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Dirección

Pedro Jesús Teruel, Universitat de València
pedro.teruel@uv.es

Hernán Pringe, CONICET-Universidad de Buenos Aires/
Universidad Diego Portales, Santiago de Chile
hpringe@gmail.com

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fernandomoledo@filo.uba.ar

Secretaria de calidad

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albjim04@ucm.es

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El autor y sus críticos

Kant on Human Rights, Peace and Progress: a debate with Luigi Caranti

Estudio crítico del libro: Luigi Caranti, *Kant's Political Legacy. Human Rights, Peace, Progress*. Wales: University of Wales Press, 2017.

JOEL THIAGO KLEIN¹

There are few books that articulate a coherent and well-founded interpretation of a classic author along with a contextualized update of their proposals. Luigi Caranti's book *Kant's political legacy: human rights, peace, progress* is undoubtedly a successful example. It is to be recommended for both scholars of Kant and those of contemporary political philosophy. The book strikes an unusually fair balance between careful textual exegesis on the one hand and the evaluation of and creative comparison with contemporary positions on the other. By creative I mean an interpretation that separates the essentials of an argument or position and then, maintaining the spirit of Kant's philosophy, mobilizes efforts and ingenuity to answer contemporary questions which oftentimes had not yet even been imagined back in Kant's time. The author is also to be praised for his courage to take on strong interpretive and philosophical positions and to go on to argue them and compare them with others, always doing so in a precise and clear style. There are no elongated and unnecessary asides to annoy the reader.

The book is divided into three major parts. In the first one, the author presents a reading that sets out a foundation for human rights in Kant's moral and legal philosophy and compares this model with current ones. The second and longest part of the book, interprets Kant's proposal for perpetual peace and compares it with so-called democratic theories of peace, which are allegedly said to have a Kantian matrix. Caranti displays the political superiority of the Kantian position, due to its greater ability to promote peace in a context of a plurality nations, not all of which are necessarily democratic. The third section deals with the question of history and the idea of progress, and the author presents his interpretation of Kant's philosophy of history. He distinguishes between what he sees to a secondary and outdated aspect of Kant's proposal – that, linked to a metaphysical and outdated version of teleology – and that which he sees as a still viable interpretation, which he describes as a kind of theory that presents a systemic analysis of complex systems.

It will not take up in detail Luigi Caranti's proposals, for he does so himself very nicely in his preface. My intention is, on the one hand, to offer some critical considerations of his exegetical interpretation of Kant's texts and, on the other, to bring up some issues that do not directly refer to the author's interpretation, but are relevant to Kant's own writing and which may challenge Caranti's applications of Kantian philosophy to contemporary positions. I divide my brief considerations into three moments, each corresponding to a part of the book.

¹ Professor at Federal University of Santa Catarina (Brazil); Researcher of CNPq (Brazilian Government), Fellow of Alexander von Humboldt Foundation; and associate member of CFUL (Center of Philosophy University of Lisbon). Contact: jthklein@yahoo.com.br.

1. Human Rights

Caranti's proposal for establishing human rights upon the foundation of the Kantian concept of autonomy seems highly promising because: i) it satisfies the criteria of generality and universality demanded by the idea of human rights and is well suited to the public discourse on the subject; ii) it precedes the political moment of establishment and affirmation of these rights; and iii) it is not dependent on a particular concept of good life.

However, two issues deserve more debate. The first one refers to the concept of law and its relation to the legitimacy of coercion. According to Kant:

Resistance that counteracts the hindering of an effect promotes this effect and is consistent with it. Now whatever is wrong is a hindrance to freedom in accordance with universal laws. But coercion is a hindrance or resistance to freedom. Therefore, if a certain use of freedom is itself a hindrance to freedom in accordance with universal laws (i.e., wrong), coercion that is opposed to this (as a *hindering of a hindrance to freedom*) is consistent with freedom in accordance with universal laws, that is, it is right. Hence there is connected with right by the principle of contradiction an authorization to coerce someone who infringes upon it (MS, AA 06: 231).

In other words, authorization of coercion is an analytical proposition to the concept of law. In this sense, it seems strange to speak of rights that may or may not entail the possibility of coercion. This is an issue with Kant's thesis of a cosmopolitan right, which can also be extended to the attempt to ground human rights.

