A Matter of Character: Moral Psychology and Political Exclusion in Kant and Mill

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A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy

Department of Political Science

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Abstract

What kind of agent does liberal political thought presuppose? Who is the subject inhabiting modern, liberal conceptions of political order? This dissertation is a study of liberal character-formation, of the kinds of persons, subjects and citizens underlying seminal works in the liberal tradition. More specifically, it explores the forms of character and agency sustaining Immanuel Kant’s and John Stuart Mill’s moral and political philosophies, as well as problems of exclusion and marginalization faced by agents who are, either naturally or circumstantially, unable to develop a properly liberal character.

The project is guided by three central aims. The first is expository: the dissertation draws to light the substantial attention that Kant and Mill both devoted to the moral psychology of progressive, liberal agency, and to the conditions, processes and mechanisms forming a liberal character. The second aim is critical, examining the ways in which these ideals of liberal character stand to constrain the inclusiveness and equality at the centre of liberal moral and political doctrines. The final aim is evaluative, reflecting on how we might situate problems of exclusion, both within the broader
architectures of Kant’s and Mill’s respective philosophical systems, and in relation to the liberalisms that we inherit from them.
Acknowledgments

While dissertations are largely written in solitude, they are certainly not built alone. For those who have, over the last few years, provided invaluable and stimulating discussion, concerted guidance, critical feedback, helpful advice, cups of coffee, company over pints and innumerable other forms of support, I owe you thanks.

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intersect with the real world. Phil in particular has, over the course of these years, been a great mentor, advisor, employer, colleague and, most importantly, a wonderful friend. I am immeasurably enriched by his friendship and inspired by his example.

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Chapter 1

Matters of Law, Questions of Character

It must be troubling for the god who loves you
To ponder how much happier you'd be today
Had you been able to glimpse your many futures.
It must be painful for him to watch you on Friday evenings
Driving home from the office, content with your week –
Three fine houses sold to deserving families –
Knowing as he does exactly what would have happened
Had you gone to your second choice for college,
Knowing the roommate you'd have been allotted
Whose ardent opinions on painting and music
Would have kindled in you a lifelong passion.
A life thirty points above the life you're living
On any scale of satisfaction. And every point
A thorn in the side of the god who loves you.

-Carl Dennis, *The God Who Loves You*¹

1.1 The God Who Loves You

At first glance, Dennis’ god’s perspective elicits a dual sense of a loss. First, he sees the failure in a life of banal simplicity and mediocre pleasures whose tragedy lies in your satisfaction with it. But the second, more obdurate loss comes from the knowledge of the life that you might have lived. God knows what your life would have been like if circumstances had only turned you towards a different future; he feels the pain and loss of this life lost in ways that you, unaware as you are, never could. This god sees what your life could have been – and more importantly, what it should have been. If you’d only been able, as he is, to see your many futures; if you’d only known that going to the second-choice college would have led to you an objectively better life, imbued with a

better kind of happiness, a life thirty satisfaction-points higher (this god, it turns out, is a utilitarian) than the life you fell into; if only... The trouble with god is that he can’t help but to see the life you should have lived; his is the ideal realm of possibility from which the real world can’t help but to fall short. It’s because he’s god that he feels your contented life as a tragic loss, your choices as errors, and your decisions as failures; god’s Archimedean perch is inescapably a position of judgment.

Yet, while god’s vantage point may well be tragic, it’s also somewhat tyrannical. The world that fails to fulfil its promise only falls short of his dream of it; your life is a tragedy from god’s perspective alone, not from yours. It’s never really your life that he bemoans; it’s his view of the life you should have lived that troubles him, your failure to seek the contentment that he saw as within your grasp. The thorn in the side of the god who loves you isn’t really for you, though he convinces himself that it is; this is, after all, the nature of benevolent paternalism. This is the problem with god’s perspective: he can see the life you could have lived, the world as it should have been, and to which it – and you – stubbornly refuse to conform. God’s love stems from the imperious impulse to compel the world to live up to its promise, to get you to live the life you should have, even though you’d never have known it or felt your own happiness as a loss. It reflects a perfectionism that feels the chasm between the ideal and the real as a thorn in the side, and that ultimately seeks to bring this gap to a close.

Who, then, should you be? And, to move towards the point of this inquiry, who should you be if Dennis’ god is a good liberal? This is ultimately a question of character, of the kind of person that you ought to be; character concerns the space between god’s ideal view and your orientation towards it. What exactly do we mean
when we think of character? The notion is complex, variable and highly contested, and has long been a central preoccupation of political theorists. From Aristotle’s account of an excellent, well-lived life to Rawls’ reasonable citizen, character has been understood, interpreted and deployed in innumerable ways and to vastly differing ends. And yet, as widely divergent and conflicting as these conceptualizations have been (and are likely to continue to be), character always appears to, in some way or another, concern the space between the lives we live and the life that we ought to pursue, the two poles represented in Dennis’ interlocutors. There is a dual valence in the idea of character that Kant, in all of his systematicity, captures succinctly:

on the one hand it is said that a certain human being has this or that (physical) character; on the other hand that he simply has a character (a moral character), which can only be one, or nothing at all. The first is the distinguishing mark of the human being as a sensible or natural being; the second is the distinguishing mark of the human being as a rational being endowed with freedom… [The first of these concerns] a) his natural aptitude or natural predisposition, b) his temperament or sensibility, [while the second concerns] c) his character purely and simply, or way of thinking.²

Kant’s division inadvertently illustrates several important dimensions in the idea of character. First, it points to the tension between who we are – our character as natural creatures, bound to our senses and feelings, susceptible to affects and natural impulses; in short, embodied and imperfect physical beings – and who we ought to be – persons of character, capable of acting on rational grounds and fulfilling our moral compulsion (in Kant’s view) to act on the basis of principle and law. Secondly, Kant’s division points to the division itself, the space between the messy imperfection of our embodied, affective,

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² Immanuel Kant, *Anthropology from a Pragmatic Point of View*, ed./trans. Robert Louden (Cambridge: Cambridge University Press, 2006), 7:285. References to Kant’s works throughout this dissertation will cite the volume and page number from the German Akademie edition, drawn for the most part from the English translations in the Cambridge Edition of the Works of Immanuel Kant in Translation. While I occasionally draw upon other English-language translations of Kant’s works, I follow the convention of citing Kant with Akademie notation throughout.
dispositional selves and the perfectly rational actors that we’re morally bound to aspire to become. Finally, it points to the normativity implicit in this division: character concerns our orientation as beings compelled to close the gap between who we are (anthropologically) and who we ought to be (transcendentally). Each of these dimensions is imbricated with the others: character refers to the kinds of beings we are, in all of our individual complexity, unruliness and idiosyncrasies; to the ideal beings that we might be, if we could only discipline and orient ourselves towards the right ends; and to the substance that we work on in trying to bridge the gap that separates these poles.

This is a study of character, understood in this rather wide sense; it examines the often-neglected – and more often buried – space between the idealism of liberal political theory and the irreducible imperfections, impulses and inclinations of the subjects to whom it’s meant to apply. This is also a study of exclusion, of the forms of moral and political marginalization that such ideals of character have historically sustained and facilitated (and, as a number of theorists maintain, that continue to do so) within formally inclusive, universalistic and egalitarian liberal political theories. It investigates the ways in which these ideals have constrained the universality of liberal thought by qualifying the kinds of persons capable of orienting themselves towards a given set of moral and political ends. The central questions guiding this dissertation are: who is the subject of modern, liberal political thought? What are the capacities, orientations, abilities and dispositions presupposed by seminal works of the liberal tradition? Who inhabits the philosophical constructions grounding liberal commitments to inclusiveness, autonomy, liberty and equality? And importantly, who do these liberal conceptions of the subject marginalize, alienate or exclude from recognition as moral and political equals? This is
an inquiry into the particular forms of character, agency and subjecthood that both sustain and challenge liberal political theory, historically and in contemporary contexts. William Connolly argues that all political orders rest upon a deeper “onto-politics”, a foundational ontological-political grammar delimiting and naturalizing a given conception of who moral and political subjects are. Thinkers as diverse as Charles Taylor, Michel Foucault and G.A. Cohen similarly argue that all politics presume a minimal ethical framework enculturing subjects into the habits and behaviours of citizenship. This dissertation aims to illuminate these orientations, affects and habits – in short, the character – underlying the subject naturalized within a liberal onto-politics; it examines the subterranean forms of character running beneath formal articulations of liberal agency and citizenship.

It is also an exploration of the both the moral psychology of liberal subjects and of the conditions under which they are formed; character concerns not only who we are, but how we become certain kinds of citizens. As Étienne Balibar and Uday Singh Mehta note, early modern philosophers developed a philosophical foundation for universal moral rights based on anthropological attributes, such as our capacity for reason; and yet, these same philosophers were also acutely conscious of the need to form the character of otherwise unruly human beings in order to direct them towards the “natural” moral and political ends derived from these capacities. There is a gap between the descriptive foundations of our equal rights (a capacity for reason, self-determination, etc.) and the

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3 These terms are, of course, amenable to a wide variety of interpretations. I clarify terminological questions and my use of these terms below, in section 1.2.3.

4 Both Balibar and Mehta point out the exclusionary dimensions of these “anthropological universals”; see Étienne Balibar, “Racism as Universalism”, in Masses, Classes, Ideas: Studies on Politics and Philosophy Before and After Marx (New York: Routledge, 1994), 191-204; and Uday Singh Mehta, "Liberal Strategies of Exclusion." Politics & Society 18, no. 4 (1990), 428.
normative ends that result from them (as rational agents, we are bound to treat ourselves and others as autonomous beings, recognize a natural right to property acquisition, etc.) that requires us to cultivate a given kind of character and orient ourselves towards the right ends. Rousseau’s Émile is, of course, the best-known modern treatise addressing civic education and formation, but by no means stands alone; liberal thinkers throughout the modern era shared his interest in shaping virtuous citizens. Even a proto- (or pre-) liberal like Hobbes, who understood the sovereign’s right of violent coercion as unlimited, saw the importance for the ruler “to be Judge of what Opinions and Doctrines are averse, and what conducing to peace… For the Actions of men proceed from their Opinions; and in the well governing of Opinions, consisteth the well governing of mens Actions”⁵. Peter Berkowitz argues that Locke’s *Some Thoughts Concerning Education* outlined “an education designed to foster virtues fitting a life of liberty”⁶, cultivating the orientations, skills and dispositions befitting citizens of a genteel political society. As I explore in detail in Chapter 2, Kant devoted significant attention to the social, pedagogical, cultural and historical conditions acculturating imperfect human beings to their moral and political duties. Liberal citizenship, then, is not only defined by formal legal and political boundaries, but also presupposes particular kinds of character and agency, formed by equally particular acculturative processes.

These “thicker” conceptions of personhood, character and citizenship are, of course, far from benign; I aim to explore the ways in which ideals of character have sustained forms of moral and political exclusion in liberal thought and practice. Post-colonial theorists such as Edward Said, Gayatri Spivak and Homi Bhabha have drawn out

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the complicity of such naturalized, “universal” human attributes and the colonial injustices of the modern era. Many of the seminal texts and ideals of the liberal tradition not only share in the period’s broader Eurocentrism, but in certain cases, directly contributed to the justification of colonial and imperial practices. David Armitage and Barbara Arneil, for example, illuminate the historical connection between Locke’s defence of private property and the colonial expropriation of Amerindian lands in the Carolina colony, whose constitution he wrote. Jennifer Pitts, Uday Singh Mehta and Bhikhu Parekh – among others – show the imbrication of Mill’s liberalism and his support, both in theory and in practice, of British imperialism (I treat this in detail in Chapter 5). These post-colonial theorists and historians of liberal imperialism draw attention to the philosophical architecture that naturalized European conceptions of selfhood, citizenship, rationality, and social and political organization, justifying...
European colonial expansionism from the 15th-19th centuries. This is not only a matter of historical reflection: as James Tully and Thomas McCarthy argue, despite the postcolonial decolonizations of the 20th and 21st centuries, neo-colonialism persists in northern countries’ continued economic dominance over the global south. While the open brutality of modern colonialism may well have come to a close, its developmental logic endures, reproducing relations of exploitation, expropriation and subjection. Many of the philosophical presumptions, conceits and ideals of the modern era remain with us; to interrogate them is not only to address historical injustices, but also those which persist today.

And yet, to talk about liberal character – or liberalism more generally – in such broad terms can be misleading and reductionist; it runs the risk of minimizing the complexities of a profoundly contested and variable set of ideas. While we can certainly gather a loosely-defined group of ideals and commitments under the umbrella of liberalism, these are widely open to interpretation and arrangeable in vastly different constellations. Liberal thought is thus better understood as comprising a network of philosophical concerns and commitments than as issuing in a singular, readily identifiable moral or political project. So while I examine “liberal” conceptions of character and agency, I do so in a qualified way, without presuming to speak for or about an essential, incontestable or monolithic liberalism. While I believe it possible (and important) to uncover and critically examine certain liberal moral, political and philosophical

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commitments, to speak of, about, or against liberalism tout court fails to give an extraordinarily complex and variable set of ideas their fair due. Sandel-inspired communitarians, Nozickian libertarians and every manner of political orientation between them have all claimed liberalism’s mantle as their own; we stand to greatly diminish a rich tradition of thought by speaking of an unqualified or essential liberalism. It is perhaps more fruitful to proceed, then, by considering given liberalism, in order to avoid the reductionism of grander claims than I’m willing to make.

This does not suggest that we shouldn’t probe central and recurring features of a liberal world; liberalism is not, after all, a merely chimerical amalgam of disparate ideas, but is rather a general view of human ends and the political structures best suited to pursuing them. As Linda Alcoff argues, social justice and critical inquiry require that we take up the imperative – however problematic – of speaking to and about subjects whose complexities exceed our capacities to perfectly represent them; this does not, however, absolve us of the task. This project takes up this task by undertaking a close and comprehensive analysis of two of the liberal tradition’s most important, compelling and influential thinkers: Immanuel Kant and John Stuart Mill. This is a study of Kant’s and Mill’s liberalisms, of the persistence of their influence over the development of modern liberalisms, and of the complexities and contradictions running beneath the idealism of their moral and political thought. More specifically, this is a study of the moral psychology of the liberal agents inhabiting Kant’s and Mill’s thought; it aims to closely examine the kinds of citizens and persons underlying their formal moral and political theories, and to think through the problems of exclusion presented by subjects unable to

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develop a properly liberal character. I aim to trace certain structural features – those relating to character, agency and exclusion – that recur across different liberalisms without reducing these to a singular liberalism, whose uninterrupted genealogy we might trace through the modern era and into our own.\textsuperscript{13}

1.2 A Few Considerations

1.2.1 Considerations of Method

How are we to carry out this kind of critical inquiry? Answering this question requires that we think through our approach to the study of the history of political thought.

One approach traces a particular idea, concept or theme through different eras and across a relatively broad temporal space, examining a given subject’s recurrence or reiterations through time; we might describe this as a trans-historical survey. The survey approach conducts a comparative or genealogical treatment of a given subject; the object of study either comprises a trans-historical phenomenon or serves as a lens through which

\textsuperscript{13}In this regard, I take Nietzsche’s and Foucault’s cautions seriously: tracing the conceptual history of a given subject or idea runs the risk of assigning a false coherence to often disparate phenomena, or of attributing stability to a given phenomenon over time that is often chimerical. Foucault’s genealogical approach to the history of concepts draws attention to the contingency and variability of supposedly stable or cohesive ideas. In examining character and agency in Kant’s and Mill’s thought, I do not aim to uncover or trace a singular idea, unfolding according to the immanent logic of a uniform “liberal history”; this attributes a false cohesion to liberalism and an equally false determinism to its development. I aim, rather, to consider what the concepts of character and agency do in Kant’s and Mill’s systems of thought; I explore what they respond to, and how they fit within Kant’s and Mill’s broader moral and political interests and concerns. This is not to suggest that I undertake a Foucauldian genealogy, but rather, that I take seriously some of the insights that inform his approach. For Foucault’s reflections on his genealogical method, see Michel Foucault, “On the Genealogy of Ethics: An Overview of Work in Progress”, in Ethics: Subjectivity and Truth, ed. Paul Rabinow (New York: The New Press, 1997), 253-280, and Foucault, \textit{Il Faut Défendre la Société} (Paris: Gallimard/Seuil, 1997), lectures from 7 and 14 Jan. 1976; for the locus classicus of a genealogy at work, see Discipline and Punish: The Birth of the Prison (New York: Vintage Books, 1995). Foucault’s inspiration in this is, of course, Nietzsche’s \textit{On the Genealogy of Morals} (New York: Vintage Books, 1967). Étienne Balibar is equally wary of retrospectively attributing coherence and stability to contingently-generated ideas and concepts; see Étienne Balibar, “Difference, Otherness, Exclusion,” in Nations and Nationalism: A Reader, ed. Philip Spencer and Howard Wollman (Edinburgh: Edinburgh University Press, 2005).
to examine a given pattern of thought recurring through different eras. Edward Said’s *Orientalism* is perhaps the best known such trans-historical survey, undertaking a critical examination of the Oriental “other” constructed in the literary, political and philosophical texts of the modern era. Other examples include Brett Bowden’s recent *The Empire of Civilization: Evolution of an Imperial Idea*, which traces the concept of civilization from the early modern era through to the present day; and Thomas McCarthy’s *Race, Empire, and the Idea of Human Development*, which carries out a comprehensive examination of developmental philosophies in Enlightenment and post-Enlightenment thought. These trans-historical surveys draw a conceptual map connecting different eras through their object of study, conducting a comparative examination of a particular recurring theme or concept.

Conversely, critical historians of political thought such as Jennifer Pitts, Karuna Mantena and Sankar Muthu examine given themes or ideas within the philosophical contexts of circumscribed time periods. Rather than tracing a particular subject across different eras, the critical-historical approach focuses more closely on the complexities of a given period’s philosophical landscape. Muthu’s *Enlightenment Against Empire*, for example, examines the philosophical resources that Enlightenment philosophers such as Kant, Diderot and Herder drew upon in resisting European imperialism. Jennifer Pitts’ *A Turn To Empire: The Rise of Imperial Liberalism in Britain and France* focuses on the particularities of 19th century liberal imperialism, distinguishing it from the earlier liberalism of the Scottish Enlightenment. In *Alibis of Empire: Henry Maine and the Ends*...

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14 Said, *Orientalism*.
16 McCarthy, *Race, Empire*.
of Liberal Imperialism, Karuna Mantena traces shifts in the justifications for empire following the colonial resistance and revolts of the mid-19th century. Where the survey approach identifies a given subject’s recurrence across a broad temporal expanse, the critical-historical approach (closer to the Cambridge School’s methodology) examines the specific socio-political contexts and philosophical languages within which given ideas originated and developed. The survey method tends to abstract from historical conditions in tracing an idea or pattern of thought through different eras; the critical-historical approach, conversely, focuses on the historically-particular conceptual constellations within which given ideas are situated.

