutal animal, not the madmen he discovered in Bicêtre. After he left, Pinel proceeded to unchain the prisoners, to restore their liberty. Ibid 476-477.
841 Ibid 478.
842 Ibid 479.
soul.”843 Here we can see both the assumption of a social type – the servant – which, in turn, instantiated both a moral integration and a relationship of servitude.

Although similar to Tuke, Pinel did not appropriate the imaginary themes of religion into medical treatment, only its moral content.844 Such imaginary themes tended to instigate madness and had to be removed from the asylum. Religious fervor was one of the only practices amongst the mad that would not be tolerated.845 But once these alienating images were removed, “religion had a power of ‘disalienation’, dissipating images, calming passions, and restoring to man all that was immediate and essential in his being: it could help him approach his moral truth.”846 Pinel, like Tuke, wanted to minimize the use of the imagination since it was through its derangement that madness arose. But, unlike Tuke, the social theme of a religious community was abandoned, while the “moral power of consolation, confidence, and docile faithfulness to nature” found in religion was retained.847 Once again, madness was treated by focusing on family values, ‘virtue, work, and social life.’848

This kind of moral treatment was effective because morality wasn’t lacking in the mad, only hidden and subtle in its operations.849 Vice was often the cause of madness, so virtue would be its cure: “The asylum’s aim was the homogenous reign of morality, and its rigorous extension to all those who attempted to escape it.”850 Since the source of this vice was “the lower depths of society,” Pinel’s asylum was situated within a social discourse concerned with eliminating “the nascent alienation” characteristic of the dredges of society by means of ‘moral syntheses.’851

843 Ibid 478.
844 Ibid 492.
845 Ibid 491-492.
846 Ibid 492.
847 Ibid 493.
848 Ibid 493.
849 Ibid 493.
850 Ibid 494.
851 Ibid 495.
There were at least three means by which Pinel effected these moral syntheses: silence, mirroring, and perpetual judgment:\textsuperscript{852}

Silence was a technique that was used when speech and reaction in some way fed into the delusions of the mad. By isolating a patient with silence, the delusion starved itself, and the patient was forced to face himself rather than stay insulated within a delusional persona. “From this moment on, more genuinely confined than he could be in a dungeon or in chains, a prisoner of nothing but himself, the patient was trapped in a relation to the self that was of the order of guilt, and in a non-relation to others that was of the order of shame.”\textsuperscript{853} Despite Confinement’s attempt to silence madness, its very oppression produced a silence dialogue of struggle. This final, subtle dialogue was silenced, leaving the patient no choice but to acknowledge his own guilt. Once that guilt was faced, it could be acknowledged, and with that acknowledgement the delusion would dissipate.\textsuperscript{854}

The second technique was a forced recognition through mirroring. First, there was a stage of exaltation, in which a patient was made to see another patient who had his same delusion as a madman. At this stage, the guard or doctor does not attempt to contradict the presumptions of the initial patient but instead contradicts the presumptions of other patients. The patient was then incensed to denounce the madness of others, objectifying them as mad. But this moment, which was the consolidation and affirmation of the patient’s contentions was ultimately the delusion’s undoing, since it led to a second stage of abasement. Faced with the awareness that those others who had similar presumptions were insane, now the patient would have to consider the possibility that he too was mad like his fellow madmen, which led him to eventually accept

\textsuperscript{852} Ibid 495-500.  
\textsuperscript{853} Ibid 496-497.  
\textsuperscript{854} Ibid 496-497.
his own madness. “The solidity of his sovereign subjectivity crumbled in the object that he had demystified by taking it as his own identity. He found himself the unpitied object of his own gaze…” Rather than attack the error of madness, Pinel attacked its arrogance, leaving the patient to suffer at his own hands the same humiliation he leveled at others.

The third means Foucault refers to as ‘perpetual judgment.’ Patients were to be constantly aware that they were being observed and scrutinized for behaviors that warranted punishment. Many of the practices considered by Classical physicians to be treatments, like cold baths and showers, were now used as punishments meant to prompt remorse in the patient. Punishments would continue until it was clear that the seeds of conscience had been planted.

Faults, no matter how small, were punished until the patient acknowledged his guilt.

That said, some behaviors could not be punished in this manner and called for incarceration. Those who would not work, those who tormented other patients and incited insurrection, thieves, and religious fanatics were all to be locked away, separated from the other patients. Thus, we find in Pinel’s asylum and its descendants “a sort of endless trial…where any error in life, by a virtue proper to life in the asylum, became a social crime, observed, sentenced, and punished.” Ultimately the aim of such measures was the acceptance of guilt and moral conversion to bourgeois norms.

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855 Ibid 498-499.
856 Ibid 499.
857 Ibid 499.
858 Ibid 500.
860 Ibid 502.
861 Disobedience on account of religious fanaticism, resistance to work, and theft, the three great sins against bourgeois society, three major attacks on its essential values, were all inexcusable, even in the mad.” Ibid 502.
862 Ibid 503.
A fourth aspect, like a crown upon the asylum itself, facilitated all of this: namely, ‘the apotheosis of the medical character.’ It was the doctor that rendered what was once a house of confinement into a medical institution: an asylum. Yet what originally gave the doctor his legitimacy and authority was not the possession of medical knowledge but recognition that he was a ‘wise man’ of virtue. “If the medical character could circumscribe madness, it was not because he knew it but because he mastered it; and what positivism came to consider as objectivity was nothing but the converse, the effects of this domination.” It was less the ply of a medical skill that gave the doctor his power to cure: it was his persona as ‘Father and Judge, Family and Law.’

Whereas both Pinel and Tuke underlined quite clearly that their moral actions were not necessarily linked to any scientific competence, it was generally believed, above all by patients, that it was some esoteric, almost demoniacal secret in his knowledge that gave him the power to undo alienation. A doctor had as much power as the patient’s faith in his competence as a ‘miracle worker’ bestowed. Subsequent generations forgot this fundamental therapeutic truth, succumbing to the same ‘myth of the doctor’ that patients did. Perhaps even today, when it is acknowledged that one of the most crucial factors leading to successful therapy is a good ‘therapeutic alliance,’ all that is being articulated is this position: that therapy is only as efficacious as the faith the patient has in his doctor. It is this very medical persona Freud amplified to its limits when he sat silently out of sight of the analysand as he offered his secrets up for analysis.

863 Ibid 503.
864 Ibid 504.
865 Ibid 505-506.
866 Ibid 506.
867 Ibid 508-509.
868 Ibid 508.
869 Ibid 510-511.
Summary of Objective-Internal Domination

The *History of Madness* presents us with a series of dominating forms: the Embarkment of the Renaissance, the Confinement of the Classical age, and the Commitment of the Modern age. The fruit borne by this series of mutations is psychology itself and its attendant: the Psychological Man. The mad were the first to be objectified, paving the way for the objectification inherent in the human sciences. With the construction of the ‘inner man’ of psychology, we see the emergence of a moral entity expected to adhere to bourgeois virtues and to acknowledge its guilt. After centuries of gestation, we are that guilt-ridden moral entity. ‘Mental Health’ stands as the seemingly innocuous objective-internal norm which we have all internalized, attuned not just to guilt but error. The Madman is both the figure of moral deviance and the negative image of one who has ‘sense.’ This figure is the alibi for the application of objective-internal control that constitutes normality and silences Madness.

4.3 The Objective-External Forms of Domination: The Archaeology of Knowledge

Criteria for the Objective-External Form of Domination

We may recall that Kant describes the objective-external practical material principle as ‘the supreme perfection represented in substance’ (God) as conceived by means of rational concepts. Subsequently, this principle refers to any moral theory that determines the Good based on the will of God. But, as Nietzsche reminds us, the notion of Truth can be tied to God. By any means, the notion of Truth, be it eternal and universal or historical and relative, has criteria which distinguish between what makes sense and what does not. These criteria are not psychological rules, so they are not internal. And given that they concern knowledge, these are objective, and comprise what Foucault calls ‘discourse.’ Discourse is something that cannot be

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870 Kant *Critique of Practical Reason* 172-173 [5:41]
reduced to its speaker. It is not a subjective expression, but is rather autonomous and operates in such a way as to delimit the speaker. What makes sense can be spoken and what does not is consigned to ridicule. It is to this form of domination we now turn.

_Transitions and Introductions: Relating the Earlier Archaeological Works to the Archaeology of Knowledge_

In the previous section, we acknowledged that only a selective reading of _The Archaeology of Knowledge_ would suggest that it repudiated _The History of Madness_. Instead, Foucault has shifted his investigation from a referent (the experience of madness) to the rules of discourse:

…What we are concerned with here is not to neutralize discourse, to make it the sign of something else, and to pierce through its density in order to reach what remains silently anterior to it, but on the contrary to maintain it in its consistency, to make it emerge in its own complexity. What, in short, we wish to do is to dispense with ‘things’. To ‘depresentify’ them.871

Rather than provide a history of how experiences are distorted by discourse (which assumes that words index things), Foucault wants to focus on that sea of words: discourse itself.

_The Archaeology_, in its way, is the culmination of his earlier works, the _History of Madness, Birth of the Clinic_, and _The Order of Things_, since the former attempts to articulate the method that was still gestating as he worked through the themes of psychiatry, medicine, biology, economics, and grammar found in those earlier books.872 That said, there are differences between these texts. The project of _The Order of Things_ is bolder in its language than its accompanying sequel, which may help highlight what the _Archaeology_ is trying to accomplish. _The Order of Things_ aims at rediscovering:

…on what basis knowledge and theory became possible; within what space of order knowledge was constituted; on the basis of what historical _a priori_, and in the element of what positivity, ideas could appear, sciences be established, experience be reflected in philosophies, rationalities be formed…[in other words], the epistemological field, the _episteme_ in which

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knowledge…grounds its positivity and thereby manifests a history…of its conditions of possibility.\textsuperscript{873}

While the actual possibility of an \textit{a priori} that is contingent upon the vicissitudes of history is questionable, we can still recognize what Foucault is getting at: the conditions of intelligibility for a given era. In this vein, Foucault does not seem to shirk the bold claim that there have been at least two shifts in epistemes, or epistemological fields, over the last four hundred years in which ‘the mode of being’ of “the order on the basis of which we think” has radically changed: the Classical age and the Modern age.\textsuperscript{874} We are by now quite familiar with both. However, the \textit{Archaeology} is more cautious. Foucault dismisses the systematic tone of \textit{The Order of Things} in the \textit{Archaeology} as nothing more than an oversight on his part, “the absence of methodological signposting” that merely gave the false impression of ‘cultural totality.’\textsuperscript{875} Ultimately, however, Foucault’s aside seems less like clarification and more like historical revisionism.

An interrogation into the objective-internal locus (what could be called psychic structure) revealed Psychological Man to be the form and product of objective-internal domination, and the Madman to be both what resisted it but also most fell under its authorized sway. Now we shift to the objective-external locus, to the field of discourse devoid of founding subjects. I argue that insofar as Foucault interrogates discourse as an autonomous domain, he means to highlight the ways in which discourse determines the array of subject positions a speaker must occupy to be taken seriously. These systemic limitations act not only as a form of domination due to their very nature as restrictions, but inevitably act in concert with other forces in order to legitimize

\textsuperscript{875} Foucault, \textit{The Archaeology of Knowledge} 16.
the marginalization of certain voices. Those that deviate from these permitted subject positions are labeled Crackpots, a term Foucault uses in the History of Madness.\footnote{Foucault, History of Madness 354.}

**Discursive Analysis**

To understand what a discourse is and how its rules ultimately set the parameters for what we say, we must know what statements are, since discourses are composed of statements.\footnote{Foucault The Archaeology of Knowledge 80.}

Foucault distinguishes between sentences, propositions, and statements.\footnote{Ibid 80.} Sentences are grammatical and must comply with grammatical rules, while propositions are logical and must comply with logical rules. Statements, on the other hands, must comply with what Foucault calls ‘rules of formation.’ While sentences and propositions can be statements, statements are neither grammatical nor logical in nature, and are in fact, more fundamental than either. Many statements (such as items organized on lists, tables, and graphs) are not sentences, while two distinct statements can actually be found in the same proposition (for example, ‘No one heard’ and ‘It is true that no one heard’ are the same logical proposition but different statements).\footnote{Foucault The Archaeology of Knowledge 80-82.}

The statement is not therefore a structure (that is, a group of relations between variable elements, thus authorizing a possibly infinite number of concrete models); it is a function of existence that properly belongs to signs and on the basis of which one may then decide, through analysis or intuition, whether or not they ‘make sense’, according to what rule they follow one another or are juxtaposed, of what they are the sign, and what sort of act is carried out by their formulation (oral or written).\footnote{Foucault The Archaeology of Knowledge 86-87.}

Dreyfus and Rabinow point out that Foucault further notes that statements cannot be speech acts, as defined by English analysts (like John Austin and John Searle), because he assumes that any individual speech act (let’s say, a promise, a command, etc.) is necessarily composed of more than one statement. Dreyfus, Hubert L., and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*. 2e. (Chicago: The University of Chicago Press, 1983) 45-46, and Foucault The Archaeology of Knowledge 82-84. However, Dreyfus and Rabinow contend, however, that statements and speech acts, at least as they are formulated in Speech Act theory, are the same (A personal letter from Foucault to Searle seems to confirm this: “I was wrong in saying that statements are not speech acts, but in doing so I wanted to underline the fact that I saw them under a different angle than yours”). Dreyfus and Rabinow 46.

\footnote{Ibid 80.}
Foucault is directing our attentions not towards “mere possibilities” but towards “the dimension of existence, of grasping a series of signs, as actually operating,” which is why he is concerned with uncovering those rules which made such an operating series of signs actual.881 While admitting that the field of statements is broader, Dreyfus and Rabinow contend that most of Foucault’s attention is really directed towards a specific kind of statement – the truth claim – which they designate by the Speech Act-inspired term ‘serious speech act’ (namely, those speech acts validated by various procedures, communities of experts, etc).882

Foucault refers to this ‘function of existence’ signs exhibit as an ‘enunciative function,’ or ‘modality of existence’ proper to a group of signs. Fully explicated, a statement is…

A modality that allows [a group of signs] to be something more than a series of traces, something more than a succession of marks on a substance, something more than a mere object made by a human being; a modality that allows [a group of signs] to be in relation with a domain of objects, to prescribe a definite position to any possible subject, to be situated among other verbal performances, and to be endowed with a repeatable materiality.883

Discourse is that “constituted by a group of sequences of signs, in so far as they are statements, that is, in so far as they can be assigned certain modalities of existence.”884 From this definition it now seems that statements are both the modality of a group of signs and that very grouping of signs exhibiting that mode which make up discourses. Ultimately, the grouping of statements is not arbitrary but instead the result of a law (or ‘single system of formation’), which Foucault calls a discursive formation.

A discursive formation is defined as “the principle of dispersion and redistribution…of statements.”885 Thus, to understand what discourse is, we must understand the rules that determine which statements belong to it and which do not, which in turn make up a discursive

881 Bernauer 104-5.
882 To avoid Foucault’s misleading tendency to refer to this atypical subset of statements which interests him simply as statements, let us call these special speech acts serious speech acts. Any speech act can be serious if one sets up the necessary validation procedures, community of experts, and so on. Dreyfus and Rabinow 48.
883 Ibid 107.
884 Ibid 107.
885 Ibid 107.
formation. It is by these rules of formation (the discursive formation) that Foucault hopes to explain “How it is that one particular statement appeared rather than another?”

Foucault restricts himself, for the most part, to a finite collection of actual statements, which can only be found in a previous episteme (Archaeology does not analyze the possible, only the actual). Arguably the appeal of looking to past statements from an episteme that no longer produces statements lies in the possibility that such a finite collection of actual statements could be considered by an archaeologist as an aggregate with regularities while still being complete. Without recourse to the past, such completeness could only be attained by attempting to derive an underlying system that determines what statements are possible, which in turn would be totalizing and deterministic. Archaeology is not an ahistorical analytic tool, but is itself part of the current episteme that is either emerging at the end of the Modern episteme, or (perhaps not previously considered) a collection of statements some of which the Modern episteme actually rejects as nonsensical (In other words, we cannot necessarily conclude from the appearance of Foucault’s work that the Modern episteme has ended, unless the regularities of the Modern period no longer seem to be present). Such a determination may still be premature.

We start by asking what it means to define a discursive formation as a principle of dispersion and redistribution of statements. Foucault attempts to answer this even before providing us with a definition of the statement:

Wherever one can describe, between a number of statements,…a system of dispersion, whenever, between objects, types of statement, concepts, or thematic choices, one can define a regularity (an order, correlations, positions and functionings, transformations), we will say, for the sake of convenience, that we are dealing with a discursive formation.

886 Ibid 27.
887 Ibid 27.
888 Ibid 38.
Thus we are introduced to “four new descriptive categories for the analysis of discursive formations:” the formations of discursive objects, enunciative modalities, concepts, and strategies (also called theories, themes, or strategic choices). We should not expect these elements to always be in harmony, since coexistence does not preclude conflict. Nonetheless, while contradictory statements may be permitted within the same discursive formation, there is still a principle of exclusion in play that is in no way dependent on what Foucault would call a totalitarian periodization: “We are studying statements at the limit that separates them from what is not said, in the occurrence that allows them to emerge to the exclusion of all others.”

It is in this respect that it could be argued that an objective-external constraint is in effect: the rules of formation limit the field of statements subjects can make or the forms discourse can take. Or, stronger put, the rules of formation seem to determine what can be said (‘what can be taken seriously as a truth claim’) and what cannot (‘what won’t be taken seriously as a truth claim’).

As we have seen, rules of formation regulate objects, enunciative modalities, concepts, and strategic choices – but we have as yet to define them. Foucault concludes that individually none of these is substantial enough to lend unity to a discourse, but together they do. However, each element must be viewed not as somehow consistent in form throughout history but as in constant variation. Such variations, however, are still contained within the bounds of a discursive formation. Foucault explores each element chronologically in context to each work: the object in History of Madness, the enunciative modality in Birth of the Clinic, etc.

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889 Dreyfus and Rabinow 61.
890 Foucault The Archaeology of Knowledge 40-70.
891 Foucault, The Archaeology of Knowledge 148.
892 Ibid 119.
It is thought that a discourse is consistent insofar as it interrogates the same object. For example, psychopathology would seem to be united around the study of an object: madness.\textsuperscript{893} But Foucault observed as early as \textit{History of Madness} that the object under interrogation does not remain an identical object of study over time. Thus, hopes of unifying a discourse around unchanging, persisting objects are doomed to fail.\textsuperscript{894} Rather,

\ldots The unity of the discourses on madness would be the interplay of the rules that define the transformations of these different objects, their non-identity through time, the break that produced them, the internal discontinuity that suspends their permanence. Paradoxically, to define a group of statements in terms of its individuality would be to define the dispersion of these objects, to grasp all the interstices that separate them, to measure the distances that reign between them – in other words, to formulate their law of division.\textsuperscript{895}

What is discovered is not a discourse that revolves around an independent referent but a discourse-object historically determined in its variations by rules of formation.\textsuperscript{896}

The next candidate for anchoring a discourse Foucault calls ‘enunciative modalities.’ Enunciative modalities seem to be comprised of “the various statuses, the various sites, [and] the various positions” a subject can occupy “when making a discourse.”\textsuperscript{897} A subject can speak as a doctor, situated in a hospital, occupying various relations to its object (such as an observer, a questioner, etc.).\textsuperscript{898} This gesture is an attempt to shift the emphasis from an intentional subject who constructs discourse to the field of enunciation that precedes the subject and determines the locus from which it can speak. “Instead of referring back to the synthesis or the unifying function of a subject, the various enunciative modalities manifest his dispersion.”\textsuperscript{899} We can see in this language an implicit bypassing of Kant and Husserl’s transcendental ego.

\textsuperscript{893} Ibid 32.  \textsuperscript{894} Ibid 32.  \textsuperscript{895} Ibid 33.  \textsuperscript{896} Ibid 47-48.  \textsuperscript{897} Ibid 54.  \textsuperscript{898} Ibid 50-53.  \textsuperscript{899} Ibid 54.
Thirdly, one could try to organize a discourse around a ‘family of concepts.’ For example, the Grammar of the Classical age deployed a rich system of concepts, such as judgments, subjects, predicates, nouns, verbs, words, etc. Here again Foucault notes a lack of stability where the only consistency seems to lie in variation rather than a consistent network of concepts deployed throughout the history of the disciplines. Foucault asks, “Could a law not be found that would account for the successive and simultaneous emergence of disparate concepts?” In response, Foucault conjectures the existence of a ‘preconceptual field’ which is neither a ‘horizon of ideality’ nor ‘an empirical genesis of abstractions.’

The preconceptual field allows the emergence of the discursive regularities and constraints that have made possible the heterogeneous multiplicity of concepts, and, beyond these the profusion of the themes, beliefs, and representations with which one usually deals when one is writing the history of ideas.

The law in question, once again, is the discursive formation, which generates both the diversity and the parameters for families of concepts.

Finally, there are strategies, theories, or themes. Foucault notes that in biology evolution seems to be an example of such a persistent theme. Nonetheless, the eighteenth century and nineteenth century theories of evolution, while sharing a theme, are two distinct discourses with “two sets of concepts, two types on analysis, two perfectly different fields of objects.” By now Foucault’s proposed alternative should be no surprise:

Rather than seeking the permanence of themes, images, and opinions through time, rather than retracing the dialectic of their conflicts in order to individualize groups of statements, could one not rather mark out the dispersion of the points of choice, and define prior to any option, to any thematic preference, a field of strategic possibilities?

Thus there is a tension between the diversity of strategies and the unity of the discourse.

900 Ibid 56.
901 Ibid 34.
902 Ibid 56.
903 Ibid 62.
904 Ibid 63
905 Ibid 36.
906 Ibid 37.
A discursive formation will be individualized if one can define the system of formation of the different strategies that are deployed in it; in other words, if one can show how they all derive (in spite of their sometimes extreme diversity, and in spite of their dispersion in time), from the same set of relations.907

The same rules of formation determine which strategic choices are available and which are not.

But objects, enunciative modalities, systems of concepts, and strategic choices are not isolated elements produced parallel to one another by rules of formation, like spokes of a wheel. Only by relating to one another do they form ‘a single system of formation.’908 Each element acts as a level which determines what can and cannot manifest on another level, a relation which Foucault calls a ‘vertical system of dependences.’909

[The very possibility of strategic choices] is determined by points of divergence in the group of concepts;…Concepts [are formed] on the basis of forms of coexistence between statements;…and…the modalities of enunciation [are] described on the basis of the position occupied by the subject in relation to the domain of objects of which he’s speaking.910

It is also possible for this process to occur in the reverse direction. What each level permits is based on the rules of formation of the discourse, which, in turn, are not immune to change.

There are even higher levels of complexity, such as the episteme. Epistemes are not limited to one discourse or one discursive practice but instead “the total set of relations that unite, at a given period, the discursive practices that give rise to epistemological figures, sciences, and possibly formalized systems…”911 Epistemes do not denote a limitation on knowledge due to inadequate means of investigation, “mental attitudes, or the limitations imposed by tradition; it is what, in the positivity of discursive practices, makes possible the existence of epistemological figures and sciences.”912 Epistemes mark the boundaries between what can be said and what cannot, between who can be taken seriously and who cannot.

907 Ibid 68.
908 Ibid 72.
909 Ibid 73.
910 Ibid 72.
911 Ibid 191.
912 Ibid 192.
Summary of the Objective-External Form of Domination

Foucault primarily confines archaeology to the history of the human sciences. The *Archaeology* is thus not concerned with subjectivity per se but the field of discourse that situates the subject and gives him a place to speak. Since the structures that underpin discourse are anonymous (not constituted by a transcendental ego) and pre-subjective (they situate subjects and are not determined by psychological processes), it is fair to consider the constraints these structures place upon what can and cannot be said as *external*. Insofar as they concern knowledge (particularly of the sciences), these constraints are *objective*.

At this new level of analysis, we are not considering the psychological straightjacket, which may concern itself with the internal objective error constitutive of madness (the Mad do not *see* things as they ‘really are’) but not the external field of accepted knowledges that prefigure it (How things ‘really are’ is derived from what can and cannot be seriously said). Discourse acts as the nexus that determines both primary relations (such as economic and social causes) and secondary relations (such as psychological reflection). The two forms of domination interact but are not the same. Psychology can pass judgment on an internal structure but not an external one. What determines what can and cannot be *said* is an *episteme*, not a psychological norm. One who speaks what cannot be taken seriously is not necessarily the Madman. The Madman and the Crackpot are distinct marginal subjects.

Arguably, the distinction lies with what can be seen and what can be said (the Visible and the Articulable). Deleuze says that while both the Visible and the Articulable are fundamentally different in nature (words and things do no overlap), the two are in mutual presupposition with one another, and even mix together in the same way that soldiers mix in the midst of battle.

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913 Deleuze *Foucault* 66, 61
914 Deleuze *Foucault* 67.
The Madman is often cast in context to visibility, such as the different ways the Mad were displayed in different eras (Embarkation, Confinement and exhibition in the Asylum, the gaze of the Doctor),\footnote{Deleuze Foucault 48.} in policed spaces, while the disjointed Articulable aspect of madness was rooted elsewhere (medicine).\footnote{Deleuze Foucault 62.} In retrospect, Foucault thought he gave undue priority to the Visible (like the phenomenologists he critiqued tended to do) by focusing on the pure experience of madness in the History of Madness.\footnote{Deleuze Foucault 49-1.} It is arguable that each form of domination is intrinsically tied to either of the two: objective-internal domination to the Visible (to the one subjected to the gaze: the Normal and the Madman) and objective-external domination to the Articulable (to the one subjected to the rules of knowledge: the Scientist and the Crackpot).\footnote{That is not to deny that Foucault frames the History of Madness as an archaeology of silence. Unreason and its suppression is consistently described as the breaking off of the dialogue between Reason and Unreason and Unreason’s alienation in madness. Madness was conceived of as an absolute liberty which had to be constrained by means of a moral construct: the Psychological Man. To cure the madman meant to force him to accept his personal guilt and thus take responsibility for his madness. Here we have a two-fold fulfillment of my mapping of The History of Madness onto the Objective-Internal quadrant. First, Madness itself seems to be an objective-internal object since Foucault is willing to grant it a prediscursive, pure status that is also an internal state. Second, Madness is repressed by means of an objective-internal object: the archetype of moral character. Psychological treatment was like a New Stoicism, a New Moral Perfectionism, like the moral principles Kant associates with the objective-internal locus.\footnote{Massumi, Brian, A User’s Guide to Capitalism and Schizophrenia: Deviations from Deleuze and Guattari (Cambridge: The MIT Press, 1992), 13} That is not to deny that History of Madness does not provide an account of discourse, since ‘reciprocal presupposition’ implies where one is the other must be as well,\footnote{Massumi, Brian, A User’s Guide to Capitalism and Schizophrenia: Deviations from Deleuze and Guattari (Cambridge: The MIT Press, 1992), 13} but rather to illustrate Visibility’s priority in this text and its penchant for trying to reveal a pure experience of Madness that escapes words which the methods of the other texts cannot bring into focus.

After The Archaeology of Knowledge, Foucault will adjust his method, and with it, its correlative object will change. No longer focused exclusively on the role of knowledge in discourse, he will now look to power and the non-discursive practices that not only repress us but also incite us and create us as subjects. Foucault will call Discipline and Punish a ‘genealogy of
the modern soul."\textsuperscript{920} Along its path we will see just what he means by this tantalizing task and how the disciplinary society of the Modern age acts as a Subjective-External form of domination that creates this ‘prison for the body.’\textsuperscript{921}

Yet an initial comparison between two forms of domination – the Objective-Internal (\textit{History of Madness}) and the Subjective-External (\textit{Discipline and Punish}) is necessary since they seem, on the surface, to be so similar as to challenge the division I am drawing. \textit{Discipline and Punish} concerns criminality and how society punishes it. Its concern is the Delinquent. Certainly, from a Classical perspective, the Mad were already considered guilty in some manner, like lesser criminals, and their confinement seems much like a prison. Yet, the criminal was not typically thrown into prison during the Classical age, like those agents of Unreason who found themselves in houses of confinement. While at the end of the Eighteenth century there was a blurring of the spaces for the Mad and the Criminal, it was quickly noted and judged an injustice among reformers, and the two divided. No sooner had madness been divorced from unreason and left amongst the criminal than it was polarized in the Modern imagination, like oil separating from water. The Asylum and the Prison are not the same institution.

Foucault may describe \textit{Discipline and Punish} as a history of the soul, its novel discovery is disciplinary society: something that is both subjective (since it is cultural) and external (since it is imposed from without). Each book highlighted introduces a new object, a new aspect of domination; it’s on this basis that I have assigned each book to a quadrant. So while Foucault may emphasize the soul as a disciplinary construct in \textit{Discipline and Punish}, that soul had already been nascently outlined in \textit{History of Madness}. The disciplinary society (and later bio-
power) had not, since neither power nor genealogy had been utilized in that text. Foucault is painting a complete picture of anthropological Man throughout his corpus.

4.4 The Subjective-External Forms of Domination: Discipline and Punish

Criteria for the Subjective-External Form of Domination

As we recall, Kant refers to cultural practices, such as education and civil constitutions, as subjective-external material practical principles. Here we see highlighted neither a characteristic of the human being (like madness), nor the operative rules of an autonomous discourse (like rules of formation), but the operations of power through various disciplinary institutions. Because of its culture-bound and localized nature, any form of domination effected by means of such institutions must be subjective rather than objective. Likewise, given that such institutional practices are not characteristics of individual human beings, although they do act on and through them, they are external. It’s to these disciplinary power relations that we now turn.

An Analysis of Power

Given that a shift in method seems to alter the object of inquiry, it is best to highlight the new method and the explicit rules that Foucault outlines for its application before exploring Discipline and Punish itself. These rules, it will be seen, integrate non-discursive practices (like ‘punitive mechanisms’) as well as power into the former archaeological method:

In Foucault’s later works, practice, on all levels, is considered more fundamental than theory. Again the intelligibility of the human sciences is not to be found in their own theories. It is not to be found in some system of formation rules either; this level of rules is simply dropped. Nor is it to be found in the horizon of meaning shared by the participants. Rather, Foucault now finds the human sciences intelligible as part of a larger set of organized and organizing practices in whose spread the human sciences play a crucial role…Foucault introduces genealogy as a method of diagnosing and grasping the significance of social practices from within them…archaeology, while it still plays an important role, is subordinated to genealogy.922

922 Dreyfus and Rabinow Michel Foucault: Beyond Structuralism and Hermeneutics 103.
The four general rules Foucault will follow in *Discipline and Punish* are as follows:

1. Both the negative and positive effects of punitive mechanisms should be examined. Punitive mechanisms do more than just punish.  
2. Punitive measures should be viewed as techniques or tactics for exercising power rather than as mere “consequences of legislation or as indicators of social structures.”
3. “Make the technology of power the very principle both of the humanization of the penal system and of the knowledge of man.”
4. “Try to discover whether this entry of the soul on the scene of penal justice, and with it the insertion in legal practice of a whole corpus of ‘scientific’ knowledge, is not the effect of a transformation of the way in which the body itself is invested by power relations.”

The body is always in the grip of power. “Power relations “invest it, mark it, train it, torture it, force it to carry out tasks, to perform ceremonies, to emit signs.”

These rules challenge how we conceive of power and its relation to knowledge. Foucault seeks to subvert the traditional Top-Down account of power and replace it with a ‘micro-physics of power.’ Power should not be viewed as something the privileged possess, as if it were a property. Power “exerts pressure” on the dominated, “invests them,” and “is transmitted by them and through them.” It n turn is resisted by them. Strategic sites of confrontation pervade society. For this reason, power cannot be reduced to a grand monolithic process, such as a social contract or a Marxist class struggle. Instead power is more localized.

Foucault also challenges the notion that power and knowledge are inversely related. Knowledge is not found in the vacuum left by power’s absence, as if it were only possible to be objective once its “injunctions, its demands, and its interests” have been subtracted; nor does power ‘make mad.’

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925 Foucault, Michel, *Discipline and Punish* 23.
926 Ibid 24.
927 Ibid 25.
929 Ibid 26-27.
930 Ibid 27.
931 Ibid 27.
no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations.”

When it comes to the human sciences, the consequences of this theory of power-knowledge are significant. Various ‘techniques and material elements’ (which Foucault calls a ‘body politic’) are set into motion that bolster “power and knowledge relations that invest human bodies and subjugate them by turning them into objects of knowledge.”

The correlate of these ‘technologies of power over the body’ that have developed since the Classical age and into our own is what Foucault regards as a ‘soul.’

“This real, non-corporeal soul is not a substance; it is the element in which are articulated the effects of a certain type of power and the reference of a certain type of knowledge…”

Upon it are grounded all the concepts essential to humanism and its scientific investigations: psyche, subjectivity, personality, consciousness, etc.

The man described from us, whom we are invited to free, is already in himself the effect of a subjection much more profound than himself. A ‘soul’ inhabits him and brings him to existence, which is itself a factor in the mastery that power exercises over the body. The soul is the effect and instrument of a political anatomy; the soul is the prison of the body.

Here we see the other side of the Psychological Man discussed in History of Madness: a created interior where the drama of conscience and discipline play out (much like the interior world of self-flagellation Nietzsche describes in the Second Treatise of On The Genealogy of Morality).

But let there be no mistake: the History of Madness describes a moral-psychological form of domination which tries to tame a wild liberty within (pure, prediscursive madness) rather than a juridical-political form. What we find in Discipline and Punish is an apparatus of technologies

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932 Ibid 27.
933 Ibid 28.
934 Ibid 29.
935 Ibid 29.
936 Ibid 29-30.
937 Ibid 30.
of power (a disciplinary society) that disciplines the body, making it receptive to the influences of power (such techniques being adaptable to innumerable political systems). The former provides us with a field of objects such as ‘the experience of madness’ and Unreason. The latter provides us with a field of objects such as bodies, discipline, strategies, and power. We should not dismiss this discrepancy of description as a nascent theory that was later developed but instead as the formulation of distinct, albeit overlapping domains, each characterized by a form of domination that varies depending on the method used to investigate the human sciences.

Introduction to the Immediate Task

In this section, I will explicate Foucault’s notion of ‘discipline’ and argue that it comprises a subjective-external form of domination that has mutated from the Classical to the Modern age.

As Foucault notes:

The division between the permitted and the forbidden has preserved a certain constancy from one century to another. One the other hand, ‘crime’ the object with which penal practice is concerned, has profoundly altered: the quality, the nature, in a sense the substance of which the punishable element is made, rather than its formal definition.938

Most crimes in the Classical age will still be considered crimes in the Modern age, but how that crime is conceived, how it is punished, and for what reason it is punished will drastically change.

Classical Punishment as Terror

In *History of Madness*, Foucault already alluded to how during the early Classical period, the poor (be they beggars or vagabonds) were executed until it became common practice to exile them to houses of confinement. *Discipline and Punish* picks up where this narrative left off, this time highlighting a more definitive criminal population. Foucault starts off his investigation with the most infamous of his historical anecdotes: the public torture and execution of Damiens the

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938 Ibid 17.
regicide (on March 2\textsuperscript{nd}, 1757).\textsuperscript{939} In it, various parts of Damiens’ body were torn off with red-hot pincers and his limbs cut with a knife so as to allow them to be more easily ripped from his body as he was quartered by horses pulling from opposing directions.\textsuperscript{940} This particular execution is notable for its excessive violence since “the ideal punishment of the regicide had to constitute the \textit{summum} of all possible tortures. It would be an expression of infinite vengeance.”\textsuperscript{941} Such a purpose for violence is foreign to the Modern sensibility, which sees punishment as a balanced restitution proportionate to the crime rendered not directly onto the body of the condemned but upon his liberty and property (imprisonment and leveled fines).\textsuperscript{942}

The Classical judicial process had at least two stages: a secret investigation (that utilized torture) and conviction, then a public punishment comprised of further torture and, in some cases, execution: Private investigation and Public spectacle. Torture played a different role in each. In neither circumstance was torture a supplemental, uncontrolled expression of power but was instead an instrumental part of the judicial process that obeyed certain rules.\textsuperscript{943} The pain produced by various techniques was measured and dealt out in proportion to various factors, such as “the gravity of the crime, the person of the criminal,” and “the rank of his victims.”\textsuperscript{944} To be suspected of a crime was already a measure of guilt, which gave the inquisitor license to inflict torture in calculated ways in order to secure a confession. The rules for its application were intricate,\textsuperscript{945} and the confession, once secured, played a crucial part in the theater of public punishment.\textsuperscript{946}

\textsuperscript{939} Ibid 3.
\textsuperscript{940} Ibid 3-6.
\textsuperscript{941} Ibid 54.
\textsuperscript{942} Ibid 13.
\textsuperscript{943} Ibid 33.
\textsuperscript{944} Ibid 33-34.
\textsuperscript{945} During the secret investigation, torture was used as one means among many to secure adequate proof for a conviction. Different kinds of evidence qualified as qualitatively better forms of proof, which, in turn, could be added up. For example, there were full proofs, semi-full proofs, and distant clues. A sentence passed based on each
But one must not be mistaken into thinking that pain was dealt in a manner meant to equally cancel out the crime, since the spectacle of punishment was measured excess meant to terrorize.\textsuperscript{947} The spectacle was both a judicial and political ritual\textsuperscript{948} meant to mark the body of the condemned in such a way to represent the truth of the crime.\textsuperscript{949} Its purpose was not merely to rectify a wrong committed but also to exact vengeance upon the transgressor who either symbolically or literally attacked the sovereign, his laws, and his kingdom as well as demonstrate the power of the sovereign in the most excessive forms possible.\textsuperscript{950}

Nonetheless, this sovereign act of terror sometimes inspired rebellion contrary to its intentions. Sometimes the condemned were judged to be innocent victims, or at least victims of a double standard that punished one class of people harsher than another. The people would then identify with the criminal rather than the sovereign who sought to punish him.\textsuperscript{951} Sometimes the degree of torture inflicted was deemed too harsh, inciting the merciful crowd to turn on the executioner. In such cases, the people would temporarily overthrow the system and the

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\textsuperscript{946} By any means, a confession was preferred because it not only spoke to the truth of the crime but also because it was a gesture the condemned could make to take responsibility for their crimes and possibly save their souls. This gesture was carried over into the public punishment, whatever it may be. A public confession was a way in which the people could acknowledge the crime and even participate in punishing the wrongdoer. The spectacle itself provided proof that justice was served. Ibid 46, 58-9.

\textsuperscript{947} Ibid 49.

\textsuperscript{948} Ibid 47.

\textsuperscript{949} Ibid 34-35.

\textsuperscript{950} Ibid 47-49.

\textsuperscript{951} Ibid 63.
condemned would be pardoned.\textsuperscript{952} Furthermore, there was something about the site of execution that had the spirit of a carnival that inverted the political order,\textsuperscript{953} valorizing rather than demonizing the criminal. The penitent criminal almost carried himself as a saint, while the defiant criminal was a symbol of resistance against an unjust use of power.\textsuperscript{954} While it must be admitted that courts often tried to minimize such bloody excesses of justice,\textsuperscript{955} this system of political control over the power of death was never efficient and could much too easily be reversed by a sympathetic, defiant audience. These sites of excessive power could quickly turn into sites of resistance.