Perhaps the most Kantian position would be that in which human rights are understood actually as human values, because, in the exact sense that the term 'right' is used by Kant, it would be necessary to construct a global political and juridical body to enforce these rights, giving them guarantees and the ability to coerce illegitimate coercion. After all, rights require coercion against whoever infringes them. Thus, either we assume the need for a transnational and global political body which might enforce coercion so that we can talk about human rights, or we have to lower the demand for what is being requested by the idea of human rights, in this case, to something like a minimum moral requirement of civility. This second option would be more like a 'moral coercion', such as Rousseau has in mind when he speaks of the power of censorship in the *Social Contract*. In sum, there are two Kantian possibilities that need to be explored and evaluated: either the terminology of law is maintained, in which case one accepts the idea of building an associated coercive theory; or, we replace the concept of right with an ethical moral perspective of assessing behaviors that do not respect human dignity. I draw attention to this point because Caranti rejects Sangiovanni's criticism that Kant would refute the theory of human rights since there could be no neutral international body capable of enforcing it (35ff). Caranti points out that there are versions of human rights which do not demand coercitivity. For some it might not be either necessary and or desirable to link human rights to the issue of coercion. However, this does seem to be the case for Kant or at least Kant's concept of right, and, there therefore seems to be a tension regarding as rights something that may not be subject to coercion.

I also want to discuss Caranti's soft and scientific version of the concept of autonomy and the abandonment of a vision that he calls metaphysical, which he attributes to Kant and to Kant scholars (I am focusing at the moment on Chapter 3). I am no orthodox Kantian, but I would like to question, from the point of view of his philosophy, this alleged detachment and this alleged equivocal or at least problematical metaphysical version. In other words, I believe that Kant's position would not be as contrary to modern scientific understanding as might seem to be the case. In this sense:

i) Kant's aim both in the *Groundwork of metaphysics of morals* and in the second *Critique* may be summed up as the intention to find and justify the supreme principle of morality. However, Kant's intention was not to present a new principle, but instead to submit to evaluation an unambiguous formulation of the moral principle that had always been the basis of the moral judgments of ordinary people in different cultures. So Kant would have no problem in recognizing that the golden rule expresses in some way the fundamental moral principle of morality (in a vulgar and pre-critical sense). The point is that the moral principle in the formulation of golden rule is misleading and may eventually cause errors. Thus, a more adequate formula must be proposed that captures the right idea behind that formula. This is what Kant intends to do in the *Groundwork of metaphysics of morals*. Of course, over time, Kant expects an influx of philosophy to take place in ordinary life and throughout many cultures in order to clarify the best formula of the moral principle, which is what speech and the debate about human rights may promote to a certain extent.

ii) Kant never linked the issue of rights and dignity to the human species. For this reason, the concept of humanity is attributed to all 'rational beings'. Therefore, every rational being, i.e. every being with the capacity to act morally, is attributed the condition of 'humanity'. It is also important to remember that Kant was a keen enthusiast of all new scientific discoveries and theories. If he had had access to Darwin's theory of the evolution of species, a theory that understands morality as a behavioral evolution that allows humans to adapt to the environment, I do not think any change would have come about in his moral theory, precisely because Kant's theory of morality demands 'another point of view', which does not exclude the scientific theoretical explanation of moral behavior. Kant himself states repeatedly something to this extent in the first and second *Critiques* when he accepts determinism in the phenomenal world. Caranti argues that the discourse of human rights must recognize the great difference in degree between human morality and that of other mammals. Therefore, this difference can be seen to be of another kind, so we arrive at, once again, Kant's position that human beings are agents that see themselves as belonging to the world as free agents. Kant's terminology of a sensible and a supersensible or noumenal world stems, of course, from a metaphysical matrix. The point, however, is that this is always in a sense metaphysical if we understand by metaphysics something that cannot be reduced and explained simply through facts and empirical data. Biology and neurosciences can always explain how the mind works or what the evolutionary advantages are of moral behavior, but this does not exhaust the question that moral action is based on principles which, in turn, are not reduced and cannot be explained as a mechanical causal relation. In short, I am suggesting that Caranti's position need not be seen as merely arising from Kantian inspiration, but as a clearly Kantian position with a contemporary terminological apparatus.