This study employs the tools, methods and insights of both approaches. I draw on the survey approach in tracing a particular subject across philosophically and historically distinct periods. While Kant and Mill were not separated by a great temporal distance, it seems relatively uncontroversial to suggest that they are philosophers of different eras. Kant is the Enlightenment thinker de rigueur: his ideas are emblematic of the period’s moral, political and philosophical preoccupations. Mill’s empiricism and utilitarianism draw upon an entirely different philosophical, epistemological and ideological grammar; the world he inhabited – historically, geographically and philosophically – bears little resemblance to Kant’s. In this regard, this study has affinities with the survey approach: I examine ideals of character and agency in thinkers who share few philosophical or historical commonalities. While I do address Kant’s and Mill’s historical contexts, I do not dwell on them; I examine neither Kant’s Königsberg nor Victorian England in any great detail, but rather focus on the themes at hand as they recur in their respective liberalisms.
And yet, my “survey” is somewhat constrained in scope; after all, I treat only two thinkers. Why examine Kant and Mill alone? As helpful as they are in drawing comparisons across different eras, surveys also run the risk of reductionism; their singular focus, in conjunction with the breadth of their scope, can at times reduce the depth of their inquiry. Surveys tend to abstract from historical conditions and can, on occasion, neglect the temporal and philosophical architecture within which given ideas are situated and develop. While, for example, Uday Singh Mehta’s *Liberalism and Empire* undertakes a complex and broad-ranging examination of the ideal of progress across several modern, liberal political theorists, his analyses of J. S. Mill’s conceptualizations of civilization and human development ignore the importance of sociology and Romanticism in Mill’s thought, misinterpreting his broader view of progress (a point which I argue in detail in Chapter 5)\(^\text{18}\). Similarly, Charles Mills’ survey of race in western political thought misinterprets Kant’s racial theory by failing to properly situate it within his broader philosophical system (I treat this in Chapter 3)\(^\text{19}\). Kant’s and Mill’s accounts of human history, development and difference *are* deeply problematic and ought to be subjected to critical examination; and yet, I believe it’s important for us to properly identify and locate these exclusionary proclivities within their thinkers’ broader concerns. In this respect, I share in the critical-historical approach’s focus on clearly understanding, evaluating and attending to these problems by situating them within the philosophical and political contexts which shape their meanings.

\[1.2.2\quad \text{Considerations of Subject}\]

\(^{18}\) Mehta, *Liberalism*.

Why focus on Kant and Mill in particular? Kant’s and Mill’s articulations of foundational liberal commitments to autonomy, liberty, equality and inclusiveness are, without doubt, among the tradition’s most compelling, enduring and influential. They give voice to the broad commitments forming the contours of a basic liberal ethos.

Liberalism is fundamentally predicated on an ideal of inclusiveness – forged in reaction to the wars of religion and the catastrophic divisions of medieval and pre-modern Europe, liberalism rests upon a principle of inclusiveness, on a conscious attempt to ground moral and political principles on universal rather than sectarian foundations. While this ideal of inclusiveness has been defended on various grounds and in various guises, Kant’s imperative to “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”\textsuperscript{20} indisputably stands among its most powerful and enduring iterations. It would be difficult to overstate the \textit{Groundwork}’s significance in anchoring a principled, categorical recognition of the moral equality and inalienable dignity of all human beings. Universality, autonomy, dignity and equality are the cornerstones of Kant’s conceptualization of moral personhood. Our shared capacity for moral autonomy and rational self-government grounds the universal inclusiveness (expressed in the obligatory respect owed to every human being as a potential legislator in the kingdom of ends) and equality (figured in the shared dignity elevating all persons above “market price”) of the human family. This translates – imperfectly, as we will see in Chapter 3 – into claims for political inclusiveness and equality: the task of politics is to preserve a condition of right

enabling all citizens to, with the least constraint possible, actualize their innate rights to freedom. 21

Few texts better articulate the importance of political freedom as a seminal liberal value than Mill’s On Liberty. Political institutions, in his view, preserve the conditions for self-development and self-realization; they enable us to pursue the lives that suit us best. Mill’s defence of liberties of speech, thought and action enshrines the core liberal commitment to social and political anti-paternalism (a commitment as deeply problematized by his elitism as by his complicity in British colonialism, as I show in Chapters 4 and 5). Perhaps less well recognized is the strict anti-foundationalism and profound appreciation for human plurality at the heart of his liberalism. Mill regarded social and cultural diversity as irreducible and valuable dimensions of the human condition; politics, in his view, ought to enable and accommodate the widest possible range of “experiments in living”. His commitment to the preservation of individual freedoms extends beyond the merely formal sphere of rights and law; On Liberty’s cautions regarding the power of social tyranny attune us to the forms of sub-legal coercion that can erode our capacities for autonomy, insights taken up by such contemporary thinkers as Iris Marion Young, Martha Nussbaum and Amartya Sen. 22

Mill’s conceptualization of freedom extends well beyond the preservation of negative liberties; his advocacy for universal education, women’s suffrage and the elevation of the working classes attest to his view of freedom as an irreducibly social good. The goods of

individual freedom, autonomy and self-creation, Mill recognizes, are built upon social and political foundations.

I thus take Kant and Mill as expositors of core liberal principles of inclusiveness, autonomy, liberty and equality, whose philosophical edifices we continue to inhabit – in renovated form, to be sure – today. Importantly, Kant and Mill are also progenitors of (respectively) deontological and consequentialist streams of liberal political thought; yet despite their significant ideological and ontological differences, both struggle with, and depend upon, particular conceptions of agency and character that are, in many ways, remarkably similar.

1.2.3 Considerations of Terminology

How exactly do character and agency relate to one another? What do they mean? And what do I mean by them?

Without attempting any kind of comprehensive typology, I would like to propose a general and flexible outline of my use of these terms. I understand agency to refer, in a very general way, to human actors in the world; unlike terms such as subject or character that are laden with normative and/or substantive features, agency refers to little more than human beings with a capacity for forms of action in the world. Christine Korsgaard’s recent treatment of agency helps to identify a few basic features of the notion: “Since I take an action to be a movement that is attributable to an agent, I take agency to be the central notion in the philosophy of action. In virtue of what, then, is a movement
attributable to an agent?“\(^{23}\) Korsgaard’s formulation captures both the actional nature of agency and its generality. I take agents, in this broad sense, as objects of formation, the substance upon which Kant’s and Mill’s formative projects aim to act. This is a term which I use throughout this study to avoid the baggage associated with their more particular conceptions of character. While I do, of course, address character as well (both Kant’s and Mill’s conceptions of it, and my own wider understanding described below), agency remains a useful piece of nomenclature to indicate, in a general and value-free way, the substance that formation works upon.

One of the best ways of explaining the appeal to agency is to think of what it avoids. As we saw above, character is an inescapably normative term, alluding to the particular kinds of subjects that we aim to produce – the person of character. I take agency as designating the matter on which acculturation and formation work in a broad sense, while character refers to “good”, progressive agents, oriented towards the right set of moral and political ends, and cultivating the right dispositions, affects and habits. As we will see, agency and character can pull in different directions. In Chapter 3, for example, I argue that Kant’s view of moral personhood conceals an important ambiguity concerning moral agency – the object of moral respect due to all human beings – and moral character – a substantially more rarefied (and exclusionary) form of moral agency. This project treats both agency, in this broad sense, and Kant’s and Mill’s more particular conceptions of moral and political character.

The “wide” conception of character that is the object of this study incorporates aspects of both of these ideas and terms: I examine the formation of liberal agents

broadly, as well as the more particular ideals of progressive agency underlying Kant’s and Mill’s formulations of liberal character. I address both Kant’s and Mill’s own views of character and the broader set of dispositions, orientations and attitudes that their moral and political thought presumes in (and imputes to) liberal agents. This distinguishes my treatment from such works as Janine Carlisle’s *Mill and the Writing of Character*, or G. Felicitas Munzel’s *Kant’s Conception of Moral Character*[^24], which focus exclusively on Kant’s and Mill’s conceptualizations of character. This broader sense of character aims to capture each of the dimensions under consideration: the kinds of agents presupposed by Kant’s and Mill’s “formal” moral and political philosophies; the forms of character bridging imperfect human beings and their higher moral and political ends; the conditions – pedagogical, historical, institutional – shaping a properly liberal ethos (in the general, dictionary sense of the term, referring to “the characteristic spirit of a culture, era or community”[^25]); and the ways in which these forms of character and agency have, historically, sustained highly iniquitous, Eurocentric, and exclusionary practices.

1.3 Intransigent Freedom and the Conduct of Conduct

Ethics – the general exploration of the kinds of persons we ought to be – shares a long, close and often fractious relationship with politics. Plato’s examination of the good soul is mirrored in the proper ordering of the good city; the very origins of Western political theory are inextricably enmeshed with the virtues of the good human being. From the very first pages of the *Republic*, Socrates’ dialogue with Cephalus illustrates


that justice – the political virtue par excellence – is never merely a matter of performing the right actions, but of organizing one’s soul. The relationship between character, ethics and political order is made still more explicit by Aristotle, who proposes that “[t]he end and purpose of a polis is the good life”\textsuperscript{26}. Politics concerns not the art of living, but the science of living well; man is, above all else, zoon politikon, and so can not live well without others. All associations, Aristotle maintains, aim at a certain good; as the highest form of association, politics aims at the highest human good. But the human good is no merely transitory state of pleasure or bliss; the “human good turns out to be activity of soul exhibiting virtue”\textsuperscript{27}. Our highest good, then, connects the virtuous soul and the political association within which it may flourish. The good state enables the pursuit of a virtuous life; the good citizen acts virtuously when he preserves the polis. Politics and a virtuous character are never far apart.

Pre-modern political thought is replete with thinkers for whom character-formation takes pride of precedence over the imperatives of politics. St. Augustine, for example, understands political order as merely securing the conditions within which a humanity fallen from God’s grace might work towards salvation. Politics carves out the space within which, as Foucault would describe it centuries later, we work on ourselves in chastening our souls, turning from the City of Man to the City of God\textsuperscript{28}. Aquinas’ eudaimonism similarly situates the political realm as subservient to the moral imperative of guiding human beings to a life of virtue. Conventional, human law is derived from God’s eternal law; it not only secures conditions for peaceable coexistence, but also leads

to the development of a virtuous character. “Man”, Aquinas asserts, “possesses a natural aptitude for virtue but he needs a certain discipline to perfect that virtue… after they become habituated… they will do voluntarily what they did earlier out of fear – and become virtuous. Now this kind of discipline through fear of punishment is the discipline of law”\textsuperscript{29}. This view is by no means restricted to medieval natural law philosophers: the success of Machiavelli’s prince turns on his ability to craft and mould the character of his citizenry. The virtuous ruler employs not only law, but fear, manipulation, generosity and deception to shape the people’s character according to the necessities of rule.

Politics has thus long been a matter of what Kwame Anthony Appiah describes as “soul-crafting”\textsuperscript{30}, and from Plato until the Reformation, the ethical perfectionism underwriting the arts of politics was largely unproblematic. If the political realm is situated within a larger moral cosmology – Platonic forms, Aristotelian or medieval natural law – then there is little controversy in treating the task of politics and law as forming virtuous citizens. “Law”, Aquinas states, “should have the power to lead to virtue”\textsuperscript{31}. But – to indulge in a vast generalization – the modern era saw a sea change in the focus of the Western moral and political imagination. Europe’s emergence from the devastations of the Reformation and ensuing wars of religion was accompanied by an acute consciousness of the dangers of sectarian conflict, and particularly, of basing political order on divisive religious grounds. This re-conceptualization is perhaps most vividly captured in Hobbes’ vision of political society as built upon human beings’ shared fear of violent death. \textit{Leviathan} radically re-imagined the foundations of natural

\textsuperscript{31} Aquinas, “Philosophy of Nature”, 45.
right, natural law and political order, grounding them in the anthropological attributes common to all human beings, rather than in religious or moral doctrines. As Anthony Pagden demonstrates, these shifts in the discourse of natural right and natural law produced the conceptual framework within which modern views of agency and political order developed\(^{32}\). The modern view turned away from classical, virtue-based foundations and re-conceived of natural law as comprised of basic, prudential edicts derived from a minimal moral reckoning that easily cut across borders. Grotius’ and Hobbes’ state of nature arguments boiled human beings down to prudential calculators, grounding politics in universally-shared inclinations, rather than more particularistic and contentious views of the good life. Human society was no longer understood as emerging from naturally-given sociability, but instead, as coming into being with a conscious act of will: the social contract.

The modern view – that we’re naturally free and social by choice – provides the conceptual framework within which liberal concerns with autonomy and the moral primacy of the individual emerge. Human beings’ inherent, natural, and often unstable freedom (as depicted in the state of nature) lays the foundation for the justification of political authority by consent. While coercion – both within and beneath the ambit of the law – was, in the pre-modern period, underwritten by a broader metaphysical order, the advent of a contractarian view of human sociability shifts our moral focus: the *individual* comes to occupy the centre of our moral imagination. As politics veer from the good to

the right (as Rawls would put it a few centuries later), the power of the sovereign comes
to be justified by the preservation of individual freedom. The focus of modern politics
turns from moral health to individual rights; the law turns from building character to
building fences, providing the basic strictures enabling peaceful coexistence and allowing
us all – within limits – to pursue our own ends. Politics becomes derivative of our
fundamental equality and independence; we are signatories to the social contract because
politics and law preserve our shared individual natural rights to freedom and self-
determination.

The modern shift not only reorients the boundaries of legitimate political
coercion, but also presents an entirely original, novel problem: how are we to, as
Foucault puts it, conduct the conduct of free beings? When political authority is justified
by the preservation of individual autonomy and freedom, how are we to ensure that
individuals use their freedom *properly*? How are we to ensure that free subjects act in
ways that preserve the social, political, and moral conditions sustaining this freedom at
all, that they orient themselves towards the right ends? The modern condition produces a
peculiar dilemma: the freedom that is our natural right, which grounds civil rights and
justifies political authority, also threatens to disrupt the social and political conditions
preserving this very freedom. What Foucault describes as “the intransigence of
freedom” is, for liberal political thought, a serious problem. As politics becomes
constrained to the juridical rules preserving individual freedom, *government* – in the
Foucaultian sense – becomes critical in managing a populace:

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33 Michel Foucault, “The Subject and Power”, in *Michel Foucault: Beyond Structuralism and
Hermeneutics*, ed. Hubert L. Dreyfus and Paul Rabinow (Chicago, Ill.: University of Chicago Press, 1982),
221-222.
power is less a confrontation between two adversaries or the linking of one to the other than a question of government. This word must be allowed the very broad meaning which it had in the sixteenth century. “Government” did not refer only to political structures or to the management of states; rather it designated the way in which the conduct of individuals or of groups might be directed…

When one defines the exercise of power as a mode of action upon the actions of others, when one characterizes these actions by the government of men by other men – in the broadest sense of the term – one includes an important element: freedom. Power is exercised only over free subjects, and only insofar as they are free. By this we mean individual or collective subjects who are faced with a field of possibilities in which several ways of behaving, several reactions and diverse comportments may be realized.34

What’s of interest here is less Foucault’s always-elusive conceptualization of power than his view of the need for, and function of, government, understood in the widest sense as managing the freedom of subjects. The social contract comprises the justificatory grounds for the state’s juridical apparatus; it articulates the formal boundaries of coercion that we, as free subjects, can accept as enabling our coexistence. And yet, political order demands more of us than such a minimal juridical framework provides (even Hobbes, as we saw, sees the sovereign’s need to shape subjects’ beliefs); liberal polities depend upon the supplementary power of government. Free subjects need to be directed, but the sovereign is only empowered to erect fences; how, then, are we to ensure that free subjects act properly within this “field of possibilities”, that they orient themselves towards the right ends – in short, that they adopt the forms of comportment sustaining a liberal polity?

Foucault’s broad conceptualization of government captures both the problem and the response to the modern dilemma: modern, liberal subjects can not merely be ruled, but must rather be governed. Government describes the direction and self-direction of free subjects within an open field of possibilities, the ways in which agents form

34 Ibid., 221.
themselves into particular kinds of subjects; it pertains, broadly speaking, to the conduct of conduct beneath the ambit of the law. In the genealogy of ethics that Foucault carried out towards the end of his life, he distinguishes between moral codes, concerning the formal rules of moral systems, and ethics, “which determines how the individual is supposed to constitute himself as a moral subject of his own actions”\(^{35}\). Where codes tell us what we ought to do – as rational, as human, as moral, as civilized – ethics concerns how we come to recognize and constitute ourselves as given kinds of subjects. Ethics – the development of a particular form of character – addresses our habituation and enculturation, our working on ourselves to develop the dispositions and orientations sustaining these legal and moral codes. Rules, laws and codes need the supplementary government of ethical formation (in Foucault’s sense) if free subjects are to direct themselves towards the right ends. Even Kant, with his faith in republican law’s power to enable a race of devils to coexist, sees the necessity of a panoply of acculturative and pedagogical mechanisms to draw us towards our political (and, for that matter, moral) ends; the law alone, Kant quietly recognizes, can not alone compel creatures as imperfect as we are (as I argue in Chapter 2).

The problem is that these constitutive imperfections more often than not lead us to use our freedoms in the wrong ways within Foucault’s open “field of possibilities”; as liberal subjects, we need to learn to orient ourselves towards the right set of ends. Character aims to bridge the distance between Kant’s and Mill’s progressive, liberal agents and the embodied, affective, messy and irrational creatures that we are, who so often fail to pursue our “natural” ends. We inescapably fall somewhere beneath god’s view of the life we should have lived; we tend not to direct ourselves in the right ways, to

\(^{35}\) Foucault, “Genealogy of Ethics”, 263.
pick the right college, to live up to our promise. We are, as Kant so succinctly put it, immature; our constitutive phenomenality, the source of our inborn inclinations to pursue the wrong ends, conditions the kinds of beings that we are. In an insightful study of “liberal strategies of exclusion”, Uday Singh Mehta draws attention to “the distinction between anthropological capacities and the necessary conditions for their political actualization”\(^{36}\); Mehta notes the gulf separating liberal idealizations of rational, self-governing agents and the embodied human beings whose ends they’re meant to map out. Character responds to this gulf; it aims to reduce the space between the imperfect creatures that we are and the forms of agency and citizenship that we’re bound to pursue.

This problem recurs (and is recurrently addressed) throughout the modern era, but is perhaps best captured in Rousseau’s paradox of founding: how might free individuals be turned into citizens, willingly choosing to elevate the general will over their particular wills? Rousseau closes the gap between men as they are and as the laws might make them by recourse to the legislator, who must “compel without violence and persuade without convincing”\(^{37}\), performing the not inconsiderable task of altering the fabric of human nature. Rousseau is not alone; many modern thinkers recognize the problem of intransigent freedom and respond to it in different ways. As Mehta and Peter Berkowitz argue, Locke’s conception of humanity’s shared rational abilities in fact naturalizes “a thicker set of social credentials”\(^{38}\), incorporating them into the minimal conditions for political membership; Locke thus takes “men as they might be” as the starting point for

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\(^{38}\) Mehta, *Liberalism*, 49; and Berkowitz, *Virtue*.
liberal citizenship. Scottish Enlightenment philosophers turned to history: Adam Smith’s four-stage theory refigures the distance between men as they are and as they might be as a temporal expanse; the march of civilization traces our growth towards progressive, liberal forms of life. Kant’s teleological account of human development follows in this vein, letting history and nature do Rousseau’s legislator’s work “behind our back”, as humanity’s “unsocial sociability” pushes us ever closer to the realization of our moral and political ends. Kant thus accounts for the space between idealized subjects of right and humanity’s imperfections by situating us in an age of enlightenment; while civilized in our mien, we remain at some distance from our moral and political maturity. Nineteenth century thinkers such as James and John Stuart Mill, Tocqueville and Guizot distinguished between civilized peoples who stood to benefit from self-government and the uncivilized, for whom it would ultimately be detrimental, measuring the space between who we are and who we might be in both temporal and cultural terms.