\textit{The Great Reformers}

By the second half of the Eighteenth century, various groups began to protest the excesses of sovereign power and call for the end of public executions and torture. By the end of the Eighteenth century these challenges were institutionalized. No longer was the penalty to exceed the scope of the offense, the death penalty to be dealt out to any but the convicted murderer, or torture to be a viable part of punishment.\textsuperscript{956} We are often told of the great reformers (Beccaria, Servan, Dupaty, LaCretelle, Duport, Pastoet, Target, Bergasse, etc) who worked to reform the prison system out of a sense of compassion and respect for the prisoners’ humanity, but Foucault calls this humanitarian gesture into question, looking instead to a ‘single strategy’ much less benevolent that motivated these reforms.\textsuperscript{957}

Rather, what they seem to have been challenged were the irregularities within the penal system: “The criticism of the reformers of the reformers was directed not so much at the

\textsuperscript{952} Ibid 61-63.
\textsuperscript{953} Ibid 61.
\textsuperscript{954} Ibid 67.
\textsuperscript{955} Ibid 33.
\textsuperscript{956} Ibid 73.
\textsuperscript{957} Ibid 74-75.
weakness or cruelty of those in authority, as at a bad economy of power.”\textsuperscript{958} Their reforms were intended to erect “a more finely tuned justice,” or “a closer penal mapping of the social body.”\textsuperscript{959} Many of these irregularities were due to overlapping and often conflicting jurisdictions of various courts and authorities which permitted loopholes and abuses of authority.\textsuperscript{960} Much of this disorganization and inefficiency stemmed from the power of the sovereign, who often appointed the wrong people for the wrong reasons to various offices or recklessly created new offices: “It was because he was constantly creating new offices that he multiplied the conflicts of power and authority.”\textsuperscript{961} The results of sovereign intervention rendered normal justice “sometimes lenient and inconsistent, but sometimes over-hasty and severe.”\textsuperscript{962} It was this mixture of “weaknesses and excesses” and the “super-power of the monarch” largely responsible for it that was the target of criticism.\textsuperscript{963}

The true objective of the reform movement, even in its most general formulations, was not so much to establish a new right to punish based on more equitable principles, as to set up a new ‘economy’ of the power to punish, to assure its better distribution, so that it should be neither too concentrated at certain privileged points, nor too divided between opposing authorities; so that it should be distributed in homogenous circuits capable of operating everywhere, in a continuous way, down to the finest grain of the social body.\textsuperscript{964}

The reformers wanted a more efficient use of power, not a merciful diminution of its effects, leading to a myriad of alliances with parties with different interests.\textsuperscript{965}

The reforms in question targeted an old ‘economy of illegalities’ that largely stemmed from an arbitrary and unregulated use of sovereign power,\textsuperscript{966} both of which were not compatible

\textsuperscript{958} Ibid 79.
\textsuperscript{959} Ibid 78.
\textsuperscript{960} Ibid 78-79.
\textsuperscript{961} Ibid 80.
\textsuperscript{962} Ibid 80.
\textsuperscript{963} Ibid 80.
\textsuperscript{964} Ibid 80.
\textsuperscript{965} Ibid 81.
\textsuperscript{966} Ibid 88-89.
with emerging industrial capitalist society.\textsuperscript{967} Before the reforms, many illegalities were tolerated. Certain illegalities tended to fall along class lines, both opposing and bolstering the interests of all social classes involved: “The reciprocal interplay of illegalities formed part of the political and economic life of society.” But by the second half of the Eighteenth century a shift was occurring:

> With the new forms of capitalist accumulation, new relations of production, and the new legal status of property, all the popular practices that belonged, either in a silent, everyday, tolerated form or in a violent form, to the illegality of rights were reduced by force to an illegality of property.\textsuperscript{968}

A bifurcation between illegalities of rights and illegalities of property took place along class lines.\textsuperscript{969} The bourgeoisie, more prone to commit illegalities of rights (like fraud, tax evasion, and irregular commercial operations), received leniency, while the lower classes, more prone to commit illegalities of property (like theft) were prosecuted in ordinary courts and more heavily policed.\textsuperscript{970} Thus penal reform must be understood as a strategic bolstering of those parties who spurred on capitalist growth and punishment of those that stunted it.

The reformers viewed crime as a violation of the social contract that introduced chaos into society\textsuperscript{971} which needed to be reduced. Recidivism concerns aside, punishment was to deter others from committing crimes without falling into the excesses of the ‘Ancien Régime.’\textsuperscript{972} Reform was to obey six rules if it was to apply power more efficiently. First, the disadvantages associated with punishment should slightly outweigh any possible advantages associated with criminal activity. If people perform those actions which they consider to be to their advantage, then it was always the best course of action to obey the law.\textsuperscript{973} Second, focus should be on

\textsuperscript{967} Ibid 87.
\textsuperscript{968} Ibid 86-87.
\textsuperscript{969} Ibid 87.
\textsuperscript{970} Ibid 87.
\textsuperscript{971} Ibid 89-90.
\textsuperscript{972} Ibid 92-93.
\textsuperscript{973} Ibid 94.
cultivating within the minds of citizens the representation of pain associated with a crime rather than techniques meant to actually inflict pain.\textsuperscript{974} Third, punishment should deter would-be criminals rather than as attempt to rectify a wrong through pain. The best punishments minimized the amount of suffering endured by the criminal yet maximized the negative public perception of the punishment.\textsuperscript{975} Fourth, the association in the minds of citizens between the crime and its punishment must be perfect. No citizen should be given hope of pardon, nor even conceive it possible to evade judicial detection. Surveillance and judicial transparency would be crucial. Citizens should be aware of what the law is, that it was omnipresent, how prosecutions were handled, and that the law provided no exceptions.\textsuperscript{976} Fifth, all defendants were assumed innocent until proven guilty. This was an outright rejection of the notion that someone could be semi-guilty and warrant torture. A defendant should only be punished after guilt had been adequately demonstrated.\textsuperscript{977} Finally, all possible crimes should be thoroughly classified and paired with appropriate punishments. In order to thoroughly do this, such individual factors as social status and personal wickedness needed to be taken into account. For example, a wealthy man would not feel the same degree of disadvantage from a given fine than a poor man would. Nor would a poor man without means be as wicked for stealing as a rich man would be. All of these factors were relevant when determining the appropriate punishment for a criminal.\textsuperscript{978}

At this time of reform many options for new penal systems were considered. Many reformers supported a system that circulated the tight, automatic associations between particular crimes and their appropriate punishment (so-called ‘obstacle-signs’) as a means of deterring crime. To see a criminal endure an appropriate punishment automatically yielded to the

\textsuperscript{974} Ibid 94-95.
\textsuperscript{975} Ibid 95.
\textsuperscript{976} Ibid 95-96.
\textsuperscript{977} Ibid 96-98.
\textsuperscript{978} Ibid 98-99.
observer’s mind, like a text, the crime committed to warrant it, because the punishment was similar to the crime by some manner of resemblance, analogy, or proximity.979 For example, someone who stole might lose their property in return.980 If these associations between crimes and punishments were transparent enough, only the disadvantages of committing a crime would come to mind when that crime was considered. The ideal system for such reformers would be a ‘punitive city’ in which criminals would both publicly serve the community and also act as visible, living signs (sometimes by wearing actual symbols) that communicated the consequences of committing certain crimes.981

*Prisons*

Nonetheless, the punitive city did not replace the traditional system of punishment. Instead, the practice of Confinement, what we call today imprisonment, would now be applied to the general criminal population, its duration determined by the severity of the crime. The criticisms of this form of punishment were numerous. For example, a generalized punishment not specifically tailored to the crime could never act as a morally educative sign that transparently communicated to the criminal and the observer that a specific crime necessarily led to a specific punishment.982 The prisoner, spirited away behind private walls, would provide no benefit to society and instead, through his very hiddenness, would undermine the very transparency of the penal process, adding grist to the mill of public rumors of injustice.983 Because there was no ‘natural’ association between the crime and the punishment, imprisonment could easily be seen as an arbitrary and abusive use of sovereign power.984 This was by no
means a flight of fancy since, as we have seen in the *History of Madness* confinement was often imposed and sanctioned by royal decree.985

Prisons existed as early as 1596, in Amsterdam and Ghent.986 Yet it was America that offered the most influential prison models. The Philadelphia model, based on the Walnut Street Prison (opened in 1790), was founded by Quakers inspired by the previous models. Prisoners were put to work and their daily lives obeyed a strict schedule with constant supervision. Punishment was no longer to be a public affair and instead stayed between the prisoner and his supervisors.987 The Philadelphia model’s objective was both to instill the positive habits of labor and a spiritual conversion. The latter task required not merely special moral direction given to each prisoner,988 but also knowledge of each individual prisoner. Each prisoner arrived at the prison with a report that documented the crime committed, its circumstances, “a summary of the examinations of the defendant,” and observations pertaining to his behavior before and after sentencing.989 Subsequent to arrival, the prisoner would be regularly observed and his disposition towards committing further crimes noted, in part for the sake of determining whether a reduction of sentence would be warranted.990 Solitary confinement was used only for those who would either have received the death penalty or who were unruly in prison.991

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985 Ibid 119.
986 Foucault notes that there were early European models that established a precedent. Both the Raspius of Amsterdam (opened in 1596) and the Maison de Force at Ghent seemed to be primarily economically-focused, putting the idle to work and inculcating the values of labor. To this Hanway of England added the notion of isolation to his ‘reformatories’, which would prompt a spiritual conversion: “Isolation provides a ‘terrible shock’ which, while protecting the prisoner from bad influences, enables him to go into himself and rediscover in the depths of his conscience the voice of good…” A penitentiary was eventually built in Gloucester, but it only roughly followed this model. Ibid 120-123.
987 “The punishment and correction that it must operate are processes that unfold between the prisoner and those who supervise him.” Ibid 125. Profits gained from prisoner labor would both fund the prison and provide savings for the prisoner for life after release.
988 Ibid 125.
989 Ibid 125-126.
990 Ibid 126.
991 Ibid 124.
The points of divergence between the punitive city of the reformers and the apparatus of corrective penalty are telling: “The point of application of the penalty is not the representation, but the body, time, everyday gestures and activities; the soul, too, but in so far as it is the seat of habits.” By means of coercion and consistently reapplied constraints, which take the forms of exercises, “time-tables, compulsory movements, regular activities, solitary meditation, work in common, silence, application, respect, [and] good habits,” an obedient subject is created rather than a juridical subject restored. The prison system trades a transparent circulating system of signs for a secret autonomy that allows those who correct prisoners to exercise ‘total power.’ Disciplinary Power, the Panopticon, and the Disciplinary Society

A new modality of power and a new kind of body were starting to develop in the Classical age: discipline and the docile body. By applying a constant coercion concerned with maximizing the utility of the minutest of bodily movements, a body could be rendered docile. Such calculated coercion was a curious paradox: the more useful it rendered the body, the more obedient it became: “Disciplinary coercion establishes in the body the constricting link between an increased aptitude and an increased domination.” Discipline as a practice intersected and pervaded numerous institutions: “They were at work in secondary at a very early date, later in primary schools; they slowly invested the space of the hospital; and, in a few decades, they restructured the military organization,” typically in response to some need (like “an industrial innovation, a renewed outbreak of certain epidemic diseases, the invention of the rifle or the

992 Ibid 128.
993 Ibid 128-129.
994 Ibid 129.
995 Ibid 136-137.
996 Ibid 138.
victories of Prussia”). Once a concern of religious asceticism a new obsession with detail would pervade the school, the barracks, the hospital, the workshop, and eventually the prison.

Discipline was deployed by means of reorganizing space and time. Space was cordoned off, divided, and specialized in order to better manage the circulation of bodies and the behaviors of those who inhabited it. Now everyone within it could be assigned a position and function.

Time was to be divided and filled in accordance with a time-table so that every moment was maximally utilized. Furthermore, the same duration of time could be used for training different groups at varied levels of competency (e.g. different classes held at the same time). “Power is articulated directly onto time; it assures its control and guarantees its use.” Finally, discipline was concerned with how best to organize an aggregate of individuals with individual

998 Ibid 140.
999 First, the space where discipline took place had to be altered. This disciplinary space was isolated from the rest of the world (usually by walls), partitioned in such a way as to assign each individual a space to best locate, evaluate, and manage them (to isolate individuals from participating in collective disruption), its spatial parts specialized into ‘functional sites’ (say, a ‘place’ for contagious patients), and finally gridded in such a way as to be organized in accordance to the ‘rank’ of individuals (like how ‘better’ students learning harder material would have a distinct space, etc.). A once chaotic space is thus transformed into an enclosed space with overlapping cells, places, and ranks that organize space architecturally, functionally, and hierarchically, respectively. The disciplinary space was like a comprehensive organizational table: “In the eighteenth century, the table was both a technique of power and a procedure for knowledge” that could assign everyone a position and a function. Disciplinary spaces, as paradoxical as it may seem, found a way of both ‘characterizing’ the individual and ‘ordering’ a multiplicity (of people). By ordering the disciplinary space in such a manner, the very spatial conditions for disruptive behaviors such as desertion would be removed. Ibid 141-149.

1000 For example, a time-table was established to set “rhythms, impose particular occupations, [and] regulate the cycles of repetition.” Ibid 149. Time had to be partitioned with precision so that various tasks of the day could be completed efficiently. “Time measured and paid must also be a time without impurities or defects; a time of good quality, throughout which the body is constantly applied to its exercise.” Ibid 151. Furthermore, in some institutions and some tasks (such as the army and the act of marching), each movement involved in a task may also be specified with absolute precision in accordance with proper position, succession, and a precise duration. Foucault refers to this as a ‘programme.’ All of this comprised a maximal functioning of the body, as well as of the object being manipulated. Ibid 151-153. “In the correct use of the body, which makes possible a correct use of time, nothing must remain idle or useless: everything must be called upon to form the support of the act. required.” Ibid 152. The further time was divided, the more effective the body could become. Ibid 154. This time should be segmented in such a way as to gradually train the initiate from simple to complex, like stages. A temporal sequence of movements established, an initiate could then be tested, and if shown worthy, move onto the next stage of training. Ultimately, the determined skill of each trainee would determine further individualized ‘exercises’ best suited for his development. Ibid 157-159.
1002 Ibid 160.
potentials into an efficient machine. For example, individual bodies were now considered fragments of ‘mobile space,’ or as parts “of a multisegmentary machine.” Yet, temporal series were also parts of a composite time that made up that machine. Use could be extracted from every period of life, from beginning to end. Directions would not so much be spoken as signaled, as the docile body is an obedient body that is conditioned to do an action without thinking. That is not to say that the body was perfectly compliant with these disciplinary forces, but that the assumed ‘mechanical body’ would eventually yield in the minds of disciplinarians to a ‘natural body’ whose limitations and capacities needed to be known and exploited by the disciplines. The site of power and any possible resistance is the body.

To sum up, it might be said that discipline creates out of the bodies it controls four types of individuality, or rather an individuality that is endowed with four characteristics: it is cellular (by the play of spatial distribution), it is organic (by the coding of activities), it is genetic (by the accumulation of time), it is combinatorial (by the composition of forces). And, in doing so, it operates four great techniques: it draws up tables; it prescribes movements; it imposes exercises; lastly, in order to obtain the combination of forces, it arranges ‘tactics.’

All of these processes comprise the form of subjective-external domination found in the Classical Age. Disciplinary power does not merely wear down the resolve of individuals; it ‘makes’ them. Discipline “is the specific technique of a power that regards individuals both as objects and as instruments of its exercise.”

Disciplinary power uses three instruments: hierarchical observation, normalizing judgment, and the examination. Each is worth examining in-depth.

Hierarchical observation (or surveillance) employs those architectural designs that promote constant, maximal visibility, but only for those meant to observe (like supervisors), not

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1003 Ibid 164.
1004 Ibid 164.
1005 Ibid 164.
1006 Ibid 164-166.
1007 Ibid 155.
1008 Ibid 167.
1009 Ibid 170.
1010 Ibid 170.
between those being observed. With all individuals exposed, all fell under the disciplinary power of either a single gaze (the ideal) or several and were compelled to comply with the conditions of training.\textsuperscript{1011} “By means of such surveillance, disciplinary power became an ‘integrated’ system, linked from the inside to the economy and to the aims of the mechanism in which it was practiced.”\textsuperscript{1012} This disciplinary power operates through a network that runs not merely top-down but also the reverse, casting all in light, rendering all the objects of surveillance.

“At the heart of all disciplinary systems functions a small penal mechanism.”\textsuperscript{1013} Foucault refers to this as ‘normalizing judgment.’ Within a disciplinary space lies a juridical power that regulates those behaviors that would otherwise fall within the bounds of legality. Things potentially punished included mismanaging time (latenesses, absences, interruptions of tasks), activity, (inattention, negligence, lack of zeal), behavior (impoliteness, disobedience), speech (idle chatter, insolence), the body (‘incorrect’ attitude, irregular gestures, lack of cleanliness), and sexuality (impurity, indecency).\textsuperscript{1014} What is ultimately punished is deviation from a norm or set of rules. The aim of discipline is conformity with specific norms, norms that may be staggered depending on the rank of the individual.\textsuperscript{1015} Punishments usually are comprised of an intensification and repetition of the very kinds of exercises the individual failed to comply with. In this manner, punishment further disciplines.\textsuperscript{1016} Nonetheless, rewards for compliance should be more commonly appealed to than punishments for deviance. By considering compliance as a continuum which one traverses by means of good or bad marks, individuals organize themselves by rank.\textsuperscript{1017} “Through this micro-economy of a perpetual

\begin{footnotesize}
\begin{enumerate}
\item\textsuperscript{1011} Ibid 170-177.
\item\textsuperscript{1012} Ibid 176.
\item\textsuperscript{1013} Ibid 177.
\item\textsuperscript{1014} Ibid 177-178.
\item\textsuperscript{1015} Ibid 178-179.
\item\textsuperscript{1016} Ibid 179-180.
\item\textsuperscript{1017} Ibid 180-181.
\end{enumerate}
\end{footnotesize}
penalty operates a differentiation that is not one of acts, but of 
individuals themselves, of their 
nature, their potentialities, their level, or their value.” 1018 Finally, change in rank becomes 
recognized as either a reward or punishment. Higher ranks, in turn, are accorded privileges and 
lowers ranks disadvantages. The pressure to attain higher ranks was a pressure to conform, to 
normalize. 1019

Finally, disciplinary power uses the examination, which “combines the techniques of an 
observing hierarchy and those of a normalizing judgment.” 1020

It is a normalizing gaze, a surveillance that makes it possible to qualify, to classify, and to punish…In it are combined the ceremony of power and the form of the experiment, the deployment of force and the establishment of truth. At the heart of the procedures of discipline, it manifests the subjection of those who are perceived as objects and the objectification of those who are subjected. 1021

There are at least three ways in which the examination linked power and knowledge. First, it 
constituted a shift from a sovereign’s excessive power that was visible rendered against a mostly 
invisible populace, to an invisible deployment of power that required the object of its 
examination to be visible. 1022 “It is the fact of being constantly seen, of being able always to be 
seen, that maintains the disciplined individual in his subjection.” 1023

By this means (‘the 
review’) subjects were constantly objectified. 1024 With the examination of each individual came 
the need for a network of documentation that tracked each individual and its relationship to 
others: data collection (for example, military records of the living and the dead, or the medical 
tracking of the course of a disease, or the aptitude of students and their improvements, or the 
determination of categories or averages). This allowed both for the individual to become a 
‘describable, analyzable object’ and the development of a ‘comparative system’ that allowed for

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1018 Ibid 181.
1020 Ibid 184.
1021 Ibid 184.
1022 Ibid 187.
1023 Ibid 187.
more global analysis. Documents pertaining to one individual comprised a ‘case.’ What was once a sign of power (having one’s life committed to paper, like biographies of powerful men of old) became a sign of subjection and objectification. “In a system of discipline, the child is more individualized than the adult, the patient more than the healthy man, the madman and the delinquent more than the normal and the non-delinquent,” and the latter ‘normal’ members of the pairs are only individualized based on comparison with the former ‘abnormal’ members.

Disciplinary power is best diffused in Jeremy Bentham’s Panopticon. All cells form a ring around a central tower, allowing for every inmate to be visible to a hypothetical observer while the observer himself would never be seen. Subjects, such as inmates, students, and workers, would be isolated, with no means of communication. Because the prisoner never knows if he is seen, but knows that he could be watched at any time, he will always regulate his own behavior to avoid punishment. This holds true for the supervisors as well, whose performance can always be evaluated by inspectors just as easily.

The Panopticon must not be understood as a dream building: it is the diagram of a mechanism of power reduced to its idea form: its functioning, abstracted from any obstacle, resistance, or friction, must be represented as a pure architectural and optical system: it is in fact a figure of political technology that may and must be detached from any specific use. The panoptic schema is applicable to any multiplicity of individuals assigned a task or a certain form of behavior. In this generalized form, it amplifies: “its aim is to strengthen the social forces – to increase production, to develop the economy, spread education, raise the level of public morality; to increase and multiply.”

Foucault summarizes it as follows:

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1025 Ibid 189-191.
1026 Ibid 191-192.
1027 Ibid 193.
1030 Ibid 204.
1031 Ibid 205.
1032 Ibid 205.
1033 Ibid 207-208.
There are two images…of discipline. At one extreme, the discipline-blockade, the enclosed institution, established on the edges of society, turned inwards towards negative functions: arresting evil, breaking communications, suspending time. At the other extreme, with panopticism, is the discipline-mechanism: a functional mechanism that must improve the exercise of power by making it lighter, more rapid, more effective, a design of subtle coercion for a society to come. The movement from one project to the other, from a schema of exceptional discipline to one of a generalized surveillance, rests on a historical transformation: the gradual extension of the mechanisms of discipline throughout the seventeenth and eighteenth centuries, their spread throughout the whole social body, the formation of what might be called in general the disciplinary society.\textsuperscript{1034}

Panopticism is less a mutation of Classical forms of disciplinary power than its wholesale victory. From its victory emerged the disciplinary society. Both it and its very disciplinary mechanisms can be considered subjective, yet external, a ‘rendering docile’ through surveillance, normalizing judgment, and examination.

This victory required disciplines to not merely serve a negative, preventative function, but to also a positive, productive function (to make ‘useful’ individuals). The number of disciplines that could not only repress but cultivate different kinds of individuals in different ways ballooned.\textsuperscript{1035} Disciplinary mechanisms eventually detached from their specific institutions and freely circulated throughout the social body.\textsuperscript{1036} The police apparatus, whose surveillance and influence was all-pervasive yet invisible by design, emerged around this time, becoming a vehicle for disciplinary power.\textsuperscript{1037} “In short, the eighteenth century police added a disciplinary function to its role as the auxiliary of justice in the pursuit of criminals and as an instrument for the political supervision of plots, opposition movements, or revolts.”\textsuperscript{1038} The police could discipline where various enclosed institutions (like workshops, armies, and schools) could not: “The organization of the police apparatus in the eighteenth century sanctioned a

\textsuperscript{1034} Ibid 209.  
\textsuperscript{1035} Ibid 210-211.  
\textsuperscript{1036} Ibid 211.  
\textsuperscript{1037} Ibid 213-214.  
\textsuperscript{1038} Ibid 214-215.
generalization of the disciplines that became co-extensive with the state itself. A reversal had taken place: the spectacle, which made the few the object of the many, was replaced by a surveillance that made the many the object of the few.

This power has less repressed us than it has invested us, ‘fabricated’ us, and reduced our bodies as ‘political’ forces ‘at the least cost’ and maximized their usefulness. It was this disciplinary power, in reciprocal relationship with knowledge, that produced clinical medicine, psychiatry, child psychology, educational psychology, and the ‘rationalization of labor.’

“What [the] politico-juridical, administrative, and criminal, religious, and lay, investigation was to the sciences of nature, disciplinary analysis has been to the sciences of man.”

The fundamental difference Foucault sees between the investigation and the examination (and by extension, between the natural sciences and the human sciences) is that the former, once bound to a politico-juridical model, was able to free itself from it in its investigations of nature, while the examination, in its investigations of man, has yet to emancipate itself from disciplinary technology.

**Disciplinary Power and Prisons**

The prison plays a unique role in discipline. As an ‘exhaustive disciplinary apparatus,’ all aspects of the individual, be it physical training, physical training, aptitude for

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1039 Ibid 215.
1040 Ibid 216.
1041 Ibid 217.
1042 Ibid 221.
1043 Ibid 224.
1044 Ibid 226.
1045 Ibid 226-227.
1046 One can see now that even though the ‘prison form’ as such precedes actual prisons (since disciplinary power precedes prisons), the prison, or rehabilitative penitentiary, seems the ideal environment for “rendering individuals docile and useful, by means of precise work upon their bodies.” Ibid 231. Prisons, once instituted, quickly became the ‘self-evident’ and ‘civilized’ form of punishment. This is due in part to two aspects of imprisonment, comingled with the institution from the very beginning: the egalitarian and quantitative nature of sentences and their rehabilitative nature. Ibid 232-233. The ‘deprivation of liberty’ was the most egalitarian punishment since all were presumably affected to the same degree by the loss of liberty. Furthermore the heinousness of the crime could easily
work, everyday conduct, moral attitude, and state of mind, are managed by the prison.\textsuperscript{1047} Prison seems to be the institution that combines the disciplinary practices of many non-penal institutions and to have the sanction to thoroughly apply them: “It carries to their greatest intensity all the procedures to be found in the other disciplinary mechanisms.”\textsuperscript{1048} While a workshop may only be concerned with the aptitude for work, for example, such a concern formed only part of a comprehensive rehabilitation.\textsuperscript{1049} Prisons seem to be the site of subjective-external domination at its most extreme since they both restrain and ‘rehabilitate.’ Their disciplinary task is overtly negative and positive. Prison forced the criminal to face his own conscience: be that through silence or isolation.\textsuperscript{1050} It trained him to be a viable worker and instilled within him a work ethic. It attempted to rehabilitate him. It was simultaneously cell, workshop, and hospital.

One model, the Auburn model, by means of a policy of silence, isolated prisoners in their moral existence but still placed them together in a collective work environment. While under constant surveillance, prisoners, through work and training, simulated an ideal society whose citizens submitted to the law. The other major model, the Philadelphia model, kept prisoners in isolation in order to force the prisoner to confront his own conscience and through the remorse it stirred, reform himself.\textsuperscript{1051} Second, work, as we have seen, was also considered to have

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\item[\textsuperscript{1047}] Ibid 335.
\item[\textsuperscript{1048}] Ibid 236.
\item[\textsuperscript{1049}] Ibid 235-236.
\item[\textsuperscript{1050}] Prisoners were isolated from the external world, all factors that may have been complicit in triggering the crime, and other prisoners. This is done to prevent possible collusions between convicts, to promote rehabilitative self-reflection, and to maximize the influences of disciplinary power. Ibid 236-237. “Solitude is the primary condition of total submission.” Ibid 237.
\item[\textsuperscript{1051}] Ibid 238-239.
\end{itemize}
\end{footnotesize}
rehabilitative powers, as well as providing a wage for the prisoner.\textsuperscript{1052} The purpose of penal labor is “the constitution of a power relation, an empty economic form, a schema of individual submission and of adjustment to a production apparatus.”\textsuperscript{1053} Third, imprisonment itself could vary depending on the progress made by the convict. For example, the duration of imprisonment could be abridged when the convict was considered reformed, or rewards could be given to acknowledge and reinforce moral progress. It had been noted that bad character was not always proportional to the crime committed; thus the offense alone was not a sufficient factor when considering altering a sentence.\textsuperscript{1054} In short,

The carceral apparatus has recourse to three great schemata: the politico-moral schema of individual isolation and hierarchy; the economic model of force applied to compulsory work; the technico-medical model of cure and normalization. The cell, the workshop, the hospital.\textsuperscript{1055}

Discipline began where mere detention left off.\textsuperscript{1056}

\textit{The Delinquent as Disciplinary Object of Knowledge}

Gauging the improvement of individual prisoners required an apparatus of observation that could accumulate data (so-called ‘clinical knowledge’) on each prisoner. But this prisoner was now transfigured by power-knowledge into a new figure, a new object of knowledge: the Delinquent.\textsuperscript{1057} The delinquent is not the offender but the typology that lies behind the actual offense and all other possible offenses: “It is not so much his act as his life that is relevant in characterizing him.”\textsuperscript{1058} It is this figure, and not the offender, who was susceptible to a kind of disciplinary power that attempted to reform the propensities of those judged likely to commit crime; thus, the crime was incidental since punishing it was no longer the aim of

\begin{footnotes}
\item[1052] Ibid 240.
\item[1053] Ibid 243.
\item[1054] Ibid 244-248.
\item[1055] Ibid 248.
\item[1056] Ibid 248.
\item[1057] Ibid 249.
\item[1058] Ibid 251.
\end{footnotes}
imprisonment.\textsuperscript{1059} To understand the delinquent means to understand not merely the circumstances of the crime, but the cause of it as it is situated in the life of the delinquent, in his psychology, social position, and upbringing. Only these three loci could uncover his dangerous psychological proclivities, the harmful predispositions of his social position, and the bad antecedents of his upbringing.\textsuperscript{1060} The delinquent precedes his crime and is its cause, being comprised of deviant instincts, drives, tendencies, and character. Attempts were made to classify types of delinquents, each type warranting a different treatment (intelligent delinquents requiring solitude, stupid delinquents requiring education, inept delinquents requiring living in common).\textsuperscript{1061} If the Madman is the correlate of subjective-internal forms of domination, the Delinquent is the correlate of subjective-external forms of domination.

It is important to note in context to the delinquent the constant criticisms of the prison system right from its inception, if only to suggest, as Foucault does, that the real purpose of prisons is not to deter crime or rehabilitate criminals, since the prisoner is more likely to fall into an incessant cycle of recidivism. Imprisonment incites the prisoner to rage against justice, cavort with other criminals, fall into destitution, and, upon release, return to a life of crime to survive.\textsuperscript{1062} After leaving prison, it is said that the ex-convict is subjected to such conditions of surveillance and control, forced to live in certain residences that limited migration, and left so publicly exposed concerning his penal past, that attaining work becomes difficult, derailing re-

\begin{itemize}
\item \textsuperscript{1059} Ibid 251.
\item \textsuperscript{1060} Ibid 252.
\item \textsuperscript{1061} Ibid 252-254.
\item \textsuperscript{1062} More thoroughly put, the criticisms leveled at prison were and remain the following. Prisons are said not to curb crime since sometimes it’s noted that crime rates and recidivism rise despite them. Prisons are said not to correct vice and possibly even to cause recidivism. Furthermore, critics charged that the prison environment actually produced delinquents. Prison labor does not educate convicts but instead forces them to work trades they will never be able to apply in the real world. Arbitrary uses of force and exploitation incite the prisoners to anger and to even rage against Justice itself. Ibid 265-267. Prisons are said not to curb crime since sometimes it’s noted that crime rates and recidivism rise despite them. Prisons are said not to correct vice and possibly even to cause recidivism. Prison is said, “makes possible, even encourages, the organization of a milieu of delinquents, loyal to one another, hierarchized, ready to aid and abet any future criminal act.” Ibid 267.
\end{itemize}
integration into society. The ex-con inevitably becomes a recidivist due to these obstacles.

Finally, it was said that prisons left the families of criminals destitute, which led its members into lives of crime.\textsuperscript{1063}

Right from its birth, the prison was judged a failure that could be reformed only if it reintroduced “the invariable principles of penitentiary techniques,” if it fully realized “the corrective project as the only method of overcoming the impossibility of implementing it.”\textsuperscript{1064}

Right from the start, prison reform called for a more personalized, hands-on engagement with each prisoner: more rehabilitation, more documentation, classification, and tailored segregation and treatment of prisoners by type, more vocational training, more surveillance and assistance upon release.\textsuperscript{1065} In effect, the proposed answer to discipline’s alleged failure was more efficient discipline. The failure and the perennially recurring call to reform the prison by reasserting its fundamental principles is an intrinsic part of the prison and facilitate its longevity.\textsuperscript{1066}

So if prisons fail to curb crime, what is their function? What purpose is served by preserving delinquency, bolstering recidivism, transforming occasional offenders into habitual delinquents, and created a ‘closed milieu of delinquency’?\textsuperscript{1067} The response is provocative:

One would be forced to suppose that the prison, and no doubt punishment in general, is not intended to eliminate offenses, but rather to distinguish them, to distribute them, to use them; that it is not so much that they render docile those who are liable to transgress the law, but that they

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\item There are seven ‘universal maxims’ prisons are meant to ‘return to’ in order to reform themselves. First, the principle of correction: Prisons must fulfill their promise to rehabilitate prisoners. Second, the principle of classification: Prisoners should be segregated by gravity of the offense, age, mental attitude, treatment, and ‘the stages of their transformation.’ Third, the principle of the modulation of penalties: The sentence and punishment of the prisoner should be adjusted depending on personal attitude and rehabilitative progress. Fourth, the principle of work as obligation and right: Rehabilitation should include work, which can both teach the prisoner a useful and marketable trade and provide income for families and release. Fifth, the principle of penitentiary education: Prisoners should be educated for their own sakes and the sake of society as a whole. Sixth, the principle of the technical supervision of detention: Staff specialized in rehabilitation (‘social and medico-psychological services’) should be provided for prisoners. Finally, seven, the principle of auxiliary institutions: Upon leaving, the ex-con must be supervised and provided with assistance. As Foucault demonstrates, the same criticisms from the 19th century are still offered today, almost verbatim. Ibid 269-270.
\end{itemize}
tend to assimilate the transgression of the laws in a general tactics of subjection. Penalty would then appear to be a way of handling illegalities...It provides them with a general ‘economy.’ And, if one can speak of justice, it is not only because the law itself or the way of applying it serves the interests of a class, it is also because the differential administration of illegalities through the mediation of penalty forms part of those mechanisms of domination. Legal punishments are to be restituted in an overall strategy of illegalities. The ‘failure’ of the prison may be understood on this basis.\textsuperscript{1068}

By looking at the problem of prisons strategically, it becomes clear that reducing crime is not so much its aim but rather that this aim gives license to practice a form of domination.

Foucault situates the prison, the toleration of some illegalities, and the rejection of others historically (starting around the 1780s), as new laws that tended to exploit peasants and laborers produced new illegalities, or resistances.\textsuperscript{1069} “A whole series of illegal practices, which during the previous century had tended to remain isolated from one another, now seemed to come together to form a new threat.”\textsuperscript{1070} The lower classes were now viewed as an outlaw class. This was the social class to appear time and time again in front of the judge in a court of law. It was no coincidence that this was the social class of delinquents.\textsuperscript{1071} Rather than seeing prison as failing to eliminate crime, we should observe what it actually produces: “delinquency, a specific type, a politically or economically less dangerous – and, on occasion, usable – form of illegality; in producing delinquents, in an apparently marginal, but in fact centrally supervised milieu; in producing the delinquent as a pathologized subject,”\textsuperscript{1072}

Foucault argues that there are several motives for creating delinquency. In the Eighteenth century there was a notion of a nebulous group of wrongdoers. With the introduction of the carceral system and delinquency, a small definable group capable of being constantly surveilled emerges. From an exploited lower class group that had the potential to cause significant political and economic upheaval (rioting, looting) was forged a relatively impotent class of delinquents

\textsuperscript{1068} Ibid 272.
\textsuperscript{1069} Ibid 273-275.
\textsuperscript{1070} Ibid 275.
\textsuperscript{1071} Ibid 275-276.
\textsuperscript{1072} Ibid 277.
cut off from the lower class sympathy necessary to promote change. These delinquents, destitute due to the limitations placed upon them after release, were now only capable of ‘localized criminality’ (petty thefts, minor acts of violence, routine acts of law-breaking). Delinquency is like a mark upon the oppressed that neutralizes them as threats; it is a fundamental element in a strategy deployed by the upper class in its war against the lower class. \(^\text{1073}\) Furthermore, discipline created an economy of illegalities the state and the police could integrate for their own profit. \(^\text{1074}\) Just as insidious, the class of delinquents provided the state with a pool of possible insiders and informants released from prison that could be used to infiltrate political parties and workers’ associations or break up riots and strikes: “a clandestine police force and standby army at the disposal of the state.” \(^\text{1075}\)

What Foucault reveals is a circuit:

Prison and police form a twin mechanism; together they assure in the whole field of illegalities the differentiation, isolation, and use of delinquency…Police surveillance provides the prison with offenders, which the prison transforms into delinquents, the targets and auxiliaries of police supervisions, which regularly send back a certain number of them to prison. \(^\text{1076}\)

This circuit was fueled by perpetuating the public narrative that the delinquent was dangerous and everywhere and that only constant police surveillance could curtail it. That, supplemented by the emergence of crime novels, characterized the delinquent as someone belonging to a different world, someone that did not share in the common struggle with the oppressed. As opposed to other forms of punishment in the past that left the door open for the public to identify with the anti-authoritarian revolt of the offender, the delinquent was a danger the police were

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\(^\text{1073}\) Ibid 278-279.
\(^\text{1074}\) For example, of prostitution networks that implicitly worked in tandem with the police and the state; overt moralizing would marginalize the practice, drive up prices, and then the police would insert themselves into the circuit of profits. Ibid 279-280.
\(^\text{1075}\) Ibid 280-281.
\(^\text{1076}\) Ibid 282.
entitled to use as they wished. This emphasis on the delinquency of the lower class often but not completely obscured the legal sanction granted to the illegalities of the upper classes.

Summary of the Subjective-External Form of Domination

In Discipline and Punish, we discovered a historical series of mutations in the way power was deployed and the knowledge that was co-extensive with its operations. In the Ancien Regime, there was the sovereign form of subjective-external domination, or sovereign power over death. Its correlative object was the Condemned, basked in the light of the spectacle, and the observing masses meant to be intimidated by the sovereign’s vengeance. In parts of the Classical, as well as the Modern age, a new kind of power-knowledge mutation took effect. Now a new form of subjective-external domination emerged: disciplinary power. Its correlative object was two-fold: the docile body conditioned by discipline and panopticism, and the Delinquent, whose rebellious potency was co-opted by the carceral system and the police-prison-delinquent circuit. Given that Kant considers social forces (like educational and civil institutions) to be subjective-external objects, the identification of disciplinary power with subjective-external domination is intuitive.

4.5 The Subjective-Internal Forms of Domination: The History of Sexuality – Volume I

Criteria for the Subjective-Internal Form of Domination

The first volume of The History of Sexuality concerns the Subjective-Internal form of domination since it concerns the hidden personal secret of one’s own sex. Once again, we are discussing a characteristic of the human being (sexuality), so it is internal, and because this is presented as a personal secret to be confessed, it is subjective. Foucault is skeptical that there is such an inner truth, but instead sees the incessant imperative to discover and speak the personal

truth of one’s sex(uality) as but a tactic playing out on a larger strategic stage. It is in this book that Foucault discovers a new kind of power: Biopower – The power over life. What I am concerned with exploring is how this ‘inner personal truth’, a construct of biopower, acts as a means of control, especially insofar as it is characterized as a subjective truth. Biopower both targets the subjective-internal domain of desire, and uses the ‘truth’ of this domain (the truth of our sexuality) as a means of subjective-internal domination, a form of domination that masquerades as personal liberation of repressed desires.

*The Repressive Hypothesis and Confession*

Foucault starts off *The History of Sexuality* by providing a summation of his foil – the repressive hypothesis: It is commonly believed that sometime during the Seventeenth century, sexual expression and talk about sex began to be repressed, in large part due to the rise of a capitalist work ethic that found all but familial sexual reproduction wasteful.\(^{1079}\) Furthermore, as the contemporary discourse on sex would have it, power, being merely negative in nature, consistently represses sex, prompting the need to talk more and more about it to overcome that repression.\(^ {1080}\) If sex is but one victim of a repressive capitalist regime, it not only becomes a necessary part of revolution to overturn sexual prohibition, but speaking about sex itself transgresses this repressive power structure and becomes a positive act of rebellion.\(^ {1081}\)

What sustains our eagerness to speak of sex in terms of repression is doubtless this opportunity to speak out against the powers that be, to utter truths and promise bliss, to link together enlightenment, liberation, and manifold pleasures; to pronounce a discourse that combines the fervor for knowledge, the determination to change the laws, and the longing for the garden of earthly delights.\(^ {1082}\)

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\(^{1082}\) Ibid 7.
Foucault wants to problematize this optimism and try to understand what role the discourse on sex really plays in the grander scheme of power-knowledge. It is in this spirit that he asks, 

Is it not with the aim of inciting people to speak of sex that it is made to mirror, at the outer limit of every actual discourse, something akin to a secret whose discovery is imperative, a thing abusively reduced to silence, and at the same time difficult and necessary, dangerous and precious to divulge?  