2. Peace

The second segment of Caranti's book, masterfully demonstrates all the advantages of Kantian theory of peace regarding the Democratic theory of peace. He does so by distinguishing between the concepts of a liberal Democracy and a Republic. He argues that it is only by understanding the central characteristics of Kant's concept of a Republic that one can criticize the performance of liberal democracies and explain and condemn their strong tendency to make war against non-liberal states, or even their role in promoting coups in other democratic nations. For this, we have to reread carefully the three principles that constitute the definitive articles of the text *Towards Perpetual Peace*. At least two of Caranti's arguments deserve to be mentioned here: i) that the Federation of Nations does not have to consist only of republics; and ii) that cosmopolitan law is not reduced to a right of visitation

and commerce, but implies the establishment of a standard of respect for human beings, something that itself serves to promote peace.

What I find problematic is not Caranti's argument, but Kant's position that Caranti adopts (150ff). It is the issue that individuals may be forced into civil society, but this does not apply to States, since the latter are already established moral entities that have overcome internal anarchy. In the *Metaphysics of Morals* Kant clearly states that, in the state of nature, individuals can use force to compel others to enter with them into a civil condition in order to overcome the anarchy and extreme injustice that individuals subject each other to simply because they exist side by side without a public law. The point is also that, in the state of nature, individuals must be considered moral entities, that is, entities who hold rights, even if merely private ones. If individuals in the state of nature were not moral entities, they could not participate in the idea of contract. The question is: Why do individuals have the right to force each other into civil order and why does the same right not apply to States? It cannot be because some are moral entities and other are not. Were there moral reasons for this, 'or just prudential ones'? It is not a matter of defending the reading of a world State rather than a Federation of Nations, since this question applies to both situations. So the question is whether a world State or a Federation of Nations may use coercive force in order to establish themselves or should they function simply by free admission?

3. Progress

One of the great merits of Caranti's book is how he highlights the importance of the philosophy of history for Kant's political philosophy. He successfully demonstrates throughout the book that Kant's texts focusing on history and progress cannot simply be dismissed when trying to comprehend Kant's political and moral theory. I am in full agreement with Caranti's defense of the importance of the idea of progress for the theory of human rights and the theory of peace.

My questioning refers to Caranti's proposal of a secular guarantee of progress intended to 'de-dogmatize' Kant's teleological foundation. Caranti makes it very clear that he defends a position different to that of Kant. It is important to emphasize that Caranti's arguments in support of his hypothesis of a non-dogmatic teleology were also presented by Kant. What happens is that Kant goes further and Caranti believes that Kant says more that can be held as valid in nowadays scientific standards. So Caranti proposes discarding the first three of the nine propositions that make up the *Idea of a universal history with a cosmopolitan purpose*. He further suggests keeping the remaining six, while reinterpreting unsociable sociability in terms of self-interested and calculated tendencies that bring about peace rather than war. I disagree with Caranti's interpretation, at this point but I understand and agree with the reasons for his reservation. In order to explain my position, I intend to argue two points: i) that a coherent interpretation of Kant's philosophy of history, intended to support the thesis of progress towards peace, cannot rule out the first three propositions of *Idea*; and ii) even assuming the necessity of the first three propositions, this does not mean a commitment to a dogmatic teleology.

Regarding the first point, the first three propositions of *Idea* are the following:

- i) «All natural predispositions of a creature are determined sometime to develop themselves completely and purposively» (IaG, AA 08: 18), which means that nature and everything in it operates in a teleological fashion;

ii) «*In the human being (as the only rational creature on earth), those predispositions whose goal is the use of his reason were to develop completely only in the species, but not in the individual*» (IaG, AA 08: 18);

iii) «*Nature has willed that the human being should produce everything that goes beyond the mechanical arrangement of his animal existence entirely out of himself, and participate in no other happiness or perfection than that which he has procured for himself free from instinct through his own reason*» (IaG, AA 08: 19).