Each of these attends to the same fundamental problem: how can we account for the distance between the idealized conceptions of human nature and political order animating liberal thought and the irreducibly imperfect creatures that we are? How are we to close this distance? How, in other words, are we to conduct the conduct of free beings, to compel them to employ their freedoms in the right ways and to pursue properly liberal moral and political ends? And, finally, how are we to conceive of the status of agents who are unable to orient themselves towards these ends? These are the problems that Kant’s and Mill’s treatments of character-formation address, and that this dissertation explores.

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39 Duncan Ivison and James Tully further demonstrate that Locke’s political designs depend on the formation of specific kinds of subjects; see Duncan Ivison, The Self at Liberty: Political Argument and the Arts of Government (Ithaca, NY: Cornell University Press, 1997), 122-133; and Tully, Locke in Contexts.
1.4  Mapping Our Way

This project is guided by three central aims. The first is expository: I aim to draw to light the substantial attention that Kant and Mill both devoted to the moral psychology of progressive, liberal agency, and to the conditions, processes and mechanisms forming a liberal character. While the “formal” aspects of their moral and political theories have, of course, been subjected to ample scholarly scrutiny, Kant’s and Mill’s surprisingly expansive treatments of character-formation have been comparatively under-examined. Both thinkers were deeply preoccupied with the affective, dispositional and habituated dimensions of human agency, as well as with the problems and resources that these might present for a progressive, liberal politics. These were by no means trivial or merely passing thoughts; Kant and Mill wrote extensively about an extraordinary diversity of subjects relating to what I describe as the subjective side of moral agency. Their treatments of biology, race, education, psychology, sociology, anthropology, physical geography, political economy, history, civilization and culture attend to the conditions within which human beings develop given kinds of character. While commentators have, in recent years, begun to consider the relationship between these lesser-known texts and their canonical writings, this remains an under-explored field of scholarship; yet both Kant and Mill understood any complete and comprehensive account of our moral and political natures as addressing the conditions of our development.

My second aim is critical. As historians of liberal imperialism, feminist and post-colonial theorists have noted, the philosophical constructions of progressive, liberal agency developed in the modern era were – and in many ways, continue to be – implicit
in representing women, the poor, and non-Western peoples as backwards, irrational and uncivilized. Without reproducing the overt chauvinism of their historical antecedents, these conceptualizations of human nature remain, to a degree, active today, structuring our views of moral agency, political order and liberal norms. The examination of these historical injustices thus enjoins us to critically scrutinize ongoing instances of exclusion, marginalization and domination. I aim to explore, as Thomas McCarthy puts it, “how putatively universalistic, inclusive, moral doctrines could so readily countenance particularistic, exclusionary practices – and, as it seems, with surprisingly little cognitive dissonance”\textsuperscript{40}. I address this question both historically, in Kant’s and Mill’s thought, and also in contemporary contexts, by considering whether (as some critics charge) liberal norms and ideals remain internally wedded to an exclusionary paradigm.

Finally, I conclude on an evaluative note, reflecting on how Kant’s and Mill’s treatments of character-formation and agency might impact upon contemporary liberal and democratic theory and practice. Is the coercion implicit in shaping given kinds of subjects and citizens at odds with liberal commitments to autonomy and self-determination? Are some kinds of formation morally benign, or even commendable, from a liberal perspective? Are the exclusionary proclivities pervading Kant’s and Mill’s moral and political thought best understood as historical remnants that can be extricated from the liberalisms we inherit from them, or do these merely reproduce similar injustices in a different idiom? In a word: what do we \textit{do} with the register of character and agency – of ethical formation, in Foucault’s terminology – that both sustains and troubles liberal theory?

\textsuperscript{40} McCarthy, \textit{Race, Empire}, 42.
I begin the investigation with Kant. In Chapter 2, I examine Kant’s often overlooked thoughts on the empirical dimensions of human life and their relation to his better known, formal account of moral agency. This appears somewhat counter-intuitive; the critical view of our moral nature, after all, explicitly turns away from empirical considerations. And yet, Kant himself considered pragmatic anthropology – the study of empirical “helps and hindrances” in fulfilling our moral duties – as a necessary component of any system of ethics that was to avoid being “merely speculative”\textsuperscript{41}. How are we to interpret this seeming contradiction?

I begin by offering a tentative resolution to this problem, distinguishing between the objective determination of the moral law (a principle of appraisal) and the subjective development of our receptivity to it (a principle of volition). Focusing on the latter dimension, this chapter illuminates what I describe as the \textit{subjective} side of moral agency: the character, habits and dispositions turning imperfect human beings towards their moral and political ends. I argue that the scholarly focus on Kant’s formal, systematic ethics neglects an important dimension of his moral theory: his (necessarily) \textit{un}systematic treatment of the conditions within which irreducibly phenomenal human beings become oriented towards their objectively-determined moral duties. These conditions include what I describe as the micro-formative (moral psychology, education) and macro-formative (politics, culture, civilization) influences fostering a subjective receptivity to our moral obligations. Kant himself distinguishes between the “principle of appraisal of obligation” and “the principle of its performance or execution”, asserting that

“in that they have been confused, everything in morality has been erroneous”\textsuperscript{42}. While much of the literature addresses the former – the critical account of our moral nature and duties – I focus on the latter, the development of the progressive, moral character underlying it.

This informs my analysis in Chapter 3. Having developed a fuller picture of moral agency and character, I turn to consider how this “thicker” view of the kinds of persons capable of progressing towards their moral ends might constrain the universalism of Kant’s ethics. This chapter undertakes a critical examination of the exclusionary dimensions of Kant’s moral and political thought by interrogating the nature and status of agents who, despite sharing in a formal moral equality, appear unable to develop the rational, end-setting capacities in which our freedom inheres. I begin by drawing often unseen connections between forms of moral and political exclusion, focusing on the “cobeneficiaries of the state” (women and the un-propertied) unfit, in Kant’s view, to exercise political rights. In contrast with commentators who treat these restrictions as prejudiced aberrations from an otherwise sound doctrine of right, I argue that they in fact reflect deeper problems in “passive” citizens’ moral status. This is most evident (and most intractably problematic) in the case of women, whose “beautiful” character – the root of their “perpetual civil immaturity” – appears to inhibit their capacity to develop into autonomous, end-setting beings. This points, I suggest, to the deep tension between Kant’s transcendental, deontological ethics and his teleological account of how beings of our kind – imperfect and in need of moral formation – develop towards our moral ends.

The second half of the chapter examines this tension further by exploring the moral status of non-European races, who sit uncomfortably between a transcendental account of our

\textsuperscript{42} Ibid., 27:275.
shared moral equality (in which all human beings are endowed with an inalienable dignity) and a teleological view of human development (in which women and non-Europeans’ natures and ends are, in Kant’s words, given by nature rather than by themselves). Rather than arguing, as two extensive secondary literatures do, that Kant’s teleological reflections on race and gender either entirely impugn his transcendental moral theory or are entirely separable from it, I suggest that he holds (and conflates) two views of moral agency, enabling the exclusionary proclivities within his thought to (uneasily) coexist with a formally inclusive and universalistic moral doctrine.

In chapter 4, I turn to John Stuart Mill. Mill’s defence of liberty is among the liberal tradition’s most compelling, entrenching citizens’ rights to pursue a wide range of actions, opinions and ways of life with minimal interference from political (or other) authorities. This has often been interpreted as a libertarian call to arms, pushing for minimal government and a sphere of non-interference enabling autonomous individuals to engage in their chosen “experiments of living”\(^{43}\). It has also been taken to ground Mill’s purported advocacy for all civilized societies’ entitlements to democratic self-government. In this chapter, I suggest that this misinterprets Mill’s views in important ways. I argue that he regarded even the most advanced societies as requiring substantial formation and direction to develop the dispositions and social orientations – the democratic character – sustaining free, representative government. Mill considered the good of democracy, I contend, as dependent on a network of social, pedagogical and cultural supports, rather than as implicitly beneficial for any adequately “civilized” people. Much of the contemporary literature reads him as drawing a simple, categorical

distinction between civilized (self-governing) and uncivilized (savage or barbarian) peoples; in contrast, I argue that he in fact regarded democracy as a character-dependent good. As such, many of the most civilized societies of Mill’s day were, in his eyes, incapable of translating democratic rule into a social good.

In order to clarify Mill’s thoughts on democratic character, I turn to his moral psychology, showing that this reveals his central preoccupation with the affective dimensions of citizenship. I argue that his complex associationist moral psychology establishes a critical link between utilitarian ethics and democratic politics, accounting for the social sentiments sustaining representative institutions. Democratic citizens must develop the socialized – and, in Mill’s view, moralized – desires, pleasures and dispositions translating self-rule into a positive social good. I closely examine the conditions and institutions forming such virtuous citizens, and the deep social and political pathologies that Mill sees as the inevitable consequence of extending self-government to improperly socialized peoples (both civilized and uncivilized). I argue that his perfectionist, virtue-based liberalism requires the cultivation of a particular and fragile democratic character, oriented towards the higher pleasures endemic in socially virtuous action.

This perfectionism must strike us as somewhat problematic: does Mill’s view of progressive liberal agency unduly constrain the kinds of people(s) capable of self-government? In chapter 5, I address his infamous distinction between civilized and uncivilized societies and the stage-based account of civilizational development upon

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which it’s purported to rest. Mill’s thought has sustained heavy criticism from historians of liberal imperialism and post-colonial theorists in recent years; his endorsement of the despotic rule of “an Akbar or a Charlemagne”\textsuperscript{45} (or, as the case might be, of British colonists) over insufficiently advanced peoples has rightly come under fire. His liberalism, critics charge, is paradigmatic of what Dipesh Chakrabarty describes as “historicism”, the philosophical-historical conceptualization a singular, progressive path of modernization, with Europe at the forefront and the rest of the world frozen in time as its living past\textsuperscript{46}. This comprises both a philosophical and a practical problem. Philosophically, Mill is accused of espousing a developmentalism that universalizes Europe’s particular historical trajectory, conceiving of non-Western societies as farther back on a pre-given civilizational scale. This leads to the practical problem: this view of progress justified the British colonialism in which he was directly complicit. Mill’s liberalism is, from this perspective, morally, politically and philosophically bankrupt.

There is much to agree with in these charges: Mill’s view of uncivilized peoples is entirely reprehensible and certainly informed his perception of the benefits of what Mark Tunick describes as a pedagogical colonialism\textsuperscript{47}. And yet, I argue that much of this line of criticism is misplaced, or at points, reductionist; it fails to give him his due by significantly simplifying his conceptualization of human development. Against the critics’ contentions, I suggest that Mill’s views of social, political, economic and cultural development are in fact much subtler and more nuanced than the stadial position attributed to him implies. Mill was committed to the methodologies and empiricism of

\textsuperscript{45} Mill, On Liberty, 13.
\textsuperscript{47} Mark Tunick “Tolerant Imperialism: J.S. Mill’s Defense of British Rule in India”, Review of Politics 68(4): 586-611(Fall).
the social sciences; his analyses of human development were firmly grounded in political
science, sociology and ethology, turning away from Enlightenment-era projections of
universal, progressive history. Far from regarding civilizational advancement as
following a given, singular trajectory, I argue that he in fact understood social
development as an entirely contingent, sociologically- and culturally-influenced process
capable of failure and regress. Mill’s post-depression turn to Romanticism drew him to
recognize the indelible sway of culture and history over a people’s national character, and
the critical importance of shaping political institutions in conformity with “the opinion,
tastes and habits of the people”48. I argue that despite his prejudices, then, his view of
historical progress is in fact much more open-ended, culturally-sensitive and –
paradoxically – amenable to, as Uday Mehta puts it, “a multiplicity of developmental
trajectories”49, than is often recognized. This chapter carefully and critically examines
Mill’s exclusion of the uncivilized from political equality, developing a view that parts
ways with the critical perspective that has, in recent years, become something of an
orthodoxy with respect to his liberal imperialism.

Finally, in the dissertation’s closing chapter, I conclude by reflecting on how we
might situate problems of exclusion, both within the broader architectures of Kant’s and
Mill’s respective philosophical systems, and in relation to the liberalisms that we inherit
from them. Drawing on Foucault, I show the connections between the formative and
exclusionary dimensions of Kant’s and Mill’s thought, arguing that they delineate the
boundaries of liberal moral and political agency beneath the “formal” sphere of law and
politics. This proposes an interpretation of these exclusions that differs from those

48 Mill, “Considerations on Representative Government,” in Utilitarianism, on Liberty and Considerations
49 Mehta (1999), 108.
offered by a number of Kant’s and Mill’s interpreters and critics. While these critics illuminate historical injustices and their connections to ongoing forms of domination, I argue that, at points, they misplace and over-determine the depth of the problem. By situating these exclusionary proclivities in relation to Kant’s and Mill’s broader concerns, I believe that we are better able to perceive the philosophical resources within them that remain of value to us, upon which we might reflexively draw in criticizing their failures and parochialism. Following Thomas McCarthy, I suggest that we gain more from critically re-appropriating these traditions of political thought than from simply turning away from them\textsuperscript{50}. I pursue the intuition that by opening these traditions to contestation from the margins, from those historically excluded from (and by) them, we stand to gain valuable theoretical insight and normative direction to guide us through our own moral and political challenges.

In total, then, Chapter 2 draws out Kant’s conception of moral character and its formation; Chapter 3 considers the moral and political exclusions (focusing on the moral dimension) that this “thicker” view of character sustains; Chapter 4 examines Mill’s conceptualization of progressive, democratic character; Chapter 5 interprets the exclusion of the uncivilized in relation to this ideal (focusing on the political dimension); and Chapter 6 reflects on how we might best understand both formation and exclusion in Kant’s and Mill’s liberalisms.

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\textsuperscript{50} McCarthy, \textit{Race, Empire}. 
Despite foundational liberal commitments to moral and political equality, inclusiveness and autonomy, there is no shortage of evidence of the modern era’s failures to live up to these ideals. Women, the uncivilized, the poor, the irrational: these are the kinds of people whose differences fell beyond the universalism of liberal doctrines. This is hardly surprising; it would be unreasonable to expect our intellectual forebears to transcend the constraints of their times, to – as Hegel would have it – jump over Rhodes. History charts our progressive improvement in this regard, our increasing willingness to turn a critical eye towards our philosophical traditions; “[m]oral universalism”, Habermas reminds us, “is a historical result”\(^5\). Over time, we’ve reflexively abandoned racial theories and essentialist views of gender, we’ve lost faith in the authority of a monolithic (and monocultural) ideal of transcendental reason, and we’ve traded in the presumptions of a singular, teleological model of development for a pluralized view of multiple, hybrid modernities. Why, then, dwell on long past accounts of progressive, liberal character?

Critical reflection on the foundations of our moral and political commitments can, without succumbing to presentism, uncover the assumptions and asymmetries of power embedded in seminal philosophical works whose influence persists today. Why should we look to Kant’s and Mill’s thoughts on character, affect, orientation and disposition? Because it is in these fissures between the ideal and the anthropological that we see the imbalances of power, the inequalities and inequities beneath and within the universalism of liberal citizenship. James Tully, Duncan Ivison and Barbara Arneil show that liberal theories have, historically, situated the irrational and the uncivilized outside the polis.’

walls; conversely, theorists such as Étienne Balibar, Georgio Agamben and Iris Marion Young draw attention to the ways in which constructions of liberal agency continue to exclude certain kinds of people from full moral and political recognition within formally egalitarian polities. Agamben’s “states of exception”, between law and lawlessness, in airports, in the limbo of refugees, and in such “black spaces” as Guantanamo Bay; Balibar’s analyses of France’s Algerian underclass, victims of systemic poverty and ghettoization; Iris Young’s theorization of the internal exclusion of those unable to speak in the “reasonable” vernacular of deliberative democracy; these are but a few examples of the substantive injustices and exclusions that coexist with egalitarian theories and practices.

Why focus on character? Because character, agency, ethos, subjectivity – these are the nomenclature that open us to the kinds of persons that liberal polities both depend upon and help to produce. This is not necessarily a bad thing; I do not aim to suggest that structures and institutions of socialization and civic formation are implicitly morally problematic. If we recognize our world as socially constituted, then the subject’s social construction and reproduction is inescapable; this is not in and of itself pernicious. But conversely, we ought to remain vigilant of the ways in which, as Foucault observes, institutions of normalization and subjectivation can, without the benefit of ongoing critical scrutiny, sustain insidious and autonomy-reducing relations and mechanisms of

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52 Tully, Locke in Contexts; Arneil, John Locke and America; Ivison, “Locke, Liberalism and Empire”.
power. There’s an important truth in Foucault’s deeply Nietzschean insight that freedom is better understood as an ongoing critical practice than as a particular, achievable end\textsuperscript{54}.

Theory can incur practical consequences; just as Mill’s conceptualization of democratic fitness contributed to the justification of colonial practices, so too can contemporary idealizations of liberal character constrain our view of who can be a good citizen; we ought to remain conscious of our own blind spots. Theory and practice intersect, suggesting that Marx’s insight that philosophy ought to change, and not merely observe, the world remains as germane today as it did in the 19\textsuperscript{th} century. Our liberal world remains littered with the exclusionary tropes that constrain its social, political and moral inclusiveness; we ought to be wary of both theories and practices that enjoin us to guard the “physical integrity of the national liberal culture” against the threats of “culturally unconditional immigration coupled with the institutional protection of nonliberal forms of life”\textsuperscript{55}. One need only look to France’s headscarf debates, to the Swiss minaret controversy, or to the contentions surrounding multiculturalism, immigration and social integration in any number of liberal democratic states to see that liberals continue to worry about who can be a good liberal. These are, at bottom – as they have been for centuries – not only matters of law, but questions of character.

Chapter 2
Unbending Crooked Timber: A Developmental Account of Kantian Moral Agency

2.1 Introduction

In his essay on Theory and Practice, Kant describes the principles underlying the civil condition as preserving the freedom of every individual, the equality of all before the law and the independence of each as a citizen. In these principles, we easily recognize the hallmarks of the Kantian concern for the autonomy of all human beings; they ensure that “each may seek his happiness in the way that seems good to him, provided he does not infringe upon that freedom of others to strive for a like end which can coexist with the freedom of others”\(^1\). Political order comprises a pre-condition for individual autonomy; the rightful condition preserves the external conditions for every person’s moral flourishing. Given the moral significance of a condition of equal right, it comes as a surprise when, a few pages further, Kant asserts that “[t]he quality requisite to this [citizenship], apart from the natural one (of not being a child or a woman), is only that of being one’s own master (sui iuris), hence having some property”\(^2\). This appears to directly contradict Kant’s initial principles; political rights are in fact circumscribed, and what’s more, this limitation appears grounded not only in natural attributes, but also in a property requirement. While he draws a clear line distinguishing moral and political rights, these kinds of civic exclusion must strike us as problematic; Kant’s distinction is,

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\(^1\) Immanuel Kant, “On the common saying: That may be correct in theory, but it is of no use in practice”, in Practical Philosophy, ed./trans. Mary J. Gregor (New York: Cambridge University Press, 1996), 8:291. Given hereafter as TP.