Foucault notes a curious paradox beginning in the Classical age: the age in which talk of sex seemed to be constricted into innuendo and metaphor in the private sphere was the same age in which the discourse on sex exploded, notably a 

...multiplication of discourses concerning sex in the field of exercise of power itself: an institutional incitement to speak about it, and to do so more and more; a determination on the part of the agencies of power to hear it spoken about, and to cause it to speak through explicit articulation and endlessly accumulated detail.  

But this development seems continuous with a tendency that had taken place in the Catholic pastoral and the sacrament of penance since the Middle Ages. What once was compelled to be articulated in excruciating detail during confession (the sexual act itself), started, after the Counter-Reformation to be veiled and replaced by a focus on disclosing details of one’s sexual desires: “Sex must not be named imprudently, but its aspects, its correlations, and its effects must be pursued down to their slenderest ramifications…” The ‘flesh’ was considered to be ‘the root of all evil’ and thus had to be traced and rooted out of the deepest recesses of the soul. Such a tracing required absolute disclosure of desire, for a confessor’s mind to be laid bare for examination. At minimum, this was the ideal set for one to be a good Christian: all desire, especially sexual desire, must be converted into discourse. By converting desire into discourse, one was to both master desire and detach from it but also experience a spiritual 

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1083 Ibid 35.
1085 Ibid 18-19.
conversion. This role attributed to confession was to detach from the monastic nursery where it exhaled its first breaths and circulate in secular society as the Classical age progressed. 1087

Sexual Regulation

Reason, as well as morality, was now to take stock of sex as something to be “managed, inserted into systems of utility, regulated for the greater good of all, made to function according to an optimum”. 1088 What was beginning to take place was not distinct from what had taken place in confessionals. Sex was no longer something to be minimized or censored but something to be regulated and ‘policed’ to maximize its potential. 1089 For example, the notion of ‘population’ became politically and economically relevant at this time, which rendered its source – sex – of the utmost importance: “This was the first time that a society had affirmed, in a constant way, that its future and fortune were tied not only to the number and the uprightness of its citizens, to their marriage rules and family organization, but to the manner in which each individual made use of his sex,” and then sought to analysis it and intervene. 1090 Institutions (or ‘centers’) began to incorporate and produce discourses on sex, such as medicine, which looked to it as the cause of ‘nervous disorders,’ psychiatry, that eyed certain sexual practices (like excess and onanism) as possible sources for mental illnesses, criminal justice, and pedagogy. 1091

Up until the Eighteenth century, the marital couple was the primary focus of those ‘major explicit codes’ that ‘governed’ sexual practices (canonical law, the Christian pastoral, and civil law), not necessarily sexual practices outside the bounds of marital obligation. 1092 That is not to say that the courts were not concerned with ‘deviant’ sexual practices, but that civil and religious jurisdictions were concerned with a ‘general unlawfulness’ that was just as likely to condemn

1088 Ibid 24.
1089 Ibid 24-25.
1092 Ibid 37.
adultery as sodomy. With the onset of the Eighteenth century, a shift occurred in which the heterosexual marital couple, albeit set as the norm, came out of focus and was replaced with all those forms of sexuality that deviated from it (children, the mad, criminals, homosexuals, etc.). Furthermore, deviations within that norm and deviations from that norm now were struck, the latter being designated as ‘unnatural’: “To marry a close relative or practice sodomy, to seduce a nun or engage in sadism, to deceive one’s wife or violate cadavers, became things that were essentially different.” The latter terms now belonged to a wide ‘family’ of perversions, or ‘peripheral sexualities.’

‘The function of power exerted’ on peripheral sexualities in the Classical and Modern ages operated in four ways. First, this new operation of power only claimed to eliminate certain practices or vices it knew it could not eliminate. Instead power relied on what it claimed to subdue as a prop to support its further encroachment, multiplying “its relays and its effects, while its target expanded, subdivided, and branched out, penetrating further into reality at the same pace” (Foucault refers to this as ‘lines of penetration’). Its very failure was the condition for its perpetual spread. This should be reminiscent of how prisons claimed their purpose was to eliminate crime while in reality they had incorporated it as delinquency and relied upon in order to function. Second, perversions were incorporated and perverted individuals were divided into types or ‘species.’ For example, before the Nineteenth century, sodomy was considered a forbidden act and its perpetrator a mere ‘juridical subject,’ like a thief or adulterer. That all changed in the Nineteenth century when the perpetrator of the act was characterized as possessing a certain ‘sexual sensibility’: “The nineteenth-century homosexual became a

1093 Ibid 38.  
1094 Ibid 38.  
1095 Ibid 39.  
1096 Ibid 40.  
1097 Ibid 41-42.  
1098 Ibid 42-43.
personage, a past, a case history, and a childhood, in addition to being a type of life, a life form, and a morphology, with an indiscreet anatomy and possibly a mysterious physiology...The homosexual was now a species." Numerous species of perverts were coined. \(^{1099}\) "The machinery of power that focused on this whole alien strain did not aim to suppress it, but rather to give it an analytical, visible, and permanent reality." \(^{1101}\) Third, power now traced the signs and causes of dysfunctions to the body, probing it medically, or coaxing out confessions through psychiatric investigation, a process which not only produced pleasure (at minimum the excitement of curiosity and voyeurism), but also a positive feedback loop in which the pleasure produced excited power to probe further. These investigations became a game of seduction and evasion between examiner and patient, what Foucault calls ‘perpetual spirals of power and pleasure.’ \(^{1102}\) Finally, spaces and relationships were not simply bifurcated into those that permitted sexuality and those that forbade it. \(^{1103}\) Sexuality circulated through a complicated ‘network of pleasures and powers linked together at multiple points and according to transformable relationships.’ \(^{1104}\) Foucault’s thesis is provocative:

"The growth of perversions is not a moralizing theme that obsessed the scrupulous minds of the Victorians. It is the real product of the encroachment of a type of power on bodies and their pleasures...And accompanying this encroachment of powers, scattered sexualities rigidified, became stuck to an age [(like infantile sexuality)], a place [(like the school or the home)], a type of practice [(like homosexuality)]." \(^{1105}\)

Perversions were not so much discovered as they were produced.

\(^{1099}\) Ibid 43.
\(^{1100}\) Foucault notes numerous other species of pervert categorized in the Nineteenth century such as zoophiles and zoerasts (Krafft-Ebing), auto-monosexualists (Rohleder), mixoscopophiles, gynecomasts, presbyophiles, sexoesthetic inverts, and dyspareunist women, an overabundance meant to capture the proliferation of an operation of power. Ibid 43.
\(^{1101}\) Ibid 44.
\(^{1102}\) Ibid 44-45.
\(^{1103}\) Ibid 45-46.
\(^{1104}\) Ibid 46.
\(^{1105}\) Ibid 48.
The Confessional Imperative plays a crucial role in the subjective-internal form of domination. The very notion that speaking one’s desires is in some way liberating what has been censored is a ‘ruse’ that ignores centuries of practices that have demanded that people tell what they are, what they do, what they remember, what they think, all in the most minute details.\textsuperscript{1106} We moderns only believe speaking our truth is liberating because that power has succeeded in fooling us in the most insidious way possible: By convincing us that compliance with its injunction is transgressing it. Confession plays a crucial role in a two-fold ‘subjection’: one is dominated (like a king’s subject) and one is constituted as an ‘I’ (a subject).\textsuperscript{1107} In a move that pre-empts his later work, Foucault contrasts the way the ancient Greeks related truth to sex verses how the Moderns do (\textit{scientia sexualis}):

In Greece, truth and sex were linked, in the form of pedagogy, by the transmission of a precious knowledge from one body to another; sex served as a medium for initiations into learning. For us, it is in the confession that truth and sex are joined, through the obligatory and exhaustive expression of an individual secret. But this time it is truth that serves as a medium for sex and its manifestations.\textsuperscript{1108}

Only for the Moderns does Sex bear the secret to self-knowledge.\textsuperscript{1109}

When a ‘science of the subject’ emerged, it was based on two often conflicting truth procedures: \textit{the procedures of confession}, based on ‘the old juridico-religious model’, and \textit{scientific discursivity}, stemming from “the extortion of confidential evidence according to the rules of scientific discourse”.\textsuperscript{1110} Due to the conjectured nature of sex, which was pervasive and

\textsuperscript{1106} Ibid 60.
\textsuperscript{1107} Ibid 60.
\textsuperscript{1108} Ibid 161.
\textsuperscript{1109} For the Greeks, the pederastic relationship was one of exchange: the boy learned in exchange for sexually gratifying his older mentor. Sex and truth were related, but the truth imparted was wisdom. But for the Moderns, sex bears truth within it. It is not a means towards knowledge. Sex itself must speak its truth. In a sense, two different ways of the self relating to itself and of the self relating to truth and sex are being told.
\textsuperscript{1110} Ibid 64-65.
yet hidden, a particular kind of therapeutic engagement and hermeneutic transcription was authorized that compelled confession. Put otherwise…

…sexuality was defined as being “by nature”: a domain susceptible to pathological processes, and hence one calling for therapeutic or normalizing interventions; a field of meanings to decipher; the site of processes concealed by specific mechanisms; a focus of indefinite causal relations; and an obscure speech that had to be ferreted out and listened to.

From a centuries’ long interplay, beginning with Christian confession and ending on the analyst’s couch, a knowledge of the subject evolved: “the project of a science of the subject has gravitated, in ever narrowing circles, around the question of sex.”

The Modern does not merely demand that sex speak the truth; it demands that it speak our personal truth. It is on the basis of this coaxed confession that the Pervert readily steps forward to speak his truth and take his punishment, being both the product of the discourse on sex and its most legitimized target. He now joins the ranks of the Madman, the Crackpot, and the Delinquent, those abnormal figures of which Man is but the despotic negative image.

Sex and Power

But what is this injunction, this ‘will to knowledge’ regarding the truth of sex? Why have we been so persistent “to constitute it as a secret, the omnipotent cause, the hidden meaning, the unremitting fear”? The answer requires a new conception of power.

Just as the traditional ‘juridico-discursive’ function of power cannot account for discipline (subjective-external domination), this same repressive function cannot explain how the

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1111 There were at least five ways in which the confession was rendered scientific, to make sex into scientia sexualis. First, the confession was ‘clinically codified’ by means of various techniques, like examinations for symptoms. Second, sexuality was considered the general cause of most ailments, which required thorough scientific investigation. Third, that scientific investigation became even more necessary, granted that sexuality, by its very nature, was evasive, and hard to pin down. Thorough confession was considered the means of curtailing that evasion. Fourth, nonetheless, only the expert was considered capable of interpreting the confession in order to extract its truth. Fifth, the effects of confession were medically reinterpreted. Rather than confession being an acknowledgement of a sin, confession was part of a procedure that aimed to heal. Ibid 65-67.
1112 Ibid 68.
1113 Ibid 70.
1114 Ibid 79-80.
discourse of Sex produces and controls us (subjective-internal domination). Modern power is not merely something negative that represses, nor does it merely operate by means of prohibitions, censorship, and law. Modern power has displaced the Sovereign, and no longer operates only from on-high, but is instead diffused throughout society.\textsuperscript{1115} We must reconceive of power locally, as something that starts as a situational relation of forces (a ‘microphysics of power’). From these local relations emerge the more familiar larger state apparatuses of oppression. Power is diffuse and omnipresent in society because unequal relations of force (be these economic relations, knowledge relationships, sexual relationships, etc.) exist throughout society at every level. Power relations can resonate with each other, forming, on a macro-level, consistent strategies and tactics that are intelligible, with a clear objective or aim, but that lack a centralized rational agent deliberating on those objectives and pulling the strings.\textsuperscript{1116} Modern power does not so much operate due to right but by technique, nor law but normalization, nor punishment but control, all measures less concerned with repression that discipline.\textsuperscript{1117} We only give priority to the juridico-discursive function of power because power can only be tolerated if it conceals its own mechanisms. As long as we conceive of power as a ‘No’, an outside to power is presumed to which we can escape.\textsuperscript{1118} But there is no such outside to power.

\textit{Power and Resistance}

The absolute diffusion of power relations has at least one positive outcome: Each point of power is also, by necessity a point of resistance that could reverse the relation. In ‘The Subject and Power’ Foucault encourages us to take “the forms of resistance against different forms of
power as a starting point.”¹¹¹⁹ The imposition of force always meets with a reaction, and we should observe, upon reflection, that such resistance was evident as early as *History of Madness* and is in no way limited to *The History of Sexuality*. Insofar as Foucault merely means ‘opposition’ then his claim does not seem controversial, as history seems to consistently bear this claim out. Discourses are ‘tactically polyvalent,’ which means that the same discourse deployed to dominate can be reversed and utilized for the sake of resistance. For example, homosexuals originally used “the same categories by which [they were] medically disqualified.”¹¹²⁰ Foucault’s position on resistance, as Paul Veyne notes, lies in the position that even in conquest the conquered is always free. A subject may be constituted but nonetheless remains free to take a step back and by means of thought struggle with those constitutive limitations.¹¹²¹ Upon Veyne’s reading, “The set-up is not so much a determinism that produces us; rather, it is an obstacle against which our thoughts and liberty either do or do not react.”¹¹²² Foucault’s project can be taken as evidence that this opposition is possible, which is the central thesis of McGushin’s book *Foucault’s Askesis*. And insofar as this claim is compelling, Foucault provides us with an example in his own person of how an engagement with the self through thought acts as a means of resistance.

Some may challenge whether or not change is possible if there is no outside to power. And given that change may be possible would not a resisting power merely become the new dominating power? If the only ethical value is freedom, then a resisting cause is merely tentatively good, unless such a cause never fully succeeds in gaining the upper hand. In ‘Lives of Infamous Men,’ Foucault sometimes seems to revel in accounts of criminals for the sheer fact

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¹¹²⁰ Foucault *The History of Sexuality: Volume I* 100-102.
¹¹²² Veyne, Paul. *Foucault: His Thought, His Character* 95.
that they resisted. Yet Foucault’s evaluations typically assume many Western moral values, freedom being but the most obvious. He later tries to build an ethics from the invention of new pleasures, new relationships, and new modes of existence, but one gets the sense that what Foucault needs to underpin all of this is an explicit moral theory, a project he shows no interest in developing (As Foucault once said, “The search for a form of morality acceptable to everyone strikes me as catastrophic”\textsuperscript{1124}). Contrary to such a conclusion, Oksala concludes that

\ldots although Foucault’s ethics can never be completely salvaged from the point of view of normative ethics... it is possible that as a style, a manner of writing, it does express ethical values. These values are not communicated as linguistic propositions providing a normative ground or framework; they must be understood as part of Foucault’s philosophy as lived.\textsuperscript{1125}

Given Foucault’s claim that power is local, even if total without an outside, it may follow that ethics can only be decided locally, in the midst of struggle. In this way it’s possible that resistance could itself resist becoming its opposite. But can local victories be enough?

\textit{Power and Knowledge}

If there is no ‘outside’ of power, then knowledge is always situated within the network of power.

If sexuality was constituted as an area of investigation, this is only because relations of power had established it as a possible object; and conversely, if power was able to take it as a target, this was because techniques of knowledge and procedures of discourse were capable of investing it.\textsuperscript{1126}

As scholar Beatrice Han describes it, “it is not the discourse that is adequate to reality but ‘reality’ that is adequate to the discourse – the ‘scientifically acceptable discourse’ being in fact the mere description of the symptoms that it itself has induced.”\textsuperscript{1127} Sexuality is no longer

\begin{thebibliography}{99}
\bibitem{oksala1} Oksala, Johanna, \textit{Foucault on Freedom} (Cambridge: Cambridge University Press, 2005), 170.
\bibitem{oksala2} Oksala, Johanna, \textit{Foucault on Freedom} (Cambridge: Cambridge University Press, 2005), 171.
\bibitem{foucault_history} Foucault \textit{The History of Sexuality: Volume I} 98.
\end{thebibliography}
understood as a ‘natural given’ that power tries to suppress or something hidden that knowledge tries to uncover but instead as something produced:

It is the name that can be given to a historical construct…a great surface network in which the stimulation of bodies, the intensification of pleasures, the incitement to discourse, the formation of special knowledges, the strengthening of controls and resistances, are linked to one another, in accordance with a few major strategies of knowledge and power.\(^{1128}\)

This may seem like an unwarranted, overly strong claim to make, as surely something must exist to be regulated. What ultimately seem to precede this historical construct are bodies and the various forms of pleasure that can be produced by specific forms of stimulation and manipulation.

However, Judith Butler has an interesting response to such a criticism. Upon her reading, Foucault both seems to argue that a pre-existing body is inscribed by means of power\(^ {1129}\) and is constituted by power, the latter perspective being her own.

We can understand Foucault’s references to the “soul” as an implicit reworking of the Aristotelian formulation. Foucault argues in *Discipline and Punish* that the “soul” becomes a normative and normalizing ideal according to which the body is trained, shaped, cultivated, and invested; it is an historically specific imaginary ideal…under which the body is effectively materialized.\(^ {1130}\)

In other words, there is no neutral body because the body has always been historically shaped by power. From this perspective, Foucault’s notion that sexuality is a historical construct becomes more plausible.

We already saw in *History of Madness* that the connection between madness and sexuality psychoanalysis discovers was less an essential connection than a historical synthesis effected by the preceding techniques of Confinement. Now Foucault goes further in demonstrating the role of power in knowledge, noting at least ‘four great strategic unities’ that, having operated since the Eighteenth century, “formed specific mechanisms of knowledge and

\(^{1128}\) Foucault *The History of Sexuality: Volume I* 105-106.


power centering on sex:**¹¹³¹** a hysterization of women’s bodies, a pedagogization of children’s sex, a socialization of procreative behavior, and a psychiatrization of perverse behavior. Each strategy has a privileged object of knowledge: the hysterical woman, the masturbating child, the Malthusian couple, and the perverse adult. Combined, the field of all possible human members (women, children, and men) was invested and its sex appropriated.**¹¹³²** We are once again reminded of the hysterical woman and her symptoms that threatened to upset the social order, the familial order, and the health of the child; we’re reminded of the obsessive surveillance of children, whose developmental state was so precarious that the slightest introduction of sex could derail it; we see the familiar concern with the reproductive potential of couples;**¹¹³³** finally, we how ‘the sexual instinct’ was “isolated as a separate biological and psychical instinct,” was scrutinized for deviations, norms constructed, and deviations ‘corrected.’**¹¹³⁴** Much of this psychodrama played out in the Family, making it the privileged target of therapeutic intervention.**¹¹³⁵**

¹¹³¹ Foucault The History of Sexuality: Volume I 103.
¹¹³² Ibid 104-105.
¹¹³³ Ibid 104-105.
¹¹³⁴ Ibid 105.
¹¹³⁵ As something distinct from (but working in tandem with) older ‘deployments of alliance’ (such as those of lawful and economically-advantageous marriages that conjoin lines of descent and forbids incest), ‘deployments of sexuality’ fall back on the family as a nexus, or privileged site of influence and interrogation. Ibid 106-109. One has but to consider the Oedipal drama so crucial to psychoanalysis to recognize how the discourse on the modern family is not merely permeated by sexuality but that one’s very psychic destiny was understood to be determined by how successfully one traversed it as a child.

If for more than a century the West has displayed such a strong interest in the prohibition of incest, if more or less by common accord it has been seen as a social universal and one of the points through which every society is obliged to pass on the way to becoming a culture, perhaps this is because it was found to be a means of self-defense, not against an incestuous desire, but against the expansion and the implications of this deployment of sexuality which had been set up, but which, among its many benefits, had the disadvantage of ignoring the laws and juridical forms of alliance. Ibid 109. The incest taboo narrative would seem to be a mechanism for riveting this new deployment of sexuality to the ancient laws of alliance (rules concerning the family, marriage, etc.) Ibid 109.

Our society both produces an abundance of techniques of power that bypass the law and tries to ‘recode’ this power in the confines of law. Amidst this, ‘the family’ has one foot in alliances and the other in sexuality, making it an ambivalent site of contestation that produced an array of new ‘personages.’ Ibid 109-110.

The nervous woman, the frigid wife, the indifferent mother – or worse, the mother beset by murderous obsessions – the impotent, sadistic, perverse husband, the hysterical or neurasthenic girl, the precocious and already exhausted child, and the young homosexual who rejects marriage or neglects his wife. These were the combined figures of an alliance gone bad and an abnormal sexuality; they were the means by which the
But if sexuality is a historical construct, what purpose does it serve? Surprisingly, the deployment of sexuality was originally an attempt by the ruling class to perfect itself by finding techniques that ‘maximized life;’ it was not a collection of repressive techniques aimed at controlling the lower classes: “The primary concern was not repression of the sex of the classes to be exploited, but rather the body, vigor, longevity, progeniture, and descent of [those] classes [that] ruled…It has to be seen as the self-affirmation of one class rather than the enslavement of another.”¹¹³⁶ What the bourgeoisie aimed to create was a ‘class body’ and a sexuality.¹¹³⁷ Sex became the soul’s “most secret and determinant part,” in whose hands the health and vitality of future bourgeois generations depended.¹¹³⁸ It was only later, when such things as outbreaks, heavy industry, and the administrative and technical means of controlling the lower classes by means of it arose in the Nineteenth century that they were unwillingly included in this deployment.¹¹³⁹ After this (at the end of the Nineteenth century), the discourse of repression took over, as bourgeois sexuality was simultaneously re-inscribed within the bounds of the law and illness was posited as caused by repression. In this way, the bourgeoisie distinguished itself from the lower class (in a manner paralleled in Discipline and Punish): the lower class was not

¹¹³⁶ Ibid 110-111.
¹¹³⁷ Ibid 123.
¹¹³⁸ Ibid 124.
¹¹³⁹ Ibid 126-127.
repressed while the bourgeoisie was precisely because only the latter was obedient to the law. Psychoanalysis both re-inscribed sexuality within the bounds of the law and attempted to relieve repression, allowing the bourgeoisie to voice its unsavory desires safely while the lower classes were punished for them by the state.\textsuperscript{1140}

Power since the Classical age does not merely suppress or seize but also administers life. Foucault refers to this new power as bio-power: “A power bent on generating forces, making them grow, and ordering them…”\textsuperscript{1141} In those cases when violence, such as warfare, is committed by the state, it is in committed for the sake of everyone, for the sake of life and the benefit of populations and races, rather than the defense of the sovereign. This is even true in the most barbaric of instances that seem to run counter to the administration of life: genocide.

If genocide is indeed the dream of modern powers, this is not because of a recent return of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population…One had the right to kill those who represented a kind of biological danger to others.”\textsuperscript{1142}

Bio-power has at least two forms: disciplines that targeted the body and regulatory controls that targeted populations (the anatomic and the biological, respectively). The former, anatomo-politics of the human body, we are already familiar: discipline sought to both maximize the potentials of the body as well as render it docile.\textsuperscript{1143} The latter, bio-politics of the population, targeted the ‘species body,’ “the body imbued with the mechanics of life and serving as the basis of the biological processes; propagation, births and mortality, the level of health, life expectancy and longevity, with all the conditions that can cause these to vary.”\textsuperscript{1144} A ‘normalizing society’

\begin{footnotes}
\item[1140] 128-129.
\item[1141] Ibid 136.
\item[1142] Ibid 137.
\item[1143] Ibid 139.
\item[1144] Ibid 139.
\end{footnotes}
was the result of this confluence. Without bio-power and this calculated regulation of bodies and populations, capitalism could not have developed and flourished.

Foucault has now laid the necessary foundations for us to understand why Sex was such a crucial deployment: Sex lies at the intersection of both the disciplining of bodies and the regulation of populations since it pertains to both the mastery of the body’s potential and the health of this generation and the cultivation of future generations. “Sex was a means of access both to the life of the body and the life of the species. It was employed as the standard for the disciplines and as a basis for regulations.” Each of the four great strategies “was a way of combining disciplinary techniques with regulative methods.” The hysterization of women’s bodies and the pedagogization of children’s sex appeal to population benefits to justify discipline, and the socialization of procreative behavior along with the psychiatrization of perverse pleasure appeal to individual disciplinary benefits to justify regulation.

The notion of sex, which we see now as the fundamental means by which two kinds of bio-power found unity, is like a principle of unity in other ways as well:

The notion of “sex” made it possible to group together, an artificial unity, anatomical elements, biological functions, conducts, sensations, and pleasures, and it enabled one to make use of this fictitious unity as a causal principle, an omnipresent meaning, a secret to be discovered everywhere: sex was thus able to function as a unique signifier and as a universal signified.

Therefore, sex is less a prediscursive anchorage point for sexuality than it is an ‘ideal element’ deployed when power seizes the body and incites its capacities. Knowledge of sex also gained the halo of quasi-scientificity by means of its proximity to biology (reproductive science), and was able at times to determine its norms by appeal to biology and physiology. Sex acts as

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1145 Ibid 144.
1146 Ibid 141.
1147 Ibid 145.
1148 Ibid 146.
1149 Ibid 146.
1150 Ibid 146-147.
1151 Ibid 154.
1152 Ibid 152-55.
an ‘imaginary point’ that mediates all access we can have to our own bodies, identity, and ‘intelligibility.’

We have arrived at a point where we expect our intelligibility to come from what was for many centuries thought of as madness; the plenitude of our body from what was long considered its stigma and likened to a wound; our identity from what was perceived as an obscure and nameless urge.

Finally, the notion of sex conceals the nature of power by means of the repressive hypothesis, which in turn commands that we track down the secret of our sex and confess it to free ourselves, making it desirable to do so, blinding us to the reality that we are further affirming power.

**Summary of the Subjective-Internal Form of Domination**

In sum, bio-power controls us by inciting us to speak and examine the truth of our sex. Those who deviate from the norm are deemed Perverts. Institutions, in turn, are then given license to normalize them. We can resist power and the deployment of sexuality by deprioritizing the ceaseless examination of sexual desire, replacing it with a focus on bodies and pleasure, perhaps by rediscovering an erotic art the West seems to have mostly lost. Every site of power is also a site of resistance, just as every discourse bears within itself the potential of reversal. For example, the same language used to stigmatize homosexuality can be appropriated to defend it. Subjective-internal domination, like any form of domination, is reversible.

### 4.6 Conclusions Concerning the Four Kinds of Domination

I argued that if the four kinds of heteronomous principles Kant categorized were a comprehensive list of the ways in which the will could be dominated, then Foucault’s work, which primarily focuses on forms of domination, would necessarily conform to that Table’s categorization. I argued that at least four of his books could be mapped onto each quadrant of

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1153 Ibid 155-156.
1154 Ibid 156.
1156 Ibid 157.
the Table, implying that Foucault’s work also attempted a comprehensive mapping of the general ways the social sciences objectify us (The archaeological period corresponding with the Objective axis and the genealogical period with this Subjective axis).

I started with the *History of Madness*, and “the first great figure of the objectification of man”: Madness.\(^{1158}\) I argued that madness, which to the Classical mind suffered from too much liberty, was silenced in the Modern period by means of an objective-internal form of domination, namely, the moral character internalized by means of psychiatric treatment that sat as a constant judge of the patient’s thoughts and behaviors. The asylum was, as Foucault argues, a moral institution which treated illness like a vice that had to be confessed and taken responsibility for, and by means of this, a moral character was internalized. The doctor’s…

…presence and his language possessed that power of disalienation, which at a stroke revealed faults and restored the moral order…If the medical character could circumscribe madness, it was not because he knew it but because he mastered it; and what positivism came to consider as objectivity was nothing but the converse, the effects of this domination.\(^{1159}\)

The power to cure embodied by the doctor was less medical than it was moral.\(^{1160}\) Granted this, I argued that this form of domination separated the Madman from the Sane. Arguably, many of the other agents of Unreason could be placed here as well, such as the libertine and the pauper, since what they were said to lack was a moral character that embodied a respect for work.

I then explored the *Archaeology of Knowledge*, and argued that the rules of formation that characterize a given episteme delineate the rules of intelligibility that divide those who ‘make sense’ from those that do not. It seemed appropriate to characterize this form of domination that divided the Reasonable from the Crackpot as objective-external, since epistemological rules are neither subjective, nor internal.

\(^{1158}\) Foucault *History of Madness* 461.

\(^{1159}\) Foucault *History of Madness* 505-506.

\(^{1160}\) Foucault *History of Madness* 505.
I then examined *Discipline and Punish* and argued that the disciplines constituted a form of subjective-external domination that fell in line with Kant’s own characterization of subjective-external material practical principles as concerning social institutions (like government and education). This form of domination ranks everyone on a continuum from Delinquency to Docility. Ultimately, the aim of discipline, as we saw, was both to render the body most effective and also the most docile and susceptible to power.

Finally, I examined *The History of Sexuality*, and argued that bio-power, at least in context to the deployment of sexuality, was a form of subjective-internal domination insofar as it insinuates itself into our lives by means of the notion of sex, of a personal inner truth that hides like a secret and must be painstakingly tracked down and confessed. While there were four sexual deviations - the hysterical woman, the masturbating child, the non-procreative couple, and the pervert – I simplified this to the Pervert and the Healthy Adult.

We can thus derive the four principles (if I may indulge legalistic language) that comprise Modern Man and his domination based on the four ways that Foucault analyzes madness, science, criminality, and sexuality, respectively. Each explores a process of objectification insofar as each of the four material practical principles concerns a specific kind of object. Taken together as four object-determinations of the same object (Man), they together form a total objectification, since there are only these four kinds of objects. From *History of Madness* we see the influences of psychology, from *The Archaeology of Knowledge* the influences of epistemes, from *Discipline and Punish* the influences of disciplinary power, and from *The History of Sexuality: Volume I* the influences of biopower. These influences can be summarized as anthropological imperatives:
1. The Objective-Internal Principle: Internalize the voice of responsibility.

2. The Objective-External Principle: Comply with the rules of formation of your given episteme.

3. The Subjective-External Principle: Comply with those disciplines that aim to render your body docile and receptive to power.

4. The Subjective-Internal Principle: “To exchange life in its entirety for sex itself, for the truth and sovereignty of sex.”

4.7 Anticipated Concern: Is Kantian Morality Complicit with Psychology?

It will be my ultimate contention that contemporary therapeutic psychology loses freedom because it is not moral (rather it is heteronomous), and that Kantian ethics, in its critique of heteronomy and it valorization of autonomy, reveals this impasse between freedom and happiness as well as a possible way it can be overcome. This move is analogous to Foucault’s own, insofar as he explores the way that the Ancients moderated their pleasures as a way to stylize their own freedom (to be explored in the next chapter). Yet Foucault criticizes psychology (the modern objective-internal principle), the institution of the asylum in which it emerged, and ultimately psychoanalysis itself, on the grounds that psychological treatment is inherently moral rather than medical. To be sure, Kantian ethics is normative and the Critical project, so concerned with drawing limits, may reinforce normalization and discipline:

In Kant, the problem of the spiritual condition of knowledge is taken up in the question of discipline – the body, as the source of heteronomy must be submitted to the discipline of reason – and in the question of the relationship between the epistemological subject and the ethical subject…In each action one must take up a relationship to oneself as a universal legislator of moral law.

So how can I suggest a sympathy between Kant and Foucault? Upon McGushin’s reading, discipline is the precondition for Kantian freedom and the epistemological limitations of Critique make self-transformation and askesis ‘absurd’ since the self cannot be known or perceived. However, contrary to McGushin’s claims, such a limitation forces the subject to create itself as

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1161 Ibid 156.
1163 McGushin 272, 257. And by proxy, Andrew Cutrofello’s claim in Discipline and Critique
an ethical subject, not by appeal to a normative body of knowledge but by means of his own reason. Foucault (or McGushin) cannot accuse Kant of both submitting the self to discipline while simultaneously cutting the legs out from under power’s means of doing so: the human sciences. While Kant may consign the body to the sway of discipline, he does mark out a space free of external determinations and discipline’s normative reach: the soul.

But the rebuttal is even stronger. Even if the moral law were grounded by discipline (a claim Foucault once again can only suggest rather than prove), it is disingenuous to Kant to suggest that he thinks all actions fall under the jurisdiction of moral judgment. They don’t. Those actions that are non-moral fall under the domain of prudential reason, which is concerned with happiness. Furthermore, if Kant thought that happiness were anything but subjective, he would not have rejected it as the basis for a moral principle. Happiness by its very subjective nature resists the normative standards of universal laws because what pleases one does not please another.

It is not necessary for Kant and Foucault to hold the same metaphysical positions on freedom, merely that they are compossible. There may be many kinds of freedom, one type grounded in rational self-legislation and another on resistance. Or put another way, resistance could be phenomenal. The same problem nonetheless emerges for both: how are happiness (or pleasure) and freedom to be reconciled? And both turn to ethics to answer that question. The categorical imperative is not a principle of domination but a principle of self-stylization, a stylization of one’s freedom at the same time that it is that freedom’s condition. To be sure, that stylization carries normative weight, but at least when it comes to imperfect duties, a personal style is also possible (Nor should we so easily accept Foucault’s two-fold claims that ‘normative
ethics’ and the human sciences necessarily act as threats to freedom). It is to Foucault’s account of how ethics can stylize freedom that I now turn.
5.1 Foucault’s Response to Power-Knowledge: *Askesis* and the Ethical Turn

*Introduction*

Given that the human sciences, such as psychology, are complicit with power-knowledge domination, what alternatives exist for engaging the subject that bypass this domination? Foucault’s response to modern domination, I argue, will parallel Kant’s response to psychology and heteronomy: resistance is most effectively mounted from the locus of *ethics* rather than theoretical knowledge. Ethics, for Foucault, is “the conscious practice of freedom,” which is commensurate with the task at hand to think the subject qua subject (as an agent). An ethical engagement with the subject does not mean expounding universal moral precepts, or recapitulating the implicit moral norms of psychiatry and psychology, but rather, enables “one to get free of oneself.” The ethical subject differs from the psychological subject insofar as it acts as a locus of resistance against power rather than enabling it, as the latter, modern disciplinary subject does. Foucault, as we have seen, does not explicitly concern himself with morality, so we must bear in mind that discussions of ethics in this chapter do not necessarily bear the weight of moral injunctions (albeit Kantian ascesis does).

What Foucault’s late work turns to is *askesis*, an ancient approach to philosophy concerned with the care of the self, or with remaking oneself. Foucault turns to the past, not in order to return to some lost way of life (be it Greek or otherwise), but to shake free of the present and “to give one’s individual life a form which, because it is reflexive, necessarily includes one’s own transformation.” In *Foucault’s Askesis: An Introduction to the Philosophical Life*, Edward McGushin notes of Foucault’s late work that it reflects a form of ‘philosophical

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problemization’ that acts as “a mode of resistance to power-knowledge that takes the form of new practices of subjectivity: care of the self (epimeleia heautou) and ethical truth-telling (parrhesia).”\textsuperscript{1167} After I have discussed ancient Greek ascesis (Volume II of \textit{The History of Sexuality: The Use of Pleasure}), I will note modern applications of this means of resistance. All of this is meant to anticipate Kant’s own turn to ethics as a means of thinking the subject qua subject.

However, it is neither my nor Foucault’s contention that ancient Greek ascesis is a model whose \textit{content} must be emulated. Many of these practices are immoral, such as how free men could use women and young boys as \textit{mere means} for the sake of their own self-cultivation (in the domains of economics and erotics, respectively). Insofar as an alleged ethical practice is at odds with morality (rather than just adjacent), one may even question whether or not it is even proper self-care. Therefore Foucaultian ethics should not replace morality but rather supplement it, which is possible given that both are concerned with cultivating freedom. Where ethics (understood as self-care) conflicts with morality ethics must yield.

\textit{Ethical Practice}

At the beginning of \textit{The Use of Pleasure}, Foucault summarizes his previous work and the work that lies ahead of him:

After first studying the games of truth in their interplay with one another, as exemplified by certain empirical sciences in the seventeenth and eighteenth centuries, and then studying their interaction with power relations, as exemplified by punitive practices – I felt obliged to study the games of truth in the relationship of self with self and the forming of oneself as a subject, taking as my domain of reference and field of investigation what might be called “the history of desiring man.”\textsuperscript{1168}

\textsuperscript{1167} McGushin, Edward, \textit{Foucault’s Askesis: An Introduction to the Philosophical Life}. (Evanston: Northwestern University Press, 2007), xxv.
This history is inseparable from a certain ‘art of existence,’ or ‘technology of the self,’ that sought not merely to determine conduct but also to transform the self and make its “life into an oeuvre that carries certain aesthetic values and meets certain stylistic criteria.”\textsuperscript{1169} Volumes II and III of The History of Sexuality attempt to write “a history of ethical problematizations based on practices of the self,” an archaeological investigation that intersects with “a genealogy of practices of the self” at the point when ‘desiring man’ is analyzed.\textsuperscript{1170}

Self-cultivation, for the ancients, should not be understood as the imposition of a set of universal prohibitions, but instead as a manner of stylizing one’s life, of transforming the self into a being capable of accessing the truth (what Foucault calls spirituality\textsuperscript{1171}). Rather than restricting one’s freedom, ascetic was practiced by free men as an expression of their freedom. Such efforts attempted to master those domains of life, such as sexual practice, not prohibited by moral codes, law, or custom but still deemed from a different perspective to be problematic sites requiring austerity.\textsuperscript{1172} It’s important to note that for the Greeks ethics was mostly the province of free men, so it is not morality, which obligates regardless of sex or social standing. Foucault is not concerned with exploring morality since “moral codes are relatively stable;” but rather the variations that occur historically in man’s ethical relation to himself.\textsuperscript{1173} Thus it would be a mistake to assume when Foucault talks about Greek ethics that he is talking about Greek morals per se, but presumably one who is ethical would also obey the interdictions of their given culture (not to kill, not to steal, etc.). There are thus two kinds of morality: ‘code-oriented’ morality (which emphasizes compliance with standards of conduct) and ‘ethics-oriented’ morality (which is concerned with the type of person one is trying to become more than what one does). Ancient

\textsuperscript{1169} Foucault, Michel. The Use of Pleasure 10-11.
\textsuperscript{1170} Ibid 13.
\textsuperscript{1172} Foucault The Use of Pleasure 22-23.
\textsuperscript{1173} Foucault, “On the Genealogy of Ethics,” in Ethics, Subjectivity, and Truth 266.
morality was typically of the ethics-oriented variety, or askesis. Code-based morality, with its various interdictions, has been relatively stable for millennia (but in modern times may be on the decline), while ethics-based morality has changed over time (and may now be needed). Given that sexual behavior is one of those domains not necessarily legislated by law or custom that ethics (as self-care) can stylize, Foucault outlines at least four themes, or ‘locuses of problematization of sexual practice’: one’s relationship to one’s own body, to one’s wife, to boys, and to truth. These are referred to as dietetics, economics, erotics, and philosophy, respectively.

In order to analyze ethics-oriented morality, demonstrate the role ethics plays in subject-constitution, and to articulate new manners of resistance by means of it, a new conceptual apparatus is necessary. Foucault employs four concepts to accomplish this task: ethical substance, mode of subjection, elaboration of ethical work, and the telos of the ethical subject. Ethical substance refers to that which ethics is meant to mold, such as desires, pleasures, actions, and virtues, in the case of sexual ethics. A mode of subjection is “the way in which the individual establishes his relation to the rule and recognizes himself as obliged to put it into practice.” For example, a Stoic may say, “I have to be faithful to my wife because I am a human and rational being” while a king, such as Nicocles, king of Cyprus may obligate himself “Because I am a king, and because as somebody who commands others, who rules others, I have to show that I am able to rule myself.” There is also the form of elaboration of ethical work, which is the work performed by the subject in order not only to comply with the rules but also to

1174 Foucault *The Use of Pleasure* 29-31.
1175 Ibid 32.
1176 Ibid 24.
1177 Ibid 36.
1179 Foucault *The Use of Pleasure* 27.
1180 Foucault “On the Genealogy of Ethics,” in *The Essential Foucault* 112.
“transform oneself into the ethical subject of one’s behavior” (for example, Foucault cites that sexual austerity could be adapted based on a rigorous education requiring memorization of precepts and a thorough, regular examination of one’s conduct. Finally, there is the telos of the ethical subject, which is “the kind of being to which we aspire when we behave in a moral way” (for example, being free, or pure, or master over oneself).