What is the significance of each of these propositions for a Kantian philosophy of history and why can they not be discarded?

ii) In the first proposition, Kant assumes that human beings possess certain potentialities which can be understood as capacities or abilities, and that there is nothing in the structure of the world or nature that prevents them from being realized. It is precisely this proposition that assumes that human beings possess a moral faculty which can be developed. Without the assumption of this moral faculty, 'which cannot even be theoretically proven' (because it cannot be seen merely as an instrumental capacity for calculation), it is difficult to imagine that human beings can construct republican institutions and, moreover, that they can reform them and make them more just. In fact, Caranti also assumes the importance of this moral motivation when he discusses the question of the guarantee of perpetual peace in the second part of his book.

ii) The second proposition establishes the pedagogical-educational peculiarity of the human condition and the way it may be improved, i.e., the process of progress demands the institutional mediation of reform as well as the development of one's own morality. In other words, progress demands a process of teaching and learning and an institutional pedagogical commitment to planning moral improvement (it is important to keep in mind, here, Kant's lessons on pedagogy and his constant reminders about the importance of an educational system that cares about moral education). Moreover, this proposition is also very important because it establishes that human beings have the capacity to learn from the mistakes of their ancestors.

iii) The third proposition states unequivocally that the good and evil that human beings have undergone throughout history are their responsibility rather than the result of some supernatural or mystical force that placed them on earth so that it could spy on their sins or because of an expulsion from paradise. In short, human beings 'must become worthy of peace', for it will not result from any other source except from their joint effort to attain it. Nor should human beings blame wars on any natural or theological conditions that are alleged averse to peace.

It should be noted that all three premises are necessary for Kant's theory of progress, and it seems to me that they are also presupposed by Caranti's reading. Why, then, might they have been rejected by Caranti? He explains that is due to the assumption that Kant was thinking of a natural teleology which assumed a 'certainty' and 'a predetermined end' regarding progress. Although a few textual passages may support this interpretation, there are many more that point to a non-dogmatic reading of confidence about progress. There are as well theoretical-systematic reasons that make such a reading unsustainable. In this sense, it is important to consider that:

i) Although Kant was influenced by the scientific theories of his time, he stressed that his teleological perspective always served as a ‘methodological’ presupposition to aid scientific investigation and not as an exclusive and competing view. Thus, there is no assumption that teleology is an ‘explanatory’ model of reality. However, being methodological assumption does not mean that it is contingent and can be disregarded. When Kant says that science can never fully explain even the creation of a small leaf of grass, he is not saying that science cannot discover more and more about how that grass is possible. This, in fact, is exactly what is expected of the progress of science. What Kant means is that science can never ‘fully exhaust’, through causal and mechanical explanations, the understanding of the emergence and perpetuation of life. I am not an expert in the life sciences, but I do not think science has yet achieved this. Kant’s position is that, due to mechanisms of our cognitive faculties, this full understanding about the possibility of life will not be possible, so that we cannot dispense with one or another model of inquiry that assumes a certain teleological perspective to help our understanding.

ii) If teleology still has a methodological function of promoting knowledge, why can it not be useful as well for reflecting on the field of action? When Kant uses the teleological perspective for thinking of progress, he is not simply repeating the same model and explanation he used when dealing with the life sciences. As I see it, there are two types of teleology in Kant’s work, one theoretical and another practical. The latter appears in his texts on the philosophy of history. This kind of teleology has another justification and another objective. Its justification is based on a practical interest of reason in the creation of a broader field of meaning for action, whereas theoretical teleology is based on a theoretical interest and functions as a method for enhancing the investigation of nature. Moreover, when Kant thinks about the end of the history he is using practical teleology and then it does not seem legitimate to accuse him of establishing a predetermined end. He does not intend to predict what will happen. It makes sense, however, to think that if man possesses certain inherently good abilities and capacities and if we can posit a history of progress, then the logical conclusion of the model is the assumption that those abilities and capacities, especially the moral faculty, would be increasingly developed. It does not make sense to speak of progress if one does not assume as a comparative point of reference a certain ideal as the end of history, although only in a regulative way.