\(^2\) Ibid., 8:296.
as Ronald Beiner and Susan Mendus point out, as unconvincing as it is tenuous. How are we to understand the place of “cobeneficiaries” in the commonwealth, subject to laws from whose authorship they’re excluded? What kinds of citizens are capable of political agency, and what capacities does this presuppose? Do these instances of political exclusion impact upon Kant’s broader conception of moral personhood, or is Kant’s divorce as tenable as he claims it to be?

Even more disturbing are Kant’s writings on race, biology, anthropology, history and physical geography, which appear to endorse a racial hierarchy that troubles his view of moral, and just political agency. In several essays on race and natural history, Kant developed a theory of racial differentiation that contributed to the nascent natural sciences of the 18th century; Robert Bernasconi in fact regards Kant’s racial theory as the first modern, systematic, “scientific” treatment of race. Given that Kant attributes naturally-occurring “predispositions” to different races – some of which include cognitive limitations – we have good reason to worry, along with Emmanuel Chukwudi Eze and others, about how he understands the moral status of such people(s). Feminist theorists

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2 I suggest that Kant appears to – rather than simply does – endorse a racial hierarchy because the ambiguities and contradictions pervading his account of the four “races of man” inhibit a clear view of the relationship between them. This has led to significant debates in the literature, which I address in the next chapter.

3 See “On the use of teleological principles in philosophy”, “Determination of the concept of a human race”, and “Of the different races of human beings”; all three essays are included in Immanuel Kant, Anthropology, History, and Education, eds. Robert Louden and Günter Zöller (Cambridge: Cambridge University Press, 2007). Kant’s thoughts on race are also elaborated in his lectures on physical geography, and, most notoriously, in Observations on the Feeling of the Beautiful and Sublime and Anthropology from a Pragmatic Point of View (both of which are also included in Anthropology, History, and Education).


such as Susan Moller Okin, Jean Bethke Elshtain and Jean P. Rumsey\(^8\) point out that Kant’s views of women are equally problematic, both politically (“Woman regardless of age is declared to be immature in civil matters”\(^9\)) and morally (“One can only come to the characterization of this sex if one uses as one’s principle not what we make our end, but what nature’s end was in establishing womankind”\(^10\)).

How are we to make sense of these contradictions – between the formally egalitarian and universalistic moral and political doctrines for which Kant is celebrated, and these forms of constraint, exclusion and marginalization? This is, broadly speaking, the puzzle that I address in this chapter and the next. While this question has sparked considerable critical interest, the secondary literatures tend to treat one or another side of the question. On one hand, theorists such as Arthur Ripstein and Elisabeth Ellis explore the “formal”, universal dimensions of Kant’s moral, practical and political philosophies, elaborated in the *Groundwork*, the 2\(^{nd}\) *Critique* and the *Metaphysics of Morals*\(^11\). On the other, a critical literature has begun to delve into the “impure” dimensions of Kant’s thought, examining his views of gender, race and civilization, and their relation to his moral theory\(^12\). While both are invaluable in clarifying their respective objects of study,

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\(^10\) Ibid., 7:305.


\(^12\) For a few of these, see Eze, “The Colour of Reason”; Mills, “Kant’s Untermenschen”; Robert Bernasconi, “Kant as an Unfamiliar Source of Racism,” in *Philosophers on Race: Critical Essays*, ed. Julie K. Ward and Tommy Lee Lott (Oxford, UK : Malden, MA: Blackwell, 2002); Bernasconi, “Who Invented the Concept of Race”; Pauline Kleingeld, “Kant’s Second Thoughts on Race,” in *Philosophical Quarterly*
they often fail to recognize their mutual imbrication. As I will argue, Kant’s complete account of our moral nature and obligations incorporates both the systematic presentation of our transcendently-determined duties and rights, and an account of the imperfect, embodied and irreducibly sensible (in Kant’s use of the word) beings to whom they apply. By focusing too closely on the transcendental grounds of the moral law and of our moral duties, we lose track of our constitutive phenomenality (again, in Kant’s use of the term); by attributing too much weight to Kant’s “empirical ethics” – including his studies of pragmatic anthropology, history and education – we risk ignoring the noumenal grounds of human freedom.

Drawing on recent scholarship by theorists such as Robert Louden, Barbara Herman and Allen Wood, who have begun to examine this fuller picture of Kantian moral agency, I argue that this tension – between universalism and exclusion – points to the more particular forms of progressive, moral character that animate Kant’s moral and political thought. What we miss, in focusing too intently on either side of the pure/impure divide in Kant’s ethics, is his attention to the development of this moral character, of the kinds of orientation, disposition and affect that push inexorably imperfect human beings towards the right set of progressive moral and political ends. Kant’s impure ethics describe who we are; his pure ethics tell us who we ought to be; and

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57, no. 229 (2007): 573–92; and Rumsey, “The Development of Character”. I examine this literature and the problems in Kant’s moral philosophy that it addresses in Chapter 3.

13 For excellent treatments of Kant’s “impure ethics” and their connection to his broader moral theory, see Robert Louden’s Kant’s Impure Ethics: From Rational Beings to Human Beings (New York: Oxford University Press, 2000); Allen Wood’s Kant’s Ethical Thought (Cambridge: Cambridge University Press, 1999); Patrick Frierson’s Freedom and Anthropology in Kant’s Moral Philosophy (Cambridge: Cambridge University Press, 2003); Munzel, Moral Character; Patrick Kain, Brian Jacobs, ed., Essays on Kant’s Anthropology (Cambridge: Cambridge University Press, 2003); Barbara Herman’s The Practice of Moral Judgment (Cambridge: Harvard University Press, 1993); Holly Wilson’s Kant’s Pragmatic Anthropology: Its Origin, Meaning, and Critical Significance (New York: SUNY Press, 2006); and Susan Meld Shell’s “Kant’s ‘True Economy of Human Nature’”, in Essays on Kant’s Anthropology, 194 – 229.
his writings on moral psychology and character-formation bridge the two by both
describing and prescribing the mechanisms drawing us to seek the ends to which we’re
bound, and yet which we so often fail to pursue. It’s in this space – between who we are
and who we ought to be – that certain kinds of agents’ moral status becomes unclear.

In this chapter and the next, I explore this space, between Kant’s moral idealism
and his pragmatic anthropology, in order to examine the kinds of agents presupposed by
his moral and political thought and the conditions under which such agents develop an
orientation towards their duties as moral beings. As it turns out, human beings are not
born moral, but rather learn to develop their capacities as moral agents; as I will argue,
this is a life-long project which turns on particular acculturative and educational
processes. While all human beings share in an inalienable dignity, I will argue that
Kant’s more particular view of moral character and development qualifies the
universalism of this dignity in ways that we are bound to consider as morally
problematic. In short, I will argue that (1) Kant develops a distinct, and often
overlooked, conception of moral character, as well as a robust account of the ways in
which this character is developed; (2) that these “impure” dimensions of moral life
belong, in his words, to “the complete presentation of the system” of his ethics, and are
no mere aberration from an otherwise “pure”, transcendent account of morality; and (3)
that this more particular view of moral character and of the conditions under which we
develop it help to make sense of the exclusionary proclivities that permeate his moral and

14 This is, of course, a controversial claim open to a variety of interpretations, which I will clarify over the
course of this chapter and the next. One simple way of mapping the intuition is to recognize that human
beings are, in Kant’s view, endowed with an inalienable moral dignity, a capacity to fulfill the duties this
entails, and an inborn predilection for acting contrary to their demands; this is the root of the “radical evil”
within us which, I will argue, commits us to regarding moral development as an ongoing (and obligatory, if
imperfectly so) commitment. For Kant’s clearest iteration of the radical evil in human nature, see the
Religion.
15 Kant, Metaphysics, 6:469.
political thought. In so doing, I hope to illuminate a relatively unknown Kant, whose attention to the unsystematic (and, as he recognizes, unsystematizable) dimensions of human life and morality is often obfuscated by the misperception of his ethics as cold and unfeeling, even inhuman. I also aim to explore the ways in which this “thicker” view of moral personhood and character sustain forms of exclusion within the constraints of Kant’s universalistic, inclusive and egalitarian philosophy.

The first section of this chapter contends with a paradox in Kant’s thought: how are we to reconcile the 1st Critique’s account of the transcendental freedom of the will with Kant’s analyses, in the Anthropology, Observations and Lectures on Ethics, of empirical helps and hindrances to freedom? Put simply, how can a transcendentally free will also remain subject to empirical circumstances? Through a close examination of the nature of willing, of the moral feeling, and of the good will, I argue that Kant distinguishes between objective and subjective dimensions of willing, between the derivation of the moral law and the process by which we come to adopt it. This lays the foundation for the reading of Kant that I outline in this chapter and the next, which focuses on the relatively under-explored subjective side of moral agency, addressing the ways in which we develop a moral character. I argue that Kant himself paid substantially more attention to principles of moral volition, and to the conditions under

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16 For a close examination of the role of character in Kant’s moral philosophy, see Munzel, Moral Character. I follow Munzel in treating moral character as attending to the subjective side of Kant’s ethics, but diverge from her in two significant ways. First, I draw upon the distinction between objective and subjective dimensions of moral agency to make sense of the apparent conflict between Kant’s transcendental and anthropological accounts of freedom (this distinction and conflict are outlined below, in section 2.2.1). Secondly, while Munzel closely examines the connections between Kant’s “pure” and “impure” ethics, she downplays the problems that the latter present for the former. In this respect, I depart from both Munzel and Louden: if, as both they and I argue, Kant’s full ethics addresses not only the purely intelligible, but also the empirical dimensions of human life (as Kant argues, a metaphysics of morals can not ignore the principles of application of morals), then we’re bound to treat the exclusionary aspects of Kant’s impure ethics as troubling his moral thought more generally. I develop this argument in the next chapter.
which imperfect human beings develop a receptivity to their moral obligations, than is often recognized.

The second section of the chapter draws on Kant’s writings on pedagogy and ethics to explore the formation of this moral agency. I examine what I describe as micro-formative processes (focusing on moral psychology, pedagogy and character-formation at the individual level) and macro-formative structures (including civilization, social graces, liberal cultures, and republican forms of governance) as cultivating moral dispositions and orientations. I also explore problems of pathological agency formation to show that pedagogical defects not only fail to produce moral agents, but also stunt the capacity to develop morally-progressive forms of agency. This chapter thus explores an often unseen dimension of Kantian ethics: the enculturation of messy, imperfect and embodied human beings to their duties as moral agents. The next chapter considers the flip side of this: the exclusion of those kinds of persons who are, for various reasons, incapable (due to both natural and circumstantial conditions) of developing such a progressive moral character.

2.2 Transcendental Grounding, Empirical Contexts

2.2.1 Between Critique and Anthropology

Kant’s anthropology presents us with a paradox: while the account of freedom advanced in the Critique of Pure Reason is predicated on the autonomy of the intelligible will, divorced from any and all empirical circumstances, moral anthropology attends to “the subjective conditions in human nature that hinder people or help them in fulfilling the laws of a metaphysics of morals”17. An obvious tension runs between Kant’s view of the will as purely intelligible and a moral anthropology addressing the empirical

17 Immanuel Kant, Metaphysics, 6:217.
conditions affecting human beings’ abilities to fulfill their moral duties. In what sense is our freedom transcendental if it remains subject to empirical influence? Even more problematic is the fact that moral anthropology appears inextricable from a complete metaphysics of morals. Anthropology is not merely appended to an otherwise independent system of ethics, but is rather a constitutive, necessary part of it: “a metaphysics of morals cannot dispense with principles of application, and we shall often have to take as our object the particular nature of human beings, which is cognized only by experience, in order to show in it what can be inferred from universal moral principles.” How are we to reconcile this apparent contradiction?

In the Critique of Pure Reason, Kant distinguishes between empirical and intelligible character, which describe different forms of causality in which human beings partake. While empirical character concerns a person’s relation, as a sensible being, with other objects in the phenomenal world, intelligible character refers to the distinctly human capacity to initiate action through acts of will entirely independent of, and unconditioned by, the sensible world.

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18 Friedrich Daniel Ernst Schleiermacher first drew attention to the deep tension between the teleological and transcendental dimensions of Kant’s philosophy in an early review of the Anthropology; see Frierson (2003), ch.1. For explorations of the problem, see Louden, Impure Ethics, Frierson, Freedom and Anthropology, and Munzel, Moral Character.

19 Kant, Metaphysics, 6:217. Kant reiterates this point – that anthropology belongs to a complete system of ethics – in his Lectures on Ethics. See note 47.


21 Throughout this chapter, I intentionally employ the generic masculine pronoun when referring to indefinite subjects. This is because women’s status as moral agents is, at best, indefinite; there is
considered to be free from all influence of sensibility and from all determination through appearances”22. The possibility of human freedom turns on this intelligible character; without the capacity to act on purely rational, self-given motivations, we would be incapable of autonomy and would remain bound by the causal chains of the empirical world. Freedom depends on our capacity to exclude sensible influences from self-generated action; the autonomy of the will is predicated on its determination “in accordance with laws that are independent of any empirical condition and thus belong to the autonomy of pure reason… The law of this autonomy… is the moral law”23. The moral law is, of course, at the heart of Kant’s practical philosophy: what we ought to do, as free beings living alongside one another, is determined by the moral law that stands as the very condition of our freedom. The critical account of freedom, then, is explicitly intelligible; as rational, moral beings, our freedom and duties are equally independent of material considerations.

How are we to reconcile this with the Anthropology’s exploration of empirical helps and hindrances to morality? To try to make sense of this contradiction, we need to distinguish two elements in the determination of the will. We must differentiate the objective determination of the moral law and the duties consequent on it (What is the moral law, and what are the obligations which it incurs?) from the subjective volition in choosing to adopt the moral law as the grounds of one’s action, that is, in the determination of one’s maxim (Should I adopt the moral law as the principle determining

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Christine Korsgaard’s examination of Kantian motivation is instructive in this regard. Korsgaard argues that for Kant, any action incorporates two basic elements, which she describes as “incentive” and “principle.” An incentive is, most simply, “a motivationally-loaded or evaluative representation of an object”; roughly speaking, the incentive provides the volitional impetus behind any action. And yet we do not act directly from the impulsion that incentives exert over us; if we did, we would remain beholden to the desire that motivated the action, and so, unfree. As Korsgaard maintains, “[a]ction, according to Kant, is the determination of our own causality, so if we are to count a movement as an action, the movement must be determined by the agent herself, not merely caused by her desires. In other words, the agent must act on the incentive, must take it up as a reason for action, by adopting a maxim or subjective principle of acting on it.” Human beings are perpetually assailed by competing desires and motivations to action; freedom lies in our capacity to adopt certain principles, the right principles, as the grounds for selecting the incentives on which we choose to act.

As Korsgaard explains, our freedom thus lies in the capacity to adopt given principles (or, to follow Kant, maxims) as the grounds for selecting among competing incentives to action. The 2nd Critique articulates what those principles are (or rather,
what that principle is), addressing the first of the two elements determining the will
described above. The critical account provides an objective, transcendental grounding
for our freedom (self-determined action in conformity with the moral law) and an equally
unequivocal description of the incentive structure grounding moral action (immediate
respect for the moral law). And yet, it ignores the second, volitional dimension of moral
action; it does little to illuminate how we, as fallible, human agents, learn to recognize,
internalize and adopt this proper incentive structure consistently as a life-long
orientation29. While the 1st and 2nd Critiques concern the determination of the moral law,
Kant’s “empirical” works address the conditions under which the subjective propensity
for acting on the moral law is developed, how we learn to choose to act as morality
objectively compels us to30. We now turn to more carefully examine this distinction.

2.2.2 Elateres Motiva: Moral Feeling and the Subjective Grounds of Choice

As we saw, the first and second Critiques address the formal qualities possessed
by rational beings generally, and by human beings, subject to both empirical and
intelligible motivations, more specifically. Our rational nature establishes the moral
law’s dominion over us, but our phenomenal inclinations lead us to require the

irrespective of our motivations, moral action depends on our choosing principles of virtue from the right
grounds, namely, out of respect for the moral law. Ethical freedom requires the capacity to adopt the
principle of morality over principles of self-love in carrying out our moral duties. See Paul Guyer, “The
Obligation to be Virtuous: Kant’s Conception of the Tugendverpflichtung”, Social Philosophy & Policy 27,
no. 2 (2010), 212. Philip Stratton-Lake echoes this point, showing the distinction between moral
rightness and moral goodness: while I can perform an action that is morally right by simply conforming to a
given moral rule, moral goodness depends on the incentives which motivate me to perform the action. If I
were unable to choose my motivations/incentives, the very possibility of moral goodness would cease to exist.
29 This life-long orientation towards moral self-improvement defines the good human being, which Kant
addresses most clearly in the Religion. I treat this in detail in Chapter 3.
30 This is only roughly the case: Kant does address empirical and/or anthropological concerns at certain
points in his critical works. For example, his discussion of moral education in the final section of the 2nd
Critique clearly attends to this “subjective”, developmental side of moral agency.
Kant contrasts human and holy beings, such as angels, in describing our particular moral nature: as rational creatures, both are subject to the moral law but human beings alone are subject to the categorical imperative, as angels are incapable of acting otherwise than in conformity to the moral law. While the categorical imperative responds to our imperfections, the moral law which it clarifies is determined transcendentally, based on the nature of rational, end-setting beings more generally. The moral law and our duties are, then, formal attributes of what we are, as finite, rational beings.

Yet human beings are complicated by their unique capacity – in fact, by their natural predilection – to ignore the moral law. Moral action requires not only a consciousness of the moral law, but a given subjective disposition to incorporate it within one’s incentive structure; this is precisely what Kant describes as the good will\(^31\). Under the heading “Of the Supreme Principle of Morality” in the Lectures on Ethics, Kant outlines the following important distinction:

> We first have to take up two points here: (1) The principle of appraisal of obligation, and (2) the principle of its performance or execution. Guideline and motive have here to be distinguished. The guideline is the principle of appraisal, and the motive that of carrying-out the obligation; in that they have been confused, everything in morality has been erroneous.

If the question is: What is morally good or not?, that is the principle of appraisal, whereby I judge the goodness or depravity of actions. But if the question is: What moves me to live according to this law?, that is the principle of motive. Appraisal of the action is the objective ground, but not yet the subjective ground… The supreme principle of all moral judgment lies in the understanding; the supreme principle of the moral impulse to do this thing lies in the heart. This motive is the moral feeling. Such a principle of motive cannot be confused with the principle of judgment. The latter is the norm, and the principle of impulsion is the motive.\(^32\)

\(^{31}\) For Kant’s account of the good will, see Practical Reason, 5:72-5:89.

\(^{32}\) Kant, Lectures on Ethics, 27:275, my italics.
As we’ve seen, the *Critiques* address the objective judgment involved in the *appraisal* of the moral law (“What is morally good or not?”); as Kant here shows, this is the first of two elements constituting moral action. The second, *volitional* dimension lies in the moral feeling (“What moves me to live according to this law?”), the principle of impulsion that is peculiar to human beings. So what exactly is the moral feeling, this principle of volition, and how does it fit within Kant’s broader account of moral action?