Ethical Analysis: How an Ethical Subject Emerges

Foucault focuses on ancient Greek art of existence in order to showcase an alternative to the domination-complicit human sciences. For the Greeks, their ethical substance was aphrodisia (“desires, acts, and pleasures”), their mode of subjection chresis (“the careful use of pleasures”), their elaboration of ethical work enkrateia (self-mastery by means of asketic training), and their ethical telos sophrosyne (moderation).

Aphrodisia are “the acts, gestures, and contacts that produce a certain form of pleasure.” The ethical question that was raised concerning them was not: Which desires? Which acts? Which pleasures? But rather: With what force is one transported “by the pleasures and desires”? How intensely does the ethical subject experience the practice? (Is it moderate or excessive?) Condemnations we may be tempted to see as precursors to sexual injunctions (so-called ‘relations against nature,’ such as against same-sex relations) were in actuality judged based on immoderation and excess rather than on a determination that an act, nature, or desire is

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1181 Foucault The Use of Pleasure 27.
1182 Foucault ‘On the Genealogy of Ethics’ in The Essential Foucault 112.
1184 Gutting, Gary ‘Ethics’ 139.
1185 Gutting, Gary 139.
1186 Ibid 37.
1187 Ibid 38, 40.
1188 Ibid 43.
in some way abnormal. That said, the Greeks recognized that there were two roles in sexual activity: the masculine ‘agent’ who performs the act (the subject) and the feminine ‘patient’ that is acted upon (the object). The former were supposed to be adult free men (citizens) and the latter women, boys, and slaves. As free men and administrators of political power, mature men were expected to be active yet moderate rather than passive and excessive sexual partners.

While not bad, sex was still judged to be problematic. It was often judged to be an inferior pleasure, largely because it was not a distinctly human activity, was “mixed with privation and suffering,” was prompted by a bodily need, and was intense. The intensity of pleasure and desire’s pull made it susceptible to excess, since people might prioritize aphrodisia over other practices as well as continue to indulge it past the need necessitated by the body. In this respect it was similar to the acts of eating and drinking, which also admitted of easy excess. “The moral question was how to confront this force, how to control it and regulate its economy in a suitable way.”

But what is the mode of subjection that allows us to moderate these behaviors? Foucault identifies three elements or ‘strategies’ in the reflection on the use of pleasures: need, timeliness, and the individual’s status. Use of aphrodisia should be limited to satisfying needs, not appeasing indulgences. Needs were natural, so exceeding their bounds or deriving pleasure from something that wasn’t a natural need constituted immoderation. Second, the art of making

1189 Ibid 44-45.
1191 Ibid 48-49.
1192 Ibid 49-50.
1193 Ibid 50.
1194 Ibid 53-54.
1195 Ibid 54-57.
use of pleasures required knowing the right time to act. One could be too young or too old to practice it: “In general, the latter was limited to a period characterized not only as the span during which procreation was possible, but also that in which the offspring would be healthy, well formed, and robust.”\textsuperscript{1196} Furthermore, other temporal factors, like the season of the year and the time of day had to be considered (traditionally, the evening was preferred for the latter). Finally, the status of the individual could either imply higher standards or lower standards. Rank of power was a relevant status, since those in power should display strict standards. ‘Natural gifts’ and education entailed others.\textsuperscript{1197}

Here everything was a matter of adjustment, circumstance, and personal position. The few great common laws – of the city, religion, nature – remained present, but it was as if they traced a very wide circle in the distance, inside of which practical thought had to define what could rightfully be done. And for this there was no need of anything resembling a text that would have the force of law, but rather, of a techne, or ‘practice’…that by taking general principles into account would guide action in its time, according to its context, and in view of its ends.\textsuperscript{1198}

An art of existence was not concerned with universality but individuality, with achieving a personal style.\textsuperscript{1199} None of these elements seem morally relevant, only relevant to caring for the self.

The form of relationship or attitude one has towards oneself regarding aphrodisia is called enkrateia.\textsuperscript{1200} Specifically, enkrateia is an “active form of self-mastery, which enables one to resist or struggle, and to achieve domination in the area of desires and pleasures.”\textsuperscript{1201} In order to be moderate (sophrosyne), one must first practice self-mastery. The intensity of this internal battle and conquest indicates how admirable that self-mastery is. To lose to such warring appetites was to succumb to a form of slavery.\textsuperscript{1202} Nonetheless, mastering pleasures

\textsuperscript{1196} Ibid 57-58.
\textsuperscript{1197} Ibid 59-62.
\textsuperscript{1198} Ibid 62.
\textsuperscript{1199} Ibid 62.
\textsuperscript{1200} Ibid 63.
\textsuperscript{1201} Ibid 64.
\textsuperscript{1202} Ibid 65-67.
(synonymous with virtue), does not mean dissipating them, but instead moderating them.\textsuperscript{1203} According to Plato in the \textit{Alcibiades}, before all else, one must know one’s soul, because one was properly speaking, one’s soul, not one’s body. Only then was self-mastery possible. After the true self has been mastered can the body be properly mastered, as well as the household properly managed, and ultimately the city properly governed.\textsuperscript{1204} Properly trained, the soul possesses not merely an abstract knowledge of moderation but the capacity to be moderate, which allows one to both master others\textsuperscript{1205} and to govern by teaching moderation.\textsuperscript{1206} If self-mastery is akin to virtue, then the proper moral dimension to such non-moral practices as proper eating or hygiene become clear: self-mastery leads to moderation.

Sophrosyne (moderation) was a kind of freedom possessed by the moderate subject (Askesis as a practice aiming at freedom is a theme I will return to in Kant in Chapter Six). For the Greeks, the freedom of the city paralleled the freedom of the citizen. A citizen mastered his desires and pleasures in the same way the masses were ruled democratically by free citizens. Those that were ruled were ruled by those capable of mastering themselves. In this manner, those with little reason had but to obey to be ruled by reason, since the rulers governed themselves and others by means of reason. On the other hand, rulers that caved to the temptations of their desires became tyrants, since they no longer ruled themselves but were ruled by their most unruly parts.\textsuperscript{1207} The male leader capable of abusing his power by satisfying his desires but refraining, rather than the virginal woman, was considered the sexual ideal for the

\textsuperscript{1203}``In the domain of pleasures, virtue was not conceived as a state of integrity, but as a relationship of domination, a relationship of mastery.” Ibid 70.
\textsuperscript{1205} Foucault \textit{The Use of Pleasure} 70-76.
\textsuperscript{1207} Ibid 78-81.
ancient Greeks. In this freedom there is an expression of a male virility meant to dominate that which by nature should be passive.

In this ethics of men made for men, the development of the self as an ethical subject consisted in setting up a structure of virility that related oneself to oneself. It was by being a man with respect to oneself that one would be able to control and master the manly activity that one directed toward others in sexual practice... It was this prior condition of “ethical virility” that provided one with the right sense of proportion for the exercise of “sexual virility,” according to a model of “social virility.”

It was the active-passive distinction which was important to the Greeks, not necessarily the choice of sex partner. Those who could not control their desires and pleasures were passive to their sway, and thus effeminate. But those that were active and moderate (i.e. mastered themselves) were considered masculine, regardless of sexual partner or sexual role. Evident in this ethos is something Foucault admits is problematic: a sexist valorization of male virility. An ethics that esteems male virility invariably condones those that are judged by nature to be passive (women, young boys, slaves). This aspect of Greek ethics does not align with morality, and luckily is not essential to ethics as self-care as such. As Foucault says, “The Greek ethics of pleasure is linked to a virile society, to dissymmetry, exclusion of the other, an obsession with penetration, and a kind of threat of being dispossessed of your own energy, and so on. All that is quite disgusting!” However, without a normative ethical standard, all Foucault can do is assess this practice on aesthetic grounds: personal disgust. One suspects, however, that such a judgment must be implicitly based on a moral judgment.

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1208 Ibid 82.
1209 Ibid 83.
1210 Ibid 83.
1211 Ibid 85.
1212 “The Greek ethics of pleasure is linked to a virile society, to dissymmetry, exclusion of the other, an obsession with penetration, and a kind of threat of being dispossessed of your own energy, and so on. All that is quite disgusting.” Foucault, Michel, ‘On the Genealogy of Ethics’ in Michel Foucault: Beyond Structuralism and Hermeneutics, eds. Hubert Dreyfus and Paul Rabinow (2e). (Chicago: The University of Chicago Press, 1983) 233
1213 Foucault “On the Genealogy of Morals,” in Ethics, Subjectivity, and Truth 258
But to be active also meant to bear a particular relationship to truth: “To rule one’s pleasures and to bring them under the authority of the logos formed one and the same enterprise.” In other words, the rational life is the moderate life. An ethical subject was necessarily a subject of knowledge, which in turn was a subject that knew itself, and was governed by the reason within. This reason was also a ‘practical reason’ capable of determining “the things he ought, as he ought, and when he ought.”

Contrasts and Possible Criticisms

But in what manner was this self-knowledge, so necessary for self-care, any different from the hermeneutics of desire so instrumental to biopower? Do not both enquire into whom one is in an attempt to master oneself, the former by means of askesis and the other by means of therapeutic intervention? And even given its differing nature, can an ‘aesthetics of existence’ actually resist power or does it recapitulate it? After all, Foucault’s emblematic example of ‘care of the self’ (the Greeks) clearly affirms domination: man over woman, active over passive, free man over slave. Must freedom be exacted at the expense of others? And if it must be, how much moral value does that freedom possess?

At best, Foucault must advocate the potential these practices bear rather than a return to its previous incarnations. In contrast to a hermeneutics of desire, an aesthetics of existence does not take the subject to be an object to be known, with essential desires that need to be extracted, examined, and obeyed. If biopower actively constructs such ‘inner truths of desire,’ any ‘authentic’ life that aligns with them recapitulates that power, not any authentic self worth affirming. An aesthetics of existence does not assume such an obligated allegiance to such a

1214 Foucault The Use of Pleasure 86.
1215 Ibid 86-87, 88.
1216 Ibid 87.
self, but rather encourages the subject to make itself and take responsibility for its own freedom and the inevitable power relations that result from its practice.

While it is inevitable that the subject cannot bear the weight of self-creation on its own, its relationship to knowledge and its bearers is different. The ‘non-hermeneutical’ practices that characterize an aesthetics of existence “were not so much a means of subjecting individuals to the interpretation of an expert (doctor, psychiatrist, psychoanalyst, priest) as they were ways of subjectivizing individuals by guiding them in their own process of becoming capable of governing themselves and others.” Ultimately, even when consulting experts, the free man did not cede his freedom. So while the free man (the moderate subject) may still consult doctors, a life characterized by ‘stylizing one’s freedom’ would call for a dialogue with one’s doctor to be convinced of a given recommendation. By ‘stylizing one’s freedom,’ “one would be able to give one’s conduct the form that would assure one of a name meriting remembrance.” In contrast to a hermeneutics of desire, an aesthetics of existence does not normalize; it renders one’s life beautiful.

But how does the enslavement an aesthetics of existence is meant to combat compare with Kantian heteronomy? Both recognize that desires and pleasures, if not mastered, endanger freedom, even if their notions of freedom are distinct. Much of what Foucault describes as a ‘style’ (‘giving one’s conduct a form’) could be interpreted as the product of a synthesis, or application of a principle to one’s manifold of desires, which is how Kant describes the application of the categorical imperative. While freedom for Kant is noumenal, the application

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1218 Foucault *The Use of Pleasure* 107.
1219 Ibid 93, 97.
1220 Ibid 89.
of the categorical imperative is to a self that is phenomenal, and therefore stylizes that phenomenal life, giving it the form of a universal subject\textsuperscript{1221} free from uncontrollable passions.

Greek Practices

Foucault divides up his asketic analysis into the three domains of Greek life previously mentioned: dietetics (“an art of the everyday relationship of the individual with his body”), economics (how a man ran his household), and erotics (“an art of the reciprocal conduct of a man and a boy in a love relationship”).\textsuperscript{1222}

Dietetics: Man’s Relation to His Body

Dietetics was concerned with the best possible use of pleasures for the sake of caring for the body. Implied in this is the recognition that aphrodisia were essential to human flourishing and needed to be properly integrated.\textsuperscript{1223}

The aphrodisia were considered in the aggregate, as an activity whose significance was not determined by the various forms it could take; one needed to ask oneself only whether the activity ought to take place, how frequently, and in what context. The problematization was carried out primarily in terms of quantity and circumstance.\textsuperscript{1224}

A proper regimen concerned itself with exercise, foods, drinks, sleep, and sexual relations.\textsuperscript{1225}

Regarding exercise, certain kinds had to be performed with a certain intensity, at the right time, and were to be individually calibrated based on age and food consumed. Similar considerations also had to be made for the ingestion of food and drink, based on what was to be consumed, the body’s condition, the climate, and daily activities. Proper sleeping also depended upon allocated time, when sleep was to begin, and the qualities of the bed.\textsuperscript{1226} These regimens could be

\textsuperscript{1221} Foucault “On the Genealogy of Ethics,” in \textit{The Essential Foucault} 125.
\textsuperscript{1222} Ibid 93.
\textsuperscript{1223} Ibid 97-98.
\textsuperscript{1224} Ibid 114.
\textsuperscript{1225} Ibid 101.
\textsuperscript{1226} Ibid 101.
rigorous, and largely depended on the elemental associations of things (dry, wet, hot, cold). Interestingly enough, concerns over dietary habits took precedence over sexual habits.

Regimens were concerned with both the health of the body as well as the purity and harmony of the soul. The Pythagoreans even recommended certain kinds of music to benefit the body as well as the soul. Not merely did the health of one imply the health of the other, but the very lengths required to maintain a regimen implied moral fortitude on the part of the practitioner. Ultimately, however, one cultivates the body for the sake of the soul. If one trains the body too much, the soul becomes sluggish. On the other hand, if one is too focused on caring for the self, one will lead the obsessive, over-refined life of a convalescent rather than the life of a productive free citizen. Such a life could only be decadent. Rather, regimens should not push someone beyond the boundaries nature has set; one should be prepared for numerous life circumstances but ultimately not expect to live beyond the age nature has set for man.

While sexual activity, or aphrodisia, was sometimes encouraged among those with too much phlegm, bad digestion, or a cold and dry stomach, it was typically regarded with suspicion. This was not due to shame but the medical judgment that sexual activity, if practiced wrong, could damage the body (Some, such as Pythagoras, took the extreme view that abstention was the best way to avoid these effects). The brain, for example, was alleged by Aristotle to suffer

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1227 For example, the Hippocratic text, *Peri diaîtes*, divides up the year, sometimes into periods as short as a few days, in an attempt to factor seasonal variables in to a regimen. It does this by encouraging practitioners to both adapt (gradually) to the change of seasons by countering its various excesses (like warming up by means of ingesting specific foods and drinks, such as roasted meats, more exercise, or increased intercourse during the ‘cold and wet’ second half of winter) and to imitate the patterns that period of the year exhibits (such as toughening themselves up in times when the trees toughen up to endure the cold). In this way, practitioners maintain a stable body state throughout the year. Ibid 109, 11-112
A text by Diocles called *Regimen* also works with recommendations based on elemental associations: for example, ‘frequent and continual use of sexual intercourse,’ albeit not advised, as more suited for “cold, moist, atrabilious, and flatulent persons” while thin people should avoid it altogether. Ibid 113.
1228 Ibid 102.
1229 Ibid 103-104.
1230 Ibid 104-105.
1231 Ibid 105-106.
from the negative effects of a ‘general cooling effect’ caused by the emission of semen. To much intercourse, according to Hippocrates, could cause potentially fatal diseases, like ‘dorsal phthisis.’ Appropriate sexual activity also had to be tailored to sex, since women were believed to require regular sexual relations while men did not. As Foucault notes, this was a paradox: nature compelled men to inseminate, yet the act of discharge was disempowering. To retain that virile substance was to retain the ‘intense energy’ it contained, and to use it for other purposes. That said, the dangers of aphrodisia go even further:

Medical and philosophical reflection describes it as posing a threat, through its violence, to the control and mastery that one ought to exercise over oneself; as sapping the strength the individual should conserve and maintain, through the exhaustion it caused; and as prefiguring the death of the individual while assuring the survival of the species.

Man-female intercourse was assumed to be a violent process whereby the blood was so agitated that it foamed, producing the sperm that would douse the heated female element upon achieving a violent ejaculation. The sexual urge not merely clouded men’s reason, but sex itself, particularly the orgasm, was akin to an epileptic seizure. Semen, be it from the head, the entire body, or the marrow that bridged soul and body (theories differed), was considered a fragment of the man’s vitality. To the Ancients, only a loss of one’s vital force could explain how a new life could be conceived. Even for Aristotle, whose position is close to our own

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1232 Ibid 118.
1233 Ibid 119.
1234 Whereas women needed sexual relations so that the discharge necessary to their organism might occur in a regular manner, men could – in certain cases at least – retain all their semen; far from causing them harm, strict abstinence on their part would preserve their force in its entirety, accumulate it, concentrate it, and carry it finally to a higher level. Ibid 120.
1235 Ibid 120. But if a man did couple, precautions had to be taken that such coupling would produce the best offspring. For example, a man was best to father children between the ages of thirty to thirty-five, while for women it was between sixteen and twenty (This view was held by Plato, while Aristotle thought it better for the man to be about thirty-seven and the woman to be eighteen). Ibid 122. Parents should also have the right diet and not procreate while drunk. There was disagreement as to the intensity of exercises both were to undertake but there did seem to be consensus on the ideal time for procreation (the winter). Ibid 121-123.
1236 Ibid 125.
1237 Ibid 126-130.
1238 A position accredited to Hippocrates Ibid 126
1239 Ibid 130-131.
(He believed that ingested nutrients were either committed to the growth and maintenance of the body or to seminal fluids), ejaculation constituted the loss of a precious, vital substance that could have just as easily been committed to the growth of the body.\textsuperscript{1240} Finally, there is a link between sexual activity, death, and immortality, insofar as progeny are an attempt to attain a form of immortality in the face of certain death.\textsuperscript{1241}

Thus it is evident that an aesthetics of existence did not aim so much at curbing a sinful behavior or impulse, or to cultivate an erotic art to maximize pleasure, but rather attempted to constitute a healthy relation to oneself that mastered the use of pleasures, put one in a relationship with truth, and made one free.\textsuperscript{1242}

One may further ask, besides cultivating moderation (a virtue Kant affirms), are there grounds for interpreting dietetic practices as moral behaviors? Kant, as we will see, will argue that we have a duty (albeit imperfect) to cultivate our personal talents. Insofar as the body is a vehicle for such talents, a duty to cultivate one’s body is implied. The same duty to cultivate one’s body can likely be extended to the economic realm as well, since to cultivate one’s estate is to cultivate an extension of oneself.

\textit{Economics: Man’s Relation to His Wife and Household}

Economics concerned how a husband and father managed his household (once again, the primary focus is on the free male citizen). On the surface, this seemed to be a grossly unbalanced arrangement: there was a ‘lawful wife’ in such a household, but, some might argue, the marital relationship was not primarily a pleasure-based one: “In it, marriage would encounter

\textsuperscript{1240} Ibid 132.
\textsuperscript{1241} For Plato, this immortality can be attained either through physical offspring or intellectual offspring. For Aristotle, only the species can partake of immortality, not the individual. Ibid 135. “The sexual act did not occasion anxiety because it was associated with evil but because it disturbed and threatened the individual’s relationship with himself and his integrity as an ethical subject in the making; it carried the threat of a breaking forth of involuntary forces, a lessening of energy, and death without honorable descendants.” Ibid 136-137.
\textsuperscript{1242} Ibid 138-139.
the sexual relation only in its reproductive function, while the sexual relation would raise the
question of pleasure only outside of marriage.”\textsuperscript{1243} Wives were to be sexually-exclusive to their
husbands (likely or maintaining a proper line of succession) and to “keep to their household
tasks,” or be punished severely.\textsuperscript{1244} Husbands, on the other hand, could pursue extra-marital
relations with anyone, as long as the lover, be it a mistress, concubine, prostitute, young boy, or
slave, wasn’t married (since this would be a slight to the other married man).\textsuperscript{1245}

But things weren’t so simple. For example, there was a social expectation that a married
man would not be as licentious, even if no laws existed to reinforce it. Some moralists, such as
Aristotle, even suggested it was dishonorable to seek sexual fulfillment outside of marriage.\textsuperscript{1246}
Furthermore, we would be in error to assume that the wife’s sole purpose was to secure
descendants for her husband: “There exists a good deal of evidence testifying to the value that
was attached to the wife’s beauty, to the importance of the sexual relations that one might have
with her, and to the existence of mutual love.”\textsuperscript{1247} Besides possible affection, the wife was
recognized as a partner in running the estate, one that typically included land and servants that
tended it. It was the husband’s responsibility to educate and train her to both assist but also stand
in for him when he was away.\textsuperscript{1248} Their roles tended to complement each other: “Generally
speaking, it is the husband’s activity that brings provisions into the house, but it is the wife’s
management that regulates their expenditure. The two roles are exactly complementary and the
absence of one would make the other useless.”\textsuperscript{1249} These roles were said to match the qualities
imbued by the gods upon each sex: men were stronger and braver to handle outdoor work, and

\begin{flushleft}
\textsuperscript{1243} Ibid 144-145.
\textsuperscript{1244} Ibid 144-146.
\textsuperscript{1245} Ibid 143, 146-147.
\textsuperscript{1246} Ibid 148.
\textsuperscript{1247} Ibid 149.
\textsuperscript{1248} Ibid 154-155.
\textsuperscript{1249} Ibid 157.
\end{flushleft}
women were weaker and more afraid, which aided them in keeping a careful eye on provisions and their use: “Hence each of the two marriage partners has a nature, a form of activity, and a place, which are defined in relation to the necessities of the oikos.”\textsuperscript{1250} Of course today we are skeptical of such natural gender roles and can see how such artificial roles, while giving women some autonomy, nevertheless constrain them into an unnecessary subservience to men.

Foucault is adamant that we not see this as a foreshadowing of Christian ethics but instead a continuation of an art of existence. A husband’s fidelity to his wife was not an indication of a marital duty as much as it was indicative of the self-mastery of one properly governing his household: “This was not nearly so much a prefiguration of a symmetry that was to appear in the subsequent ethics, as it was the stylization of an actual dissymmetry.”\textsuperscript{1251} Presumably, self-mastery (enkrateia), or control over one’s appetites, is a precondition for managing a household. Both spouses may possess it, as it should not be assumed that the husband always bears the most virtue.\textsuperscript{1252} Likewise, spouses should always present themselves as they naturally appear, since to present oneself otherwise was to falsify the terms of the marriage. Instead, true beauty develops from performing one’s appointed role. Quite literally, it was supposed that attending to one’s household tasks was the appropriate exercise to cultivate the body and the mind in such a way as to remain attractive with age.\textsuperscript{1253} “The condition of mastery has its physical version, which is beauty.”\textsuperscript{1254} Furthermore, the wife’s willingness to please her husband sets her apart from those beneath her who must be compelled to serve. Ultimately, the wife was owed preference rather than fidelity, a guarantee that she governed the

\textsuperscript{1250} Ibid 158.
\textsuperscript{1251} Ibid 150-151.
\textsuperscript{1252} Ibid 160.
\textsuperscript{1253} Ibid 161-162.
\textsuperscript{1254} Ibid 163.
household and would bear the descendants of her husband.\textsuperscript{1255} “The husband’s self-restraint pertains to an art of governing – governing in general, governing oneself, and governing a wife who must be kept under control and respected at the same time, since in relation to her husband she is the obedient mistress of the household.”\textsuperscript{1256}

The previous account of the marital relation largely follows from Xenophon’s \textit{Oeconomicus}. But at least three other thinkers (Plato, Isocrates, and Aristotle)\textsuperscript{1257} suggested other principles, notably of which Foucault calls ‘the principle of double sexual monopoly,’ or sexual exclusivity. Nonetheless, Foucault once again reminds us that this is by no means motivated by a romantic consideration of what is owed the wife. Instead, it is either a form of ‘political regulation’ meant to benefit the State (in the case of Plato’s \textit{Laws}) or a form of deliberate self-limitation on the part of the husband (in the case of both Isocrates and Aristotle).\textsuperscript{1258} For Plato, the behaviors of both husband and wife could be kept equally in line by means of the law as well as by extra-juridical means, such as public opinion about what is acceptable, which was always underpinned by desires for glory, honor (showing oneself capable of attaining the monogamous coupling found amongst even animals), and avoiding the shame felt when transgressing sexual mores.\textsuperscript{1259} As for Aristotle (or at least the \textit{Economics}, which is attributed to him, as well as the \textit{Nicomachean Ethics} and the \textit{Politics}), the focus is brought back

\textsuperscript{1255} Ibid 163-164.
\textsuperscript{1256} Ibid 165.
\textsuperscript{1257} Isocrates and Aristotle were not so juridical in their recommendations. Isocrates drafts his recommendations based on the virtuous character a proper monarch should possess, notably justice (\textit{dikaiosyne}) and moderation (\textit{sophrosyne}). Moderation in one’s relations with one’s wife was encouraged based both on maintaining the purity and legitimacy of a lineage traced back to Zeus as well as maintaining “a kind of isomorphism between the good order that should reign in the monarch’s house and the order that should prevail in his government.” Ibid 170-171 Thus, moderation was encouraged based on political reasons, albeit not juridical ones. The ruler should govern himself like he governs his subjects and set an example for them, even when he is trying to distinguish himself from all others at the same time. The moderate use of power is an outward expression of one’s admirable self-mastery. Ibid 172-173. “The prince’s relationship with himself and the manner in which he forms himself as an ethical subject are an important component of the political structure; his austerity is part of it, contributing to its solidity. The prince, too, must practice an ascesis and exercise himself.” Ibid 174.
\textsuperscript{1258} Ibid 167-168.
\textsuperscript{1259} Ibid 168-169.
to the ‘natural’ roles of each sex, how they complement each other in the household, how each contributes to the ‘well-being’ rather than just the ‘being’ of the other, and how Nature has designed the rearing of children in such a way that the advantage the child received is returned to the parents once they get older.\textsuperscript{1260} Aristotle compared the relationship of husband and wife to an aristocracy, an unequal relationship to be sure, but nonetheless allegedly based on justice, acknowledgment of merit, and friendship.\textsuperscript{1261} Despite their differences, all four accounts see the essential obligation lying in the married man’s duties to cultivate and refine himself\textsuperscript{1262} although the wife could cultivate herself as well:

For the Greek moralists of the classical epoch, moderation was prescribed to both partners in matrimony; but it depended on two distinct modes of relation to self, corresponding to the two individuals. The wife’s virtue constituted the correlative and the proof of a submissive behavior; the man’s austerity was part of an ethics of self-delimiting domination.\textsuperscript{1263}

Thus, ascetic practice in line with moderation was determined by one’s sex. Foucault certainly does not advocate a return to essentialist gender-based askesis, but nonetheless would likely condone consensual reinventions of relationships that may fall along the lines of gender.

\textit{Erotics: Man’s Relation to Boys}

Likely the most controversial ‘ethical’ practice Foucault explores in \textit{The Use of Pleasure} is pederasty. Given that pederasty was practiced by free men and sexual behavior has a tendency towards excess, it was considered a potential threat to one’s freedom, requiring measures to master. It goes without saying that the Greeks, while recognizing the practice to be problematic, did not recognize the full moral dimensions of the practice. As we will see, the Greeks

\textsuperscript{1260} Ibid 175-176.
\textsuperscript{1261} As noted, the marital couple should be exclusive. Yet the husband is considered superior to the wife, albeit less superior to her than he is to a slave or the ruler is to the ruled: “An inequality of free beings, therefore, but one that is permanent and based on a natural difference. It is in this sense that the political form of the association of husband and wife will be aristocracy;” both are recognized and treated as authorities due their fair share of justice, but one is considered to have more authority over the other based on merit and worth. Ibid 177-178. Furthermore, it’s that sense of justice (and moderation only understood in context to it), that seems to restrain the actions of the husband. In the \textit{Nicomachean Ethics}, this unequal relationship is still nonetheless characterized as a friendship. Ibid 180.
\textsuperscript{1262} Ibid 182-183.
\textsuperscript{1263} Ibid 184.
recognized there was a problem not merely for the older free man but also for the courted youth, since such relationships represented an imbalance of power that endangered the honor of the boy. Nonetheless, the onus was unfairly placed upon the young man to mitigate this danger, although many families attempted to shield their children from such advances as well. In no way do I or Foucault advocate a return to such a practice, only to demonstrate that love has a place in ascetic practice.

We would be mistaken in assigning too much weight to the sex of the courted Beloved. While, as we will see, the sex of the Beloved is relevant, the desire for men was not perceived as any less natural than the desire for women:

So it seemed to people that of these two inclinations [towards boys or towards women] one was not more likely than the other, and the two could easily coexist in the same individual…To their way of thinking, what made it possible to desire a man or a woman was simply the appetite that nature had implanted in man’s heart for “beautiful” human beings, whatever their sex might be.1264

If an aesthetics of existence aimed to render one’s life beautiful, and if, for the Greeks, young men were idealized as the most beautiful, then the former must concern itself with the latter. To live right was to love right. Noble love was often characterized (like in the Symposium) as the love for young men not because of something intrinsically superior to same-sex attraction but rather because young men bore within themselves more admirable traits, like budding intelligence, virtue, and power, unlike women who were usually ignorant and weak. ‘Baser’ love, characteristic of an immoderate man enslaved to his desires, is not drawn to the virtues of a lover’s soul like noble love is but instead to beautiful bodies, regardless of sex.1265

The Greeks could not imagine that a man might need a different nature – an “other” nature – in order to love a man; but they were inclined to think that the pleasures one enjoyed in such a relationship ought to be given an ethical form different from the one that was required when it came to loving a woman.1266

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1264 Ibid 188.
1265 Ibid 188-190.
1266 Ibid 192.
While a reader of Aristophanes’ speech in the *Symposium* may find this hard to swallow, given that three types of sexual desire are explicitly noted as at odds with each other (male-male, female-female, and male-female), charitably granting Foucault this point however, it becomes evident why the distinction between economics and erotics is so crucial. Erotics at its best, unlike economics, served romantic, pedagogical, and ultimately civic functions involving free men, not subservient women.

A proper love affair should educate a young man in the ways of moderation until he is old enough to educate another young man in the same manner, in which case the old erotic relationship would turn into friendship between equals (*philia*).\(^{1267}\) Here we see an interesting configuration of Eros and Philia, a relationship returned to in Chapter Six. Traditionally it was up to the young man (*eromenos*) to separate the wheat from the chaff, only accepting those suitors (*erastes*) who could educate him in the ways of virtue and wisdom. Paradoxically, the Beloved needed to already possess in some way the very moderation the ideal erotic relationship was meant to instill, in order not to succumb to lust or greed and choose poorly. The Lover, in turn, was to demonstrate both passion and moderation in his pursuits.\(^{1268}\) Courtship was a competition of persuasion, a game, an expression of the Beloved’s freedom, since the adolescent boy made the ultimate decision between possible suitors. Only the love and affection that was freely returned was valued.\(^{1269}\) Thus there was a reciprocal sorting process, with only those young men with the potential towards the moderate life choosing those suitors best at drawing it out of them. This ‘dance’ gave courtship a “beautiful form” that was “aesthetically and morally valuable.”\(^{1270}\) Certainly any kind of ‘dance’ between a mature man and an underaged boy strikes

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1267 Ibid 201.
1268 Ibid 196.
1270 Ibid 196.
us as manipulative at best and coercive at worst. Nonetheless, there are merits to conceiving of a romantic relationship as a dance that can be given a beautiful form.

Pederastic relationships were problematic for the Greeks not because homosexual love was problematic (no anxiety lay with a free man having sex with a male slave, for example) but because of the contradictory status of the young receptive male. The Beloved was meant to be a passive partner because of his youth, but that youth would inevitably fade with the passage of time and with it any natural suitability he may have for adopting the passive role. Presumably a beard was a mark that the adolescent was too old, but age parameters were less a matter of a codified universal standard than they were a question for debate. This is evident in Plato’s *Symposium* since two mature men at the drinking party delivering speeches were in a relationship with each other (Pausanias and Agathon).

It is on the basis of being a ‘loved object’ and navigating these ambiguities that the boy becomes a ‘subject of ethical behavior’ for the Greeks. If not done properly, a boy could forever damage his reputation and future status as a man in public life. Because the active/passive distinction was assumed to directly parallel the conquerer/conquered distinction, the passive penetrated partner was inherently shameful. This was a source of anxiety because, when considering whether someone is worthy of ruling others, it seems problematic for that person to have had a history of willfully presenting himself to other men as a passive object of pleasure for their satisfaction. Such behavior is at odds with a position of civic and political

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1271 While Foucault notes that the vast majority of texts that dealt with male-male relationships have been lost, except for the Socratic-Platonic tradition, he notes several reasons why pederasty, rather than adult male same-sex relationships, would be a topic prompting moral reflection (but not necessarily condemnation). For one, different ages - such as an older male and a young, adolescent male who had not completed his education - implied a difference in status that complicated the relationship: “It is the existence of this disparity that marked the relationship that philosophers and moralists concerned themselves with.” Ibid 193-194.
1272 Ibid 199-200.
1273 Ibid 203
1274 Ibid 204-207.
authority. What was important to the Greek was not that men had sex with other men; it’s that *free* men had sex with other *free* men. Freedom, authority, and passivity were judged to be at odds. Thus a tension seems to exist within and between sexual ethics and politics: the boy was the most acceptable object of pleasure for older men but if he identified with this role, and if he enjoyed it, he would be condemned (the boy was only supposed to yield as a gesture of gratitude, affection, and admiration for the suitor). Foucault refers to this as ‘the antinomy of the boy’.

The distinction between ‘dietetics and economics’ and erotics is notable and highlights not merely the differing status relationships at play with others but also the free man’s relationship with himself:

> In economics and dietetics, the voluntary moderation of the man was based mainly on his relation to himself; in erotics, the game was more complicated; it implied self-mastery on the part of the lover; it also implied an ability on the part of the beloved to establish a relation of dominion over himself; and lastly, it implied a relationship between their two moderations, expressed in their deliberate choice of one another.

What is always at stake in these self-relations, and in the case of erotics, with another, is always freedom: how to secure it in all arenas of one’s life and how best to practice it to distinguish oneself from others and become one of such virtuous character as to never be forgotten. Arguably the psychological well-being of the boy could be threatened by pederasty, which would likely endanger their ability to enact their virtue and freedom. Nonetheless, a proper romance between equals should conceivably accentuate that freedom.

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1276 Ibid 220.
1277 Ibid 220-221, 223.
1278 Ibid 203.
Philosophy: Man's Relation to Truth

We have already seen that the pederastic relationship was also a pedagogical one, the Lover serving as a mentor to the Beloved. But such a relation would be one-sided if it weren’t acknowledged that Love, by its nature, is a Lover rather than a Beloved. At first, Plato’s conception of Love in the Symposium seems to come at a high cost: Since Eros is a subject desiring rather than the object desired, none of the attributes of the object can be attributed to it. However, such inherent ontological destitution comes with great reward, since only a subject can be free (With plenitude would come the inertia of objecthood). Only by recognizing that love seeks what it lacks do we see how Eros himself is a philosopher (a lover of wisdom), and that love is intrinsically tied to the pursuit of truth. The pursuit of what is lacked sets the lover on the path towards beholding the Form of Beauty and attaining Truth. The lover will go from the love of one beautiful body, to the love of many beautiful bodies, to the love of a beautiful soul, to the love of beautiful customs, to the love of knowledge, until he climbs above all beautiful things to behold the Form of Beauty itself. This is often referred to as The Ladder of Love. If Love aims to be in the presence of Beauty, then it will inevitably draw closer to what is more beautiful. Such a process is one of further abstraction, from one particular eventually to the Form that encapsulates all particulars. This is similar to the education of the philosopher-king in the Republic insofar as it too is a process of abstraction moving from knowledge of particulars to knowledge of the Forms those particulars participate in, and ultimately the Form of the Good.

Furthermore, the lover and the beloved enter into a relationship based on the desire for immortality only provided by some form of procreation occasioned by the presence of Beauty: a man who desires physical immortality seeks women and begets physical children, while a man

\[1279\] Ibid 236-237.
who desires intellectual immortality seeks boys and begets spiritual children.\textsuperscript{1280} “For Plato, it is not exclusion of the body that characterizes true love in a fundamental way; it is rather that, beyond the appearances of the object, love is a relation to truth.”\textsuperscript{1281} There is no need for such a relationship to truth to be mediated by a pederastic relationship, only by means of a relationship between those who can further their mutual ascent up the Ladder.

But if love is a relation to truth both the man and the boy (or whoever) experienced, then both of them had to feel the same Eros; The boy could not merely be a passive recipient of love but must also desire the lover if he was to attain to the truth: “The “dialectic of love” in this case calls for two movements exactly alike on the part of the two lovers; the love is the same for both of them, since it is the motion that carries them toward truth.”\textsuperscript{1282} This can be facilitated by the lover. If the lover, aided by the virtue and resistance of the boy, is able to master his desires, he will become both a master of truth and an object of love for the boy who desires the truth.\textsuperscript{1283} “Henceforth the master’s wisdom (and no longer the boy’s honor) would mark both the object of true love and the principle that kept one from “yielding.””\textsuperscript{1284}

Plato thus has attempted to resolve the disparity between man-lover and boy-beloved by transforming the love relationship into a truth relationship and then reversing the positions of the lover and the beloved so that the boy loves the man for his wisdom rather than his body\textsuperscript{1285} (So it’s notable that the ancient Greeks attempted to resolve the imbalance between man and young man, even if by modern standards we see that such efforts were insufficient). To be sure, this cannot be a definitive solution that quells what makes erotics problematic. Rather it is Plato’s attempt to address it and contribute an attempted solution to a pool of other potential solutions.

\begin{itemize}
\item \textsuperscript{1280} Ibid 238-238.
\item \textsuperscript{1281} Ibid 239.
\item \textsuperscript{1282} Ibid 239-240.
\item \textsuperscript{1283} Ibid 240-241.
\item \textsuperscript{1284} Ibid 241.
\item \textsuperscript{1285} Ibid 242-243.
\end{itemize}
“In this sense, one can say that it meets the challenge that was issued by Aristophanes’ fable: it gives the latter true content."\textsuperscript{1286} But rather than love being the reunion of one with their other half, love is the ‘medium’ that occasions access to truth.\textsuperscript{1287} Plato attempts “to determine the self-movement, the kind of effort and work upon oneself, which will enable the lover to elicit and establish his relation to true being.”\textsuperscript{1288} What Plato describes is “an erotics centered on an ascesis of the subject and a common access to truth,\textsuperscript{1289} a way of stylizing the love of men into its highest form.\textsuperscript{1290}

\textit{Reflections on Greek Askesis}

The Greeks invented a novel way of stitching together pleasure, freedom, and subjectivity by means of an aesthetics of existence and its end-result: the moderate subject. That subject was not one discovered but made, thus bypassing the dangers inherent in a hermeneutics of desire. But can the moderate subject, concerned merely with its own singularity, act as a sufficient point of resistance against power? Must a vibrant universal be the necessary foe of freedom, as Foucault sometimes seems to suppose? I will argue in Chapter Six that Kant provides us with a viable way of both employing the universal to stitch together pleasure, freedom, and subjectivity. For now, let us suppose, as Foucault does, a microphysics of power that must be resisted locally.