iii) Caranti speaks of a distinction between a heuristic and a practical interpretation of the idea of progress. He maintains that the philosophy of history could not be justified only according to its heuristic function since a history of decadence could also present a systematic view of history, that is, it would be able to organize the accumulation of facts. On the other hand, universal history could not be justified by practical use, since it would have the same problem as religion, i.e., it would be a mere vague hope based, in some way, on our moral duty about some undetermined moment in another world. Thus, Caranti intends to follow a third path in which Kant’s arguments are interpreted as a theoretical proof of progress and whose certainty can be seen as a concept of likelihood arising from a kind of analysis of a complex system. In fact, much of Kant’s argument goes precisely in the direction pointed out by Caranti. However, Kant does not stop there. He goes further and intends to attach to this kind of probable and instrumental argument a kind of a ‘practical certainty’, which he names as ‘believe’ or ‘hope’. Here, it is important to realize that the concept of hope is not the common sense meaning as an emotion or a passion. Instead, it is a technical term which indicates the rational legitimacy of a taking something to be true which can only have a necessary subjective validity. And why would hope be only subjectively necessary? According to Kant, all arguments suggesting that hope can be described as a theoretically well-founded assertion are insufficient, because, in the case of

human history: a) it is not possible to prove that there is an anthropological or sociological law functioning to guarantee progress; b) human beings have free will which means that they can make their own decisions, something that does not necessarily need to follow a coherent logic. This is exactly why humans can sometimes act in one way and sometimes in another, or even if they normally act in a way, there is no guarantee that they will continue to do so. Caranti acknowledges this point, but he states that the ‘prediction’ of progress would remain constant if the characteristics of the human being, as we now perceive them, did so. The problem is that the concept of constancy, when studied in the context of free will, is exactly that there is no guarantee that human beings will follow a certain pattern. For example, by analyzing past and present human behavior, who can be sure or even be confident (in the sense of the concept of great probability) that the levels of consumption and pollution will change to the point of not putting human existence or even most of the life on the planet at risk? As I understand Kant, a certain kind of confidence in this sense could only be assumed and justified if we interpret it in the sense of hope, that is, a ‘practical’ and ‘subjective confidence’, in the sense of a belief that it is possible to change people’s attitudes by clarifying their consciousness of duty and also their own self-interest. However, if these hopes had no practical foundation, even though we know we cannot prove the assertion, then it would not make the slightest sense to try to do something about it. In other words, hope is a confidence about a possibility that has a practical justification and is eminently practical, i.e., it serves as a source of meaning for all efforts carried out to that end. It is not a matter of convincing someone of the possibility that something will happen in order to answer a theoretical inquiry, but it is a matter of building a theory which, in addition to mobilizing theoretical reasoning’s, attains its real value when associated with the awareness of the duty to act in relation to it. This is the practical function of a theory regarding the field of agency rather than that of knowing. This kind of theory, of course, needs to mobilize elements of the field of knowledge, but it does not find full support, nor was it thought up for that field.

Summing up, it seems to me that Caranti’s deflation of Kant’s philosophy of history is neither productive nor necessary, since it is not bound to theoretical-dogmatic assumptions about teleology and its purpose was not to explain nature and history. In the *Critique of Pure Reason*, Kant translates the question of hope as follows: «If I do what I should, what may I then hope?» (CPR, B: 833) This is the formulation of hope from the perspective of the individual agent. However, when we think of the perspective of the species, we may formulate the interest of reason in the following way: What may I and need I hope for, if I continue to act as I should? In other words, it would make no sense for people to consciously and voluntarily assume a political set of actions intended to promote peace, which is also a moral duty, if they did not ‘believe’ it was possible. The philosophy of history does just that: it presents theoretical reasons for this trust, but it does so for those who are somehow willing to take on their duty. Philosophy of history alone cannot persuade anyone who is unwilling to do his duty, nor does it offer enough theoretical reasons to ‘compel’ anyone to believe in its propositions. In this sense, even if the third question posed by human reason needs a theoretical answer, it is the practical reasoning that serves as the guiding thread (CRP, B: 833). It is when human beings see themselves as political agents that they must assume a philosophy of history and not when they want to know the course of history. I want to emphasize that I am proposing an alternate practical-regulative reading that is different than one that approaches the philosophy of history as theory related directly to the theory of practical postulates and makes a direct inference between the duty to act and the hope of some future state of affairs. My alternative to Caranti’s proposal necessarily involves practical teleology and a commitment to building a theory that is consistent with what is known about the world. So, all of Caranti’s reasons in support of the reality of progress must

be considered and are important, but I do not think they are, nor can they be, sufficient and the whole story for what Kant understands as a guarantee.

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