In a close examination of the incentive structure of the morally good will\(^{33}\), Kant asserts that

we find our nature as sensible beings so constituted that the matter of the faculty of desire (objects of inclination, whether of hope or fear) first forces itself upon us, and we find our pathologically determinable self, even though it is quite unfit to give universal law through its maxims, nevertheless striving antecedently to make its claims primary and originally valid, just as if it constituted our entire self.\(^{34}\)

This is a serious problem for moral action: as *sensible* beings, we’re naturally inclined to prioritize our phenomenal inclinations over the rational compulsion to act on moral incentives. Anticipating the *Religion*’s account of the radical evil in humanity, Kant describes this “propensity to make oneself as having subjective determining grounds of choice into the objective determining ground of the will”\(^{35}\) as self-love in general, and as self-conceit when the will adopts these subjective incentives as law-giving. The problem is volitional: we’re naturally compelled by incentives of pleasure or inclination, yet the sanctity of moral action lies in moving the will by what Kant acknowledges is the *weaker*
motivational impulse of respect for the moral law. How, then, are we to choose the right incentives on the right grounds if we’re naturally pre-disposed to pursue our inclinations? Kant outlines both the problem and its solution in his account of the moral feeling:

The understanding has no *elateres animi*, albeit it has the power to move, or *motiva*; but the latter are not able to outweigh the *elateres* of sensibility. A sensibility in accordance with the motive power of the understanding would be the moral feeling. 36

How exactly does the moral feeling resolve the problem of morality’s weaker *elateres*? Kant argues that the confrontation between self-love/self-conceit and the authority of the moral law creates both negative and positive feelings. By limiting self-love and striking down self-conceit, the immediate determination of the will by the moral law both *humiliates* self-conceit, producing a negative feeling, and generates *respect* for the law, a positive feeling. 37 As rationally-determined affects, grounded in nothing other than respect for the moral law, these resolve the basic volitional quandary by generating motivational impulses to adopt the moral law over the incentives of inclination. The moral feeling, comprised of both negative and positive affects, enables moral action by redressing the motivational deficit of the understanding before the stronger volitional force of inclinations. 38 As Patrick Frierson notes, Kant distinguishes between intelligible

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37 “[T]he moral law unavoidably humiliates every human being when he compares with it the sensible propensity of his nature. If something represented as a determining ground of our will humiliates us in our self-consciousness, it awakens respect for itself insofar as it is positive and a determining ground”. Kant, *Practical Reason*, 5:74. For informative examinations of the role of respect in motivating moral action, see Andrews Reath, “Kant’s Theory of Moral Sensibility”, and Nancy Sherman, “Kantian Virtue: Priggish or Passional?”.

38 As Kant explains in a rather convoluted passage: “sensible feeling, which underlies all of our inclinations, is indeed the condition of that feeling we call respect, but the cause determining it lies in pure practical reason; and so this feeling, on account of its origin, cannot be called pathologically effected but must be called *practically effected*, and is effected as follows: the representation of the moral law deprives self-love of its influence and self-conceit of its illusion, and thereby the hindrance to pure practical reason is lessened and the representation of the superiority of its objective law to the impulses of sensibility is
and sensible pleasures\(^39\); the affective pull – both positive and negative – of the moral feeling counters the influence of sensible inclinations without itself being rooted in phenomenal pleasures. The moral feeling, Kant asserts, “is therefore produced solely by reason. It does not serve for appraising actions and certainly not for grounding the objective moral law itself, but only as an incentive to make this law its maxim”\(^40\).

As Kant describes it, the “moral feeling is a capacity for being affected by a moral judgment. When I judge by understanding that the action is morally good, I am still very far from doing this action of which I have so judged”\(^41\). It thus belongs to the practical dimension of Kant’s ethics, connecting moral judgment and action, what I ought to do as a matter of moral obligation and how I come to recognize this obligation as incumbent upon me at all. The moral feeling develops “the will’s receptivity to finding itself subject to the law as unconditional necessitation”\(^42\). Turning back to our original conundrum – the tension between Kant’s transcendental and empirical accounts of freedom – we can now see what we might best understand as a division of labour, between (respectively) principles of moral appraisal and moral volition. As the critical account explains, our freedom inheres in the capacity to act from an immediate respect for the moral law and to set our own ends independently of empirical conditions. And yet, as imperfect, embodied beings subject to sensible inclinations, we nevertheless need to develop this moral

\(^39\) Frierson, “Human Action”.


\(^41\) Kant, *Lectures on Ethics*, 27:1428.

\(^42\) Kant, “Theory and Practice”, 8:283.
feeling, this recognition of the moral law. While the *Groundwork* and 2nd *Critique* outline the objective, transcendental determination of the moral law, the *Anthropology* addresses the development of our subjective receptivity to it.

And importantly, the moral feeling *is* a matter of cultivation, subject to the influence of empirical circumstances. Kant, like Locke, recognizes the absurdity in trying to convince subjects to sense the moral feeling; like faith, the moral feeling is an affect that resists rational argument. Yet we *can* inculcate a receptivity to it:

Since any consciousness of obligation depends upon moral feeling to make us aware of the constraint present in the thought of duty, there can be no duty to have moral feeling or to acquire it; instead every human being (as a moral being) has it in him originally. Obligation with regard to moral feeling can be only to *cultivate* it and strengthen it.  

The moral feeling is an inborn capacity to sense the pull of obligations, without which we would be unable to fulfill duties of any kind. We thus have an imperfect obligation to develop it, as a “*subjective* condition of receptiveness to the concept of duty” 44. While we can’t produce the moral feeling itself, we can certainly form agents that are more or less susceptible to it. As Kant stipulates, in what sounds like an entirely un-Kantian account of moral development, “[t]he subject must first be habituated to morality; before coming primed with rewards and punishments, the *indoles erecta* must first be excited, the moral feeling first made active, so that the subject can be actuated by moral motives” 45. It is this process of habituation, enculturation and orientation – in short, to moral education and character-formation – that we now turn to examine.

2.3 Making Moral Agents

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44 Ibid., 6:399.
Despite receiving surprisingly little attention from commentators, Kant’s writings on moral education and moral character are relatively expansive. This lack of critical scrutiny may well be due to Kant’s inconsistency in addressing them, made all the more glaring when contrasted with the rigid systematicity of his better-known work. While the subjective side of ethics is not amenable to the systematic classification of formal moral principles (it addresses precisely the wholly unsystematic ways in which human beings take up their moral obligations), Kant understood a full account of ethics as treating both rules of moral obligation and their application to human beings. As Kant puts it, “this application belongs to the complete presentation of the system”\(^{46}\). Compounding the challenges presented by this lack of systematicity, Kant’s “impure ethics” are also elaborated over a broad span of subjects; history, pedagogy, biology, aesthetics, anthropology and physical geography all concern, to varying degrees, the subjective character of individuals and peoples and its relevance for moral action. Yet despite this diffusion across a broad range of fields, Kant clearly regards empirical ethics as belonging to a full and practical account of moral life:

> The science of the rules of how man ought to behave is practical philosophy, and the science of the rules of his actual behaviour is anthropology; these two sciences are closely connected, and *morality cannot exist without anthropology, for one must first know of the agent whether he is also in a position to accomplish what is required from him that he should do*. One can, indeed, certainly consider practical philosophy even without anthropology, or without knowledge of the agent, only then it is merely speculative.\(^{47}\)

The remainder of this chapter examines this “science of the rules of his actual behaviour” and the formation of the progressive, liberal agents at the heart of Kant’s moral vision.


This inquiry is divided into two sections. In the first, I explore what I’ve termed “micro-formative” processes, through which agents develop the capacity to recognize and act on properly moral incentives: these include Kant’s treatments of moral psychology, education and character-formation at an individual level. The second subsection addresses “macro-formative” influences: these are the larger historical, social and political conditions that contribute to the formation of moral agency.

2.3.1 Micro-Formation

i) The Fine Balance of Moral Education

Despite his somewhat disjointed and sporadic treatments of the subject, Kant clearly regards education as the foundation of moral personhood, arguing that “the human being can only become human through education. He is nothing except what education makes of him”\(^\text{48}\). While even the “lowest” human being retains an intuitive grasp of the moral good, our capacity to recognize and internalize the authority of the moral law is a matter of enculturation and development. The task of education is, then, to “bring either a mind that is still uncultivated or one that is degraded onto the track of the morally good”\(^\text{49}\). As it turns out, this is no simple task, but rather requires a finely calibrated pedagogy, without which human beings are prone to all manner of pathology.

Education, Kant argues, should neither merely impart skills nor pursue purely theoretical knowledge, but must rather be oriented towards the practical end of forming moral character and developing the moral faculty. As G. Felicitas Munzel notes, Kant was a strong supporter of J. B. Basedow’s *Philanthropin*, an educational institution which


\(^{49}\) Kant, *Practical Reason*, 5:152.
sought to reform Prussia’s school system by treating schools as loci of moral and civic education. The Phulanthropin aimed to cultivate students’ moral faculties and develop the inborn pleasures of learning; this stood in marked contrast with a Prussian school system that emphasized theoretical knowledge and rote repetition\textsuperscript{50}. Kant lauded Basedow’s pedagogy, arguing that schools ought to develop technical and pragmatic skills, but only as means for fostering students’ moral capacities; education ought to pursue students’ long-term moral development. The “principle of the art of education”, Kant argues, “is this: children should be educated not only with regard to the present but rather for a better condition of the human species that might be possible in the future; that is, in a manner appropriate to the idea of humanity and its complete vocation.”\textsuperscript{51} An education shouldn’t merely equip students with the skills to live well in existing conditions, but ought rather to develop the faculties enabling them to pursue a better world.

Moral education is a delicate and particular business: as the grounds on which our capacity for moral action develops, education is critical in developing a moral character oriented towards the good. A misdirected education, Kant argues, not only fails to form this properly moral character, but also instills pathological habits impeding students’ future moral development; once a child’s character is established, it remains unalterable throughout his life\textsuperscript{52}. Kant understands a well-calibrated pedagogy as oscillating between discipline and freedom, navigating between the Scylla of an unruly, undisciplined agent, unable to subject his passions to the authority of reason, and the Charybdis of a dead soul, reduced to simple, rote obedience. This is a difficult and important balance to strike;

\textsuperscript{50} Munzel, Moral Character, 266-274.
\textsuperscript{51} Kant, Pedagogy, 9:448.
\textsuperscript{52} Kant, Anthropology, 7:293.
savage and dead souls are equally incapable of moral advancement. Kant is, in this respect, remarkably attuned to the delicacy of young peoples’ development:

One of the biggest problems of education is how one can unite submission under lawful constraint with the capacity to use one’s freedom. For constraint is necessary. How do I cultivate freedom under constraint? I shall accustom my pupil to tolerate a constraint of his freedom, and I shall at the same time lead him to make good use of his freedom. Without this everything is a mere mechanism, and the pupil who is released from education does not know how to use his freedom.\(^{53}\)

This concern runs persistently throughout Kant’s treatments of education; the tenuous equilibrium between freedom and restraint, the twin pillars of moral education, can all too easily become unbalanced. A child, Kant argues, “must always feel its freedom”\(^{54}\); the fine balance of a pedagogy that fosters this freedom and the moral capacities on which it depends is precisely the subject of the Lectures on Pedagogy.

**ii) Stages of Pedagogy: Discipline, Culture and Moral Training**

In these lectures, Kant describes moral education as structured around three distinct stages: discipline, culture and moral training\(^{55}\). All education begins with discipline, which Kant describes as “negative” instruction; given the volitional primacy of our natural drives and sensible urges, an education aiming at rational self-possession starts by mitigating the influence of our inclinations. Discipline tames the subject’s

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\(^{54}\) Ibid., 9: 464.

\(^{55}\) Robert Louden and Allen Wood provide helpful and detailed analyses of these pedagogical stages; see Louden, *Impure Ethics*; and Robert Louden, “The Second Part of Morals”, in *Essays on Kant’s Anthropology*, ed. Brian Jacobs and Patrick Kain (Cambridge: Cambridge University Press, 2003); Allan Wood, *Kant’s Ethical Thought*; and “Kant and the Problem of Human Nature”, in *Essays on Kant’s Anthropology*, ed. Brian Jacobs and Patrick Kain (Cambridge: Cambridge University Press, 2003). It’s worth noting that Kant’s treatments of education are plagued by terminological inconsistencies; he employs the term “culture”, for example, to designate an educational stage at certain points, and as belonging to “discipline” (a different educational stage) at others. Despite these variations, the distinction between positive and negative forms of instruction is consistent, as is the division of education into 1. basic instruction (negative discipline); 2. pragmatic instruction/culture (cultivating skills); and 3. moral training.
animality, reining in human beings’ natural drive for unconstrained freedom and self-indulgence. It provides a foundation for all positive instruction by inculcating obedience and self-control, and by curbing the natural instincts that dominate an uncultured mind. “Discipline,” Kant asserts, “prevents the human being from deviating by means of his animal impulses from his destiny: humanity… [it] is therefore merely negative, that is to say, it is the action by means of which man’s tendency to savagery is taken away”\textsuperscript{56}. By restraining the instinct to pursue heteronomous freedoms, discipline lays the foundation for \textit{true}, rational freedom – for autonomy. The primary function of early schooling, by Kant’s account, is explicitly disciplinary: students are taught to obey, sit still, and become accustomed to the exercise of self-restraint as a pre-condition for future moral learning.

Discipline clears the ground for the positive instruction encompassed in practical education, “by which the human being is to be formed so that he can live as a freely acting being”\textsuperscript{57}; this includes (1) basic instruction; (2) pragmatic instruction; and (3) moral training\textsuperscript{58}. Broadly speaking, these impart and develop the forms of reason required for practical action in different spheres of human life. These educational stages teach us to recognize different types of imperatives incurred by the exercise of practical reason, each with their own given ends and corresponding skills. Kant identifies “three kinds of imperative, of skill, prudence and morality… The imperatives of skills are problematic, those of prudence pragmatic, and those of morality ethical”\textsuperscript{59}. The three spheres of positive instruction, then, concern the acquisition of skills and the

\textsuperscript{56} Ibid., 9:442.
\textsuperscript{57} Ibid., 9:455.
\textsuperscript{58} Again, to clarify Kant’s terminology: education falls into three basic stages (discipline, culture and moral training), which are here split into slightly more detailed sub-stages. Following the negative, preparatory stage of discipline, the first two forms of positive instruction listed here (basic and pragmatic instruction) fall within the second stage of education (culture). The third form of instruction (moral training) belongs to the final stage of moral pedagogy, and is treated in detail below.
\textsuperscript{59} Kant, \textit{Lectures on Ethics}, 27:245.
development of capacities required for free action; we can not pursue our ends if we lack (respectively) the technical, social/prudential and moral skills that these demand. While little attention has been paid to the relation between Kant’s writings on education and his critical work, it’s worth noting that these spheres of instruction correspond to the three kinds of imperative that he associates with the exercise of practical reason in the *Groundwork*. His writings on education thus concern the development of skills required for free, practical action.

As the first stage of practical education, basic instruction aims to develop our natural skills and abilities. This serves as a foundation for future improvement by stimulating the child’s natural endowments; as Kant puts it, “[t]he human being needs scholastic formation or instruction in order to become skillful for the attainment of all of his ends”\(^{60}\). This aims to foster what Kant describes as “rules of skill” (also described as technical skills) in the *Groundwork*’s discussion of imperatives (4:416); primary instruction develops the basic skills that enable us to pursue any number of different ends. These technical skills constitute the means by which purposive activity is carried out, and whose ends are given by the various goals that human beings set themselves; the acquisition and development of these skills is necessary for any end-setting being.

The second branch of positive instruction aims at pragmatic or prudential skills, which concern the agent’s happiness; these are the skills that we use in social contexts to pursue our own ends. This stands in tension with the dominant perception of Kantian ethics as overly formalistic and as discounting imperatives of happiness; yet Kant in fact describes man’s highest good as attending to both moral and sensible goods (with the

\(^{60}\) Kant, *Pedagogy*, 9:455.
former, of course, taking precedence over the latter)\textsuperscript{61}. He explicitly derides ascetic conceptions of morality as “monkish” and as failing to attend to human happiness, the object of pragmatic education. This instruction imparts and develops an understanding of the social rules within which agents learn to seek their ends; Kant describes prudence, which this education fosters, as “using other human beings for one’s purposes”\textsuperscript{62}. Pragmatic training educates the subject in the social graces and refinements of civilized interaction, making him “well suited for human society, popular and influential. This requires… manners, good behavior and a certain prudence in virtue of which one is able to use all human beings for one’s own final purposes”\textsuperscript{63}. Prudential skills permit us to gauge the appropriate responses and comportments in given social contexts in order to satisfy our ultimate end as sensible beings: our own happiness.

Finally, the third stage of education attends to moral training. This aims to cultivate subjects’ awareness of their unconditional duties as moral agents and develops their receptivity to moral imperatives; in other words, it inculcates a moral character. We now turn to examine the finer points of this particular – and precarious – formative process.

\textit{iii) Moral Training I: Habituation}

Like Plato, Kant regards moral character as formed through a series of preparatory steps which awaken us to the good; and like Plato, Kant describes the early

\textsuperscript{61}“Now, inasmuch as virtue and happiness together constitute possession of the highest good in a person, and happiness distributed in exact proportion to morality (as the worth of a person and his worthiness to be happy) constitutes the highest good of a possible world, the latter means the whole, the complete good”. Kant, \textit{Practical Reason}, 5:111.
\textsuperscript{62}Kant, \textit{Anthropology}, 7:201.
\textsuperscript{63}Kant, \textit{Pedagogy}, 9:450.
stages of this formation as addressing feeling and habituation, rather than the faculty of reason itself. While properly moral action is incompatible with habituation (morality always requires an active, conscious choice), habituation is nevertheless invaluable in developing the moral sensitivity of immature subjects. Moral education doesn’t begin by appealing directly to reason, but rather turns subjects towards their duties. Kant addresses the role of habit in the 2nd Critique’s discussion of education:

\textit{At first} it is only a question of making appraisal of actions by moral laws a natural occupation and, as it were, a habit accompanying all our own free actions as well as our observation of those of others, and of sharpening it by asking first whether the action objectively \textit{conforms with the moral law}, and with which law… thus one teaches how to distinguish different duties that come together in an action. The other point to which attention must be directed is the question whether the action was also done (subjectively) \textit{for the sake of the moral law}.

Moral habituation serves several purposes in Kant’s pedagogy. First, through repetition, agents develop and sharpen a sensitivity to moral obligation by cultivating a habit of examining the moral worth of actions (both their own and others’). Secondly, subjects learn to distinguish 1. moral from non-moral actions; 2. actions performed in mere conformity with the moral law from those done from duty; and 3. different duties incurred by moral action. Habituation thus develops the faculty of judgment which discerns the moral worth of ours and others’ actions, while also pushing us to internalize the propensity for critical self-examination at the heart of moral agency.