\textsuperscript{1286} Ibid 242.
\textsuperscript{1287} Ibid 243.
\textsuperscript{1288} Ibid 243.
\textsuperscript{1289} Ibid 244.
\textsuperscript{1290} Ibid 245.
5.2 Askesis as Resistance

Introduction

Given both how the human sciences are complicit in our subjugation and how ethics may provide us with an alternative way of thinking the subject without succumbing to the pitfalls of power, what would a Foucaultian askesis look like? In *Saint Foucault*, David Halperin sees in Foucault’s later work the modern possibility of a ‘homosexual ascesis,’ comprised not so much by a kind of homosexual desire or nature as much as by an ideal marginal position for creative resistance to normativity.1291 Quoting Foucault’s interview *Friendship as a Way of Life*, Halperin highlights the following passage:

"Homosexuality is a historic occasion to reopen affective and relational virtualities, not so much through the intrinsic qualities of the homosexual but because of the “slantwise” position of the latter, as it were, the diagonal lines he can lay out in the social fabric allow these virtualities to come to light."1292

By describing homosexuality as a ‘historical occasion’ Foucault highlights not the psychological essence of homosexuality but rather how homosexual communities have, given their marginal status, begun to invent new ways of life. Foucault calls on homosexuals not to grow complacent with a readymade identity but instead to work on and invent themselves: to invent a homosexual ascesis.1293 To invent is a mark of freedom and resistance, not recourse to a body of knowledge implicated in the sway of a dominant normalizing power bent on regulating individuals and populations.1294 What is necessary is for men who love men to ‘become’ homosexuals, to avail themselves of the opportunity to invent a way of life that makes us “infinitely more susceptible to pleasure. We must escape and help others to escape the two readymade formulas of the pure

1293 “To be “gay,” I think, is not to identify with the psychological traits and the visible masks of the homosexual but to try to define and develop a way of life.” Ibid 138. It is up to us to advance into a homosexual ascesis that would make us work on ourselves and invent – I do not say discover – a manner of being that is still improbable.” Ibid 137.
sexual encounter and the lovers’ fusion of identities”¹²⁹⁵ (Interestingly, Foucault is challenging the Aristophanes-inspired notion of ‘The Other Half,’ and in so doing finding an unlikely ally in Alain Badiou, who also challenges the notion of love as a Fusion into One). Homosexuals are tasked not to segregate themselves but to invent ways of life non-homosexuals can also adopt.

Foucaultian askesis continues where ancient Greek askesis left off: with pleasure. The shift towards exploring pleasures rather than desires is a strategic act of resistance. By de-essentializing identity, and making it a game or “procedure to have relations, social and sexual – pleasure relationships that create new friendships,” something new can emerge that struggles against normalizing power characteristic of the modern age. Essences too easily become a kind of “law, the principle, the code of [one’s] existence.” A homosexual ethics centered around a homosexual essence would likely slip back into a traditional form of ‘heterosexual virility.’¹²⁹⁶

Furthermore, pleasure seems to escape the medical and naturalistic connotations inherent in the notion of desire. That notion has been used as a tool, as a grid of intelligibility, a calibration in terms of normativity…Desire is not an event but a permanent feature of the subject: it provides a basis onto which all that psychologico-medical armature can attach itself.¹²⁹⁷

The first task is to create new pleasures, since they evade the ‘grid of intelligibility’ deployed by normalizing power. From that desire may eventually follow.¹²⁹⁸

Criticisms of Ethics-Only Morality

According to Halperin, Foucault’s later ethical turn was spurred on by the observation that codified morality was ‘disappearing’ and ethics (or the art of existence) either was or could replace it. It could be said that, as Badiou himself does, that the resulting modern crisis parallels that of the times of Plato and should be answered similarly. In this spirit, Edward McGushin notes that the philosophical life began as a “practice of resistance” against “false ways of life.” It makes sense that Foucault would turn to philosophy’s origins to retrieve that forgotten practice of ‘care of the self’ that first opened us up to a potent form of resistance and self-invention but which, since the rise of modernity, has been slowly forgotten.

But is morality disappearing? If by ‘codified morality’ Foucault means Christian morality, he may be right. And if he means to note the lack of any explicit place for morality in today’s form of self-care, therapeutic psychology, he would likely also be right. But we must earnestly ask ourselves whether such an ethics should replace morality rather than supplement it instead. Could even those societies Foucault turns to as inherently ethics-based have been possible without the moral injunctions that maintain order? It’s hard to see how any society based purely on self-care ethics is possible, since social integrity requires general rules. But even bracketing this fundamental problem, as Kant notes, freedom and morality may be inseparably bound to one another. If Kant is right, only the moral law as a determining ground of the will can secure us freedom. Without morality, any practice of self-care would thus be merely eudaimonistic. Perhaps such a consequence would be no objection to Foucault, since he is concerned with cultivating pleasures.

1299 McGushin, Edward F., Foucault’s Askesis: An Introduction to the Philosophical Life (Evanston: Northwestern University Press, 2007), 240.
But there may be other consequences as well. It is relevant to note that the homosexual ascesis Foucault and Halperin describe attempts to reinvent friendship, to eroticize Philia. But must a homosexual ascesis take this form? In the next chapter, I will address how, from a Kantian-perspective, it may not be possible to eroticize Philia without losing both Eros and Philia. Love may be desire-based. If so, then Foucault, despite his claims to friendship, is not articulating a philial or erotic ascesis at all, but something new: an ascesis guided not by love but pleasure. Eros and Philia may not be something people are willing to lose.

5.3 Foucault’s Kant: Enlightenment and Askesis

Certainly Foucault had a lot to say about Kant, not all of it positive, given that Kant was a formative part of modern power’s development. Nonetheless, Kant is of fundamental importance for Foucault and his project, as long as he is read in a certain way. In *What is Enlightenment?*, which references Kant’s own essay *Answering the Question: What is the Enlightenment?* (1784), Foucault comes to terms with Kant’s answer. Of significance to Foucault is how Kant sees Enlightenment as a process leading out of immaturity, which for Kant means a state of the will in which we no longer blindly accept the authority of others in the place of using our own reason: No longer will books “take the place of our understanding,” or a religious figure take “the place of our conscience,” or a doctor decide “for us what our diet is to be.” Enlightenment is both a cultural development and an imperative to eschew immaturity in all its forms. Just as the moderate man of old let not even the doctor unilaterally treat him, so Kant marks enlightenment by the same prescription.

Many times, one must always obey, but one who is mature can freely reason about the matter at hand while doing so (such as debating the tax system while still paying one’s taxes).

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1301 Ibid 243.
These instances refer to a ‘private use of reason,’ those instances when one must play a particular role in society and tailor reason’s rational ends to the ends established by those authorities one must obey. But a ‘public use of reason’ entails reasoning for its own sake; this use of reason, used when man reasons as a reasonable being rather than as a part of a social order, must always be free. The universal use of reason “is the business of the subject himself as an individual.” In order to ensure the protection of the free use of public reason, Kant proposes what Foucault calls ‘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 which must be obeyed itself be in conformity with universal reason.”

In this text, an ‘attitude of modernity,’ or “mode of relating to contemporary reality” arises. Foucault calls this modern attitude an ‘ethos,’ a way of thinking, feeling, and acting that “marks a relation of belonging and presents itself as a task.” The Enlightenment attitude is a problematizing of our relationship to the present, “a permanent critique of our historical era,” and a critique than confines reason to those legitimate uses that guarantee its autonomy. It is the persisting critique of the present that Foucault seems interested in.

Foucault wants to turn the Critical impulse on its head without necessarily going beyond its established limits, asking not what the limits of knowledge are, but “In what is given to us as universal, necessary, obligatory, what place is occupied by whatever is singular, contingent, and the product of arbitrary constraints?” What this ‘practical critique’ will uncover (by means of archaeological and genealogical methods) is not “formal structures with universal value” but

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1304 Ibid 307.
1305 Ibid 308.
1306 Ibid 309.
1307 Ibid 309.
1308 Ibid 308-309, 312.
instead a historical account of how we came to constitute ourselves as specific kinds of subjects that think, do, and say in a particular way, and how we can become otherwise. Foucault characterizes this as a “historico-practical test of the limits we may go beyond” that we can individually explore as “free beings.” Foucault thus, ultimately wants “to give new impetus, as far and wide as possible, to the undefined work of freedom.”

As Foucault reminds us, the very tools deployed by normalizing power to invest us can be the same tools we turn against it, what he calls ‘the rule of the tactical polyvalence of discourses.’ It is true that Kant is a systematizer (of whom he is one of the best) that draws theoretical limits not to be crossed. But as Badiou notes:

The greatness of Kant is not at all to be found in his having proposed a theory of the limits of reason, a theory of the human limits of reason…The greatness of Kant is to have combined the idea of a limit of reason with its opposite, the idea of an excess of humanity with regard to itself, which is given in particular in the infinite character of practical reason.

Kant draws boundaries, to be sure, but also a means of crossing them that is necessarily annexed to the sphere of life: the realm of ethics and freedom. He forecloses a certain knowledge of the self (the noumenal self, or soul), critiques attempts at empirical psychology, and shows previous attempts from times past to draft an ethics that both binds and frees to be inadequate to the task. In the vacuum of what is unknowable he erects a principle that both necessarily binds us and frees us: the categorical imperative. And while many may accuse the categorical imperative of a certain impotence to draft coherent, commonsense laws, we can see in this perhaps the misapplication of a principle that even Kant did not see. Perhaps the categorical imperative is

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1309 Ibid 315-316.
1310 Ibid 316.
1311 Ibid 316.
the groundwork for an ascetic practice of freedom. It is in the service of this task and contrary to Foucault’s own suspicions towards the power of the universal that the next chapter is dedicated.
6.1 Introduction to Practical Psychology

Outline of the Task

In the preceding portion of this dissertation, I explored how both Immanuel Kant and Michel Foucault challenged the notion of a science of the subject. I mapped Foucault’s corpus onto Kant’s Table of Heteronomy in order to draw out the four forms of domination, and then showed how Foucault proposed an ethical alternative to the human sciences: askesis. Rather than ask what the self is, we ought to ask how to make one, a free agent (a subject qua subject) rather than a passive object. Here I will follow Foucault’s lead and show how Kant also turns to ethics as a means towards thinking the subject qua subject rather than psychology or the other human sciences. From here on out, the task will be a positive one rather than a negative one: What would the outlines of a proper science of the subject qua subject look like? How does Kant attempt to approach the subject in light of the critiques of psychology?

In this introduction I posit two non-exclusive possibilities, both indebted to Kant’s Table of Categories as well as his insightful analysis into the differences between theoretical, practical, aesthetical, and anthropological disciplines:

Possibility One: Practical Psychology as Architectonic of Modes of Self-Consti
tution

I will argue that the Paralogisms, errors of judgment dogmatic philosophies of the past have used to devise a theory of the subject, fall into error only insofar as those categories are used to derive metaphysical (theoretical) predicates of the soul. If those same categories were used practically rather than speculatively,\(^\text{1314}\) or in other words, if they indicated what the self should aim to become rather than what it is, the shortcomings endemic of a metaphysical doctrine of the soul would be circumvented. These categories (substance, reality, unity, and existence/non-existence), when recast in practical terms, give us ‘Categories of Self-

\(^{1314}\) To some degree, theoretical and speculative are interchangeable words when discussing an interest of reason.
Constitution’ never before identified in the Critical philosophy. I will demonstrate, however, how Kant’s own reworking of the Categories of the Understanding into Categories of Freedom both anticipates and provides a clue as to how those new Categories of Self-Constitution can be derived. These four Categories, once derived, will act as an Architectonic of Self-Constitution, or Ascesis. Ascesis, as we have previously seen, means a practice of self-discipline that aims at freedom. We have already explored another ascetic regimen: Foucaultian askesis. This practice of self-care aims at maximizing pleasure by means of an encounter with historical contingency (The Outside), a contingency revealed in his work on Kant’s ‘What is Enlightenment?’ I will argue that Kant’s ethical theory as well as its founding ascesis, is but another of four modes, or regimens, of self-constitution which, when practiced, lead to freedom. Ultimately, my choice of Kant and Foucault for this project has always been implicitly undergirded by this architectonic, although this architectonic can only be sketched out in this dissertation.

Possibility Two: The Science of the Subject as a Critical Anthropology of Intersubjectivity

I will argue that Kant’s Critical apparatus is incomplete and that the question of how someone can be a subject of possible experience remains to be answered. Nonetheless I argue that this shortcoming can be addressed within the confines of the Critical philosophy alone since Kant never develops a Critical anthropology which would provide an a priori basis for how we encounter others as subjects. This section shifts from the personal locus to the interpersonal locus, no longer conjecturing about the self as subject and instead focusing on how we can encounter the Other as a proper subject. In this manner an outline of a science of the subject becomes complete and any accusation of Kantian solipsism is overcome. This work focuses primarily on Kant, since Foucault’s work, cut short by his premature death, does not seem to provide a means of executing this task.
Preliminary Criticisms

These two possibilities are admittedly speculative, so I will rein back most of my speculations. Nonetheless, two criticisms could be made from the start: 1) How can practical reason think the subject qua subject if theoretical reason cannot? Does theoretical reason’s failure not suggest that the subject of investigation either doesn’t exist or at least is always inaccessible to reason of any kind, practical or not? 2) Are not the four modes of ascesis I will outline (Kantian, Deleuzian, Badiouian, and Foucaultian) mutually exclusive?

To the first question I answer that the objects that can be thought depend upon epistemological parameters that can vary. Knowledge and rational belief are epistemologically distinct. The latter is not dialectical because it admits its own epistemological limitations. Furthermore, let us grant that we ought to be as charitable to the Second Critique as we were to the First. I remind the reader of the humble beginnings of the Critique of Pure Reason:

I should think that the examples of mathematics and natural science, which have become what they are now are through a revolution brought about all at once, were remarkable enough that we might reflect on the essential element in the change in the ways of thinking that has been so advantageous to them, and, at least as an experiment, imitate it insofar as their analogy with metaphysics, as rational cognition, might permit.\textsuperscript{1315} (italics mine)

The Copernican Revolution was initially an experiment, a hypothesis: If experience is possible, what are its conditions? Likewise, we may ask with no less arrogance: If morality is possible, what are its conditions? If in considering morality’s conditions we draw closer to the subject qua subject, let that be no more of a crime than deducing the transcendental unity of apperception.

To the second question I may answer that there may be many forms of freedom reached by distinct ethical practices. Kant provides us with a system that may be able to grasp these different modes of self-constitution. In fact, the same project, approached through the lens of other thinkers, may appear neither systematic nor comparable.

\textsuperscript{1315} Kant Critique of Pure Reason 110 [Bxvi].
Practical Psychology as Architectonic of Self-constitution

Why the Practical Interest?

Before providing the architectonic of self-constitution, it must be shown why the practical interest can get us any further than the theoretical interest of Reason does. In other words, before we can explore a moral question, I must clarify the epistemological principles that ground it. But to understand what the ‘practical interest of reason’ is and how its difference from the ‘speculative’ interest gives it an epistemological range beyond the latter, what an interest of reason actually is needs to be explained. But what is an ‘interest of Reason’? Up until now, the meaning of interest has been implicit whenever I have made mention of a theoretical or practical approach to the subject, and to a large extent has acted as a synonym for an ‘end’ or ‘objective.’ At this point, however, a full account of interests and their role in the Critical project is necessary.

The question of Interest is an intricate one which ultimately frames the entire Critical project, delineating its parameters and specializations along theoretical, practical, aesthetical, and anthropological lines (the Critique of Pure Reason, the Critique of Practical Reason, the Critique of the Power of Judgment, and Anthropology from a Pragmatic Point of View, respectively). As Deleuze notes in Kant’s Critical Philosophy, “An immanent Critique – reason as the judge of reason – is the essential principle of the so-called transcendental method. This method sets out to determine: 1. the true nature of reason’s interests or ends; 2. the means of realizing these interests.”

Kant defines an interest of Reason in two ways: as “the dependence of a contingently determinable will on principles of reason” and as “a principle that contains

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1316 Deleuze Kant’s Critical Philosophy 3.
1317 Kant Groundwork of the Metaphysics of Morals 67. [4:413]
the condition under which alone [a faculty’s] exercise is promoted." These definitions are not at odds with one another, however, since Reason, “being a faculty of principles, determines the interest of all the powers of mind.”

There are at least two ways of talking about interests in the first respect. Either we can talk about the kind of relation had with an interest or about different interests. Kant uses the former to distinguish between moral and non-moral acts. An interest can be concerned with human action in one of two ways: The will can either depend on the principles of reason in themselves, what Kant calls taking an interest (which is practical), or it can rely on principles of reason for the sake of satisfying inclinations, what Kant calls acting from interest (which is pathological, or heteronomous). In the former case, the agent is motivated to perform a particular action for its own sake. In the latter case, the patient “regards the principles of reason as means to achieving the ends set by inclination.” The latter I have already detailed, the former I will describe in the next section of this chapter.

But interests of reason do not merely ground the distinction between practical and prudential acts, as is clear from the second, much broader definition of an interest. As early as the ‘A edition’ of the Critique of Pure Reason, Kant famously outlines these interests in the form of three questions. “All interest of my reason (the speculative as well as the practical) is united in the following three questions: 1. What can I know? 2. What should I do? 3. What may I hope?” The first question is to what the speculative interest of reason is directed (the theoretical), the second the practical interest (the moral), and the third both the speculative and

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1318 Kant Critique of Practical Reason 236 [5:119 – 20]
1320 Kant Groundwork of the Metaphysics of Morals 67 [4:413]
1322 Kant Critique of Pure Reason 677 [A804-5/B832-3]
practical interests.\textsuperscript{1323} The third question may even be regarded as a pragmatic interest insofar as it is concerned with the acquisition of happiness. The aesthetic is distinct from these three by virtue of lacking an interest entirely (aesthetics is ‘disinterested’). “These interests form an organic and hierarchical system, which is that of the ends of a rational being.”\textsuperscript{1324} Interests thus determine a unitary rank-and-file of the mind’s capacities, or faculties. There are two ways in which the faculties of the mind are ranked: by means of the nature of its cognition (which is rooted in the specific interest of reason in question), and by the ultimate end of a rational being. In the ‘Introduction’ of the Critique of the Power of Judgment, Kant explains that each faculty of the mind (faculties of cognition, feeling of pleasure and pain, and desire) has a higher form whose \textit{a priori} principles are realized in a specific faculty of cognition (the understanding, the power of judgment, and reason, respectively).\textsuperscript{1325}

Kant’s classifications, ‘faculties of the mind’ and ‘faculties of cognition,’ reveal an ambiguous use of the term ‘faculty’ that should be cleared up before proceeding. The first use of ‘faculty’ indicates the type of relationship between a representation and a subject and object. The faculty of knowledge proper (or cognition) refers to the relationship between the representation and the object insofar as it can be said to correspond to it. The faculty of desire refers to a causal relationship in which the representation causes the subject to bring about the object of the representation. Finally, the feeling of pleasure and pain represents the relationship of a representation to a subject.\textsuperscript{1326} The second use of the term ‘faculty’ provides us with the faculty names most readers of Kant are best familiar with and is defined by the source of a specific kind of representation. The faculty of sensibility is the source of intuitions, the faculty

\begin{itemize}
\item \textsuperscript{1323} Ibid 677 [A805/B833]
\item \textsuperscript{1324} Deleuze \textit{Kant’s Critical Philosophy} 7.
\item \textsuperscript{1325} Kant \textit{Critique of the Power of Judgment} 82-3 [5:197]
\item \textsuperscript{1326} Deleuze \textit{Kant’s Critical Philosophy} 3 – 4.
\end{itemize}
of the understanding is the source of concepts, and the faculty of reason the source of ideas.\textsuperscript{1327} Arguably the list could be extended, such as by including the faculty of imagination as the source of the schemata.

As Deleuze puts it, “…a faculty in the first sense of the word has been defined so that an interest of reason corresponds to it” and faculty in the second sense refers to the faculty “capable of realizing this interest” by providing its legislative \textit{a priori} principles.\textsuperscript{1328} The speculative interest is realized by the understanding’s higher form and the practical interest by reason. The power of judgment does have \textit{a priori} principles of its own, despite judgments of taste being disinterested.\textsuperscript{1329} A faculty is given priority over the others based on the interest being satisfied, since the other faculties are enlisted in its service. For example, the theoretical (i.e. speculative) interest requires that sensibility and imagination prepare intuitions for the understanding. The cognitions it forms are then organized by reason, but only to enable the understanding to further its own ends, since the understanding is only concerned with possible experience.

The other way in which faculties are ranked is less ambiguous: the practical interest always takes priority over the theoretical interest. Kant posits that reason cannot conflict with itself, so its two uses (speculative and practical) have to be in harmony. If both faculties must be in harmony and practical reason goes beyond the speculative, then practical reason is supreme.\textsuperscript{1330} Furthermore, “the interest of [Reason’s] speculative use consists in the \textit{cognition} of the object up to the highest \textit{a priori} principles; that of its practical use consists in the determination of the \textit{will} with respect to the final and complete end.”\textsuperscript{1331} Interests always relate to an end, ends are always for the sake of a final end, and a ‘final end’ can only be realized

\textsuperscript{1327} Ibid 7 – 8.
\textsuperscript{1328} Ibid 9.
\textsuperscript{1329} Kant \textit{Critique of the Power of Judgment} 82- 90 [5:204-5]
\textsuperscript{1330} Ibid 236 – 7 [5:120 – 121]
\textsuperscript{1331} Kant \textit{Critique of Practical Reason} 236 [5:120]
practically. The world, beheld by reason in its theoretical mode, is populated by patients, not agents. Only from a moral perspective does the world realize its final end, since only practical reason can conceive of something as an end-in-itself (rational beings) as well as of a suprasensible world in which the Highest Good (happiness proportionate to moral worth) is achieved. Thus, the ultimate priority of practical reason already sets it apart from theoretical cognition.

Kant is quite explicit: There is a “warrant of pure reason in its practical use to an extension which is not possible in its speculative use.” Kant continues:

In order now to discover this condition of the application of the concept in question to noumena, we need only recall why we are not satisfied with its application to objects of experience but would like to use it of things in themselves as well. For then it soon becomes apparent that it is not a theoretical but a practical purpose that makes this a necessity for us.

The understanding cannot satisfy the practical interest since it is insufficient to determine the will. Instead it is reason which must stand in relation to the faculty of desire (or will). If we consider that the understanding is only concerned with nature, it makes sense that reason, which is not bound to experience, is the only faculty capable of legislating an ‘ought’ rather than an ‘is.’ Likewise, it makes sense that such an ‘ought’ may rely on postulates concerning a noumenal realm that may undergird it.

The faculty of desire is considered pure, and is even called pure practical reason itself, only insofar as it is moral, determined by ‘the mere representation of a law,’ or the form of universality. Since the moral law is not concerned with content but rather form, it is not empirical but rather the product of reason alone. Given that the moral law can still determine the

1332 Deleuze Kant’s Critical Philosophy 44 – 45.
1333 Kant Critique of Practical Reason 180 [5:50]
1334 Kant Critique of Practical Reason 184 [5:54 – 55]
1335 In the Critique of Practical Reason Kant has left it ambiguous what the faculty of reason means in this case: “…insofar as the pure understanding (which in this case is called reason)…” Ibid 184 [5:55]
1336 Ibid 184 [5:55]
1337 Ibid 184 [5:55]
actions of the will without considering appearances, it becomes evident that there exists a
determining ground for the will that escapes the deterministic chain of cause and effect of the
phenomenal world.\textsuperscript{1338} Once one’s actions are determined by rational principles rather than
inclinations, one is free. Here we see a characteristically Kantian move: What in the \textit{Critique of
Pure Reason} produced dialectical illusion - Reason’s detachment from experience - becomes the
basis for the will’s freedom. A disadvantage becomes an advantage.

But since “the concept of a being that has free will is the concept of a \textit{causa
noumenon}”\textsuperscript{1339} practical reason has exceeded the bounds of what speculative reason can
accomplish. Kant already granted that freedom was logically possible since presupposing it and
determinism does not necessarily result in a contradiction so long as one was noumenal and the
other phenomenal. Now this possibility is conceptually determined as a practical necessity, but
without this necessity comprising a theoretical cognition.

\dots I do not now claim \textit{to know theoretically} by this concept the constitution of a being \textit{insofar as} it
has a \textit{pure} will; it is enough for me to thereby only designate it as such a being and hence only to
connect the concept of causality with that of freedom (and with what is inseparable from it, the
moral law as its determining ground); and I am certainly authorized to do so by virtue of the pure,
not empirical origin of the concept of cause, inasmuch as I consider myself authorized to make no
other use of it than with regard to the moral law which determines its reality, that is, only a
practical use.\textsuperscript{1340}

In other words, practical reason does not provide a doctrine of the soul, only an ethics
commensurate to one. A skeptic may say that this is at odds with the most fundamental tenet of
practical philosophy: to determine one’s actions always in accordance with what one knows. But
one has but to see how modest Kant is with such claims to see that this criticism misses the point.
Practical reason provides us with only as much as is necessary to compel moral action. A
metaphysical system cannot be developed from its principles.

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\textsuperscript{1338} Ibid 162 [5:28 – 29]
\textsuperscript{1339} Ibid 184 [5:55]
\textsuperscript{1340} Ibid 184 – 5 [5:56]
\end{flushright}
Thus, from the notion of a pure will comes a new concept of causality: freedom. It is possible for causality to be re-conceived outside of the bounds of the empirical precisely because the understanding does not limit the application of concepts to intuitions alone. Since we can only think by means of concepts and it is possible for thought to breach the bounds of possible experience, it is at least possible for concepts to think about the noumenal, albeit only from a practical interest. \textsuperscript{1341} Categories can thus be given significance in at least one of two ways: by means of either intuitions or the moral law.

…thus I have, indeed, no intuition that would determine [the objective theoretical reality of the concept of an empirically unconditioned causality], but it has nonetheless a real application which is exhibited \textit{in concreto} in dispositions or maxims, that is, it has practical reality which can be specified; and this is sufficient to justify it even with regard to noumena.\textsuperscript{1342}

The very fact that the will can conform its maxims to the moral law gives us license for judging the will to be free. From this eventually follows postulates concerning the immortality of the soul and God’s existence, each ‘demonstrable’ based on practical necessity alone.

\textit{The Categories of Freedom as Clue (Leitfaden)}

Kant notes that practical reason determines its principles first, starting with the faculty of Reason, and only after that is secured, determines its concepts of freedom with the faculty of the Understanding. That’s because if the concept of the good (object) preceded the mere form of lawfulness (i.e. the principle of morality) we would fall into heteronomy of choice.\textsuperscript{1343} This is what Deleuze refers to as the third great ‘reversal’ of the Kantian revolution, its ‘third poetic formula’.\textsuperscript{1344} \textit{“the concept of good and evil must not be determined before the moral law...but only...after it and by means of it.”}\textsuperscript{1345} While a full account of the moral law has yet to be

\textsuperscript{1341} Ibid 184 [5:55]
\textsuperscript{1342} Ibid 185 [5:56]
\textsuperscript{1343} Ibid 190 – 191 [5:62 – 5:63]
\textsuperscript{1344} Deleuze \textit{Kant’s Critical Philosophy} vii, ix-xi.
\textsuperscript{1345} Kant \textit{Critique of Practical Reason} 190 [5:63]
the derivation of these categories of freedom is necessary to provide a clue as to how
the categories of understanding can be used to derive categories that satisfy a different interest of
reason. These new categories of self-constitution, in turn, frame my engagement with Kant and
Foucault’s ethical works (the latter of which I will reinterpret in this chapter).

We have already explored how the category of causality can be pushed beyond its
speculative limits because a category is produced by the understanding, which is intelligible in
nature rather than sensible, and need not be shackled to phenomenal applications. Insofar as this
category is not deployed in the speculative interest, but rather the practical interest, it is not
misapplied. Causality pushed beyond these sensible limitations is reinterpreted by the practical
interest as ‘will determination in accordance with the moral law rather than empirical
inclinations,’ is called ‘freedom.’ But since all categories derive from the same spontaneous
faculty and apply to any object in general rather than just objects of possible experience,
hypothetically the categories of theoretical cognition (also called ‘categories of nature’) can all
be pushed beyond speculative limits, insofar as they remain in the service of the practical
interest. Kant does this when he drafts twelve moral categories – the categories of freedom - to
parallel the categories of nature.

They are…without exception, *modi* of a single category, namely that of causality, insofar as the
determining ground of causality consists in reason’s representation of a law of causality which, as
the law of freedom, reason gives to itself and thereby proves itself a priori to be practical.1347

Each category of freedom is but a moral analogue of a category of the understanding interpreted
as a kind of free causality. In fact, Kant will go on to argue that the intelligible world of the
thing-in-itself (the noumenal) should be analogously understood as a world of laws just like the

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1346 As will be seen, the moral principle in question is that ‘all maxims should be rendered capable of being
universalized without resulting contradiction.”
1347 Ibid 192 [5:65]
sensible world of appearances (the phenomenal). The former, intelligible laws are moral, while the latter, sensible laws are natural.

But why must these ‘categories of freedom’ be derived from the categories of nature? Because while moral actions are determined by laws of freedom (the moral law), they are also events in the sensible world. Therefore the categories of the understanding must be used,

…but not with the view to a theoretical use of the understanding, in order to bring a priori the manifold of (sensible) intuition under one consciousness, but only in order to subject a priori the manifold of desires to the unity of consciousness of a practical reason commanding in the moral law, or of a pure will.1349

This passage, arguably one of the most crucial to the project at hand, implies that the categories of freedom achieve a task similar to the categories of nature, one of organizing a manifold in accordance with a unitary consciousness. Furthermore, this unity is constitutive of subjectivity itself. As Christine Korsgaard says in *Self-constitution: Agency, Identity, and Integrity*,

…particularistic willing eradicates the distinction between a person and the incentives on which he acts. And then there is nothing left here that is the person, the agent, that is his self-determined will as distinct from the play of incentives within him. If you have a particularistic will, you are not one person, but a series, a mere heap, of unrelated impulses. There is no difference between someone who has a particularistic will and someone who is the cause of his actions. So particularistic willing isn’t willing at all.1350

The heteronomous subject is thus not a subject at all, but rather a confusion of impulses. The theoretical interest and the practical interest thus effect a parallel unity in their respective manifolds by means of either the transcendental unity of apperception (the application of the categories of nature) or the pure will (by means of the categories of freedom). Apperception and the pure will will seem to be different expressions for the same unifying ‘I.’ However, the practical interest attempts to deliberately unify the manifold of experience; it aims to create a moral

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1348  Kant *Critique of Practical Reason* 196 – 197 [5:70] He refers to this analogy of as the ‘type of an intelligible nature.’
1349  Ibid 192 [5:65]
subject. The only analogue theoretical reason has is the deliberate use of reason to organize cognitions into a unifying system by means of syllogistic reasoning.

However, for the heteronomous desires that comprise the inner manifold of an unfree desiring entity to be truly bound up in the phenomenal world, would they not have to be unified by means of categories of nature, since it is by means of the application of Causality and the subsequent application of the Second Analogy of Experience that we can claim that such desires are implicated in the natural world of time-determinations that make freedom impossible? If that’s the case, then there seem to be two distinct classes of unity effected by the same ‘I,’ one that unifies the manifold of desire in accordance with nature and produces a natural being (a passive animal) and one that produced a free rational agent. This is in perfect accord with the function of categories of nature to produce objects, not subjects. And as seems evident, the categories of freedom produce me as a free agent but leave the Other relatively undetermined, except as a free rational being. How I encounter an Other as a subject is left undecided (which will be addressed in the final section of this chapter).

But how is ‘free’ unity effected in the manifold of desire? To understand that, we must turn to the categories of freedom. We are familiar with what makes theoretical cognition possible: the subsuming of an intuition under a category of nature, typically in the form of a judgment where the Subject term is the intuition and the Predicate term the concept (Let’s say, “This body is a substance”). But practical cognition does not require pure intuition, but instead, the pure will. From the pure will come the categories of freedom which in relation to ‘the supreme principle of freedom’ produces a particular disposition in the will. The sufficiency of this pairing to effect such a dispositional change implies that the categories of freedom themselves become practical cognitions when they do so. In other words, categories of freedom
produce the very reality (a disposition of the will) to which they refer.\textsuperscript{1351} It is now evident what Kant means when he says that rational principles allow for self-determination. “Reason is thus that faculty which legislates immediately in the faculty of desire. In this form it is called ‘pure practical reason.’ And the faculty of desire, finding its determination \textit{within} itself (not in content or in an object) is strictly speaking called will, ‘autonomous will.’”\textsuperscript{1352}

Kant is slightly more helpful explaining the derivation of the categories of freedom, albeit he believes their derivation to be mostly intuitive to the reader: “I add nothing further here to elucidate the present table, \textit{since it is intelligible enough in itself}:”\textsuperscript{1353} Each category is a mode of free causality, making twelve categories of freedom in total - three quantitative categories, three qualitative, three relational, and three modal - just like the categories of nature. Like with the categories of nature, there is a triadic dialectical pattern in each of the four category groups.

\textsuperscript{1351} These categories of freedom – for this is what we are going to call them in contrast to those theoretical concepts which are categories of nature – have an obvious advantage over the latter, inasmuch as the latter are only forms of thought which, by means of universal concepts, designate only indeterminately objects in general for every intuition possible for us; the former, on the contrary, are directed to the determination of a free choice (to which indeed no fully corresponding intuition can be given but which – as does not happen in the case of concepts of the theoretical use of our cognitive faculty – has as its basis a pure practical law a priori); hence, instead of the form of intuition (space and time), which does not lie in reason itself but must be drawn from elsewhere, namely from sensibility, these, as practical elementary concepts, have as their basis the \textit{form of a pure will} as given within reason and therefore within the thinking faculty itself; by this it happens that, since all precepts of pure practical reason have to do only with the \textit{determination of the will}, not with the natural conditions (of practical ability) for \textit{carrying out its purpose}, the practical a priori concepts in relation to the supreme principle of freedom at once become cognitions and do not have to wait for intuitions in order to receive meaning; and this happens for the noteworthy reason that they themselves produce the reality of that to which they refer (the disposition of the will), which is not the business of theoretical concepts. But one must note well that these categories concern only practical reason in general and so proceed in their order from those which are as yet morally undetermined and sensibly conditioned to those which, being sensibly unconditioned, are determined only by the moral law. Ibid 192 – 193 [5:65 – 66]

We can now see why the moral law can give categories of freedom significance rather than leaving them empty: categories of freedom ‘produce’ the dispositions of will to which they ‘refer.’ They can do this in part because categories of freedom are based on ‘the form of a pure will as given within reason’ and only determine the will to act, rather than actually enable the sensible performance of that act. The latter would require mediation akin to the schematism since it would involve both intelligible and sensible objects. But no such differences in nature exist as a gulf between concept and determination of the will since the thinking mind determines its own actions based on its own principles and concepts. This is ultimately how a ‘pure will’ is defined. Ibid 192 – 193 [5:65 – 66]

\textsuperscript{1352} Deleuze \textit{Kant’s Critical Philosophy} 28.

\textsuperscript{1353} Kant \textit{Critique of Practical Reason} 194 [5:67] italics mine.
The Table of the Categories of Freedom with Reference to the Concepts of the Good and Evil

Concerning the Categories of Quantity:

1. Unity ➔ Subjective, according to maxims (wishes and desires of the individual’s will)
2. Plurality ➔ Objective, according to principles (precepts)
3. Totality ➔ A priori principles of freedom, both subjective and objective (laws)

Concerning the Categories of Quality

4. Reality ➔ Practical rules of commission (praeeptivae)
5. Negation ➔ Practical rules of omission (prohibitivae)
6. Limitation ➔ Practical rules of exception (exceptivae)

Concerning the Categories of Relation

7. Substance ➔ Relation to personality
8. Causality ➔ Relation to the condition [Zustand] of the person
9. Community ➔ Reciprocally, relation of one person to the condition of others

Concerning the Categories of Modality

10. Possibility and Impossibility ➔ The permitted and the forbidden
11. Existence and Nonexistence ➔ Duty and that which is contrary to duty
12. Necessity and Contingency ➔ Perfect and imperfect duty1354

The categories “proceed in their order from those which are as yet morally undetermined and sensibly conditioned to those which, being sensibly unconditioned, are determined only by the moral law.”1355 While this formula of derivation seems clear enough, at least two ambiguities remain: 1) is each category a causal mode of a category of nature or is the table derived purely from the concept of freedom and merely follow a parallel derivation?, and 2) are the categories organized into four interdependent groups or are they part of a holistic sequence that ends in the modal categories, which are strictly speaking, the only categories Kant says are not merely ‘practical principles in general’ but ‘those of morality’?1356 Because of these ambiguities, a strict exegesis of the text will be required.

Regarding whether or not one (causality) or all categories are in play when deriving the table of the categories of freedom, Kant says, “…the determinations of a practical reason can

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1354 Ibid 193 - 194 [5:66 ]
1355 Kant Critique of Practical Reason 193 [5:66]
1356 Ibid 194 [5:67]
take place only with reference to [appearances] and therefore, indeed, conformably with the categories of the understanding…” The use of the plural ‘categories’ would seem to imply that all categories are in play, unless Kant means by this the class ‘categories of the understanding,’ to which ‘causality’ belongs, rather than the specific categories (i.e. it could still be a vague reference to causality alone). The second relevant passage immediately follows the table of categories of freedom:

One quickly sees that in this table freedom is regarded as a kind of causality – which, however, is not subject to empirical grounds of determination – with respect to actions possible through it as appearances in the sensible world, and that consequently it is referred to the categories of their natural possibility, while yet each category is taken so universally that the determining ground of that causality can be taken to be also outside the sensible world of freedom as the property of an intelligible being, until the categories of modality introduce, but only problematically, the transition from practical principles in general to those of morality…

It is possible that ‘the categories of their natural possibility’ might refer to the pairing of each category of freedom with a category of nature, since this would align with the previous assessment that actions, as appearances, tie the categories of freedom to the categories of understanding (plural). While the question is still unsettled, it seems plausible that since there is an undeniable, albeit vague connection asserted between the categories of freedom and understanding, that we can take superficial similarities between these categories to indicate an implicit pairing, especially if Kant asserted the derivation to be obvious to the reader.

Sometimes the Table follows the general pattern of the Table of the categories of nature: A positive category (the first) is opposed by its inversion (the second) and then synthesized into another category that both contains the preceding categories and moves beyond them (the third). This is most apparent in the categories of Quality. For example, it is easy to see how ‘Reality,’ a positive quality, can be converted into ‘Practical rules of commission’ or ‘Negation,’ a negative

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1357 Ibid 192 [5:65] The referent is ambiguous and could also be ‘events in the sensible world’ rather than ‘appearances.’ Nonetheless, both referents amount to the same fundamental meaning in this context.
1358 Ibid 194 [5"67] Italics mine
quality, can be converted into ‘Practical rules of omission,’ since Reality affirms and Negation negates.

But that pattern doesn’t always seem to hold, leaving the principle of determination unclear. When considering Quantity, it seems like the only way Unity could imply the individual at all is if Unity were associated with Singular judgments rather than Universal ones. Granted that the Universal concerns laws, it makes sense that Totality (paired with it) would imply moral laws (as the Totality-adjacent category of freedom does). One could argue that Universality is a form of Unity (it is unit-making, and thus individual), Plurality the form of material determinations, and Totality the unity of material determinations, in which case the category order is both maintained and in conformity with the thesis–antithesis–synthesis triadic structure. Furthermore, maintaining the parallel ordering (Universality-Unity, Particular-Plurality, Singular-Totality) aligns better with the parallel Kant notes between the three formulations of the Categorical Imperative, in which the form concerning Universality is paired with Unity, Plurality with particular rational agents, and Totality with a Kingdom of Ends. I can only conclude that Kant either inconsistently associates the Quantitative judgments and categories due to an error or that there is something intrinsic to Universal and Singular judgments that leads to this ambiguity. And in fact, the latter seems, at minimum, the case.

The logicians rightly say that in the use of judgments in syllogisms singular can be treated like universal ones. For just because they have no domain at all, their predicate is not merely related to some of what is contained under the concept of the subject while being excluded from another part of it. The predicate therefore holds of that concept without exception, just as if the latter were a generally valid concept with a domain with the predicate applying to the whole of what is signified.1360

1360 Kant *Critique of Pure Reason* 207 [A71/B96]
While it is not clear how this ambiguity, in each case, could play out, it does not seem a coincidence that this judgment-category pairing is the only ambiguous pairing.\footnote{1361}

The second ambiguity, concerning whether or not there are four independent sequences or one sequence of categories, does not have a similar suggestive tell. We’ve already seen above that the categories ‘proceed in their order from those which are as yet morally undetermined and sensibly conditioned to those which, being sensibly unconditioned, are determined only by the moral law’ and that only the categories under modality are properly moral (the others are merely practical principles). This is presumably because only the modal categories refer to duty or have the force of imperatives, which requires necessity to back it. That alone would seem to suggest one rather than four distinct sequences of categories, even if the formula for derivation seems to be lacking. The concluding paragraph of the section, while supporting this claim, does not provide an explicit method for derivation:

\ldots one knows at once from the above table and its first number where one has to set out from in practical considerations: from the maxims that each bases on his inclination, from the precepts that hold for a species of rational beings insofar as they agree in certain inclinations, and finally from the law that holds for all without regard for their inclinations, and so forth. In this way one surveys the whole plan of what has to be done, every question of practical philosophy that has to be answered, and also the order that must be followed.\footnote{1362}

The fact that Kant does not give an example of transitioning between category groups suggests perhaps that explaining how such a transition takes place may prove difficult.

However, one may say that the categories that precede Modality seem sufficiently moral. Certainly the final quantitative category ‘a priori principles of freedom’ seems to hold the force of the moral law even though it is not Modal (are not the principles of freedom the same as moral principles?). Is it possible that there is an alternative derivation of these categories of freedom?

\footnote{1361}{The remainder of the passage does seem to connection the Singular judgment to Unity: “If, on the contrary, we compare a singular judgment with a generally valid one, merely as a cognition, with respect to quantity, then the former relates to the latter as \textit{unity} relates to infinity, and is therefore in itself essentially different from the latter.” \textit{Kant Critique of Pure Reason} 209 [A71/B96]}
\footnote{1362}{\textit{Kant Critique of Practical Reason} 194 [5:67]}
that starts with Modal categories and proceeds to Quantitative categories? And is it possible that such a derivation might better explain how to transition from triad to triad?

Whether or not there is a necessary sequence in Kant’s various tables of categories has been a matter of scholarly debate. In The Completeness of Kant’s Table of Judgments, Klaus Reich argues that the sequence found in the tables of logical judgments is essential to proving the completeness of the table, and runs from assertoric judgments, to categorical judgments, then hypothetical judgments, problematic judgments, disjunctive judgments, and from here, apodictic judgments, affirmative judgments, negative judgments, universal judgments, and particular judgments.1363 Is it possible to analogously derive the categories of freedom from the concept of duty as such (the correlate to the assertoric judgment)?

If the pattern holds, the sequence of derivation would be the following:

1. Duty and what is contrary to duty
2. Relation to personality
3. Relation of condition to the person
4. What is permitted and not permitted
5. Reciprocally, relation of one person to the condition of others
6. Perfect and imperfect duty
7. Practical rules of commission
8. Practical rules of omission
9. A priori principles of freedom, both subjective and objective (laws) (assuming Totality corresponds with Universality)
10. Objective, according to principles (precepts)

It seems that duty assumes a subject that complies with it, which assumes that duty acts as a determination of the will. But for this determination of the will to be moral, it must assume

1363 The argument is intricate but seems to be the following: He starts with the definition of a judgment as objectively valid (the assertoric judgment), and from here deriving the categorical judgment (since judgments are relations between a subject concept and a predicate concept), then the hypothetical judgment from relating two categorical judgments to each other, then the problematic judgment from the observation that each judgment in a hypothetical judgment does not assert a truth claim. From here is derived the disjunctive judgment, which is the unity of two mutually exclusive judgments that together make a cognition. From the disjunctive judgment come the rest of the judgments, as a mutually exclusive relation assumes an apodictic judgment, an affirmative judgment, a negative judgment, a universal judgment, and a particular judgment. Neither the infinite judgment or the singular judgment are derived by means of this method. Reich, Klaus, The Completeness of Kant’s Table of Judgments. trans. Jane Kneller and Michael Losonsky (Stanford: Stanford University Press, 1992) 41-59.
actions that are permitted and forbidden. These actions are performed in a community of rational beings (a kingdom of ends). If the parallel holds, then the analogue to the disjunctive judgment (a Moral Community) is the cornerstone upon which the rest of the categories can be derived. If it is fair to interpret a moral community as a Kingdom of Ends (the third, most developed formulation of the Categorical Imperative), then it’s possible. Kinds of duties are distinguished based on whether or not they could hold as moral for a kingdom of ends. If a duty is a logically necessary duty for a community, it is perfect; if not, it is imperfect. From here could be derived practical principles of commission and omission. From the distinction between logically necessary duties and duties that are not may then derive universal laws and objective principles.

However, such a derivation borders on fanciful. Reich’s argument may provide the grounds for a theoretical sequence of logical functions that may implicate an analogous sequence for categories of nature, but this sequence seems counter to the sequence Kant proposes for the categories of freedom. It seems likely that Kant sees a systematic principle unfolding in sequences throughout each table, even while asserting the primacy of each individual category, but there is no guarantee that the sequence is commensurate between tables. And insofar as we are merely trying to gain a clue as to how to derive Categories of Self- Constitution, it may be sufficient to recognize that such categories hug both the natural and moral worlds and thus, in like manner, the categories of nature may be appealed to for guidance.

*The Paralogisms as Clue*

But since our concern is with the subject and the Paralogisms already determine the categories which uniquely ‘think’ the subject, it is possible that only those categories need to be translated into Categories of Self-Constitution (Or, at minimum, we may resort to references to the four category headings). We already determined the following:
1. The first Paralogism fallaciously concluded the subject to be a substance (based on the speculative application of the concept of Substance and Inherence).

2. The second Paralogism fallaciously concluded the subject to be simple (based on the speculative application of the concept of Reality).

3. The third Paralogism fallaciously concluded the subject to be a persisting personality (based on the speculative application of the concept of Unity).

4. The fourth Paralogism fallaciously concluded the subject to be distinct from the body and surrounding world (based on the speculative application of Existence/Non-Existence).

If it is fair to take Kant’s lead on both accounts (both his derivation of the categories of freedom and his derivation of the categories that when inappropriately used produce the Paralogisms) then we can use these four categories as clues, or correlative categories of nature for outlining four distinct ascetic practices for self-constitution. These in turn can be converted into principles, which, being drafted by Reason, by implication, render us free by following them. The activity is grounded in freedom when these principles condition the will. *In this way we conceive of the subject qua subject, as an agent that becomes what it is.*

Granted the speculative nature of this task, I will briefly outline this Table of Self-Constitution, only to highlight the architectonic and how it will frame my further discussions of Kant and Foucault. Then I will fit these results into the ethical framework Foucault provides us in *Volume II of The History of Sexuality.* However, it is not the task of this dissertation to fully explain or justify this architectonic, which would be a task that exceeds the bounds of a dissertation, merely to introduce a larger project.
The Table of Self-Constitution

<table>
<thead>
<tr>
<th>Category of the Understanding (with underlying logical function)</th>
<th>Paralogistic Category and Speculative Predicate</th>
<th>Category of Self-Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unity (Universality/Singular)</td>
<td>Personality</td>
<td>Kantian Ascesis: Unify consciousness (The pure will conditioned by the form of universal law)</td>
</tr>
<tr>
<td>Reality (Affirmative)</td>
<td>Simplicity</td>
<td>Deleuzian Counter-Actualization: Remove all barriers (representation, territorialization, molar identities) to what one can do</td>
</tr>
<tr>
<td>Substance and Inherence (Categorical Syllogism)</td>
<td>Mental Substance</td>
<td>Badiouian Ideation: Retain a faithful relationship to the Event; Identify with the Immortal within by cleaving to the Idea</td>
</tr>
<tr>
<td>Existence/Non-Existence (Assertoric)</td>
<td>Distinctness from Body and World</td>
<td>Foucaultian Askesis: Explore new modes of existence that allow more efficient resistance to power</td>
</tr>
</tbody>
</table>

If Foucault’s ethical categories are applied, the Table of Self-Constitution resembles this:

<table>
<thead>
<tr>
<th>Thinker</th>
<th>Ethical Substance</th>
<th>Mode of Subjection</th>
<th>Elaboration of Ethical Work</th>
<th>Ethical Telos (Subject-Form)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Kant</strong>&lt;sup&gt;1364&lt;/sup&gt;</td>
<td>Intention</td>
<td>Unify by means of the Categorical Imperative (Unity)</td>
<td>Ethical Ascetics</td>
<td>The Universal Subject</td>
</tr>
<tr>
<td>Deleuze</td>
<td>Power</td>
<td>Affirmation (Reality)</td>
<td>Counter-Actualization</td>
<td>Becoming-Imperceptible</td>
</tr>
<tr>
<td>Badiou</td>
<td>Belief (Loyalty)</td>
<td>Fidelity to the Event (Substance)</td>
<td>Ideation</td>
<td>Subject of Truth</td>
</tr>
<tr>
<td>Foucault</td>
<td>Pleasure</td>
<td>Intensification (Existence)</td>
<td>Homosexual Ascesis</td>
<td>Homosexual</td>
</tr>
</tbody>
</table>

<sup>1364</sup> Foucault, “On the Genealogy of Ethics,” in *The Essential Foucault* 111,125.
Divine Cognition as Clue

I have made the bold claim that practical reason is capable of determining not merely what we should do but what we should become (in order to be free beings). I then determined that Kant may have provided the grounds for outlining the parameters for determining what we can become by reinterpreting the four speculative predicates of the Paralogisms as four subject-ideals. I called the discipline that derives this architectonic and that conceives of the subject as a subject practical psychology. Practical psychology sacrifices knowledge of the origin for rationally determined knowledge of the destination. I would like to conclude the introduction to this speculative agenda by discussing why practical reason seems most appropriate for not only determining this rational end but also creating it. I will do so by bridging the theoretical-practical divide by means of a comparison between practical reason and Divine cognition.

The faculty of desire can be defined as “a being’s faculty to be by means of its representations the cause of the reality of the objects of these representations.”¹³⁶⁵ We have already seen that pure practical reason, which determines its principle – the moral law - immanently, and the will, are the same. This effectively means that the will acts freely insofar as it creates its own determining principle. Let us now compare this account of pure practical reason’s capacities with Divine cognition. Divine understanding (or intuition) “would not represent given objects” but would instead “give” or “produce” its objects by means of its “representations.”¹³⁶⁶ Since practical reason creates its principle, it also determines its ends similarly to how the Divine understanding effectively understands (and intuits) by creating its object. It is because of the ideal model of Divine cognition that it seems possible to know what one can become based on the practical use of reason because one makes that reality happen.

¹³⁶⁵ Kant Critique of Practical Reason 144 [5:10]
¹³⁶⁶ Kant Critique of Pure Reason 253 [B143]
6.2: Kantian Ethics - How a Subject Preserves Its Freedom and Subjecthood

*Kantian Ethics Proper*

In the *Critique of Pure Reason*, Kant attempts to find the conditions for something to be an object of possible experience. Neglected is the correlative task of finding the conditions for someone to be a *subject* of possible experience. With rare exception, we immediately distinguish people from inert objects. Why? Kant address the problem of subjectivity in at least two ways: 1) by demonstrating that the persisting personality that underlies the observable behaviors of rational beings (the soul) cannot be an object of possible experience and instead can only act as a regulative idea for systematizing psychological cognitions, in the *Critique of Pure Reason*, and 2) by attempting to determine the conditions that define rational beings as moral agents *qua* subjects in the *Critique of Practical Reason*. I have fully demonstrated the first approach in Chapter 1. Furthermore, I demonstrated the exhaustive ways in which Kant theorizes that the subject subverts his own freedom (makes himself into an object) in Chapters 2 and 3. I will explore the second approach in this chapter.

In Chapter Three, I discussed Kant’s theory of heteronomy of choice. A principle is heteronomous if it is a practical principle which subverts the subjecthood of the moral subject, rendering the determination and success of practical efforts contingent upon the external phenomenal chain of cause and effect rather than its own self-determined rational legislation. According to the Third Antinomy, freedom and time are mutually exclusive, so there can be no phenomena of freedom:

The concept of causality as *natural necessity*, as distinguished from the concept of causality as *freedom*, concerns only the existence of things insofar as it is *determinable in time* and hence as appearances, as opposed to their causality as things in themselves. Now, if one takes the determinations of the existence of things in time for determinations of things in themselves (which is the most usual way of representing them), then the necessity in the causal relation can in no way be united with freedom; instead they are opposed to each other as contradictory. For, from the first it follows that every event, and consequently every action that takes place at a point of time, is necessary under the condition of what was in the preceding time. Now, since time past is no
longer within my control, every action that I perform must be necessary by determining grounds
that are not within my control, that is, I am never free at the point of time in which I act.1367

Despite their incompatibility within experience, Kant demonstrates that freedom and necessity
are both compossible in the Critique of Pure Reason (necessity belonging to phenomena while
freedom remaining a logical possibility belonging to noumena). Nonetheless, all that could be
said from a theoretical perspective was that speculative reason cannot pass a verdict on freedom.
In that respect he has only accomplished a negative task, saying what Reason cannot know about
freedom, rather than what it can. As previously covered, it is not until his ethical works that
Kant develops a positive account of freedom, defining the subject as a moral agent, and
irrevocably binding the fate of the subject to both freedom and morality. As I will explain in this
chapter, without a rational and, ultimately, noumenal (timeless), determining ground for making
decisions, a subject is nothing more than an object driven by sensible inclinations, inclinations
bound up in our animal nature. And while humanity in its sensible (or phenomenal) capacity
may be inclined towards happiness, this happiness will always be the mechanical aftermath of a
confluence of sensible causes outside of my control.

After defining what up until his time had masqueraded as morality1368 amongst the
learned, Kant attempts to identify the criteria a principle would need to measure up to in order to
be properly moral. In the previous section I referred to this as the moral law. Kant determines
this ‘supreme principle of morality’1369 in the Groundwork of the Metaphysics of Morals (1785),
and then attempts to “present the unity of practical with speculative reason in a common

1367 Kant Critique of Practical Reason 215-216. [5:94]
1368 Covered in Chapter 2. “anything empirical that might slip into our maxims as a determining ground of the will
makes itself known at once by the feeling of gratification or pain that necessarily attaches to it insofar as it arouses
desire…” Kant Critique of Practical Reason 213. [5L91-92] In other words, any practical principle that is
conditioned on something material (an actual object) rather than the immediate form of the maxim is ultimately
mediated by the faculty of sensibility (‘feelings of gratification or pain’).
1369 Kant Groundwork of the Metaphysics of Morals 47. [3:392]
principle” in the *Critique of Practical Reason* (1788). It will not be until *The Metaphysics of Morals* (published in two installments, ‘Metaphysical First Principles of the Doctrine of Right’ and ‘Metaphysical First Principles of the Doctrine of Virtue’ in 1797) that a full sketch of duties will be outlined. Most of my attentions will be directed towards the first two texts, the *Groundwork of the Metaphysics of Morals* and the *Critique of Practical Reason*. Rather than try to synthesize these three accounts into one section, I will take each individually, starting with the earlier text, the *Groundwork of the Metaphysics of Morals*, and then supplementing it with those innovations found in the *Critique of Practical Reason* and *The Metaphysics of Morals*. If one text provides a richer account of something found in both texts, I will reserve that topic for the discussion of that particular text. That said, *The Metaphysics of Morals* is much too immense a text to do justice to in a chapter that is already grappling with the intricate conceptual apparatus of Kant’s fundamental ethical theory found in the first two texts. Theory, such as is mostly found in the first two texts, typically takes precedence over application since application requires an outline of principles in order to be accomplished. For the sake of manageability, discussion of the *Metaphysics of Morals* will be limited to the parts most salient to elucidating previous discussion, especially so-called ethical ascetics.

*The Groundwork of the Metaphysics of Morals*

At the beginning of the *Groundwork*, Kant frames the question that will drive his entire ethical enterprise:

Since my aim here is directed properly to moral philosophy, I limit the question proposed only to this: is it not thought to be of the utmost necessity to work out for once a pure moral philosophy, completely cleansed of everything that may be only empirical and that belongs to anthropology? For, that there must be such a philosophy is clear of itself from the common idea of duty and of moral laws.\(^{\text{1372}}\)

\(^{\text{1370}}\) Ibid 47. [4:391]


\(^{\text{1372}}\) Kant *Groundwork of the Metaphysics of Morals* 44. [4:389]
Evident in this passage is the familiar indictment of empirical considerations, as well as what is assumed to follow from this exclusion: ‘the common idea of duty and of moral laws.’ The implication of this curious wording is 1) that the common man already has an implicit understanding of pure moral philosophy, and 2) that pure moral philosophy is comprised of duty and law. In a certain respect, all of Kant’s ethical theory follows from his interpretation of ‘duty’ and ‘law’.

From ‘law’ is derived not only necessity but also universality, since the bounds of a law are absolute and universal. Granted that the natural connotations of law are commensurable with these qualities, the moral law, by analogy, is also absolute and universal. But while natural laws are descriptive, moral laws are prescriptive. Therefore the moral law commands absolutely and universally (As can already be ascertained from Chapter Three, in order for the moral law to be universal and necessary it must “lie a priori in our reason,” rather than be empirically derived). Essentially, the moral law is the form of universality itself. A command, such as “Thou shall not lie” would not be conditional on circumstances or parties affected. It would be applicable to all rational beings with the same unequivocal binding force.

In Kant’s terminology, the moral law must take the form of a categorical imperative rather than a hypothetical imperative. I do not choose which moral laws I obey based on my desires. If I chose the ends of my imperatives, I could just as easily abandon them and all moral obligations to that end would go with it. Rather the moral law commands regardless of my desires, inclinations, and, ultimately, any factor that distinguishes me in my particularity from other

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1373 Ibid 45. [4:390]
1374 Ibid 44-45. [4:389] Kant uses this same exact example, most likely because it is the clearest example of a duty that can be universalized.
rational beings. Kantian ethics necessarily strips away such particularities in order to arrive at the proper moral plane, populated solely by rational wills.

From ‘duty’ comes the motive for complying with the moral law. If compliance with the moral law is not conditional, then we must choose to comply with the moral law for its own sake, out of duty. Ultimately the two expressions - ‘out of duty’ and ‘for its own sake’ - mean the same thing. An act may conform to the moral law but if it is not done for the sake of duty it is merely legal, rather than moral. In other words, the attempted act is a necessary but not a sufficient condition for morality. In those cases in which the action is ‘legal’ but the proper motive absent, no moral worth can be attributed to the agent of the action. Why this is the case is easily demonstrable and intuitive to even the most hardened consequentialist. Take the example of a dishonest man, a knavish stockbroker. Let us say that he not only has the reputation for dishonesty and knavery but is also self-aware of this reputation and uses it to his personal advantage in business. If a suspicious client asks him for his professional advice regarding investments, he tells the truth, knowing full well that his client will not believe him and will invest counter to his suggestions, leading to his profits and the client’s loss. On the surface the knave has told the truth, but he spoke true with the intention to deceive. None, neither the deontologist, nor the consequentialist would regard the knave as virtuous. The consequentialist may respond that the negative consequences of this subterfuge with the veneer of honesty are likely to outweigh the benefits but if the benefit to the knave equals the cost to the client, as in this case it seems to, are there any grounds for such a negative evaluation? Furthermore, even if the malicious stockbroker was henceforth saddled with miscalculations, subsequently telling the truth to the gullible and lies to the suspicious, leading to the fruitlessness of his schemes of

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1375 Ibid 45. [4:390]
1376 Ibid 45. [4:390]
honesty and the boon of his clients, no one, not even the consequentialist would applaud the knave or give him credit for his actions.

But Kant takes the consequentialist further to task in the *Groundwork* (further than in his other ethical works), first by dismissing empirical concerns, such as consequences, from being suited to the standards of a categorical imperative, but by then revisiting consequences in a roundabout way that will show that by consequentialism’s own standards only one thing can make a successful bid to the status of ‘good without limitation’: the good will.\(^{1377}\) Consider all of the attributes of a moral agent typically considered good: talents of mind (such as understanding), qualities of temperament (like courage), gifts of fortune (power, wealth, health, even happiness itself). Each one is as equally capable of causing harm as well as benefit if the character of the moral agent possessing them is wicked. Moreover, possession of many of these even enables an agent to do more harm than he would otherwise be capable. A genius can better anticipate how to outsmart an opponent, a strong man how to overcome him, a patient, dispassionate man capable of biding his time until his opponent is weak. Only the possession of a good will *always* makes good use of these attributes without exception.\(^{1378}\) The reader, now familiar with Stoicism, can hear its echoes in this conclusion.

Since Kant is suggesting that proper moral conduct is no mystery to any besides the most sociopathic or insincere of speculative and moral philosophers, he can appeal to the consequentialist on grounds that even he will implicitly accept even if the implications of his moral principle contradict it. Mark Timmons refers to this evaluative criterion as ‘internal support.’ A moral theory cannot contradict a moral belief that is implicitly taken as morally self-
evident in society.\textsuperscript{1379} In other words, there seem to be incontestable moral truths. No one, not even the most hardened utilitarian, would argue that it is good for a self-serving man to gain pleasure from heinous actions, even if those actions only marginally affect others. That is because we implicitly believe that happiness is for those with moral worth, which is proportional to the extent one is in possession of a good will. A grave miscarriage of justice with the moral weight of an indictment cast against the universal order itself would arise if the contingencies of life were to properly align so as to consistently bless cruel men with happiness and virtuous ones with the fates of slaughtered sheep (and in fact Kant is aware that common sense seems to suggest such an indictment since no earthly reward for virtue seems evident). In response to this, a utilitarian could never provide an adequate justification for this turn of events, could never provide grounds for why cruel men ever deserve happiness, and can at best skirt the question of virtue and character entirely.

I pause here to offer possible criticisms. Arthur Schopenhauer argues in \textit{On the Basis of Morals}, that Kant is not justified in assuming that morality is based on either law or duty, and that without an explanation for why it must be so Kant must inevitably assume a Christian theological ethics that’s based both on an ethical principle he’s previously rejected (objective-external material practical principles concerning the Will of God) as well as an implicit eudaimonism, since one can only be compelled to comply with law by appeal to either reward or punishment.\textsuperscript{1380} Furthermore, a heartless man devoid of compassion, when obligated, can only be motivated by fear.\textsuperscript{1381} The subsequent postulates of practical reason (the Immortality of the Soul and God) are subsequently not derived from morality as much as they are already implicitly


assumed by it and, like planted seeds, eventually sprout as if new.\textsuperscript{1382} Nor can Kant maintain for too long that morality and happiness are divorced before he slipped happiness back in by means of the doctrine of the highest good, which promises eternal happiness to the dutiful.\textsuperscript{1383} To these criticisms I say the following: there is no necessary connection between a moral principle based on law and duty and a theological ethics, merely a plausible historical connection that is not necessarily material to the matter at hand. Nor must we assume that compliance to a law must necessarily be precipitated by fear of punishment or promise of reward. Respect is meant to demonstrate how it is possible to comply with the law out of duty. Finally, Kant does not dispel the notion of the Good, only base it upon law and duty. It would be absurd to argue that the Good and happiness are not related since it is evident to all that the happy life is preferable to the sad one. One should not be motivated by the reward of happiness but it’s fair to expect it if one is a good person. Schopenhauer has not demonstrated that this is contradictory.

However, I will grant Schopenhauer’s charge that Kant’s contention that duties of love are nothing more than ‘maxims of benevolence (practical love’)’ rather than ‘delight in the other\textsuperscript{1384}’ bears little resemblance to the common experience of love. In fact, Kant speaks negatively of compassion, since to share the pains of others can only needlessly increase the number of those who suffer, which we could never be obligated to do.\textsuperscript{1385} However, he notes that we have a duty to ‘actively sympathize’ with others and to “cultivate the compassionate natural (aesthetic) feelings in us, and to make use of them as so many means to sympathy based on moral principles and the feelings appropriate to them.”\textsuperscript{1386} In such cases, sympathy can

\textsuperscript{1383} Schopenhauer, Arthur, “On the Basis of Morals” 139.
\textsuperscript{1384} Kant, Immanuel \textit{Metaphysics of Morals} 569 [6:449]
\textsuperscript{1385} Kant, Immanuel \textit{Metaphysics of Morals} 575 [6:475]
\textsuperscript{1386} Kant, Immanuel \textit{Metaphysics of Morals} 575 [6:475]
properly motivate us when ‘representations of duty’ alone will not suffice.\textsuperscript{1387} Thus, Kant does not distain affective love, but only admits that it is impossible to obligate someone to feel a particular way.\textsuperscript{1388} Schopenhauer’s criticisms stem from the assumption that only people who are already good-natured can feel compassion, feel moved by the plight of others, and thus act morally, making morality as such superfluous. Schopenhauer seems to base ethics on compassion only at the cost of the notion of moral obligation.

\textit{The Categorical Imperative}

If morality is composed of categorical imperatives rather than conditional, hypothetical imperatives, is there a fundamental categorical imperative to determine our actions and make us free? Kant identifies three versions of the same categorical imperative. Each version is derived in two ways, which will be explained in context to each imperative. The first two categorical imperative versions are also provided with examples of duties that follow from each version that can be gridded based on two different axes:

\begin{center}
\textbf{Kinds of Duties}
\end{center}

\begin{tabular}{|c|c|c|}
\hline
 & \textbf{Duty to Self} & \textbf{Duty to Others} \\
\hline
\textbf{Narrow Duty} & E.g. Self-Preservation & E.g. Honesty \\
(Based on logical contradiction) & & \\
\hline
\textbf{Wide Duty} & E.g. Cultivation of Talents & E.g. Beneficence \\
(Based on contradiction of the will) & & \\
\hline
\end{tabular}

\textsuperscript{1387} Kant, Immanuel \textit{Metaphysics of Morals} 575-576 [6:475]
\textsuperscript{1388} Kant, Immanuel \textit{Metaphysics of Morals} 569 [6:449]
The First Formulation of the Categorical Imperative

This categorization of duties is primarily derived from the first version of the categorical imperative. The first categorical imperative can itself be articulated in two ways, and is likely the most well-known of the three. This may be because Kant singles out the first categorical imperative version as the best (‘strict’) standard for testing maxims (i.e. for ‘moral appraisal’). 1389 The first articulation is “Act only in accordance with that maxim through which you can at the same will that it become a universal law.” 1390 The second articulation is mostly an abbreviation of the first: “Act as if the maxim of your action were to become by your will a universal law of nature.” 1391 Thus, the moral law that determines the free will must be capable of being a universal law for every rational will. This version is derived from the form a proper maxim must take: the form of universality. 1392 This may be said to be the purest form of the categorical imperative, since Kant prioritizes ‘formal’ principles over ‘material’ ones, concerned with an object (heteronomy of choice). Each version of the categorical imperative also derives sequentially from the categories of Quantity, with the first categorical version deriving from “the unity of the form of the will (its universality).” 1393

The concept of contradiction is essential to the first formulation of the categorical imperative. If a contradiction results when any rational agent attempts to universalize the maxim of its actions, that maxim cannot be properly moral. Kant recognizes two kinds of contradictions that result from testing ‘bad’ maxims by this criterion: a contradiction in thought and a contradiction of will. Some maxims are logically impossible if universalized, while others, despite passing the logical test, would nonetheless never be willed to be universalized by a will.

1389 Kant *Groundwork of the Metaphysics of Morals* 86 [4:436]
1390 Kant *Groundwork of the Metaphysics of Morals* 73 [4:421]
1391 Kant *Groundwork* 73 [4:421]
1392 Ibid 85 [4:436]
1393 Ibid 86 [4:436]
Universalized maxims that are logically impossible violate a ‘perfect,’ or ‘narrow’ duty. Allen Wood says narrow duties are those duties that are both required and “whose omission is wrong or blameworthy.” Universalized maxims that contradict the will are called ‘imperfect,’ or ‘wide’ (‘meritorious’) duties. As can be seen from the above graph, Kant considers each kind of duty in context to oneself and others. Thus, Kant limits his discussion of explicit duties in the *Groundwork* to four: 1) the duty against committing suicide, 2) the duty against making false promises, 3) the duty to cultivate those personal talents which “could make [one] a human being useful for all sorts of purposes,” and the duty to aid others in achieving those ends which aim towards their personal happiness (the duty of beneficence).

The first example of duty is of a perfect duty to oneself. Regarding suicide, Kant derives the following maxim: “From self-love I make it my principle to shorten my life when its longer duration threatens more troubles than it promises agreeableness.” But if self-love is the feeling instilled by nature to encourage the continuation of life, it cannot also incite life’s extinction, which is its opposite. But does a logical contradiction really result from this? Kant assumes that there is a purpose to self-love, and that the maxim of suicide, when universalized, would contradict this purpose. Can we say that self-love by nature aims at self-preservation if it has been observed to do otherwise? And why is it assumed that all suicide is precipitated by self-love? A dying husband may want to spare his spouse the burden of taking care of him, a woman diagnosed with Alzheimer’s might want to preserve her dignity.

Would maxims drafted with those aims also contradict if universalized? Does a change of

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1395 *Kant Groundwork* 75 [4:424]
1396 Ibid 73 – 75 [4:421 – 4:423]
1397 Ibid 74 [4:422 – 423]
1398 Ibid 74 [4:422]
1399 Ibid 74 [4:422]
motive change the status of contradiction? And how much are these ‘logical’ contradictions obfuscating empirical a posteriori reasoning rather than rational a priori reasoning?

The best example Kant provides for demonstrating a perfect duty is ultimately predicated on truth-telling: One cannot make false promises. This is Kant’s second example of duty (the perfect duties we have towards others). Take a potential borrower who promises to repay a loan on false pretenses, since he never foresees having enough money to repay the debt. Kant formulates his maxim as the following: “When I believe myself to be in need of money I shall borrow money and promise to repay it, even though I know this will never happen.” But a lender lends only on condition of getting repaid. If the dishonest borrower’s maxim were universalized, all potential lenders would know that such promises were mere subterfuge and that they would never be repaid. Subsequently lenders would never lend money in the first place. Furthermore, no potential borrower would even ask for a loan because he would know the futility of the dishonest gesture. This is the best illustration of how some maxims, if universalized, would make their very willing logically impossible. A dishonest borrower cannot exist in a world in which borrowing is always assumed to be stealing since the conditions for lending would not exist.

A few things can be noted from Kant’s example. First, all loans must become dishonest loans for it to work. The willing of the maxim renders it a natural law, so all potential borrowers (all rational agents) would have no choice but to attempt subterfuge when lending. It cannot be a matter of all lenders knowing it is possible that the borrower is lying, since that would be no different than how things already are. Each attempt to universalize a maxim attempts to generate a simulated world. Only those maxims that can actually generate a world are proper maxims.

1400 Ibid 74 [4:422]
This is the same thing as saying that only those maxims that can be made into universal laws comply with the first categorical imperative, since a world is a world by virtue of its laws.

Schopenhauer’s critique here is that such an example is based less on logical contradiction than on the fact that no one would want to live in a world in which they would be lied to in the same way they intend to lie. It’s neither ‘pure’ nor based on principle, but is rather a hypothetical imperative based on self-love and happiness.\textsuperscript{1401} To this I note that Schopenhauer obscures the truth of the matter by putting the perfect duty of honesty next to the imperfect duty of beneficence, as if to imply that the grounds for both duties are the same, which they are not. A perfect (narrow) duty must be logically consistent while an imperfect (wide) duty must merely be consistent with the desires of a will. Only the latter is potentially eudaimonistic.

The problem in my calculation lies in the ambiguity between what can be known a priori and a posteriori about a rational agent. If we look at this merely from the perspective of the purpose attributed to the loan (that it is something given with the purpose of being returned), perhaps the contradiction is a logical one based on a contradiction of the purpose of the act or what is essential to either a rational being or the nature of desire (that it aims for ends). And perhaps that’s the case, given that, as Iaian Morrison notes, Kant provides a ‘function-based’ definition of desire: “a desire is composed of something imagined in the future and the possibility of this thing coming into being because it is imagined.”\textsuperscript{1402} But if the contradiction is based on the psychological preferences of a rational agent (that they would prefer not to give a loan they would not have returned) then it seems like an a posteriori claim. Put another way, can we know a priori that a lender would not lend to a borrower, knowing in advance that the loan would never

\textsuperscript{1402} Morrison, Iaian P. D., Kant and the Role of Pleasure in Moral Action. (Athens: Ohio University Press, 2008), 30
be repaid? Does this not presuppose that the lender is self-interested? But haven’t most of us lent money to another without expectation of repayment?

One could argue, as Kant similarly contends in *On a Supposed Right to Lie from Philanthropy* that regardless of the motives of either the lender or the borrower, an act of dishonesty has taken place: By lying I always…

…do wrong in the most essential part of duty in general…that is, I bring it about, as far as I can, that statements (declarations) in general are not believed, and so too that all rights which are based on contracts come to nothing and lose their force; and this is a wrong inflicted upon humanity generally.”

Thus, on the basis of lying alone, I commit an act which, if universalized, would make it impossible to lie, since lying presupposes a deception ruled out by the awareness all rational beings would have that nothing true would ever be spoken. No possible world could exist in which all people lied. The irony of ironies of the matter is that a lender who lends without the intention of being repaid is technically dishonest as well, since the loan was given under the pretense of repayment.

Nonetheless, given that perfect duties leave no room for variant expression (unlike imperfect duties), would not a world in which everyone complied with perfect duty be phenomenally indistinguishable from one in which everyone was programmed to act a certain way? In what way then can we say the former world is inhabited by free beings and the latter not? Only from a noumenal perspective, from which the motivation of action could be known, could the distinction be maintained, making the noumenal a necessary idea for morality.

With Kant’s third example we cross from perfect duties into imperfect duties. According to Wood, a duty is ‘wide’ if “that action or striving on behalf of them is meritorious, but the omission of such action or striving is not blameworthy unless it involves a principle to refuse to

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strive in that direction and to omit all actions of that kind.” In other words, we have options as to how we practice wide duties. A violation of a wide duty can be determined if a universalized maxim is logically possible but not something the will can will (a contradiction of the will results).

Kant’s third example (of an imperfect duty to oneself) concerns the obligation to cultivate one’s talents, demonstrated by testing whether it’s opposite can be universalized: ‘I will neglect the cultivation of those natural talents which make me a human being useful for all sorts of purposes for the sake of enjoyment.’ In other words, this maxim implies a life abandoned to the pursuit of pleasure rather than accomplishment. But can this maxim be universalized without contradictions resulting? A world in which no one cultivated their talents is conceivable, at least according to Kant, who cites ‘South Sea Islanders’ as a possible (very problematic) example. Nonetheless a contradiction of the will would result since those capacities the hedonist considers abandoning “serve him and are given to him for all sorts of possible purposes.” Kant assumes that the will has necessary ends that cannot be obstructed. In a certain respect, Kant is suggesting here that rational beings have a duty to rise above their animality and respect their fully rational, moral nature. The paradox lies in how, in this case, the moral law, which is typically allergic to exceptions and calls for an indiscernibility of moral agents, actually calls for agents to distinguish themselves in accordance with their personal talents. Duty does not compel us to develop all of our natural talents. We have the prerogative to decide which talents to cultivate. That said, not all talents are good, so arguably these talents must be tested individually. Furthermore, the notion of natural ends seems arbitrary. Given that an ‘is’ cannot

1405 Kant, Groundwork 74 – 75 [4:422 – 423]
1406 Ibid 74 [4:423]
1407 Ibid 75 [4:423]
imply an ‘ought,’ prejudices often slip in to bridge the divide. In that way, a natural tendency such as the pursuit of pleasure is arbitrarily deemed unnatural while procreation is deemed natural, etc.

The final example of duty Kant gives (that of an imperfect duty to others) concerns helping others to achieve their ends so that they can be happy. Its opposing maxim is: ‘I will neither help nor hinder others in their respective pursuits towards happiness.’ It is also upon the basis of the necessary ends of the will that this maxim would also contradict the will. “For, a will that decided this would conflict with itself, since many cases could occur in which one would need the love and sympathy of others and in which, by such a law of nature arisen from his own will, he would rob himself of all hope of the assistance he wishes for himself.”

Here we see Schopenhauer’s criticism in full-force. Do we only have a duty of beneficence because my own will would be frustrated otherwise? We’ve seen that self-love, the pursuit of one’s own happiness can never be a duty, so how can the duty to help secure the happiness of others be rooted in self-love? Is Kant contradicting himself? Kant is much clearer in *The Metaphysics of Morals:*

> For everyone who finds himself in need wishes to be helped by others. Bu if he lets his maxim of being unwilling to assist others in turn when they are in need become public, tht is, makes this a universal permissive law, then everyone would likewise deny him assistance when he himself is in need, or at least would be authorized to deny it. Hence the maxim of self-interest would conflict with itself if it were made a universal law, that is, it is contrary to duty.

From this passage it is clear that what is at stake is not that I would be unhappy in a world lacking beneficence, but that a maxim guided by self-interest refutes its very conditions (one who pursues self-love can’t get it) But even granted this, does it follow *a priori* from the concept of a will that it is finite and thus dependent on the cooperation of others if it is to accomplish its

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1408 Ibid 75 [4:423].
1409 Ibid 75 [4:423].
1410 Kant *The Metaphysics of Morals* 572 [6:453]
ends, or is such a determination made a posteriori? Insofar as a will is considered under moral obligation rather than being divine, it is implicit that such a will is limited in its capacities, in large part due to its hybrid sensible-intelligible nature. But it is unclear whether this limitation somehow implies the necessary mutual benefit found within a dutiful community of finite rational wills.

Few would argue that most of the duties that Kant outlines are not moral. Suicide, making false promises, laziness, and disregard for the welfare of others are only exempted in rare occasions, even for the consequentialist, and never valorized. Yet it’s evident that the universality test does not always produce morally-viable judgments. Allen Wood, for example, notes that careful wording of a maxim can either produce a false negative (judging a morally permissible maxim to be wrong) or a false positive (judging a morally forbidden maxim to be permissible). Let’s take an example of a false negative maxim: ‘I will be a teacher for the benefit of others.’ The maxim is ambiguous. If it is taken to mean that, as a teacher, I can never be a student, then it cannot be universalized, since then all those who teach could not themselves be taught by others abiding by the maxim. But common sense would tell us that it’s possible to be both a teacher and a student. The maxim would have to be modified: ‘I will reciprocally teach and be taught for the benefits of others.’ In order to universalize the maxim it is necessary then to recognize that one is in a reciprocally-determined community. But does this make sense? Why should a teacher also need to be a student?

Let’s consider the opposite problem – the false positive: ‘I will steal only what will not be noticed missing.’ No logical contradiction seems to result from universalizing this maxim. It’s also not apparent that a contradiction of will would also result. I could even specify a heinous

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maxim in such a way as to refer only to my circumstances.\textsuperscript{1412} ‘On Tuesday, March 3\textsuperscript{rd}, I, Matthew Valentine, will forge a lottery ticket for the sake of easing my student loan debt.’ This maxim, being applicable only to one circumstance and one person, can be universalized without a contradiction resulting. And while some maxims may still be judged accurately as wrong, they may seem inappropriately classified: “The maxim for ‘convenience killing’ (‘I will kill other human beings whenever that is a safe and effective way of promoting my own self-interest’) presumably must violate a perfect duty, yet it only seems to violate an imperfect duty since universalizing it is logically possible but never something the will could will.\textsuperscript{1413} Yet what would appear to be a lesser duty towards others, a duty to keep promises, is clearly identified as a perfect duty.

The problem is usually attributed to the formal nature of the first formulation. If the material of the maxim is ignored, is it not conceivable that a duty to evil would be indistinguishable from a duty to good? Would Kant then be indistinguishable from the Marquis de Sade? Much has been made of this possible indiscernibility in psychoanalytic literature, from Lacan to Alenka Zupancic.\textsuperscript{1414} But is not such a criticism disingenuous? A society of murderers and thieves could not possibly exist, especially if it were a duty to lie, steal, and kill.