Habituation attends to the subjective, volitional dimension of moral agency that we examined above; it inculcates a foundational orientation towards moral duty. As Kant argues in a particularly un-Kantian vein, “[t]he subject must first be habituated to

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64 Arguing – as I do – against the widespread perception that Kant neglects the affective and habituated dimensions of moral development, Nancy Sherman suggests that “the cultivation of such [morally-supportive] feelings becomes part of an underlying project of natural perfection that supports our moral perfection and our regard for others” Nancy Sherman, “Kantian Virtue”, 272.

65 Kant, \textit{Practical Reason}, 5:159.
morality; before coming primed with rewards and punishments, the *indoles erecta* must first be excited, the moral feeling first made active, so that the subject can be actuated by moral motives”\(^66\). We must become trained to recognize and respond to morally relevant contexts; habituation develops our receptivity to what Barbara Herman describes as the “rules of moral salience”\(^67\). Through exposure to morally correct principles adopted for improper reasons (if you lie, you won’t get dessert), the child internalizes the dispositional orientation upon which moral action depends; he is *sensitized* to morality. While habituation appears particularly out of place in a deontological account of moral character, Kant himself recognizes its crucial importance in drawing not just rational agents, but *human* agents, towards their moral ends. As capable of moral action and yet prone to our inclinations, we must learn to foster and internalize moral predispositions. “[B]y long practice”, Kant argues, we “will have given strength to the moral motivating grounds, and acquired, by cultivation, a habit of desire or aversion in regard to moral good or evil. By this, the moral feeling will be cultivated, and then morality will have strength and motivation”\(^68\).

Finally, habituation generates a particular *affective* relation towards the moral law; we learn to *like* moral behaviour, precisely by fostering the moral feeling. While habituation aims to awaken a moral inclination in immature subjects, the pleasure which we learn to take in moral action remains with us, even when we learn to act from respect for the moral law. As Philip Stratton-Lake points out, Kant’s denying the moral worth of actions adopted *on the basis* of sensible inclinations (such as pleasure) does not preclude a moral agent from taking pleasure in carrying out moral action (from properly moral

\(^{67}\) Herman, *Moral Salience*, ch. 4.  
motivations). Moral habituation enlivens us to the pleasure of moral action; and while this pleasure initially draws in immature souls by moral inclinations, it remains with us even when we learn to act from properly moral incentives. Commentators have long criticized Kant’s moral theory for failing to recognize the importance of affect in human agency; yet Kant recognizes that “[t]o form a habit is to establish a lasting inclination apart from any maxim, through frequently repeated gratifications of that inclination; it is a mechanism of sense rather than a principle of thought.” Moral education employs such mechanisms of sense to draw us towards proper principles of thought.

iv) Moral Training II: Risks and Rewards of Propaedeutic Aids

Habituation is far from being the only such mechanism. Kant advocates the use of a wide range of pedagogical tools in forming these moral dispositions, including moral examples, various degrees and types of punishment, and the use of moral catechism. Like habituation, these propaedeutic aids are invaluable for developing the moral aptitudes and orientations of the young; and they are likewise equally capable of irreversibly stunting moral growth if misused.

Kant’s treatment of these propaedeutic tools illustrates this fine and often precarious balance. Moral examples, he argues, “should not serve as a model but only as proof that it is really possible to act in conformity with duty.” Moral examples ought never to be emulated, as this induces laziness in students’ determination of their duties; they ought simply to demonstrate that moral action is possible. They counter the despair to which uncultivated minds are prone when faced with the seemingly insurmountable

69 Stratton-Lake, “Moral Motivation”.
71 Ibid., 6:593.
rigors of moral obligations; they prevent subjects from lapsing into moral cynicism. Kant also notes that, improperly used, such examples can be equally detrimental; when they lead children to measure their worth in comparison with others, rather than “according to the concepts of his own reason”, they produce envy rather than a moral consciousness. The use of moral examples is thus highly circumscribed: they sustain moral hope and so ward off moral despondency and contempt, but ought not replace one’s own moral judgment; and their use must carefully avoid shaming children into moral action.

Rewards and punishments are likewise necessary and yet potentially damaging sources of moral instruction. These aim to move children towards moral rectitude without producing a proclivity for obeying duties from the wrong incentives, as a means of avoiding punishment or gaining rewards. While they inculcate discipline and self-control, sticks and carrots can’t produce moral agents, “since both engender a low habit of mind, namely *indoles abjecta* [submissive character]… [rewards and punishments] must be in keeping with *indoles erecta*, with an honourable attitude; they must not be contemptuous or abusive, for then they produce an insensitive state of mind.” Rewards and punishments, like moral examples, must never serve as the *grounds* for action; properly employed, they indicate morally praiseworthy and contemptible actions, but can not motivate moral action itself.

Similarly, Kant regards moral catechism as awakening, but not constituting, moral impulses and ethical sensibilities in adolescents. Through didactic questioning, the teacher “guides his young pupil’s course of thought merely by presenting him with cases in which his predisposition for certain concepts will develop (the teacher is the midwife

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of the pupil’s thoughts)”. Proper catechistic direction awakens the student’s consciousness of his own moral personhood, and so introduces him to the obligations and duties incumbent on him. Moral catechism guides students towards an awareness of the moral law, initiating the transition from acting in conformity with the moral law to acting from it. And yet, like other tools of moral education, the functions of moral catechism are highly circumscribed: “In this catechism,” Kant argues, “the greatest care must be taken to base the command of duty not on the advantages or disadvantages that follow from observing it… but quite purely on the moral principles… [lest] the concept of duty itself vanishes and dissolves into mere pragmatic precepts.”

Kant’s treatment of these propaedeutic aids demonstrates both the importance and the particularity of his educational program; it is not easy to produce subjects oriented towards the moral law. While Kant’s formal ethics describe the moral potentiality in all human beings, his writings on education attest to the great precariousness of the enculturation enabling us to realize this moral capacity. The failure to get this education right incurs dire consequences; improperly raised, a child becomes “unfitted for society… if disciplined early, he grows up straight with the rest; but if this be neglected, he becomes a stunted tree.” These propaedeutic tools awaken, enliven and develop students’ moral sense by manipulating their naturally-occurring impulses and inclinations, while avoiding the many pathologies to which such manipulation can lead. Education thus lays the foundation for properly moral action by turning immature souls

75 Ibid., 6:483
76 Kant, *Lectures on Ethics*, 27:468
towards a consciousness of themselves as moral agents; in other words, it aims to form moral character. “Morality”, as Kant puts it, “is a matter of character”\(^7\). 

v) *Virtue and Moral Character*

How, then, are we to understand Kant’s conception of moral character\(^7\)? As Manfred Kuehn points out\(^9\), character is intimately related to virtue, which Kant describes as “the moral strength of a human being’s will in fulfilling his duty”\(^8\). Virtue describes the moral person’s singular capacity to obey principles that are less immediately compelling than sensible impulses; the virtuous person is the one who, in the face of his inclinations, nevertheless chooses to act on his moral duty\(^8\). Virtue is a defining characteristic of humanity: where holy beings’ (such as angels) wills can not help but to conform to the moral law and animals remain beholden to their natural impulses, human beings alone stand subject to both forms of impulsion. Virtue thus

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\(^7\) Kant, *Pedagogy*, 9:487.  
\(^8\) Kant’s conception of character is complex and often confusing, and has enjoyed the scrutiny of a detailed literature. For a thorough account of the role of character in connecting Kant’s moral and anthropological works, see Munzel, *Moral Character*. For an examination of the relationship between intelligible and empirical character, see Frierson, “Empirical Account”. For a view of character as a necessary, but not sufficient condition for virtuous personhood, see Frierson, “Character and Evil”, and Manfred Kuehn’s “Introduction”, in *Anthropology from a Pragmatic Point of View*, ed. Robert Louden (Cambridge: Cambridge University Press, 2006), vii – xxix. For an overview of Kant’s occasionally contradictory conceptualizations of character, see Brian Jacobs’ “Kantian Character and the Problem of a Science of Humanity”, in *Essays on Kant’s Anthropology*, eds. Patrick Kain, Brian Jacobs (Cambridge: Cambridge University Press, 2003), 105-134.  
\(^8\) It is important to distinguish virtue (the singular strength of will in acting on moral motives in spite of the temptations of our inclinations) from virtues (the social skills, behaviours and (imperfect) obligations that cultivate moral dispositions and are conducive to true virtue). As Kant puts it, “there is only one obligation of virtue, whereas there are many duties of virtue; for there are indeed many objects that it is also our duty to have as ends, but there is only one virtuous disposition, the subjective determining ground to fulfill one’s duty” (*Metaphysics*, 6:411). Paul Guyer undertakes a close examination of this distinction in “The Obligation to be Virtuous”.
describes “the will’s conformity with every duty, based on a firm disposition”\textsuperscript{82}, a capacity unique to human beings.

Character, most simply – as distinguished from moral character – is defined by a capacity for principled action. Character describes a basic disposition to \textit{consistently} act from principles, and never from sensible grounds. Good or moral character alludes to the consistent predilection to act from the \textit{right} principles, which are, of course, determined by the moral law\textsuperscript{83}. As Kant describes it, “to have a character signifies that property of the will by which the subject binds himself to definite practical principles that he has prescribed to himself irrevocably by his own reason”\textsuperscript{84}. Character is inextricably bound to moral agency, to our singular obligation to fulfill our duties as rational agents, immediately and consistently, based on “a firm disposition”. Character is thus a \textit{condition} for acting virtuously: if character describes the basic propensity to act from principles, rather than from volatile inclinations, then virtue (acting from the \textit{right} principles) requires it.

The relationship binding virtue and character draws attention to the critical importance of both \textit{constancy} and \textit{disposition} for moral personhood; moral acts do not, in and of themselves, make moral actors. Moral agency lies in the propensity for consistently fulfilling the obligations incurred by the moral law, in the face of sensible inclinations and as a matter of principle; \textit{this} is a properly moral character. A person that regularly flouts his moral duties but occasionally refrains from doing so clearly lacks a moral character, as does one whose actions conform to the injunctions of the moral law consistently, but are motivated by sensible inclinations. Moral character turns on both

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\item \textsuperscript{82} Kant, \textit{Metaphysics}, 6:395.
\item \textsuperscript{83} For the distinction between character and good character, see Frierson, “Character and Evil”.
\item \textsuperscript{84} Kant, \textit{Anthropology}, 7:292.
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constancy and intention, on the subjective internalization and prioritization of moral incentives as a matter of principle; it “entails possession of fixed principles and a secure basis, such that we shall never live otherwise than virtuously” 85. Lacking character, we fail to grasp the necessity of principled action for moral personhood and so occasionally act on moral grounds, but often fail to do so. The acquisition of these “fixed principles” and the strengthening of our resolve in internalizing our moral obligations is precisely the aim of Kant’s carefully calibrated pedagogy; it is for this reason that “[t]he first effort in moral education is the grounding of character” 86. If the mark of the virtuous is to act on moral principles in opposition to a naturally-occurring incentive structure, then they must develop both the propensity to act from principles at all and a sensitivity to the right kinds of principles. Manfred Kuehn notes that “virtues as discussed by Kant in the Metaphysics of Morals correspond very closely to the notion of character in anthropological contexts. ‘Virtue’ is the moral and ideal concept; ‘character’ refers to the empirical reality” 87. Moral character describes the strength of the disposition towards virtue in empirical human beings, oriented towards the ideal of virtue but in need of formation to develop their moral capacities.

It’s the subjective, developmental dimensions of moral learning and enculturation that are obscured by Kant’s formal ethics, and that emerge in his account of moral character. His writings on education draw out the critical significance of habituation, affect, and disposition in developing our moral capacities, as imperfectly rational beings; they demonstrate that, contrary to the dominant perception, feelings and affects assist

85 Kant, Lectures on Ethics, 27:464.
86 Kant, Pedagogy, 9:481.
moral development, rather than detracting from it. The formalism that Hegel and so many other commentators have criticized ignores precisely the embodied, affective dimensions of ethical life that Kant addresses in the *Anthropology*, the *Religion* and the *Metaphysics of Morals*. Where the *Critiques* and *Groundwork* attend to the good will (the unqualified good common to all rational beings), their conjunction with these post-critical texts fills out a fuller picture of the good human being. These later works attest to Kant’s increasing post-critical interest in the irreducible phenomenality of human life and its consequences for ethics. This is precisely the subject of the *Metaphysics of Morals*’ “Doctrine of Virtue”, whose account of our imperfect duties to seek our own perfection and the happiness of others fleshes out the character of the virtuous human being. These include obligations to cultivate the moral feeling; to foster our conscience; to love – including corollary duties of beneficence, gratitude and sympathy – and respect others; and to develop our natural abilities. They also include negative constraints forbidding us from killing ourselves, defiling ourselves by lust, stupefying ourselves with food and drink, lying, being avaricious, making ourselves servile, and being arrogant, defamatory, or inclined to ridicule others.

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88 Munzel and Sherman both make this point: far from either detracting from (or being irrelevant for) Kant’s accounts of moral personhood, the right kinds of affects, directed towards the right ends, are invaluable in developing human beings’ propensities for moral action. See Munzel, *Moral Character*; and Sherman, “Kantian Virtue”.

89 Vincent M. Cooke demonstrates that the teleological dimension of Kant’s thought became increasingly pronounced and better developed towards the end of the critical period (seen most clearly, of course, in the *Critique of Judgment*) and into the 1790s. This is borne out by Kant’s post-critical attention to the empirical dimensions of human agency in the *Religion*, the *Contest of Faculties*, and most clearly, in the *Metaphysics of Morals*. See Vincent M. Cooke (1991) “Kant, Teleology, and Sexual Ethics”, *International Philosophical Quarterly*, 31, 3-13.

90 MM, 6:400.
91 Ibid., 6:401
92 Ibid., 6:453, 455, 457.
93 Ibid., 6:445.
Our imperfect duties fill out Kant’s view of moral character; while they can not compel us unconditionally, as perfect duties do, they tell us what virtuous human beings ought to do and generally be like. They attend to the subjective choice in moral action, rather than objective obligation; they tell us how, as imperfect moral actors, we can strengthen our moral sensitivity and resolve. Imperfect duties, in fact, address the particular moral agency of which human beings are capable: while perfect duties hold unconditionally for all rational beings, imperfect duties constitute obligations to improve those capacities which help us to reduce the imperfections of our constitutive phenomenality. It’s because we’re capable of ignoring the moral law that we’re under imperfect obligations to love and respect others, to refrain from vice, and to strengthen those faculties that enable us to become worthy of the humanity in us all. Imperfect duties are, at bottom, the moral guideposts for the person of character. Such a person, Kant argues, “cannot become vicious, and even if he lapses into a few vices, [he] always returns to the path of virtue, because his principles have already become firmly rooted in him”95. It is this firm disposition, this virtuous character, which moral education aims to produce and which our imperfect duties help to sustain.

vi) Moral Revolution and Disposition: The Good Human Being

These imperfect duties, then, give us a fuller view of human moral personhood; not just of the good will, but of the good human being, which Kant addresses in the Religion. How exactly does Kant conceive of the good human being? How do we become good human beings, in light of the “radical evil” endemic in human nature? To answer these questions, we begin by considering a problem for moral action.

95 Kant, Lectures on Ethics, 27:464.
As is well known, Kant’s conception of morality is rooted in the grounds motivating our actions; the goodness of the will lies in its determination by an immediate respect for the moral law. And yet, as Allen Wood notes, human beings are characterized by a condition of self-opacity. Try as we may, we’re incapable of ever truly knowing the grounds of our action; while we may in earnest aim to fulfill our duty, we’re incapable of ascertaining with absolute certainty why it is that we choose to act. The inscrutability of cognition renders us unable to know the exact grounds of our action, despite our best and most sincere intentions to act only from duty in morally relevant situations: “For a human being cannot see into the depths of his own heart so as to be quite certain, in even a single action, of the purity of his moral intention and the sincerity of his disposition”. Self-opacity leaves us in a curious bind: we’re able to recognize our duties as free, rational beings, and yet we’re unable to know why, in any given case, we choose to do what we do. This is a problem for moral action; if morality lies in the rightness of the grounds on which we align our subjective choice with the objective law, then the inability to know these subjective grounds throws our capacity to pursue moral action into doubt:

The depths of the human heart are unfathomable. Who knows himself well enough to say, when he feels the incentive to fulfill his duty, whether it proceeds entirely from the representation of the law or whether there are not many other sensible impulses contributing to it that look to one’s advantage?

What’s an honest end-setter to do? Our highest end – idealized in perfect virtue – appears unachievable.

96 See Wood, *Kant’s Ethical Thought* and “Human Nature”.
98 Ibid., 6:447.
Yet, despite our constitutive inability to attain perfect virtue, Kant argues that we are nevertheless bound to regard it as an ideal “to which one must continually approximate”\textsuperscript{99}; our moral task, as imperfect, phenomenal creatures, is not to be perfectly virtuous, but is rather to continuously strive towards virtue and moral improvement. “Virtue”, Kant maintains, “is always in progress and yet always starts from the beginning. – It is always in progress because, considered objectively, it is an ideal and unattainable, while yet constant approximation to it is a duty”\textsuperscript{100}. Our failure to achieve the moral perfection embodied in perfect virtue isn’t an indictment of our historical immaturity, but rather points to the limits of human cognition. While we can not know the grounds of our actions, we are entirely capable of recognizing what these ought to be and of developing the capacities and dispositions enabling us to “approximate” true virtue. As Paul Guyer notes, “while it makes no sense to say that to be virtuous is a duty, it makes sense to say that to strive to make progress towards becoming virtuous is a duty… the general obligation to be virtuous can be perfectly well understood as a duty to strengthen our natural disposition to be moral”\textsuperscript{101}. As we saw earlier, even the least educated person shares in an intuitive sense of the moral good, no matter how far this may be from the divine will personified, as Kant puts it, in the figure of the sage. Our moral obligation is thus to reduce this space, to develop both the subjective propensity to seek virtue and the capacities and faculties enabling us to do so.

This focus on the subjective disposition and commitment to pursuing moral improvement is at the heart of Kant’s conception of the good human being, which he elaborates in response to the problem of the radical evil in human nature. In the \textit{Religion},

\textsuperscript{99} Ibid., 6:383.
\textsuperscript{100} Ibid., 6:409.
\textsuperscript{101} Guyer, “The Obligation to be Virtuous”, 224-225.
Kant describes radical evil as our propensity to prioritize sensible impulses over intelligible ones in contexts in which we ought to do the opposite (“evil”), despite an awareness of our moral duty (“radical evil”). Radical evil describes the misalignment of incentives in our natural constitution: human beings are naturally disposed to act on their sensible impulses, even in the face of moral obligations of which they’re conscious. The task of moral education, as we saw, is thus to weaken these phenomenal inclinations and strengthen our receptivity to duty, laying the foundation for moral character. And yet a truly good human being, a properly moral character, can not simply consist in resisting the imperatives of a misaligned will; moral character, Kant argues, requires an internal revolution, an epiphany that fundamentally reorients the motivational structure of the will. Without this revolution, this deep-seated turn in the incentives governing our maxims, we remain incapable of bridging the chasm between moral and merely legal action:

so long as the foundation of the maxims of the human being remains impure, [moral goodness] cannot be effected through gradual reform but must rather be effected through a revolution in the disposition of the human being… And so a “new man” can come about only through a kind of rebirth, as it were a new creation… and a change of heart.\textsuperscript{102}

This elemental reorientation lies at the origin of moral character. Without changing not just our actions, but the grounds of our action, we fail to undergo the motivational transformation necessary for the development of moral character. “[T]he grounding of character,” Kant asserts, “is like a kind of rebirth… which makes the resolution and the moment when this transformation took place unforgettable to him, like the beginning of a new epoch”\textsuperscript{103}. The transformation into a good human being stems from this pivotal

\textsuperscript{102} Kant, \textit{Religion}, 6:47.
\textsuperscript{103} Kant, \textit{Anthropology}, 7:295.
subjective redirection, the leap enabling us to transcend a condition of unprincipled volatility and acquire a character.