\textit{The Second Formulation of the Categorical Imperative}

Nonetheless, presenting the categorical imperative in a less formal manner, makes it more intuitive and easier for our common moral sensibilities to digest. This is likely because we are used to material practical principles (i.e. grounding ethics on a Good rather than the moral law),

\textsuperscript{1412} Wood 72.
\textsuperscript{1413} Wood 74, 168.
\textsuperscript{1414} “Within the context of Kant’s ethics, it thus makes no sense to speak of opposition to the moral law: one may speak of the frailty or impurity of the human will (which imply a failure to make the law the only incentive of our actions), but not of opposition to the moral law. Opposition to the moral law would itself be a moral law, since there is no way of introducing any distinction between them at this level. In other words, ‘diabolical evil’ inevitably coincides with ‘the highest good’…” Zupancic, Alenka, \textit{Ethics of the Real} (London: Verso, 2000), 91.
and the second formulation implicitly posits an analogue to such a Good. The second formulation of the categorical imperative is: “So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means.”

Kant arrives at the second formulation in three ways. First, the will is determined by the pursuit of ends. Those ends can either be subjective or objective. A subjective end, which we have an incentive to acquire, has a worth wholly conditional upon the need or inclinations of an individual. This subjective end (an object), can thus never acquire anything but a general yet contingent worth (Subjective ends are heteronomous). Only something with intrinsic worth can qualify as an objective end for all wills (in this case, we refer to a motive rather than an incentive). Only rational beings (or persons) are ends in themselves, since rational nature exists as an end in itself. Thus we can see that we are obligated to treat all rational beings as ends in themselves. That said, Kant is forced to qualify this statement by recognizing that it is inevitable that human commerce necessitates treating one another as means to our own ends as well. The latter can just never be the sole way we treat another. The second and third derivations are more familiar. The first categorical formulation derived from a maxim’s proper form. The second derives from a maxim’s proper matter, or end. Whereas the first formulation derives from the category of Unity, the second formulation continues the Quantitative progression and concerns “the plurality of the matter (of objects, i.e., of ends).”

Kant applies the second formulation to the same four examples which were submitted to the first. Regarding suicide, Kant says I cannot harm myself with the intent of escaping suffering because to do so would be to treat my own person as a thing, or as a means for securing that

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1415 Kant *Groundwork* 80 [4:429].
1416 Kant *Groundwork* 78 – 80 [4:427 – 429].
1417 Kant *Groundwork* 85 – 86 [4:436].
escape rather than as an end in itself. In *The Metaphysics of Morals* Kant describes this as ‘annihilating the subject of morality in one’s own person’ which in turn neglects the fact that both morality is an end in itself and that one cannot opt out of one’s duties. But self-reflective acts are always wrought with conceptual difficulties. If I treat myself a certain way for my own ends, am I victimizing myself? As previously noted, there are scenarios in which it can be argued that self-abuse or self-annihilation are done precisely for the sake of preserving the humanity within me, and Kant notes various possibilities in his ‘casuistical questions’ following the discussion of suicide, but without apparent resolution. As Wood notes, “[Kant] claims correctly that only “a worthless man values his life more than his person…but is fainthearted in drawing the obvious conclusions on the subject of suicide.”

It seems like such duties prioritize a humanity within myself that is not me per se, which, some could argue make of it a tyrant that subverts my freedom. Is a self-destructive act an attack on a person temporally distinct from myself (namely, my future self)? But the solution to clarifying a duty to oneself cannot be to find a roundabout way of separating the self into a self and an other, since that would make it a different kind of duty (a duty to others). It is possible that Kant runs into so many issues with suicide because his system resonates so much with Stoicism, a philosophical position that sanctions suicide in the right instances.

The second example, once again, is the most intuitive example, most likely because morality as such seems to focus mostly on the perfect duties we have towards others. If I make a false promise, I am using someone as a mere means, since I am circumventing the free choice of the deceived. Presumably I would not deceive if I thought in advance that the other would

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1418 Kant *Metaphysics of Morals* 547 [6:422-423]
1419 Kant *Metaphysics of Morals* 548 [6:423-424]
1420 Wood 173.
willingly cooperate towards achieving a given end.\textsuperscript{1421} That said, coercion itself, bereft of
deception, still makes a mere means of another, even if it does explicitly target the person of
another rather than treating them as a stubborn physical force, or body, to maneuver. A threat is
only effective if it recognizes the desires of the intended victim \textit{qua} person. An honorable man
may withstand threats to his own life but acquiesce if loved ones are threatened.

The third example, an imperfect duty to oneself, considers whether neglect of one’s
talents is at odds with respecting the humanity within ourselves.

\begin{quote}
It is not enough that the action does not conflict with humanity in our person as an end in itself; it
must also \textit{harmonize with it}. Now there are in humanity predispositions to greater perfection,
which belong to the end of nature with respect to humanity in our subject; to neglect these might
admittedly be consistent with the \textit{preservation} of humanity as an end in itself but not with the
\textit{furtherance} of this end.\textsuperscript{1422}
\end{quote}

Since imperfect duties are meritorious, it is not enough that we do not undermine our own
humanity. Each of us must also actively promote it. In this respect, the duty to better oneself
resonates with what it means to be a subject, or agent, since it is a formula for \textit{practicing}
selfhood. When seen through the lens of the second formulation, it becomes clear that wide,
imperfect duties are \textit{positive} duties rather than negative ones.

Finally, Kant considers whether or not we can neglect the task of aiding others in need.
Presuming that the natural end all human beings (or perhaps even rational beings) seek is
personal happiness, and that truly respecting the humanity of others implies respecting their
personal ends, I am behooved to aid others in their various pursuits of happiness if I am to
\textit{positively} acknowledge their humanity as an end in itself. Interestingly enough, in order to
acknowledge another rational being as an end in itself, I must help them acquire an object which
can never be morally obligated for me, myself, to acquire (since Kant consistently remarks that

\textsuperscript{1421} Kant \textit{Groundwork} 80 [4:429 – 429].
\textsuperscript{1422} Kant \textit{Groundwork} 80 – 81 [4:430].
we cannot be obligated or commanded to do what we actually want to do). But does this not forever split the indiscernibility of rational self from rational other and restrict the manner in which I can respect my own humanity?

The Third Formulation of the Categorical Imperative

The third formulation of the categorical imperative is supposed to be the most developed version of the moral law: “All maxims from one’s own lawgiving are to harmonize with a possible kingdom of ends as with a kingdom of nature.” The third formulation is neither merely form, nor matter, but the “complete determination of all maxims by means of that formula.” It is further determined by the category of Totality as the “allness or totality of the system of [the unity of the form of the will and the plurality of the matter of objects, or ends]” From the perspective of a progression, it also seems like the third formulation is the most complete.

And yet, on the surface, this formulation doesn’t seem to have much normative force. Application of this formulation to the four examples of duty is surprisingly absent. The importance of the third formulation may lie outside the bounds of explicit prescriptions, or better stated, beneath them. Kant notes that it is only by granting that the will is not merely under law but the legislator of the very laws it obeys that it’s possible to conceive of a categorical imperative at all, free of self-interest. In this respect, the third formulation is paramount, since it shows how moral obligation is commensurate with freedom, so long as its law is of our own drafting rather than externally imposed.

1423 Ibid 90 [4:442].
1424 Ibid 86 [4:436].
1425 Ibid 86 [4:436].
1426 Ibid 86 [4:436].
1427 Ibid 82 [4:431  432].
1428 Ibid 82 – 83 [4:432].
For, if one thought of him only as subject to a law (whatever it may be), this law had to carry with it some interest by way of attraction or constraint, since it did not as a law arise from his will; in order to conform with the law, his will had instead to be constrained by *something else* to act a certain way. By this quite necessary consequence, however, all the labor to find a supreme ground of duty was irretrievably lost. For, one never arrived at duty but instead at the necessity of an action from a certain interest. This might be one’s own or another’s interest. But then the imperative had to turn out always conditional and could not be fit for a moral command.  

Before the third formulation, the danger always remained that the law was merely something a will was subjected to rather than gave itself. This in turn would subvert self-determination, since the will could only then direct itself towards such a law if it were provided an incentive (For example, ‘I will comply with the law *to avoid punishment*’). One may see this as Kant’s preemptive response to Schopenhauer’s criticisms regarding fear of punishment as incentive. This is also another way of stating the problem of heteronomy: If the will does not give itself its own law, but instead sets before its sights an object, *that object* determines the law for the will. Thus the law given to the will to acquire the object is none other than a law of nature, a law that can only be derived empirically rather than by reason.  

Now Kant closes this loophole, guaranteeing that the moral law is the sole determining ground for a free will. As soon as we grant that we give ourselves the moral law and that the noumenal world is also, from a practical perspective, ‘the world of understanding’ analogously bound up in moral laws like the world of sense is causally bound up in natural laws, a categorical imperative is demonstrated to be possible. And as soon as we grant that there is an intelligible self, or personality distinct from the sensible self, and that we are obliged to comply willingly with the moral law, practical reason provides the grounds for ‘demonstrating’ the immortality of the soul and the existence of God, both of which only apply to this ‘world of understanding.’ The latter

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1429 Ibid 82 – 83. [4:432]. 
1430 Ibid 89 [4:441]. 
1431 Ibid 92 [4:444]. 
1432 Ibid 100 [4:453 – 454].
proofs, however, the *Groundwork* is not equipped to provide, and are only found in the *Critique of Practical Reason*.

*The Critique of Practical Reason*

*The Highest Good, the Antinomy of Practical Reason, and Postulates of Practical Reason*

The kingdom of ends Kant posits in the third formulation of the categorical imperative is, in a certain respect, the intelligible world of moral law itself, or rather the ideal community of intelligences that obeys the moral law.

As a member of such a realm, I would govern all my actions by the principle that my deepest ends must not conflict with the deepest ends of other rational beings but these ends must be drawn from the rational system of ends that I ought to pursue in common with others. The realm of ends would therefore be...a free association in which the free development of each would be the condition for the free development of all.\textsuperscript{1433}

But the kingdom of ends is but one part of a bigger puzzle, one that has a place not just for moral worth but happiness. What effects this unity is not a principle per se like the categorical imperative, however, but the concept of a *summum bonum*, or highest good. In so doing, Kant effects a further unity that integrates the sensible man with the intelligible man, as well as the sensible community with the intelligible one. One may even see this transcendental idea as a regulative idea that effects the highest unity.

But what is the highest good? In Chapter Three, we discovered that the Ancients misunderstood what the highest good was and then centered their ethics on achieving it. There was recognition that the highest good was some manner of relation between virtue and happiness, but the nature of that relationship was confused, since the Ancients presumed that happiness was attainable in the sensible world. Contrarily, Kant dethrones happiness from its entrenched meta-ethical primacy by subtracting it from the moral law, but still recognizes that the highest good must include it:

\textsuperscript{1433} Wood *Kantian Ethics* 269.
Hence, though the highest good may be the whole object of a pure practical reason, that is, of a pure will, it is not on that account to be taken as its determining ground, and the moral law alone must be viewed as the ground for making the highest good and its realization or promotion the object.\textsuperscript{1434}

This point seems commensurable with Kant’s privileging of form over matter. But Kant continues, and seems to imply that once the proper form is given, the highest good, or object upon which it is based, presents itself pre-informed by the moral law.

It is, however, evident that if the moral law is already included as the supreme condition in the concept of the highest good, the highest good is then not merely object: the concept of it and the representation of its existence as possible by our practical reason are at the same time the determining ground of the pure will because in that case the moral law, already included and thought in this concept, and no other object, in fact determines the will in accordance with the principle of autonomy.\textsuperscript{1435}

So virtue is the ‘supreme’ good. However, it can only be a ‘complete’ good (therefore the highest) for an agent if “happiness [is] distributed in exact proportion to morality.”\textsuperscript{1436} This is the very doctrine Schopenhauer claims makes Kantian deontology eudaimonistic.

Kant claims that an antinomy of practical reason results when it seems like “either the desire for happiness must be the motive to maxims of virtue or the maxim of virtue must be the efficient cause of happiness.”\textsuperscript{1437} But both possibilities are impossible: Any maxim with happiness as its end is not moral, since duty can never guarantee happiness. Contrarily, happiness cannot result from a ‘moral disposition of the will’ but only from knowledge of natural laws and how to use them to achieve one’s ends.\textsuperscript{1438}

Now, since the promotion of the highest good, which contains this connection in its concept, is an a priori necessary object of our will and inseparably bound up with the moral law, the impossibility of the first must also prove the falsity of the second. If, therefore, the highest good is impossible in accordance with practical rules, then the moral law, which commands us to promote it, must be fantastic and directed to empty imaginary ends and must therefore in itself be false.\textsuperscript{1439}

\textsuperscript{1434} Ibid 228 [5:109].  
\textsuperscript{1435} Ibid 228 [5:109 – 110].  
\textsuperscript{1436} Ibid 229 [5:110 – 111].  
\textsuperscript{1437} Ibid 231 [5:113].  
\textsuperscript{1438} Ibid 231 [5:113].  
\textsuperscript{1439} Ibid 231 [5:114]
The resolution of the antinomy ultimately folds back onto the kingdom of ends. While we can never be virtuous merely by pursuing happiness, it is conceivable than a non-sensible causal relationship could exist that would allow virtue to produce happiness. In other words, God, who exists in the intelligible world, must exist (from a practical perspective) in order to reward the good with happiness and punish the wicked. Here the kingdom of ends takes on a fuller context: namely, as the Kingdom of God, a realm in which Nature is supposed to align with the moral, intelligible order of just desserts. God’s existence is rendered a postulate that guarantees the existence of happiness to those who merit it, since the highest good is only complete if happiness is in this manner guaranteed.

Furthermore, if we are required to promote the highest good, its supreme condition, namely perfect conformity of the will to the moral law, must also be assured. It is based on this impossible standard, one a finite, sensible being can never attain, that the second postulate of practical reason is posited: the soul’s immortality. The best a finite will can do to comply with the moral law perfectly is to strive for it endlessly, which presumes the soul must live forever. “This endless progress is, however, possible only on the presupposition of the existence and personality of the same rational being continuing endlessly (which is called the immortality of the soul).” Only by presuming both the soul’s immortality and God’s existence is the highest good possible. Important to note here are the predicates ‘existence’ (which we know to not be a true predicate, granted Kant’s theological critiques) and ‘personality.’ Here we see how two categories previously used in the Paralogisms to improperly cognize the soul – Existence and Unity – are appropriated by practical reason to practically posit theoretical predicates of the soul:

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1440 Ibid 232 [5:114 – 115].
1441 Ibid 240 – 241 [5:124 – 126]. I have reversed Kant’s presentation of the two postulates of practical reason for the sake of convenience.
1442 Ibid 238 [5:12].

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its continued existence and its persisting personality respectively, predicates theoretical reason aimed to prove but could not. Furthermore, freedom (which was one of the predicates of the soul theoretical reason tried to prove) is also secured by practical reason since it is possible by means of the moral law and the intelligible realm.\textsuperscript{1443}

Finally, (the concept of) God Himself performs a final unification of my moral strivings:

For a rational but finite being only endless progress from lower to higher stages of moral perfection is possible. The Eternal Being, to whom the temporal condition is nothing, sees in what is to us an endless series the whole of conformity with the moral law, and the holiness that His command inflexibly requires in order to be commensurable with His justice in the share He determines for each in the highest good is to be found whole in a single intellectual intuition of the existence of rational beings.\textsuperscript{1444}

Here it becomes evident that God’s intellectual intuition is a kind of unity that, from its perspective, reveals the infinite manifold of moral strivings to constitute a whole life. Since God is outside of time, it cannot be the case that He produces this unity by means of synthesis (Synthesis seems to be necessitated by the passage of time). Thus, in a sense, Kantian ethics, understood as a practice of self, is an attempt to make the self adequate to the Divine vision of our eternal selves.

\textit{Kantian Ethical Ascetics}

Kant finishes the \textit{Critique of Practical Reason} with the ‘Doctrine of the Method of Pure Practical Reason.’ Practical reason, unlike pure theoretical reason, does not so much require a method of cognition so much as a “way in which one can provide the laws of pure practical reason with access to the human mind and influence on its maxims, that is, the way in which one can make objectively practical reason subjectively practical as well.”\textsuperscript{1445} In other words, the task of identifying what principles we must follow must lend an ear to the manner in which we must discipline ourselves to comply with those principles. By no means should ethical principles be

\textsuperscript{1443} Ibid 246-247 [5:133]
\textsuperscript{1444} Ibid 239 [5:123].
\textsuperscript{1445} Ibid 261 [5:151].
determined by these limitations. Nonetheless, a doctrine of ethics is meaningless if it’s not actually possible to practice it. And on the surface, that seems to be what Kant has left us with. By nature and by culture we are predisposed to pursue enjoyment rather than duty, so it is no small task to determine the means of overcoming this amoral inertia.  

In the *Metaphysics of Morals*, Kant identifies a limitation of Reason: “…One does not acquire the power to put the rules of virtue into practice merely by being taught how one ought to behave in order to conform with the concept of virtue…Virtue cannot be taught merely by concepts of duty…” A theoretical understanding of what we ought to do is not a sufficient condition for virtue. “Virtue is the strength of a human being’s maxims in fulfilling his duty. – Strength of any kind can be recognized only by the obstacles it can overcome, and in the case of virtue these obstacles are natural inclinations, which can come into conflict with the human being’s moral resolution.” A virtuous character possesses a certain disposition – the respect for law – since “all duties involve a concept of constraint through a law,” be that law externally or internally given.

Given that the unshaped or unscrupulous are not receptive to the moral law or the inner dignity, a preparatory step is required to help the soon-to-be subject overcome the inertia of inclinations. Initially a “machinery” of “leading strings” must be instilled within a nascent mind, constructed by means of either appealing to an agent’s “own advantage” or “[alarming] it by fear of harm.” But this alone could never comprise a proper moral disposition, nor give its agent the sense of freedom “from all sensible attachments” like a will disposed towards the moral law

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1446 Ibid 261 [5:151 – 152].
1448 Kant *The Metaphysics of Morals* 525 [6:394].
1449 Kant *The Metaphysics of Morals* 525 [6:394].
1450 Kant *The Critique of Practical Reason* 262 [5:152-153]
feels, since it is ultimately nothing but a system of natural restraints. If moral education limited itself to such parameters we would be no different from “a turnspit, which, when once it is wound up, also accomplishes its movements of itself.”

Kant refers to the human propensity to derive great pleasure from discussing the merits and demerits of actions and persons in casual conversation, suggesting that this gives insight into the best possible way to introduce and cultivate moral judgment in the young. By making practical education a “game of judgment,” particularly by assessing the moral worth of historical figures, children would progressively refine their moral judgments and learn to pair the feeling of esteem with moral purity and disgust with wickedness. In this regard, biographical storytelling is a necessary pedagogical tool. That said, accounts of “so-called noble (supermeritorious) actions” typically cloud our judgment with romantic sentimentality rather than prepare us for the duties of everyday life. Such intense inspired emotions are quick to fade, leaving the agent dependent on a momentary flourish of feelings that cannot provide a dependable, perpetual motor for virtue. Nor can such feelings constitute a properly virtuous determining ground for the will at all. For this reason, hyperbolic accounts of heroism are typically best omitted from moral education.

Nonetheless, the account Kant provides as an example of “pure morality” still concerns life-or-death stakes. Kant tells us the story of a man who is tempted to turn against an innocent, yet powerless person. First the man is offered “gifts” and “high ranks,” which he refuses. Having refused gain, he is then threatened with loss, first from friends who threaten to abandon

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1451 Ibid 262 [5:152].
1452 Ibid 218 [5:97].
1455 Ibid 264 [5:155].
him, then family that threatens to disinherit him, and finally from the prince, who threatens to take his life. Finally, his loved ones beg him to conceded and spare them from suffering the costs of his virtue. At every stage of the story, the child’s sense of reverence is meant to awaken and grow: first from “mere approval,” then to “admiration,” then “amazement,” “and finally to the greatest veneration and a lively wish that he himself could be such a man [of virtue].”

Kant has crafted a story that step-by-step strips away all inclinations that act as a ‘hindrance’ to the influence of the moral law, finally stripping away the trappings of love and compassion, until only respect for the moral law remains, leaving the moral law to stand alone in its purity. All of sensible nature is then thrown beneath one’s feet with scorn as a king lords over his kingdom and one’s freedom is secured.

Kant outlines the method as follows: first we have but to practice morally assessing the actions of ourselves and others until that assessment becomes a habit. By means of this we also will practice determining duties and distinguishing them, as well as distinguishing whether or not an action conforms to the law or is performed for the sake of the moral law. By developing our practical reason, we feel its powers expand and an “interest in reason’s law” and its accompanied moral actions arise. “For, we finally come to like something the contemplation of which lets us feel a more extended use of our cognitive faculties…” At this stage we would only have an aesthetic appreciation for the moral law but not necessarily a respectful obedience to it. Further moral development requires a second stage. By presenting examples of those who embody a moral disposition, we first notice and admire how virtue emancipates us from the thrall

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1458 Ibid 265 [5:156].
1460 Ibid 267 [5:159 – 160].
1461 Ibid 267 [5:160].
1462 Ibid 268 [5:160].
of inclinations, giving us a sense of our own freedom. Once we become conscious of our freedom we transition from the negative task of becoming aware of our potential to be free from nature and instead perceive our “positive worth” and come to respect ourselves. With the dawning of that realization, the moral disposition reaches maturity, and nothing becomes more important to us than guarding our own virtue from blemish. Kant provides a similar educational rubric when he discusses a ‘moral catechism’ at the end of The Metaphysics of Morals.

Theoretical reason thus annihilates the pretensions of our animal nature by showing our insignificant station as flesh and blood beings in a near-boundless universe, while practical reason reveals the infinite worth of our intelligible nature as moral beings, or intelligences. Such an intelligence is not a mere manifold of disordered desires flickering like a candle or jerking about madly like the needle of a compass borne by a foreign play of forces, always leaning towards the ever-changing directions of our inclinations but is instead a (potential) unity, a personality that matures infinitely throughout the expanse of time.

Concluding Remarks on Ethical Ascetics

At the end of Kant’s last great ethical work, The Metaphysics of Morals, we finally see the moral ascetic for what he is: not the “monkish ascetic” who punishes his every transgression and secretly holds morality in contempt, but the “valiant and cheerful” ethical ascetic whose cheerful heart is not secretly brooding over his animal nature but a secure master of it, indulging it within its proper bounds and gently restraining it from transgressing them. Always the philosopher not only of boundaries, but of the human flourishing that results from the harmony

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1463 Ibid 268 [5:160].
1464 Ibid 269 [5:161].
1465 Kant The Metaphysics of Morals 591-597 [6:477–484]
1466 Kant The Critique of Practical Reason 270 [5:163].
1467 Kant The Metaphysics of Morals 597 – 598 [6:484 – 485].
that results from respecting them, we cannot help but be reminded of Plato’s own conception in 
*The Republic* of the human soul at peace with itself once its constituent powers fall in line with
Reason and obey their appropriate principles. But while Plato secures by his investigations the
essence of Justice in a restrained society, Kant finds in the soul’s harmony its ultimate freedom.

6.3 The Problem of Others: Towards a Critical Anthropology

Introduction

In the preceding sections, I explored Kant’s practical doctrine of the soul. But Kant can only say that it is plausible that the soul is free, which rational principles the soul must obey in order to be free, and that it is plausible to believe that the soul is immortal. When I encounter others, I must assume that they are rational if I am to have any ethical obligations to them. Subsequently, since rational beings can determine their own actions, I must assume that others are also beings of duty like me, and likewise immortal. Nothing else can be said.

Arguably, the entire apparatus of faculties Kant deduces throughout the first *Critique* provides a rich doctrine of the subject, but this account of the faculties only explains how I, the knower, judge the world and, at best, distinguish myself from it. It cannot explain how I distinguish another rational being from a rock or automaton, since my theoretical gaze only encounters objects, not subjects. And while Kant’s moral account can explain why I judge a rational being to be distinct from a rock or automaton due to moral obligations, it cannot explain how I classify others on the basis of non-moral obligations. Not only do I live in a world of equivalent rational agents, but also of lovers, friends, and family, each owed something different. Only by means of these non-moral obligations do I genuinely encounter another subject without
that other either dissolving into the general multitude of the kingdom of ends or becoming reified as a particular phenomenal object.\textsuperscript{1468}

In this final section, I will provide a speculative account of how the Kantian system could account for why we encounter others as distinct others rather than as objects. I will do so by exploring an apparent asymmetry in the \textit{Critique of the Power of Judgment}. Here Kant classifies the objects of both the lower faculty of the feeling of pleasure and pain, (called ‘the Agreeable’) and of the higher faculty of the feeling of pleasure and pain, called the Beautiful and the Sublime. There are four kinds of pleasant objects: the Agreeable, the Good, the Beautiful, and the Sublime, each corresponding with a Category group (the Agreeable with Quantity, the Good with Modality, the Beautiful with Quality, and the Sublime with Relation). The last three correspond with higher faculties,\textsuperscript{1469} while the categories of Quantity lack a corresponding form of higher pleasure. I conjecture that Kant has omitted a higher form of pleasure and pain: that produced by the Loveable.\textsuperscript{1470} Kant’s account of the Agreeable is a rhapsody of lower pleasures that should be systematically divided into four kinds. I will correspond each lower object of pleasure with one of the four category groups, as well as with one of the four kinds of objects of desire that Kant notes in his theory of heteronomy of choice (external-subjective, internal-subjective, internal-objective, and external-objective). I will present these correspondences in a

\textsuperscript{1468} The Beloved strikes a balance between both extremes, being neither too generic nor too particular, since the former is the rational being of practical reason and the latter of theoretical reason. This already implies the need to look to aesthetics to account for the Beloved, since judgment, which aesthetics is based upon, mediates between theoretical and practical reason.

\textsuperscript{1469} Kant assigns the agreeable to quantity, since the Agreeable is not qualitatively different, but only different in intensity and number. The good is assigned to modality because moral obligation implies necessity. “The beautiful, by contrast, requires the representation of a certain quality of the object, which also makes itself intelligible, and can be brought to concepts…The sublime consists merely in the relation in which the sensible in the representation of nature is judged as suitable for a possible supersensible use of it.” Kant, Immanuel, \textit{Critique of the Power of Judgment}, trans. Paul Guyer and Eric Matthews (Cambridge: Cambridge University Press, 2000), 150.

\textsuperscript{1470} I will abbreviate the rather lengthy ‘faculty of the feelings of pleasure and pain’ to ‘the faculty of pleasure.’
table of lower pleasures, alongside the table of higher pleasures. I argue that deriving both may suggest how we encounter other people as subjects.

![Image: Table of Lower Pleasures](image)

*Drafting a Table of Lower Pleasures*

In the *Critique of the Power of Judgment*, Kant attempts to complete the system he left cleaved in two in the first two *Critiques*:

The understanding legislates *a priori* for nature, as object of the senses, for a theoretical cognition of it in a possible experience. Reason legislates *a priori* for freedom and its own causality, as the supersensible in the subject, for an unconditioned practical cognition. The domain of the concept of nature under the one legislation and that of the concept of freedom under the other are entirely barred from any mutual influence that they could have on each other by themselves (each in accordance with its fundamental laws) by the great chasm that separates the supersensible from the appearances.\(^{1471}\)

In order to bridge the chasm between the sensible and the supersensible, a faculty must mediate between the Understanding (or faculty of cognition) and Reason (or faculty of desire). The faculty of judgment is such a mediator. It not only relates the cognitions of the Understanding to the principles of Reason, but also concerns the feelings of pleasure and pain\(^{1472}\) since a specific

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\(^{1472}\) Kant, Immanuel, *Critique of the Power of Judgment* 82-3 [5:196-197]
kind of judgment relevant to aesthetic experience (reflecting judgment), is subjective and thus tied to sensation and those feelings that accompany sensation.\textsuperscript{1473}

All faculties have higher and lower forms. A higher faculty is autonomous and determines itself, while a lower faculty is dependent on something external to itself. If we divide the faculties into faculties of cognition, desire, and pleasure, Kant’s architectonic is revealed. Given that, a synopsis of the faculties bears repeating. The higher faculty of cognition provides the transcendental categories, like cause and effect, which organize intuitions into cognitions. Contrarily, the lower faculty of cognition is inductive and only derives probable natural laws by generalizing from repeated observation.\textsuperscript{1474} Similarly, the higher faculty of desire drafts its own laws as well (the categorical imperative), which then determine the conduct of the will. Alternatively, the lower faculty of desire depends on an object of desire external to itself to be satisfied, which leaves its satisfaction ultimately up to the caprice of contingent circumstances (heteronomy of choice).

The lower faculty of desire and the lower faculty of pleasure are not easy to distinguish, since pleasure is the ultimate aim of the lower faculty of desire.\textsuperscript{1475} The lower faculty of desire, as we have seen, can seek out one of four kinds of objects: external subjective objects, such as compliance with customs and laws, internal subjective objects, such as feelings, internal objective objects such as perfect character, and external objective objects, such as compliance with God’s Will.\textsuperscript{1476} Each example is, arguably, the highest object of its kind. Principles that

\textsuperscript{1473} Kant, Immanuel, \textit{Critique of the Power of Judgment} 26-28 [20:223-226]
\textsuperscript{1474} Deleuze, Gilles, \textit{Kant’s Critical Philosophy}, trans. Hugh Tomlinson and Barbara Habberjam (Minneapolis: University of Minnesota Press, 1984) 4-5.
\textsuperscript{1475} Kant \textit{Critique of the Power of Judgment} 66 [5:178-179] and \textit{Critique of Practical Reason} 155 (see footnote 6).
aim to attain objects are called ‘material practical principles,’ since they are concerned with the content of desire rather than the form maxims take.\footnote{Kant, Immanuel, \textit{Critique of Practical Reason}. Trans. Mary. J. Gregor (Cambridge: Cambridge University Press), 155-6 [5:22]}

Furthermore:

All material practical principles as such are, without exception, of one and the same kind and come under the general principle of self-love or one’s own happiness. Pleasure arising from the representation of the existence of a thing, insofar as it is the determining ground of desire for this thing, is based on the receptivity of the subject, since it depends upon the existence of an object; hence it belongs to sense (feeling) and not to the understanding, which expresses a relation of a representation \textit{to an object} by concepts, not to the subject by feelings. It is, then, practical only insofar as the feeling of agreeableness that the subject expects from the reality of an object determines the faculty of desire.\footnote{Ibid 155-156 [5:22]}

Thus the four kinds of objects of desire indicate four different kinds of the Agreeable.\footnote{Kant acknowledges this in the \textit{Critique of Practical Reason} but not the \textit{Critique of the Power of Judgment}.} I will divide the Agreeable into the Enjoyable, the Useful, the Charming, and the Thrilling, and then correspond each with a specific object of desire.

\textit{The Higher and Lower Forms of the Enjoyable}

The lower form of Enjoyment is sensible pleasure. I will call it the Satisfying. It has three features. Firstly, the Satisfying is subjective. To be satisfied by something means only that the subject is in a pleasant sensible state relative to an object; no quality can be objectively attributed to the object itself. Secondly, the subject must take an \textit{interest} in possessing the object. Satisfaction is felt when an object is acquired.\footnote{“Satisfaction presupposes not the mere judgment about [an object] but the relation of its existence to my state insofar as it is affected by such an object.” \textit{Critique of Judgment} 91-92 [5:205-207]} Thirdly, the Satisfying “always signifies something that pleases immediately.”\footnote{Ibid 93 [5:208]} Thus, we are only ‘satisfied’ by those who immediately please us. This communicates an essential distinction insofar as social life presents us with a paradox: Assuming that we pursue those that please us, why should we care for those who immediately pain us? If the answer is ‘Love,’ then the Satisfying must be distinct from the
Loveable, which I will later argue to be the higher form of the Enjoyable. Since the Satisfying concerns a pleasing internal state, it is a **Subjective-Internal object.**

*The Higher and Lower Forms of the Esteemed*

Kant next explains the pleasures that derive from the Good. There are two forms of the Good: The Useful and the Morally Good. The Useful is that which “pleases as a means to some agreeableness or other,” while only the Morally Good is intrinsically good. To judge something good, I must have a concept of what it should be. There is some ambiguity here what Kant means by ‘good,’ since properly speaking ‘the good’ must be defined in accordance with the moral law (‘the right’). Certainly there can be no question that the Useful is an object, since it is a mediate good, and thus if it immediately pleases, it can only do so by means of a lower faculty. The dichotomy between the Useful and the Morally Good has traditionally manifested as a distinction between the temporal law and the divine law. The temporal law is a social contract, or set of pragmatic rules established to maintain social order. Its virtue lies in its usefulness. Thus, the Useful, whose highest form is the law and custom, is a **Subjective-External object.**

The higher faculty of desire is concerned with the *form* of law, not objects. The moral law is the higher form of the legal law. The pleasure derived from the moral good “pleases by means of reason alone, through the mere concept.” Assuming that Kant is referring here to the moral law, what I striking is that it does not immediately please; it humiliates. The moral law is a jealous principle, and commands us to sacrifice all sensible inclinations for the sake of duty. Once natural inclinations are restrained, a curious psychological effect results:

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1482 Ibid 92-3 [5:207]  
1483 Ibid 94 [5:209] Note that ‘agreeableness’ is left undetermined in this passage.  
1484 Ibid 92-3 [5:207]  
1485 Ibid 92 [5:207]
For, all inclination and every sensible impulse is based on feeling, and the negative effect on feeling (by the infringement upon the inclinations that takes place) is itself feeling. Hence we can see a priori that the moral law, as the determining ground of the will, must by thwarting all our inclinations produce a feeling that can be called pain.\textsuperscript{1486}

Negatively, the moral subject feels judged for all traces of self-conceit, since only moral compliance is praiseworthy.\textsuperscript{1487} A positive feeling does result however: respect for the moral law. Curiously, respect for the law can only be felt if the faculty of sensibility is in play, since it is only by its suppression that respect is felt. Respect, as a moral feeling, is then produced by Reason,\textsuperscript{1488} and cognized a priori.\textsuperscript{1489} “Since [the moral] constraint is exercised only by the lawgiving of [our] own reason, it also contains something elevating, and the subjective effect on feeling, inasmuch as pure practical reason is the sole cause of it, can thus be called self-approbation.”\textsuperscript{1490} Since no inclination incites us to comply with the moral law, we become aware that the effort to comply with it is a free action which produces esteem based on moral worth.\textsuperscript{1491} What respect for the moral law reveals when it elevates us is our own supersensible personality, or Soul, and with it a higher moral vocation that towers above all natural concerns.\textsuperscript{1492}

Aesthetic Pleasures

Both the Beautiful and the Sublime produce pleasure. However, unlike both the Satisfying and the Good, neither Beauty nor Sublimity seeks out an object. Thus both are disinterested and belong to a higher faculty.
**The Beautiful**

There are two kinds of beauty: free beauty and adherent beauty.

The first presupposes no concept of what the object ought to be; the second does presuppose such a concept and the perfection of the object in accordance with it. The first are called (self-subsisting) beauties of this or that thing; the latter as adhering to a concept (conditioned beauty), are ascribed to objects that stand under the concept of a particular end.\(^1\)

Whenever we consider the beauty of a determinate object, such as a human being, we judge it favorably based on how closely it approximates a (perfect) standard.\(^2\) Since adherent beauty concerns the adequacy of a representation towards an end, its content is relevant to its status as beautiful. The content of a beautiful representation is referred to as its charm. Charm is often mistaken for beauty, like when we call vibrant colors or moving musical tones beautiful.\(^3\)

Since content is empirical and particular to specific objects, adherent beauty is the lower form of Beauty, and corresponds with a lower faculty of feeling. Kant identifies the ideal of adherent beauty with perfect moral character paired with the ‘normal’ (or average) image of a human figure.\(^4\) Therefore, I link it together with the **Objective-Internal Object**, which Kant associates with moral perfectionism, like Stoicism.\(^5\)

Free beauty is associated with the higher faculty of pleasure. What distinguishes the lower faculty from the higher is that the latter is not connected with the faculty of desire,\(^6\) but instead arises when a representation produces either concord between the Imagination and the Understanding (Beauty) or discord between the Imagination and Reason (Sublimity). Aesthetic judgments are reflective, occurring when the mind seeks a universal for a given particular. This is opposed to determining judging, which assumes an already-established universal law, or

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1493 *Critique of the Power of Judgment* 114 [5:229]
1494 Ibid 114 [5:229]
1495 Ibid 108 [5:223]
1496 Ibid 120 [5:235-236]
1497 *Critique of Practical Reason* 172-3 [5:40-41]
1498 Ibid 73 [5:187]

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concept, under which particulars are subsumed.\textsuperscript{1499} Beauty arises when the form of an object – which is either a particular shape (design) or dynamic play of shapes – places the imagination and the understanding into a harmonious relationship.\textsuperscript{1500} The form an object needs to elicit this free play of the faculties is called \textit{the form of purposiveness}. Something is judged purposive “when [its features] are so related to one another that their relations involve a coherence that might have been the product of a design readily grasped by the understanding.”\textsuperscript{1501} Since judgments of beauty are subjective, concepts are not deployed, so nothing is said about the object itself. Nonetheless, the impulse to attribute beauty to the object is not mistaken, but instead can be accredited to the awareness all observers have that everyone ought to judge the same things to be beautiful or ugly because all minds operate similarly.

\textbf{The Sublime}

Sublimity is characterized by the feeling of overwhelming awe. Like beauty, it is disinterested. Therefore, to find the lower pleasure that corresponds with the sublime, disinterestedness must be subtracted. Since a sublime experience is a fearful situation experienced from a safe distance,\textsuperscript{1502} it stands to reason that the lower form corresponds to the pleasure experienced once that safe distance is removed. Although fear, which is painful, arises in the face of imminent threats, so does a kind of transgressive pleasure: the thrill of danger. Life is felt more intensely when endangered. I identify Thrill with the \textbf{Objective-External object}, since we experience thrill when confronted by an external threat. God’s will is the most potent external danger.\textsuperscript{1503}

\textsuperscript{1499} Ibid 66-7 [5:179]
\textsuperscript{1500} Ibid 110 [5:225-226]
\textsuperscript{1502} \textit{Critique of the Power of Judgment} 144 [5:260-261]
\textsuperscript{1503} I am hinting here at the pleasure that follows from religious devotion as well as from religious transgression. Both involve some kind of relationship with an omnipotent being.
Like the Good, sublime experiences are initially painful. We experience the sublime when confronted by objects of incomprehensible magnitude or overwhelming power. Like beauty, the pleasure that results from the sublime is derived from a judgment of observed purposiveness. Unlike beauty, sublimity occurs when there is a discord between the Imagination and Reason. The two forms of sublimity correspond with Reason’s two roles: a cognitive role and a moral role.

When we encounter objects of unimaginable size, like the night sky, we experience the mathematical sublime. Our imagination is in discord with Reason acting in its cognitive capacity since the scene defies comprehension. Our imagination then fails us, producing displeasure, since we fall short of the cognitive standard Reason sets before us to understand things in their totality. Thus, we are reminded of our inadequacies as sensible beings and of our higher calling as rational beings, “arous[ing] the supersensible vocation within us,” which is felt as pleasure. Thus, objects of magnitude are not themselves sublime, but merely provide the occasion for us to experience the superiority of our rational capacities over our sensible ones.

When we encounter objects of immense power, like a hurricane, we experience the dynamical sublime. The dynamical sublime engages Reason’s moral capacity. When we experience Nature at her most threatening from a safe distance, we recognize two things about ourselves: that as sensible beings we are nothing compared to Nature’s might, but that, nonetheless, Nature cannot compromise our moral being. We are free to sacrifice our sensible comforts, even our lives, in the service of our moral vocation. Thus, Nature, although not

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1504 Ibid 141-2 [5:258]
1505 Ibid 140-1 [5:257-258]
sublime, provides an occasion for us to recognize our own supersensible superiority over her, which is pleasurable.  

This exhaustive analysis of the four pleasures yields us the following Table:

![Revised Table of Lower Pleasures](image)

**The Case for a Higher Pleasure of the Agreeable: Love**

By drawing attention to the four kinds of the Agreeable, I have attempted to demonstrate that the Table of Higher Pleasures is incomplete and that a higher pleasure corresponding to the categories of Quantity could exist. I contend that this higher pleasure of the Agreeable is the ecstasy of love, since the beloved is loved neither on the basis of beauty, sublimity, nor virtue, although these, like ornaments, can accentuate the beloved. Furthermore, love cannot be a lower form of the agreeable either, since we often love those that are not a source of immediate gratification. The only available position left in the architectonic is the higher pleasure of the Agreeable.

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1506 Ibid 145-8 [5:261-264]
1507 Ibid 110 [5:226-226]
Therefore we arrive at the following Table of Higher Pleasures:

![Revised Table of Higher Pleasures](image)

I contend that in loving encounters we encounter *subjects of possible experience* which correspond with the different forms of love. I conjecture that love is a subjective feeling that results from judging another person adequate to an Idea, in contrast to respect, which is felt when one judges something (sensible nature) to be inadequate to an Idea. The following account will illustrate how each form of love (erotic, platonic, and familial) results from a specific kind of judgment.

Kant talks about these three kinds of love on practical grounds, but he is never able to escape the language of objecthood. Take for example his discussion of lovers in a marital union. Marriage is defined as “sexual union in accordance with law” or “the union of two persons of different sexes for lifelong possession of each other’s sexual attributes.”\(^{1508}\) Sex can only take place within the bounds of marriage, since only monogamous marriage creates a reciprocally-

\(^{1508}\) Ibid 427 [6:277]
binding sexual ownership of the other that allows the other to be treated as a person rather than a thing: “acquiring a member of a human being is at the same time acquiring the whole person, since a person is an absolute unity.” Here is an exclusive group, as well as a preoccupation with Unity, but in what way to mutual ownership preserve the subjecthood of the lover?

Friendship and Family are also dealt with in *The Metaphysics of Morals*. Kant’s account of friendship is more promising and establishes some precedent for my proposed solution.

Friendship (considered in its perfection) is the union of two persons through equal mutual love and respect…But it is readily seen that friendship is only an idea (though a practically necessary one) and unattainable in practice, although striving for friendship (as a maximum of good disposition toward each other) is a duty set by reason, and no ordinary duty but an honorable one. Friendship is grounded on equality, beneficence, and a mutual respect of the other’s moral person, but given human limitations, true friendship remains a practically necessary idea to strive towards only. That said, Kant roots friendship in the duty of beneficence, a duty we have towards everyone, so presumably everyone has the potential to become a friend. We see here an inclusive group, which implies an open Plurality.

As for parental relations,

…from procreation in this community [comes] a duty to preserve and care for its offspring…from a practical point of view it is a quite correct and even necessary idea to regard the act of procreation as one by which we have brought a person into the world without his consent and on our own initiative, for which the deed the parents incur an obligation to make the child content with his condition so far as they can.

A child emerges within a community (a family), which makes the group to which it belongs both exclusive and inclusive (let’s call it ‘expansive’). Only within such an expansive set is differentiation possible (it should not be taken as a coincidence that Community, and by implication disjunctive judgment, is mentioned ). Nonetheless, Kant admits that parents still

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1509 Ibid 427 [6:278]
1510 Kant *The Metaphysics of Morals* 585-586 [6:469]
1511 Ibid 429-430 [6:280]
have a right to their child “akin to the right of a thing.”

When Kant approaches love relationships in context to practical reason alone, he cannot help but slip into the obligations implicated by the ownership of property. Only once he considers friendship as an idea do we seem to get some idea of a way out of this embarrassing impasse.

But let’s turn to not just to practical reason but also aesthetics to try to explain love relationships and see if we find there a model that makes up for the shortcomings of the former one. If love belongs to a higher faculty, it must concern ‘form’ rather than content, just like aesthetic and moral judgments do. And if we look to the form rather than the content of a loving relationship, it appears to be a kind of mathematical ‘set’ or form of belonging.

Following Kant’s suggestion, the Agreeable corresponds to the categories of Quantity: Unity, Plurality, and Totality. Furthermore, upon reflection, it seems plausible that each category corresponds with a different kind of set. Thus, for Unity, an other belongs to my own exclusive set of one. For Plurality, an other belongs to an open set to which I belong. For Totality, an other belongs to my closed set, each element a specialized part of an expansive whole.

Given that these sets are derived in parallel with a comprehensive triad of Quantitative categories, we can see that the list is exhaustive, since we have taken an exclusive set, countered it with its opposite (the inclusive set), and then synthesized the two together (the expansive set).

Eros, or romantic love, is the form of love typified by Unity, as is conveyed by the common referent ‘my other half.’ One has but to consider the account of love Aristophanes recounts in Plato’s Symposium to grasp this metaphor of romantic love. Furthermore, just as the act of sex attempts a temporary union of two bodies, marriage is often described as a covenant

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1512 Ibid 43 [6:282]
1513 This makes sense since numbers can be derived from sets and the categories of quantity are mathematical.
1514 Ibid 150 [5:266]
1515 The third category in a group is always a synthesis of the previous two categories. This is evident here, where the ‘closed set’ seems to be a combination of both the ‘exclusive set’ and the ‘open set.’
that unites two souls. These metaphors are not accidental, but instead are derived \textit{a priori} from a specific judgment of belonging. Philia, or platonic love, is derived from Plurality, and is characterized by open-ended inclusiveness and equality. Finally, Storge (or familial love) is derived from Totality, the only category which is both closed and yet expansive, insofar as a whole can further differentiate itself into parts. One will notice an interesting resonance between Unity-Substance, Plurality-Causality, and Totality-Community, insofar as Eros concerns subject-belonging, Philia cause-belonging, and Storge community-belonging (I will return to some interesting implications of this momentarily). Lovers identify themselves as a united couple and friends as an open group of equal individuals united under a cause, and family units are differentiated yet reciprocally-defined between parent, child, and sibling. Thus, the three categories of Quantity are transfigured into \textit{social} (or \textit{anthropological}) Ideas which allow us to classify others based on judgments of belonging.

Social interactions would be much too fragile if there were not posited some fundamental form of belonging that remained unchanged as momentary feelings of attachment wax and wane. Social relations require a ‘something’ not bound to fleeting feelings, much like a transcendental object acts as the ‘something’ that holds together representations of a thing. That posited ‘something’ must be timeless, namely noumenal. If love were based on that persistent something, it would explain how it endures between two people through the vicissitudes of life. This move seems necessary insofar as the Kantian project of subjective unity has been left incomplete. The manifold of our intuitions is synthesized by means of the categories of nature. The manifold of our desires is partially synthesized by means of the moral law. But not all desires are concerned with the good. Some quite legitimately concern happiness (prudence). We see that ancient philosophy recognized the need to apply a unifying principle to these
eudaimonistic desires, but, as Kant pointed out, they made the mistake of conflating this pursuit with ethics. Now with ethics properly classified, we are now in a position to consider happiness.

Higher pleasure, as we have seen, is produced when a concord exists between the faculties, a feeling that is likely instigated by Reason’s systematic impulse. We’ve also seen that when the Imagination and Reason are put into discord, a powerful feeling – sublimity – results that dwarfs our sensible nature. The supersensible vocation awakened in us in sublime encounters awakens us to an eternal, unchanging substrate: the soul. We are thus awakened to our subjecthood by means of this discord. But, analogously, it is conceivable that we can encounter an Other and judge them adequate to the Idea of a supersensible self as well, which would strike a concord between the Imagination and Reason and produce a higher pleasure. The resulting feeling, which can be anticipated a priori, is called love. It is essential that this be based on a concord rather than a discord, since a discord repulses while a concord attracts. It is also essential that this love aims at something timeless, which gives it persistence over time.

We must consider, much as Kant does, what the function of desire is, and whether or not there are different kinds of desires requiring different kinds of synthesis. Let’s take erotic desires (desires for intimacy). As even the ancient Greeks recognized (and Plato recounts in the Symposium), erotic desires based on the beloved’s body are fleeting since that body changes, leading to despair and inner disorder. The ‘soul’ to which they claim true love aims is thus a transcendental idea that gives erotic desire fixity, unifying a tumultuous manifold of lusts and infatuations into an orderly one (romantic love). Eros does not merely make me noble; it makes me a coherent desiring self. Nobility of soul is a mark of subjecthood.

Furthermore, as the ancient Greeks also recognized, romance ends and friendship begins once the bond of exclusivity is effaced. Arguably pederastic relationships were possible, given
Greek presumptions about sex roles, only before the boy could be considered a possible member of society, or as belonging to an open set of equals. As such an equal, the Friend, as a transcendental idea, no longer unifies the same manifold of desires. Given that friendship relates to the duty of beneficence (the pursuit of ends), it seems to align with both cause-relationships and hypothetical judgments. Duty obligates me to aid others in achieving their ends but friendship unites me with others in the pursuit of a shared end. True friendship presumes a perfect trust that the ends of two people are the same (ultimately the welfare of each other). This is the precondition for a shared world and engagement in it. One without friends is like one without a world.

Finally, one is only completely determined as a self insofar as one figures into a community of similarities and differences (a Family). United in the concept of Family is both self-identity and collective purpose. Perhaps no other kind of belonging is associated with identity more than family. A surname itself acts as a unifying principle, collecting the distinct members of a lineage together, each branch on the genealogical tree being a disjunction that nonetheless actualizes parts of a potential whole.

I argue that insofar as such unity and coherence of the manifold of desire is a precondition for subjecthood then these three ‘anthropological ideas’ are necessary. In that way, I am only truly a Subject when I encounter an Other as Subject. From this perspective, a Critical Anthropology may be possible, one that not only indicates the necessary conditions for intersubjectivity but also the errors of reason that lead to its subversion.

Then what errors can lead to the subversion of intersubjectivity? If intersubjectivity is undermined by means of fracturing a necessary unity, the form of belonging is the principle of unity, and there are only three forms of belonging, then it’s likely that an error occurs when the
purity of the Ideas is undermined, or when the boundaries between them is blurred. This may be referred by us as a *Category Mistake*. Traditionally there are three forms of ‘deficient’ love: Ludus, Pragma, and Mania.\footnote{Lee, John Alan, *The Colors of Love* (Don Mills: New Press, 1976), 9-10. Lewis, C.S., *The Four Loves* (New York: Harcourt, 1960), 9-10. Lee asserts that the three primary forms of love are eros, ludus, and storge. I have followed a more traditional account that Lewis provides, since Lee does not consider friendship.} Ludus is non-exclusive love, Pragma is exploitative love, and Mania is obsessive love. If it can be demonstrated that each is based on a category mistake (or error of judgment which conflates one form of belonging with another),\footnote{The Category Mistake, as a form of dialectical illusion, may result from the interference of the lower faculty of the feelings of pleasure and pain (i.e. the Satisfying) with the love judgment. What follows is speculation. For example, erotic judgment, if misinterpreted as concerning the empirical rather than the supersensible, is misinterpreted as a limitation on freedom (i.e. as possession). This leads to the conflation of Eros with Philia because Philia is open-ended, and misjudged to be the antidote to erotic ownership. But Eros, Philia, and Storge are different in kind, and do not so much curtail freedom as provide new expressions for it. To ask Philia to be Eros, Storge to be Philia, or Eros to be Storge is to lose both.} then I will have outlined a Critical Anthropology that delimits social relations and love.

Ludus refers to playful, open, non-committed romantic relationships.\footnote{Lee, John Alan, *The Colors of Love* (Don Mills: New Press, 1976), 9.} The unitary principle for Eros is exclusivity. Therefore, its counter-principle is inclusivity. Therefore, Eros is undermined if it takes on the traits of Philia, since it treats what is exclusive as if it’s inclusive. Furthermore it’s possible that Philia could be eroticized. Both the philialization of Eros and the eroticization of Philia are improper conflations: Ludus.

Pragma is a one-sided, exploitative relationship. Kant describes a balance between love (which draws near) and respect (which pushes apart) as a necessary condition of friendship.\footnote{Kant *The Metaphysics of Morals* 585 [6:469-470]} Therefore, the necessary condition for Philia is equality, making the counter-principle of equality inequality. But there can be inequality only in a closed yet differentiated set, such as one that characterizes a totality. We find this in Storge, which I argue corresponds with familial relationships (which are both exclusive, since not anyone can be in a family, but also inclusive insofar as families can add members by differentiation). Therefore, when Philia is made unequal...
by taking on traits of Storge (i.e. when the Philia is conflated with Storge), a relationship like Pragma results. Furthermore, when Storge takes on traits of Philia, duties that are hierarchically owed (such as parent to child) are abdicated, which is another instance of Pragma.

Storge is a total set based on differentiation. If what distinguishes Storge from Philia is differentiation, then its counter-principle is indistinction. In other words, if Storge takes on the Erotic traits of merging, Storge blurs, and boundaries that need to be maintained are dissolved. Storge with the traits of Eros becomes Mania. Furthermore, Eros with the traits of Storge (totalization) is also Mania, since it totalizes Eros (someone becomes another’s everything). Finally, Agape can be found in any of these relationships if love is felt unconditionally.

The completed system of love looks like this:

![Love Triangle Diagram]

Just as when we looked to the form of belonging when determining the kind of judgment made in matters of love, we must refer not to the content of the Beloved, but their form. The form of another is their character, since character is the form underlying a person’s particular
behaviors. When I encounter another and their character is in harmony with my own in a particular way, I judge that person and me to be members of the same set. But since I judge myself to be a supersensible rational being with duties towards others, I encounter others in their full supersensible personhood when I judge them to be in the same set as I am. When I judge others to be like myself, I judge them to be in harmony with the Idea of a supersensible personality. When someone is judged to be in harmony with an Idea, love arises a priori since the faculties are most enlivened when the highest sensible faculty (imagination) aligns with the highest intelligible faculty (reason), just as respect arises when our sensible nature is humiliated before the unconditional standards of the moral law. Because love is a feeling based off of a relationship between the imagination and Reason, a commitment carries with it the force of law, what could be called a law of the heart.

The way I experience another as a subject depends on the judgment of belonging. Each kind of judgment aligns with one of the three Transcendental Ideas. When another’s character resonates with my personal character, I judge that other to be a like soul that harmonizes with my own, and thus a lover. This coincides with the Idea of the Soul. When another’s character resonates with my social character as an agent in the world, I recognize that we share the same social ‘world’ (perspective and goals), and thus encounter that other as a friend.\textsuperscript{1520} This coincides with the Idea of the World. Finally, the notion of Family is akin to the Ideal of Reason, or God, insofar as it is grounded upon a hypothetical ideal, or collection of all possible family character traits that can be passed down to children. For example, when I judge myself to

\textsuperscript{1520} This is very similar to Lewis’ account: “For of course we do not want to know our Friend’s affairs at all. Friendship, unlike Eros, is uninquisitive. You become a man’s Friend without knowing or caring whether he is married or single or how he earns his living. What have all these ‘unconcerning things, matters of fact’ to do with the real question, Do you see the same truth?” Lewis 103.
actualize certain traits of another, I judge that person to be a relative. In this way I encounter others as subjects in their full personhood.\footnote{What causes the heart to long for one person rather than another has been a question reserved for poets rather than philosophers for good reason; an antimony results from contemplating it. Consider the following question: \textit{Is the judgment of love based on empirical grounds or rational grounds?} \textbf{Thesis:} It would seem that judgments of love are based on rational grounds. Assume the judgment of love is based on empirical grounds. Then it would be a judgment of the agreeable, which concern relationships which immediately gratify. But it is not a necessary quality of loving relationships that they immediately gratify. Therefore, judgments of love must be rationally grounded. \textbf{Antithesis:} It would seem that judgments of love are based on empirical grounds. Assume the judgment of love is based on rational grounds. Then someone that does not love another could be rationally convinced to love that other based on an outline of preferable qualities. But no one deliberately loves another. Therefore, judgments of love must be empirically grounded.}

This finishes my account both of how a Kantian science of the subject qua subject is possible and how it is possible to encounter others as subjects. It should come to us as no surprise that a Kantian-based system of love would seem so traditional. If I had drafted a Foucaultian-based system (if such a system is possible at all), love would not likely emerge at all, since Foucault means to diversify pleasures (which is the purpose of his asketic style). Kant seeks to unify the manifold of desires and intuitions to produce a unitary subject, a project he left unfinished that I have attempted to complete.

\footnote{The key to resolving this antinomy rests in Kant’s account of the ideal of beauty. An ideal of beauty is “the representation of an individual being as adequate to an idea.” However, an ideal requires that beauty be “fixed by a concept of objective purposiveness.” Thus, the ideal of beauty can only be an archetype of a perfect human being, insofar as it “has the end of its existence in itself.” An ideal has two parts, an idea of reason and an aesthetic normal idea of the species of human which anchors the ideal to an image. A normal idea is “an individual intuition (of the imagination) that represents the standard for judging it as a thing belonging to a particular species,” generated by overlaying and averaging out all observed human figures into one average indistinct figure. The idea of reason “makes the ends of humanity insofar as they cannot be sensibly represented into the principle for the judging of its figure.” The normal idea gives an ideal figure while the idea of reason is the moral character that is adequate to it. Thus, the ideal of beauty is produced when the imagination is in harmony with Reason. In the ideal of beauty we find a model similar but not identical to the one that characterizes a judgment of love. The ideal, like the beloved exists in both empirical and supersensible dimensions. The body, be it the glance, the smile, or the tone of voice, gestures to the personhood lying beyond the sensible. Like beauty, what seems relevant is not the empirical content of the other, since empirically the other can be disagreeable at times, but instead the form or pattern of behavior abstracted from it: what we might call the other’s character. However, love is not concerned with an ideal of perfection, which implies that it, like any other aesthetical judgment, is without a concept. Only an indeterminate harmony between the imagination and the Ideas of Reason is necessary for love.}
7.1 Conclusion: The End?

This has been a long journey through the landscape of the human sciences, inspired by a
wanderlust to traverse its expanse, encounter its species, and reach its limits. What marks the
peculiarity of a philosophical journey though is its penchant to start where other journeys end: at
its limits. The first steps of a philosophical journey often trace a boundary. To be sure, these
limits no more restrict the development of that inquiry than the cell wall of a fertilized egg
hinders its development. From a simple state it develops, but never is the integrity of its whole
compromised if it perseveres. Rather a boundary is the necessary condition for its
differentiation. So where then does an inquiry end if not at its limits? Perhaps its end lies at the
center of that new continent, the heart of the matter, when the purpose of the inquiry has been
fully articulated. If that’s the case, then the final words to this work should be more than a
summary of ground covered, but the iteration of its ultimate aim.

7.2 Summary of the Dissertation

The beginning of this inquiry into the human sciences started with a negative task:
demonstrate the limits of previous attempts to understand the subject. In this task I had two
allies: Immanuel Kant and Michel Foucault. Both, despite their marked differences, had a shared
sympathy and suspicion: Both thought the human sciences were problematic. Of all the human
sciences held in suspicion, I focused most of my inquiry on that human science alleged to know
the subject qua subject most intimately: psychology. This science claims not only to know the
subject but to know the ends best suited to it and the therapeutic means to acquire them.

Kant and the Division of Subjects

Historically, not all psychological disciplines treated the same subject (or at minimum,
they treated the same subject in different respects). Likewise, any critique of the discipline as a
whole would require a partitioning of the task into smaller critiques aimed at each sub-discipline, amounting to a comprehensive classification. In that spirit, I divided the subject into a theoretical subject and a practical subject in order to align my critique with the general division between the theoretical and the ethical. Thus, there seemed to be a psychological discipline concerned with the self as a passive theoretical object of study, in contradistinction with another discipline concerned with the self as an active subject of ethical action. It is in this context that the psychological ‘patient’ gains its ambiguity: there is the patient examined during an experiment and the patient treated during therapy.

However, the former, theoretical subject could be divided further into an empirical ego and a rational soul. The empirical ego, I argued, was the object of inquiry for empirical psychology, and the latter, rational soul, for rational psychology. Kant’s *Critique of Pure Reason* and *Metaphysical Foundations of Natural Science* targeted both sciences as illegitimate. No amount of introspection could ever yield up to the observing eye a coherent empirical ego. That is not to say that nothing is yielded up by such inquiries, only that the flux of images, thoughts, and feelings seized by such a gaze could not properly be mathematized due to the one-dimensional temporal nature of all phenomena of inner sense. But rational psychology, which attempted an a priori, rather than an a posteriori, approach, fared no better. Any attempt to theorize about the soul and derive its predicates in this manner inevitably produced four errors of reason: the paralogisms. The ‘I’ was said to be a substance, to be simple, to be a unified personality, and to be certain and distinct from the body and all else. By pointing out an equivocation underlying these four arguments, Kant repudiated rational psychology and scaled back metaphysical pretentions that we could ever know the metaphysical soul (the self beyond the veil of appearances). Ultimately, the only thing rational psychology could prove was that it
was logically necessary for an ‘I think’ to accompany all representations and unify the field of experience by rendering all representations ‘mine.’ But this ‘I’ has no content, and cannot be used as the basis for a doctrine of the soul: “This I is no more an intuition than it is a concept of any object; rather it is the mere form of consciousness, which accompanies both sorts of representations and which can elevate them to cognitions only insofar as something else is given in intuition…”

But what of the practical subject: the subject of ethics? This subject can also be bifurcated into a heteronomous agent and an autonomous agent. The difference lies between whether the subject determines its actions based on a ‘material’ principle or a ‘rational’ principle. All material principles ultimately require the bringing about of an object external to the will, rendering the ethical success of the action contingent and dependent on factors outside of its control. On these grounds such a will cannot be free, but is dependent on something different from, or ‘heteronomous’ to it. Only a rational principle derived by and from the faculty of reason can act as a self-determined impetus to act. Only by means of the universal form of law, or categorical imperative, can the will be free.

Furthermore, all such heteronomous principles are predicated upon establishing a relationship between the agent and the esteemed object, a relationship that could only be mediated by the faculty of sensibility. Such an established relationship between an esteemed object and the sensibility amounts to happiness. Because of this, Kant claims that all heteronomous principles, regardless of whether their objects seem empirical or intellectual, are concerned with happiness. From our in-depth study of the heteronomous theories Kant proposes, such a claim seems to be borne out well: the Ancients most certainly seemed preoccupied with achieving a mental state of contentment, for example. On the other hand,

1522 Kant *Critique of Pure Reason* A381 [432].
rational principles are not mediated by the sensibility but instead by those faculties (reason and the understanding) that are not bound up in the phenomenal world or concerned with achieving particular effects in it. In fact, rather than attempting to acquire happiness, the categorical imperative humiliates our animal nature, a humiliation felt as pain. At best, the respect for law we feel can give us a sense of self-worth, but not happiness. Morality is not concerned with happiness. It only guarantees *autonomy*.

Thus Kant leaves us at an impasse: we can either prioritize happiness or freedom. At best, happiness can be an amoral concern always trumped by moral imperatives followed at one’s sensible expense. Motivations to secure personal benefit always lurk in the empirical psyche, ready to taint the pure will committed to act out of duty. As Kant notes, we can never be sure whether we ever act out of duty or for the sake of satisfaction, which threatens the autonomy morality is meant to guarantee. Most certainly a charitable (or even honest) reading of Kant shows that life is not as austere as this picture presents. But inevitably, even when happiness is a duty, it is not my own but instead for me to give to another. This is a drawback of attempting to save morality and freedom by separating it from the realm of the human animal and securing it in a world beyond possible experience.

It is this impasse that grounds the task of this dissertation, and, I would argue, is the antinomy that therapeutic psychology alone cannot resolve. Therapy certainly concerns itself with both happiness and autonomy. Nonetheless, the subject to which it appeals is not the noumenal subject of reason, but the phenomenal object of affect.

To resolve this impasse, I supplemented my task with Foucault, a philosopher who attempts to find a place for both freedom and pleasure. It is his engagement with Ancient asceticism that provides such an alternative. I also argued that Kant lays the groundwork for such a
Critique, one that recognizes a new kind of higher pleasure (based on Love) and draws its limits and proper uses. It is love that acts as a supplement to duty, is the missing link that completes the architectonic, and provides rational principles for happiness that allow the human animal to attain the heights reached by the soul. The diverse manifold of desires partly unified by the categorical imperative can now be fully unified by love’s laws, replacing the waxing and waning of infatuations with a stable law of the heart, completing the self.

Foucault recognized this impasse differently because his metaphysical model was different. Nonetheless, the same locus of concern between pleasure, freedom, and their ideal relationship exists. No longer did freedom cleave to the noumenal (an outside) and pleasure to the phenomenal (the inside). Freedom was a condition of this world that didn’t need a supranatural support, the metaphor best capturing it being ‘the struggle.’ There was no escaping power, but there were always a means of resisting it and fighting back so as to prevent a totalizing control (or ‘domination’). Therefore, the problems inherent to the human sciences Foucault highlights are political in nature, namely, power and its dominating effects.

It was my contention that Foucault’s early and middle work could be mapped onto Kant’s Table of Heteronomy precisely because the former concerns the different manners in which Western man has been dominated, and the latter concerns the exhaustive manner in which the will’s freedom can be subverted by something external to it (presumably a power relation with something external to, and yet constitutive of it). The forms of domination and their corresponding subjects are included in the following table:
Having left us at the mercy of a seemingly-monolithic network of power, and all knowledge of the self turned against us as a tool of reification, Foucault proposes an alternative to psychology: ascetic, a revived ‘aesthetics of existence.’ This ascetic practice was invented in ancient Greece to resist the power of its day. Out of that resistance and its call to the moderate life was born the philosopher. Today Foucault and Halperin note another ascetic practice, among many, has emerged to combat biopower: homosexual ascesis. Rather than be tempted by psychology’s promise of inner truth, Foucault calls on ‘becoming’ homosexual, on inventing a new homosexual way of life, ethics, and culture. For Foucault, the way out of the psychological quagmire was not to discover the truth of one’s desiring Self, but to \textit{invent} oneself, to create new pleasures, to become other than oneself.
7.3 Solving the Impasse

This is the key to resolving the impasse Kant initially leaves us with when he says the true self (the soul) cannot be known and sciences of the subject (such as empirical and rational psychology) fail to grasp the subject qua subject. Foucault has shown us of the dangers of psychology and how it can be used by power to regulate us and restrict our freedom. It may then be a helpful regulative idea to assume, as Kant does, that the Self cannot be known, that it lies behind an impenetrable metaphysical veil, and that we have no choice but to determine our options and invent the Self anew to maximize its autonomy and its freedom.

This may be overly idealistic, granted that there are very real mental disorders that the psychological discipline has adequately grasped and treated. Let us grant that psychology should not be jettisoned. But let us also concede that psychotherapy is also not equipped to resolve the antinomy between happiness and autonomy, or pleasure and virtue, that becomes manifest to any philosopher. Are not the perennial nature vs nurture debates of the discipline the result of a blindness to this impasse, since one is driven to condone or condemn the acts of others and allocate blame or pardon? Surely neither freedom nor virtue can be found on either side of the divide. If Kant is right about the sole source of autonomy lying in the moral law, it may be that freedom cannot be found on either side because the ‘care of the self’ that psychology practices, perhaps despite itself, is no longer an ethic.

It was with this resolution in mind that I turned back to Kant’s paralogisms, and, inspired by the way Kant deduced new categories from the old, I considered the possibility that the paralogisms identified the right categories capable of thinking the subject qua subject (and by this I mean the subject that acts rather than passively contains an essence), but did not apply them properly. Those categories were unity, reality, substance-inherence, and existence-non-
existence. Rather than applying these categories to the subject as it allegedly is (as an object of knowledge), I considered the possibility that it identified those categories that indicated a way of life, a becoming for a subject attempting to emancipate itself from objecthood (heteronomy). If this were so, I had but to look to the various forms of ascetic practices philosophers have already suggested to see if this architectonic of self-constitution was evident.

From this hypothesis and subsequent reflection I discovered an ascetic practice of universality and unity, of which Kant was the pinnacle. Kant attempted to achieve two forms of unity meant to unify the self: unity of knowledge (by means of regulative ideas) and unity of desires (by means of the categorical imperative). Understanding Kant as the pinnacle of a millennia-long ascetic practice, Pierre Hadot’s characterization of Ancient forms of ascesis made sense:

…all spiritual exercises are, fundamentally, a return to the self, in which the self is liberated from the state of alienation into which it has been plunged by worries, passions, and desires. The “self” liberated in this way is no longer merely our egoistic, passionate individuality: it is our moral person, open to universality and objectivity, and participating in universal nature or thought.\footnote{Hadot, Pierre, Philosophy as a Way of Life, trans. Michael Chase, ed. Arnold I. Davidson (Malden: Blackwell Publishing, 1995) 103.}

The path of ‘universality and objectivity,’ of a self not restricted to its sensible individuality, is most clearly and purely articulated in Kantian ascesis, wherein the way to freedom is the universal moral law itself.

From my own speculations on the Kantian system, I then tried to resolve Kant’s antinomy between happiness and autonomy in the only way that the Kantian system allowed: by showing a shortcoming in the pre-existing architectonic. What was missing, I argued, was a missing higher pleasure to complement the pleasures pertaining to Beauty, Sublimity, and the Good: Love. If this feeling and pleasure could be shown to correspond to the higher use of a faculty, and the higher use of a faculty depends on it obeying its own principles rather than those
determined by the sensible world, then both a stable pleasure (happiness) and freedom would be compossible. I claimed to find these principles in the transcendental accord of the imagination with Reason, and accord that was felt as both a feeling of love and a higher pleasure. That accord was nothing short of the judgment that an Other was adequate to the transcendental idea of a supersensible self. In this manner, I encountered an Other as a person, like myself. Thus, in theory, this explains how we can encounter others as subjects. There were three kinds of accord, or three different ways to judge another to be like my suprasensible self: three forms of belonging, or sets, I determined by turning to the categories of Quantity. I could judge someone to belong to the exclusive set to which I alone belong (the Lover, or Soulmate – corresponding to the category of Unity), or to the open set to which I belong (The Friend – corresponding to the category of Plurality), or to the expansive set to which I belong (Family – corresponding to the category of Totality). These ‘anthropological ideas’ (the Lover, the Friend, and Family), derived from the mind’s desire for unity, could stabilize desire and maintain social cohesion and unity, while deriving from an autonomous play of the faculties.

The meaning of this is quite concrete: the transcendental ideas of love are akin to the Object = X that correlates to the transcendental I and that synthesizes an assortment of qualities into a thing. Anthropological ideas determine the exclusive object to which a certain class of desires and pleasures belong and by means of them, desires, emotions, and pleasures of a certain class are stabilized rather than in constant flux (since they have a unified ‘target’). From the tumultuousness of infatuation can come the deep-seated, persisting feeling of Eros because of the transcendental idea of a soulmate. From the 'friendships of utility and pleasure' Aristotle discusses, with waxing and waning affections, can come the permanent affection (Philia) of a
genuine friend, a 'kindred spirit' (friendships based on good character). And finally, from the chaotic dependencies of the child or the instinctual attachments of the parent can arise a deep love, Storge, strong enough to push a parent to sacrifice itself to save the child or to bolster the child's determination to take care of the aging parent.

Without these 'anthropological ideas' society would fall apart. They are so essential to it that we take them for granted. But nonetheless, is there ever an empirical basis for them? Do particular experiences of benefit ever explain why we would not merely see another as useful but also worthy of sacrifice and love? How does a relationship based on extracting utility and pleasure from others transmute in such a marvelous way into its opposite: namely, a concern for how I can be of use to or source of pleasure for another? Is it not by means of these anthropological ideas that selfishness becomes selflessness and we find instances of duty to others without concern for our own happiness? And yet, is not the greatest happiness secured by such acts of love? Thus, love seems to connect happiness and duty, and by means of duty, connect happiness to autonomy. In this subtle art of the soul, this law of the heart, which transmutes the grossest pleasures into the most sublime ones we see the highest that man is capable of achieving. With each new duty (to the lover, to the friend, to the child), does not man’s station also grow? Is this not the Kantian paradox borne out in life: namely, that we can only become more than ourselves and take pride in ourselves only by means of our obligations?

After Kant, it seems, other forms of ascesis developed, perhaps because the former path was now exhausted, perhaps because it had been perfected. Foucault would reflect back on those very same Ancient ascetic practices and make of them an ‘aesthetics of existence.’ I took it as no coincidence that Foucault articulates ascesis in terms of modes of existence, and that his

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archaeological and genealogical methods sought to reveal the *contingencies* of subjectivity, and how it could be different. Foucault’s task was to redraw the lines of *contingency* and *necessity* for the sake of inventing new modes of *existence*. Foucault's take on the problem of the self, autonomy, and pleasure, is in many ways opposed to Kant’s. He is not concerned with finding a transcendental basis for stabilizing the manifold of desires as much as he is interested in destabilizing ossified power relations as both an act of invention and resistance. By styling one’s freedom, one resisted. This stylization of freedom Foucault called ‘the aesthetics of existence.’ The 'aesthetics of existence' (or ascesis) he advocates may still possess the praxical resources to stabilize the manifold of desires enough to not merely attain but maintain happiness (for example, ‘self-mastery’), but one gets the sense that Foucault's concerns are less with happiness than pleasures and limit-experiences (moments of pleasure that shatter the ego). Here we see dispersion as an aim rather than unity. In this way, Kantian and Foucaultian asceses could be said to be mutually exclusive: one means to unite the self and the other to scatter it, to disavow it in the name of something new.

As for the other two forms of ascesis (corresponding to *reality* and *substance-inherence*), little can be said without more research. I argue that Gilles Deleuze’s latter work with Felix Guattari attempts to articulate another path, one based on pure affirmation of life and the counter-actualization of all limitations to that pure affirmation: “The only positive or affirmative thing that a creatural force can do is to dissolve itself. The only creative way of responding to reaction is to overcome it. For any actual individual, what is essential is ‘finally to acquire the

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1525 Foucault *What is Enlightenment?* 315.
1526 Given Foucault’s suspicions of ‘origins,’ his description of Nietzsche’s genealogical method seems to best capture his own: “When the soul pretends unification or the Me fabricates a coherent identity, the genealogist sets out to study the beginning – numberless beginnings, whose faint traces and hints of color are readily seen by a historical eye. The analysis of descent permits the dissociation of the Me, its recognition and displacement as an empty synthesis, in liberating a profusion of lost events.” Foucault, Michel, ‘Nietzsche, Genealogy, History’ in *The Essential Foucault: Selections from The Essential Works of Foucault 1954-1984*, eds. Paul Rabinow and Nikolas Rose (New York: The New Press, 1994) 355.
power to disappear.'"\(^{1527}\) The ultimate goal of this Deleuzian care of the self is its undoing, its becoming-imperceptible, its ‘becoming everybody/everything.'\(^{1528}\) From a molar identity one deterritorializes in accordance with a particular 'minoritizing' regimen: one becomes-woman, then becomes-child, then becomes-animal, and then becomes-molecular. One becomes-imperceptible.\(^{1529}\) There is no Foucaultian gay male becoming: Deleuze and Guattari do not dwell on the possibility of a similarly revolutionary becoming-man that would push the masculine stereotype beyond its threshold of recuperation (following, for example, strategies of the kind employed by some segments of the gay and lesbian S/M communities who theatricalize “masculinity” in order to take it to a deconstructive extreme).\(^{1530}\)

Deleuze prefers becoming-woman, or becoming-girl, since it, in effect, acts as a reclaiming of what was stolen from us as children when we were introduced into a molar order.\(^{1531}\) The same nexus of pleasure and freedom is found here as well, as deterritorializaion removes what restricts our power and produces a kind of joy within us (life unbounded). But one gets the sense that what is at play here is not the cultivation of new pleasures (Deleuze prefers 'desire' to Foucault's 'pleasure,' possibly because their ‘ascetic’ practices and aims are different). One is affirming what one can do while the other is fabricating new selves: Deleuzian ascesis is a Nietzschean ascesis rather than a Foucaultian ascesis (albeit, for sure, Nietzsche heavily influenced Foucault both in method and project). So while there may be similarities between Deleuzian and Foucaultian aims (both favor a form of dispersion over a unitary ego as well as the

\(^{1527}\) Hallward, Peter, *Out of This World: Deleuze and the Philosophy of Creation.* (London: Verso, 2006), 80.


\(^{1529}\) Deleuze, Gilles and Felix Guattari, “1730: Becoming-Intense, Becoming-Animal, Becoming-Imperceptible” 272.


\(^{1531}\) Deleuze, Gilles and Felix Guattari “1730: Becoming-Intense, Becoming-Animal, Becoming-Imperceptible…” 276-277.
sensible over the intelligible encounter), they appear to be different since one affirms while the other denies.

Finally, I argue that Badiou articulates a version of the last form of ascesis. For Badiou, the Subject in question is not the individual.

If there is no ethics ‘in general’, that is because there is no abstract Subject, who would adopt it as his shield. There is only a particular kind of animal, convoked by [an event] to become a subject – or rather, to enter into the composing of a subject. This is to say that at a given moment, everything he is – his body, his abilities – called upon to enable the passing of a truth along its path. This is when the human animal is convoked to be the immortal that he was not yet.1532

In other words, the animal individual is swept up by a truth procedure and becomes part of a Subject. Thus, there are two kinds of Relation that go into the creation of a Subject: the relation of inclusion, such as is indicative of a categorical judgment (the relation between members and classes) and the relation the human animal has to the Event and its Truth-procedure (the relation between substance and inherence, namely, the attributes of fidelity and specific truth-procedure to the Subject, e.g. Faithful Amorous Subject). For Badiou, there are three kinds of subjects (Faithful, Reactive, and Obscure) that relate to four different kinds of truth procedure (Amorous, Artistic, Scientific, and Political). Each truth procedure pertains to an Event, or moment that something that was not presented in the situation becomes presented, challenging the given order of ‘veridical’ knowledge. The human animal can thus relate to the Event in one of three ways: it can either stay faithful to its revealed universal Truth, accommodate it to the old system, or violently reject it (the faithful, reactive, and obscure subject, respectively)1533 That choice is free, granted that there is no certain evidence available to determine that decision for the individual. One faithful to the event and its truth experiences a kind of affect: politics elicits

enthusiasm, the arts pleasure, love happiness, and science joy.\textsuperscript{1534} Thus we see a connection between a free choice and higher pleasures indicative of a higher manner of living. This form of ascesis is similar to Kant's insofar as there is an identification with the universal, the intelligible, and unity. Even fidelity in the face of a truth that cannot be proven, which seems to pertain to practical reason, finds a place in Badiouian ascesis. But nonetheless, Badiou’s truth is of this world, the ethics he espouses (as we saw above) is not a ‘general’ ethics, and the subject he describes is a material one. All of these differences preclude Badiouian ascesis from being a form of Kantianism, making it a stand-alone ascetic form.

7.4 Final Words

By no means do I think these examples exhaust the ascetic practices pertaining to each of the four categories. Presumably, the potential for diversifying subject-regimens in accordance with these broad principles of thought could be as diverse as material and intelligible conditions allow. But what such an engagement with the subject allows, even if the specifics of this attempt to flesh out a system are wrong, is a grappling with the subject qua subject, as a doer that can make itself, that can muster its resources and attempt to achieve both happiness and autonomy by means of everything at its disposal. It is unlikely that therapeutic psychology could grasp any of these regimens by means of its own internal resources, nor could empirical psychology ever study the ideals towards which the subject should or at least could aspire.

Fittingly, the very science of the subject, 'practical psychology' (if I may be permitted to coin a term), springs forth from the very autonomy it seeks, defying the precision of the empirical in order to grasp what is not merely actual but conceivable. If I have at the very least provoked thought in the matter or made the notion of a science of the subject qua subject conceivable, or made the aspiration to derive and systematize what we are capable of becoming

intelligible, or even provided the groundwork or key to pursuing that agenda, I will consider this investigation a success.
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