While a moral character begins from this moment of revelation, it consists in the subjective, life-long commitment to principled action and moral improvement that follows from it. The moral epiphany realigning the will’s incentive structure is no merely temporary change, but rather instills an ongoing orientation towards, and dedication to, the principled pursuit of moral action. It is worth quoting Kant at length on this point:

The only way to reconcile this [the challenge for corrupt human beings to undergo a moral transformation] is by saying that a revolution is necessary in the mode of thought but a gradual reformation in the mode of sense (which places obstacles in the way of the former), and [that both] must therefore be possible also to the human being. That is: If by a single and unalterable decision a human being reverses the supreme ground of his maxims by which he was an evil human being (and thereby puts on a “new man”), he is to this extent, by principle and attitude of mind, a subject receptive to the good; but he is a good human being only in incessant laboring and becoming; i.e. he can hope – in view of the purity of the principle which he has adopted as the supreme maxim of his power of choice, and in view of the stability of this principle – to find himself upon the good (though narrow) path of constant progress from bad to better... the change is to be regarded only as an ever-continuing striving for the better.¹⁰⁴

The good human being’s transition from radical evil to moral goodness comprises two related “moments”: the moral revolution and the long-term commitment to moral improvement – the “incessant laboring and becoming” – which follows from it. This “ever-continuing striving for the better” describes the particularly human moral task described above, of approximating perfect virtue. It illuminates the moral imperative not to be virtuous, but to develop the capacities enabling us to approach virtue, to reduce the space between ourselves and the sage. This dimension of Kant’s ethics is all too often overlooked; moral action and personhood are not only fixed by the dictates of a stringent and Archimedean moral law, but are also goals that we need to work towards. The good

human being is not only the one who aims at the morally good will, but who also internalizes a life-long orientation towards it. The mark of the good human being is, thus, less well captured by the critical account of the good will than by the post-critical account of good moral character.

And yet, this character is forged not only from the moral education that we’ve examined here, but also from the intersection of broader social, cultural, political and historical conditions. Just as human beings require a given pedagogy to turn them towards their moral ends, so too must humanity writ large develop the capacities to move, as Kant puts it, from mere animality to humanity. We now turn to examine these broader, macro-formative conditions.

2.3.2 Macro-formation

As we’ve seen, moral education cultivates our subjective disposition towards, and receptivity to, our moral obligations. Yet, a progressive moral character develops not only from a particular pedagogy, but also through the influence of larger institutions of socialization; as Barbara Herman asserts, “although autonomy is an essential property of individual rational wills, for human beings, autonomous moral agency is realized in and through a certain form of social life with others”\(^{105}\). Culture, and more specifically, particular kinds of cultures and their social and political institutions, significantly affect our capacity to develop moral dispositions\(^{106}\). As Herman, Sankar Muthu and Thomas


\(^{106}\) Kant, of course, employs the term “culture” (either Kultur or Bildung) differently than in contemporary contexts; I elaborate on the particularities of Kant’s understanding of culture below (in section 2.3.2 (ii)) and in Chapter 3 (section 3.4.4). Despite these important differences, I argue that Kant does treat certain
McCarthy note, moral agency relies on a backdrop of cultural resources; individual autonomy depends on a social context\textsuperscript{107}. But where Muthu argues that Kant regards \textit{all} cultures as equally valuable constitutive conditions for human agency, I would like to suggest that only \textit{particular} social, cultural and political contexts are, in Kant’s view, conducive to moral progress. Not all cultures are created equal; cultures aren’t valuable in themselves, but only in light of their role in our historical progress from a lesser to a greater state of moral perfection. Certain cultures are more capable of producing morally-progressive agents than others, and some, as we’ll see in the next chapter, are incapable of forming them at all. Moral agency requires particular dispositions, fostered by particular social and cultural institutions; as Herman maintains, “Kantian moral education is a training to autonomy, it is not just a lifelong task for individuals, but a task of culture. The right social institutions are the background of sound moral judgment”\textsuperscript{108}.

Let us turn our attention to these broader formative institutions.

\textit{i) History: Stages of Progress}

Kant’s theory of history situates humanity in a peculiar and somewhat uncomfortable place. As is well known, Kant understands humanity as fundamentally progressive; history, writ large and from a philosophical perspective, shows our

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\textsuperscript{108} Herman “Training to Autonomy”, 269.
collective progress, tracing our species-wide movement from nature to freedom. This leaves us, for the vast majority of our collective existence, in the uneasy juncture between animality and humanity. As simple beasts, we might have lived a perfectly amoral existence driven entirely by the pursuit of happiness; we would have been significantly better equipped for this end if we’d only lacked the faculty of reason. Conversely, as holy beings, we might have been entirely rational, aligning our wills in perfect harmony with the moral law. As it stands, however, humanity’s lot lies between these extremes; and so we’re bound to pursue a progressive improvement of the moral capacities that define our inner nature within the contexts that constrain our outer nature.

Kant’s view of nature is teleological; he argues that all creatures are bound to develop their naturally given capacities. Humanity is in the unique position of only being able to do so on a species-wide, rather than individual, level. This is again a result of

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109 Kant’s philosophy of history is elaborated in several essays and passages from longer works; it is most clearly articulated in “Idea for a universal history with a cosmopolitan aim” and in the second half of the *Critique of Judgment*.


111 It can not be stated strongly enough that Kant’s teleology is *regulative*, and not *objective*. Kant’s claims are distinguished from an Aristotelian view of human nature in that they concern not what human nature is, but rather how we, as rational, and yet imperfect beings, *ought* to regard it. While we can’t *know* nature’s purposes in any objective sense, we’re compelled to conceive of a purposive natural order if we’re to understand humanity as progressive at all. Kant’s view of our natural ends comprises postulates of reflection, concerning how we ought to regard humanity’s destiny, not descriptions of an objective telos. As Kant himself asserts in the 3rd *Critique*: “these principles [of teleology] pertain merely to reflective judgment: they do not determine the actual [an sich] origin of these beings, but only say that the character of our understanding and of our reason is such that the only way we can conceive of the origin of such beings is in terms of final causes” (Immanuel Kant, *Critique of Judgment*, trans. Werner Pluhar (Indianapolis: Hackett Publishing Co., 1987), 5:429). For helpful analyses of the role of teleology in Kant’s thought, see Wood, *Kant’s Ethical Thought*, 216 – 225; and Bernasconi, “Who Invented the Concept of Race?” I carefully examine the distinction between teleological and transcendental judgments – and of the importance of situating them properly within Kant’s thought – in the final chapter of this dissertation, in section 6.3.1.

112 “All natural predispositions of a creature are determined sometime to develop themselves completely and purposively... 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.” Immanuel Kant, “Idea for a universal history with a cosmopolitan aim,” in *Anthropology, History, and Education*, ed. Günter Zöller and Robert B. Louden (Cambridge, UK; New York: Cambridge University Press, 2007), 8:18-19.
the kind of being that we are: rational and finite. Our capacity for reason compels us to perfect our rational faculties, and our finitude inhibits us from doing so as individuals; we’re thus bound to improve ourselves collectively, over generations, moving towards an ever-greater realization of our shared capacity for autonomous moral action. We progress both as societies and in societies; Kant regards progressive social stages as reflecting stages of collective advancement, tying our individual rational growth to the developmental level of our social context. Collective and individual progress are inexorably intertwined and mutually reinforcing; as we emerge from our self-incurred immaturity, we develop social and political institutions that increasingly depend on the exercise of our rational faculties. These successive social stages are analogous with the stages of individual development outlined in Kant’s writings on pedagogy. Early, or “savage”, societies stand in need of discipline, in much the same way as do children; “culture” represents an intermediary point in our collective development, a preparatory stage enabling us to hone the skills required for moral action; “civilization” represents a higher stage of culture; and “moralization” comprises our collective end. Kant identifies each of these historically-discrete stages of social development – cultivation, civilization and moralization – with distinctive achievements in our moral capacities:

We are cultivated in a high degree by art and science. We are civilized, perhaps to the point of being overburdened, by all sorts of social decorum and propriety. But very much is still lacking before we can be held to be already moralized. For the idea of morality still belongs to culture; but the use of this idea which comes down only to a resemblance of morals in love and honor and in external propriety constitutes only being civilized.  

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113 This reciprocal relationship between individual and collective advancement is well illustrated in “What is Enlightenment?”: individuals come to rely on their own rational faculties in determining themselves through republican political institutions, and conversely, a progressive republic’s openness to the exercise of public reason enables the collective growth of its citizenry.

Like our individual formation, our collective advancement follows a particular trajectory through given socio-historical stages tied to our moral development; and like individuals, societies are entirely capable of misdirection and moral failure\textsuperscript{115}. Our movement through these stages of moral improvement is enabled under particular social and political conditions; only \textit{civilized} societies produce the habits, dispositions and propensities required of morally-progressive agents. “The human being”, Kant argues, “is destined by his reason to live in a society with human beings and in it to \textit{cultivate} himself, to \textit{civilize} himself, and to \textit{moralize} himself by means of the arts and the sciences”\textsuperscript{116}. We are thus bound to develop our moral nature and capacities in society, through our interactions with others; but only certain \textit{kinds} of society – Western European societies – foster the habits and dispositions of morally progressive agents. How exactly, then, do \textit{civilized} societies contribute to our moral formation?

\textit{ii) Culture and Civilization: Bridging Nature and Freedom}

As Robert Louden notes, culture “is often used in a double sense by Kant: sometimes it refers to the general formation of humanity out of animality in the human race as a whole; sometimes it refers to more specific educational processes directed at particular groups as well as individuals”\textsuperscript{117}. These two conceptions of culture are intimately related; culture comprises a sphere of cultivation and learning that occurs both individually and collectively. At the individual level, culture constitutes the “positive”

\textsuperscript{115} At various points, Kant appears to ascribe natural cognitive/rational limitations to given societies and races. His remarks on the natural indolence of negroes and the stunted growth of North America’s autochthons, for example, suggest that not all peoples are equally capable of progressing towards our collective moral ends. This is a subject of significant debate and disagreement in the literature, and is treated in detail in the next chapter.

\textsuperscript{116} Kant, \textit{Anthropology}, 7:324.

\textsuperscript{117} Louden, \textit{Impure Ethics}, 40.
course of instruction outlined earlier in this chapter, in Kant’s moral pedagogy; at the collective level, culture describes a particular stage of social, moral and historical development. In this second, collective sense, culture refers to the realm of social life, as it’s in the social world that we develop the technical and prudential skills, aptitudes and dispositions required to set our own ends. Broadly speaking, then, culture concerns the development of the capacities to exercise reason and to set ends, which are inexorably connected to our social existence.

As Louden also notes, “Kant often makes a further distinction between general culture and ‘a certain kind of [gewisse Art von] culture, which is called civilization’” (9:450). This latter form of culture aims not just at skillfulness but at prudence, and thus represents a higher stage of development118. Civilized culture, then, refers to a particular form of social life that enables the development of particular skills and aptitudes. The dispositions and skills which we develop in civilized societies prepare us for, in Kant’s words, “an autocracy of the mind”. In the 3rd Critique, Kant describes culture as the bridge between nature and freedom: only with the refinements and moralizing influence of civilized culture do we develop the self-control and public-mindedness of a people on the road to enlightenment. Civilized life mitigates the natural impulse to act on our sensible inclinations, turning a pathological drive for unrestrained freedom into an ennobled desire for rational self-control, for true freedom119. Just as the propaedeutic aids in Kant’s pedagogy awaken and enliven our moral sensibilities, so too do the proprieties of civilized cultures lay a foundation for properly moral action. We need the arts, sciences and social courtesies endemic in culture; the accoutrements of

118 Ibid.
119 See Wood, Kant’s Ethical Thought, 253-256.
civilized culture comprise indispensable aids to moral progress by developing the dispositions in which moral character inheres.

Through our immersion in such civilized social contexts, we internalize the “small” virtues, which Kant associates with the duty “to use one’s moral perfections in social intercourse”. The exercise of these social virtues “cultivate[s] a disposition of reciprocity – agreeableness, tolerance, mutual love and respect”. Civilized, European cultures thus “promote a virtuous disposition”\textsuperscript{120}, the pursuit of which Kant includes within the “many duties of virtue”\textsuperscript{121}, the imperfect obligations that help to construct a moral character. In the \textit{Anthropology}, Kant discusses the moral value of everything from fashion, to good living, to luxury, to fine art; moderate alcohol consumption, dinner parties, writing and reading poetry all comprise morally-edifying activities. While none of these constitute irreplaceable pillars of moral life, they do demonstrate the particularity of Kant’s conception of morally progressive culture, and of the kinds of social institutions, habits, affects and proprieties that sustain and develop our moral consciousness. In a passage in the \textit{Anthropology} tellingly entitled “On permissible moral illusion”, Kant maintains that

the more civilized human beings are, the more they are actors. They adopt the illusion of affection, of respect for others, of modesty, and of unselfishness without deceiving anyone at all, because it is understood by everyone that nothing is meant sincerely by this. And it is also very good that this happens in the world. For when human beings play these roles, eventually the virtues, whose illusion they have merely affected for a considerable length of time, will gradually really be aroused and merge into the disposition.\textsuperscript{122}

While duplicity and affectation have no place in genuinely moral action, they comprise important mechanisms for fostering a moral disposition; the social graces of civilized

\begin{footnotes}
\item[120] Kant, \textit{Metaphysics}, 6:473.
\item[121] Ibid., 6:411.
\item[122] Kant, \textit{Anthropology}, 7:151.
\end{footnotes}
societies “arouse” our moral sensibilities. Socially-necessary attitudes, such as “affability, sociability, courtesy, hospitality and gentleness… promote the feeling for virtue itself by striving to bring this illusion as near as possible to the truth.” These social virtues perform two invaluable functions: they draw us towards true moralization by cultivating moral feelings and sensibilities; and they develop the social habits sustaining progressive social and political institutions. We now turn to examine the educative value of these progressive political institutions, and more specifically, of the “perfect civil constitution”: the republic.

iii) Political Education

Politics is, for Kant, a matter of right; we are morally bound to enter into political association to secure the conditions harmonizing our equal rights to external freedom. And yet, commentators frequently fail to recognize that political institutions also contribute to the formation of citizens. Kant famously proclaimed that a nation of devils could coexist within an ideal republic, but also saw that governments do more than to erect barriers between otherwise Hobbesian monads: political structures influence citizens by their laws, and to their laws. Kant’s well-known advocacy for republics stands on purely formal grounds: republics alone conform to the idea of right. Yet

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123 There remains, in Kant’s view, an abyss between the affectation of moral action and morality itself which can only be bridged by a moral “revolution”; I address this in Chapter 3.
126 This is not entirely surprising. As Arthur Ripstein (2009) notes, the political philosophy elaborated in “Theory and Practice” and the *Metaphysics of Morals’* Doctrine of Right is explicitly grounded in the conditions for a shared sphere of right; Kant’s political theory is intentionally non-perfectionist. His opposition to ecclesiastical states further indicates his resistance to treating political institutions as tools of formation. And yet, this does not prevent him from tacitly recognizing differences in the kinds of subjects that political regimes produce, and from endorsing republican institutions as producing particularly progressive citizens. For an examination of the pedagogical role of the republican state, see Munzel, *Moral Character*, ch. 5.
republics also cultivate forms of agency that sustain progressive politics. Different forms of government depend upon, and acculturate, different kinds of subjects; republics are no exception. I begin by outlining Kant’s better-known, principled arguments for the necessity of the rightful condition before drawing attention to these less familiar – and surprisingly Aristotelian – insights concerning virtue and law.

Kant’s complete system of right comprises inter-related domestic, international and cosmopolitan spheres of right. At the domestic level, Kant argues that “the sole constitution that issues from the idea of the original contract, on which all rightful legislation of a people must be based – is a republican constitution”; at the international level, “[t]he right of nations shall be based on a federalism of free states”\footnote{Immanuel Kant, “Toward perpetual peace”, in Practical Philosophy, ed./trans. Mary J. Gregor (New York: Cambridge University Press, 1996), 8:350, 354.}; and at the cosmopolitan level, it is realized in what Seyla Benhabib describes as the right of hospitality, the individual’s right to visit a foreign state, as a condition for the possibility of free interchange with other human beings\footnote{Seyla Benhabib, Another Cosmopolitanism (New York: Oxford University Press, 2006).}. Each dimension of this system of right presupposes the others, and all are required for a complete account of right: the republican constitution enables the generation of free, self-authored laws governing the relations of individuals within a state; international law governs a system of rightful exchange between states, removing them from a global state of nature; and cosmopolitan law governs the relation between individuals and states in which they are not citizens. Thus, cosmopolitan law preserves the conditions for the commerce and free movement of individuals that Kant sees as creating increasingly rationalized forms of international exchange and intercourse, preconditions for the pursuit of perpetual peace. While political institutions are, for Kant, merely instrumental (in that they have no moral value
in themselves), we are nevertheless morally bound to enter into a rightful condition enabling the harmonization of our shared rights to external freedom and the circumstances for peaceful relations.

And yet, not all conditions of right are equally capable of fulfilling these ends, particularly given that a complete system of right must encompass domestic, international and cosmopolitan spheres. The cosmopolitan federation of states requires that “[t]he civil constitution in every state shall be republican”¹²⁹; a complete system of right both presupposes and depends upon a law-governed network of law-governed states, whose domestic constitutions conform to the idea of right. This rather more particular system of domestic, international and cosmopolitan law is a precondition for the pursuit of our natural moral ends:

Since only in society, and indeed in that society which has the greatest freedom, hence one in which there is a thoroughgoing antagonism of its members and yet the most precise determination and security of the boundaries of this freedom so that the latter can coexist with the freedom of others – since only in it can the highest aim of nature be attained, namely, the development of all the predispositions in humanity… therefore… a perfectly just civil constitution must be the supreme problem of nature for the human species, because only by means of its solution and execution can nature achieve its remaining ends for our species.¹³⁰

While the moral compulsion to enter into law-governed relations with others follows from our shared right of freedom (in conjunction with the geographical fact of the earth’s bounded surface forcing us to share a limited global space), this more particular end – the perfection of our moral capacities – entails a different and thicker set of political obligations. Imperfect though this obligation may be, we are morally bound to pursue not only a condition of right, but more specifically, “that which nature has as its aim… a

¹²⁹ Kant, “Perpetual peace”, 8:350.
¹³⁰ Kant, “Universal history”, 8:22.
universal cosmopolitan condition, as the womb in which all original predispositions of
the human species will be developed.”\textsuperscript{131}

And yet, in both the Anthropology and the Metaphysics of Morals, Kant describes
this cosmopolitan federation as “a pious wish”, “an unattainable idea… it is only a
regulative principle: to pursue this diligently [is] the vocation of the human race”\textsuperscript{132}. This
suggests a second, less clearly articulated value of the republican, cosmopolitan, law-
governed political order: it anchors a progressive political disposition, orienting the use
of practical reason in matters of politics. Despite the likely impossibility of constructing
a perfect, law-governed federation of republican states in actual fact, we are nevertheless
bound to remain oriented towards it, as the external condition for our moral perfection.
The pursuit of this political ideal is, as Kant argues, our vocation as human beings; “we
must act as if it is something real, though perhaps it is not; we must work toward
establishing perpetual peace and the kind of constitution that seems to us most conducive
to it”\textsuperscript{133}. Even as we recognize that these political ideals are, in all likelihood,
unachievable, Kant argues that “we are certainly not deceiving ourselves in adopting the
maxim of working incessantly toward it.”\textsuperscript{134} The ideal cosmopolitan union is something
of a chimera; and yet its critical and moral value is very real, orienting us towards given
political ends. Kant denounces European colonialism, for example, not only on the basis
of the wrongs perpetrated on subject peoples, but also due to its incompatibility with
ideals of cosmopolitanism and a future condition of global peace\textsuperscript{135}. As a fundamentally

\textsuperscript{131} Kant, “Universal history”, 8:28.
\textsuperscript{132} Kant, Anthropology, 7:331.
\textsuperscript{133} Kant, Metaphysics, 6:355.
\textsuperscript{134} Ibid.
\textsuperscript{135} See Muthu, Enlightenment Against Empire, ch. 5; also, see Kant’s “Third Definitive Article for
irrational way of interacting with other states (characterized by relations of domination, conquest and subjugation), European colonial practices obstruct the possibility of peaceable relations and of a cosmopolitan union. The ideal of a cosmopolitan federation thus underwrites the political attitudes that we are compelled to adopt: a morally progressive people is obligated to, in its political projects, engage with other nations in such a way that they could pursue a future cosmopolitan union.

What, then, are different states’ citizens actually like? In *Theory and Practice*, Kant declaims against ecclesiastical constitutions and paternalistic forms of government more generally, as both fail to treat their citizens as autonomous, end-setting beings. He rejects them on formal, principled grounds: the former deny future generations their basic rights of self-determination by binding them to un-chosen religious principles, while the latter restrict citizens’ basic right to determine and pursue their own conceptions of happiness. Yet beyond these formal considerations, misgovernment causes another problem: it produces passive agents that lack the propensity to pursue freedom and enlightenment at all. Paternalistic governments treat subjects “like minor children who cannot distinguish between what is truly useful or harmful to them, [and] are constrained to behave only passively”\(^\text{136}\). This kind of misgovernment not only fails to satisfy basic conditions of right, but also forms agents whose passivity inhibits them from wanting to progress. Paternalistic and despotic governments “have made their domesticated animals dumb and carefully prevented these placid creatures from daring to take a single step without the walking cart in which they have confined them”; in so doing, they inhibit “further progress in enlightenment. This [is] a crime against human nature, whose

original vocation lies precisely in such progress”137. Despotic governments maintain their citizenries in a state of political and intellectual dependence; they encourage and perpetuate the immaturity which Kant decries in “What is Enlightenment?”.

Republics, conversely, teach their citizens to be free and to exercise their rational capacities in public, in tandem with others; they not only preserve (and conform to) conditions of right, but also encourage the active engagement of their citizenries. The public use of reason and freedom of the pen, the hallmarks of Kant’s progressive, republican government, are justified on purely rightful grounds: they preserve our inalienable right to external freedom and provide avenues for republican states to identify and rectify deviations from justice. But they also comprise institutional mechanisms enabling and developing republican citizens’ rational and critical faculties. The exercise of public reason is not only a safeguard against the sovereign’s error, but is also a conduit for public self-scrutiny. In both of these functions, public reason fosters the dispositions required of progressive political agents: to engage in individual and collective self-examination, to speak out against injustice, and to participate in a shared public life. It is through such public engagement that enlightenment, as a collective enterprise, progresses. As Kant asserts,

freedom of the pen – kept within the limits of esteem and love for the constitution within which one lives by the subjects’ liberal way of thinking, which the constitution itself instills in them (and pens themselves also keep one another within these limits, so that they do not lose their freedom) – is the sole palladium of the people’s rights.138

While freedom of the pen is justified on purely principled grounds, as a mechanism for preserving the people’s rights, republican freedoms and constitutions also shape given

kinds of citizens. Republican institutions depend on a liberal mindset, but they also instill
it in their subjects. We learn to exercise our political and public responsibilities; an
enlightened public is disposed to improve itself and to cultivate its talents and abilities.
In surprisingly Aristotelian language, Kant maintains that “it is not the case that a good
state constitution is to be expected from inner morality; on the contrary, the good moral
education of a people is to be expected from a good state constitution”\textsuperscript{139}.

Kant’s defense of republicanism is most often interpreted in the formal terms laid
out in the \textit{Metaphysics of Morals}, as the only constitution conforming to the idea of right.
Somewhat less noted is a secondary, consequentalist argument from “Toward Perpetual
Peace” and \textit{The Contest of the Faculties}, in which Kant asserts that republics are less
likely to go to war (an argument taken up and ultimately developed in modern democratic
peace theory)\textsuperscript{140}. What tends to be missed almost entirely is this third argument:
republics make good, morally-progressives citizens. In “Toward Perpetual Peace”, Kant
asserts that under republican constitutions, “the development of the moral predisposition
to immediate respect for right is actually greatly facilitated… thereby a great step is taken
toward morality (though it is not yet a moral step)”\textsuperscript{141}. The laws and institutions of
republics do not in themselves produce moral subjects; but they develop the orientation
towards moral ends which such subjects are bound to pursue.

\textbf{2.4 Conclusion}

\textsuperscript{139} Kant, “Perpetual peace”, 8:367.
\textsuperscript{140} “under a constitution in which subjects are not citizens of the state, which is therefore not republican,
[deciding upon war] is the easiest thing in the world; because the head of state is not a member of the
state.” Kant, “Perpetual peace”, 8:351.
\textsuperscript{141} Ibid., 8:376.
This chapter has explored an under-examined and rather un-Kantian side of Kant: the subjective, volitional dimensions of moral agency and ethics, and the conditions under which moral character is formed. I have tried to illuminate the substantial attention which Kant devoted to this developmental side of moral life, and to show both the distinctions and connections between what I’ve called subjective and objective dimensions of morality. Following from this distinction, I’ve argued that Kant himself recognized that the complete presentation of a practical system of ethics – an ethics that aimed, in his words, to avoid being merely speculative – must address not only the “formal” characteristics of our rational nature, but also the inexorably imperfect and ultimately unsystematizable facets of our nature as embodied, phenomenal beings. In so doing, I aim to contribute to a burgeoning scholarship addressing this fuller picture of Kant’s ethics. In the next chapter, I go beyond this largely expository literature by considering how this “thicker”, more particular view of moral personhood problematizes the universality of Kant’s ethics and introduces problems of exclusion.

The subterranean concern with moral character, with the orientations, dispositions, proclivities and habits that underlie the *Groundwork*’s good will, is all too often neglected in treatments of Kant’s moral theory; deontology tends to avoid the sully of the empirical world. But this empirical world constrains and impinges upon the agents that live within it, who are to redeem the naturally-ordained promise of worldwide rationalization. This process of rationalization, in which humanity strives towards the approximation of a kingdom of ends on earth, turns out to be a highly particular one. As we’ve seen in this chapter, our moral development is intimately bound to given educational, social, cultural and political conditions. We *need* a careful pedagogy to
balance freedom and restraint, to develop a moral character, and to avoid stunting the moral growth of the young; we need civilized societies to curb our barbaric predilections and inculcate moral dispositions; we need republican institutions to foster the public-mindedness and desire for freedom that are the hallmarks of enlightenment. In short, we need *Europe*, as a condition for moral agency. We need the habituation, the social proprieties and the progressive governments to build up our moral character if we’re to move towards the realization of our natural ends. What, then, happens to the great tracts of humanity that are *not* subject to this acculturative process? While all human beings share in an inalienable dignity as ends-in-themselves, Kant’s conception of the conditions within which we *develop* a moral character appears to circumscribe the kinds of people capable of realizing their moral potentiality. How are we to make sense of the moral status of human beings that *can not* move towards the realization of their natural ends? This is the question we turn to explore in the next chapter.
Chapter 3

Progressive Agents and Agents of Progress: Exclusion in Kant’s Moral and Political Thought

3.1 Problems of Exclusion, Moral and Political

In the last chapter, I argued that Kant distinguishes between the objective determination of the moral law – delineated in the 2nd Critique and the Groundwork – and the subjective volition in choosing to adopt it as the grounds of one’s action, addressed in a number of post-critical works. This is not to suggest that Kant understood the principle of morality as determined in any other way than on purely intelligible grounds; all of morality is lost, he maintains, when principles of appraisal and performance are confused. And yet, as I’ve argued, this subjective, volitional dimension of moral action – what Kant describes as the “subjective ground” of morality – has received disproportionately little scholarly attention. This is beginning to change, with excellent works such as Louden’s, Wood’s and Herman’s; yet these have tended (for good reason) to be largely expository, introducing a substantially less well-known side of Kant’s corpus. While this has been invaluable in exposing the non-German speaking world to an important facet of Kantian philosophy, this literature has tended to disregard the consequences that the impure, developmental dimensions of moral agency incur for Kant’s better-known transcendental ethics. A second, more critical literature addresses Kant’s writings on anthropology, biology and physical geography in examining the place of race and gender in his thought.

1 Louden, Impure Ethics; Wood, Kant’s Impure Thought: Herman, Moral Salience. Other works include Munzel, Moral Character; Frierson, Freedom and Anthropology; Alix Cohen, Kant and the Human Sciences: Biology, Anthropology and History (Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan, 2009); Wilson, Kant’s Pragmatic Anthropology; McCarthy, Race, Empire; Kleingeld, “Idea of Moral Development”.
This tends to focus too closely on Kant’s “impure ethics”, taking his (entirely prejudiced) views of racial and gender-based difference to impugn his larger moral theory; this charge, I argue, is often reductive and fails to properly situate these writings within Kant’s broader philosophical system.

In this chapter, I aim to navigate between these two bodies of interpretation to consider the ways in which the impure, developmental dimensions of human agency impact upon Kant’s broader moral philosophy. More specifically, I examine how this “thicker”, more particular view of the kinds of agents that Kant regards as capable of moral development and progress might constrain the universalism of his formal ethics.

My central claim is this: if we recognize, as I argued in the last chapter, that human moral nature is fundamentally developmental – that is, that unlike divine rational beings, we are bound to develop our moral capacities and faculties in order to move towards our naturally-given ends – then we ought to take seriously the moral quandary facing the swathes of humanity that are unable, for either “natural” or circumstantial reasons, to develop these capacities. This space, between Kant’s moral universalism and the more particular capacities and conditions that foster a morally progressive character, harbours moral and political exclusions that demand critical scrutiny.

The chapter proceeds in three sections. The first explores problems of political exclusion. While women and the un-propertied are subject to the laws of a republican

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2 This is perhaps most starkly illustrated in Kant’s infamous questioning of the value of Tahitians’ lives, had they not come into contact with “civilized nations”. Kant asserts that, without the fortuitous European influence to stimulate their latent rational faculties, it is perhaps impossible “to give a satisfactory answer to the question of why they should exist at all” Immanuel Kant, “Review of J. G. Herder’s Ideas for the philosophy of the history of humanity. Parts 1 and 2,” in Anthropology, History, and Education, ed. Günter Zöller and Robert B. Louden (Cambridge, UK ; New York: Cambridge University Press, 2007). Without the development of this latent rational faculty, Kant suggests, we are unable to distinguish the difference between the worth of Tahitians’ lives and those of the sheep they tend. Would the Tahitians, without the intervention of Europeans drawing out their rational abilities, be “beyond price”? We might think of this chapter as, broadly speaking, trying to assess the value of Tahitians’ lives in Kant’s eyes.
state, Kant maintains that neither should be enfranchised; they are, in his words, cobeneficiaries of the state rather than full citizens. While much of the literature simply attributes these exclusions to Kant’s age-bound prejudices, this fails to examine their place in the broader architecture of Kant’s moral and political thought (and more particularly, in the relation between them). I begin by considering why exactly Kant regards certain kinds of persons as politically incapable in order to clarify the capacities and orientations that he attributes to progressive political actors. As we saw in the last chapter, republican governments both shape and depend upon given kinds of citizens, oriented towards public reason, self-direction and deliberation. I argue that women’s and the un-propertieds’ exclusion from political enfranchisement stems from cognitive defects, from their inability – temporary in the case of the poor, permanent for women – to exercise forms of understanding that sustain republican politics. These exclusions, then, patrol the borders of progressive, liberal political citizenship.

They also point to the under-examined relationship between moral and political agency, which I explore in greater detail in the second section of the chapter, focusing on women’s peculiar role in Kant’s account of humanity’s historical development. While Kant draws a strong distinction between spheres of morality and politics, the attribution of cognitive deficiencies to women’s understanding is not only a “political” problem; it also troubles their moral status. If our dignity lies in the rational capacity to set our own ends\(^3\), how are we to conceptualize the moral status of beings endowed with a permanently “defective” understanding?

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\(^3\) Exacerbating the problem, Kant also argues that women’s ends are set by nature, rather than by themselves; I examine this problem in detail below, in section 3.3.2.
This latter problem – of moral, rather than political exclusion – is elaborated in the third section of the chapter. We saw, in the last chapter, that the moral agency of which human beings are capable is a matter of cultivation and formation: we are bound to develop ourselves as morally progressive agents. Our highest end – the perfection of our moral faculties – grounds our obligations to cultivate a receptivity to the moral law, to approximate virtue, and to strengthen the capacities that help us to pursue these ends.

Our moral duty does not merely enjoin us to engage in moral actions (though it does this as well), but rather to develop a moral character, disposed and oriented towards the moral law and formed by a very particular set of pedagogical, cultural, social and political conditions. How, then, are we to understand the moral status of agents that are unable to adopt this orientation, who fail to cultivate the subjective, morally progressive character disposing us to recognize and internalize our duties as rational agents? I consider this problem through a close examination of Kant’s writings on race, culture, civilization and humanity’s historical development.

Overall, I argue that we misinterpret the dilemmas presented by exclusion when, as much of the literature does, we examine moral and political exclusions in isolation from one another, as separate and separable problems. In contrast, I draw attention to their connection; I argue that moral and political exclusions are systematically connected by the broader imperative to form morally progressive agents. Exclusionary impulses on both political and moral registers preserve the boundaries of, and conditions for, a progressive moral character. While much of the commentary interprets these exclusions as prejudiced aberrations from an otherwise inclusive account of morality, I argue that they are in fact entirely consistent – even systematically connected – with Kant’s broader
account of humanity’s moral development. I conclude by reflecting on the relationship between Kant’s universalistic account of moral dignity and the more rarefied – and exclusionary – form of agency implied by progressive moral character.

3.2 Political Exclusion

3.2.1 Citizens and Cobeneficiaries

The most egregious instances of political exclusion in Kant’s practical works appear in his essay on *Theory and Practice* and in the *Metaphysics of Morals*. In *Theory and Practice*, Kant describes the principles underlying the republican constitution as preserving the freedom of every individual, the equality of all subjects and the independence of each citizen. Given the inclusiveness of these principles, it is somewhat surprising that Kant also restricts rights of citizenship by “natural” criteria (of not being a child or a woman), as well as by the requirement of “being one’s own master (sui iuris), hence having some property”\(^4\). This restriction conforms to Kant’s distinction between political and moral rights: the private freedom and legal equality due to all subjects, as moral agents, are guaranteed by basic republican principles, while explicitly political rights are constrained to “independent” citizens. While a sphere of negative rights preserves the conditions for the external freedom of all subjects, not all subjects are fit to exercise civic rights:

> it is not the case that all who are free and equal under already existing public laws are to be held equal with regard to the right to give these laws. Those who are not qualified for this right are still, as members of the commonwealth, subject to

compliance with these laws and thereby enjoy protection in accordance with them, not, however as citizens but as cobeneficiaries of this protection.\(^5\)

Kant’s distinction between cobeneficiaries’ and “full” citizens’ political is notoriously unconvincing. Commentators such as Ronald Beiner\(^6\) and Susan Mendus\(^7\) persuasively argue that the failure to extend basic political rights to all members of the commonwealth inhibits the exercise of a full and morally satisfying autonomy, and further, that the “natural” and property-based criteria distinguishing the two categories of membership are as arbitrary as they are theoretically unsatisfying. Kant reproduces this division in the *Metaphysics of Morals*, elaborating on the qualities distinguishing “active” and “passive” citizens:

being fit to vote presupposes the independence of someone who, as one of the people, wants to be not just a part of the commonwealth but also a member of it, that is, a part of the commonwealth acting from his own choice in community with others. This quality of being independent, however, requires a distinction between active and passive citizens… an apprentice in the service of a merchant or artisan; a domestic servant (as distinguished from a civil servant); a minor (naturaliter vel civiliter); all women and, in general, anyone whose preservation in existence (his being fed and protected) depends not on his management of his own business but on arrangements made by another (except the state). All these people lack civil personality and their existence is, as it were, only inherence.\(^8\)

Poorly defended though it is, Kant’s argument is far from uncommon: those subject to the influence of others are unable to exercise the autonomous judgment required for political decision-making. Two problems bedevil dependents: first, their dependence exposes them to the influence of their benefactors, presenting the possibility of buying or bullying votes. Secondly, dependence breeds self-interest: dependents are

\(^5\) Ibid., 8:294. This distinction is echoed in the *Metaphysics of Morals*’ differentiation between active citizens, who are “fit to vote” in the commonwealth, and passive citizens, who “lack civil personality and [whose] existence is, as it were, only inherence.” Kant, *Metaphysics*, 6:314.

\(^6\) Beiner, “Paradoxes”.

\(^7\) Mendus, “Narrow-Minded Bourgeois?”

far more likely to use their enfranchisement to pursue their own rather than the common good. Conversely, the full citizen’s material independence enables him to adopt the perspective required for political decision-making; without the self-interest accompanying deprivation, he lacks the motivation to treat his civic power as a means to further his own interests. Call this the argument from privation: the property-less are naturally inclined to seek their own good and so ought to be excluded from political processes whose success depends on the alienation of self-interest.

But this does not capture Kant’s fuller view of the poorer classes’ defects, and also entirely fails to account for women’s exclusion from political enfranchisement⁹. The deeper problem, I will argue, lies in the inability to exercise proper political judgment and to develop the forms of agency sustaining republican political institutions. The problem, then, goes beyond self-interest; it’s not just that deprivation directs us towards the wrong ends, but rather, that women and the un-propertied suffer from a broader cognitive deficiency. Let us begin by looking at the case of the un-propertied.

3.2.2 Self-Mastery, Non-Mastery and Political Judgment

Kant’s account of the non-natural qualification for political enfranchisement incorporates a property requirement; yet, property is in fact ancillary to self-mastery, the quality to which it points. Full citizenship requires “being one’s own master (sui iuris), hence having some property (and any art, craft, fine art, or science can be counted as property) that supports him – that is, if he must acquire from others in order to live, he does so only by alienating what is his and not by giving others permission to make use of

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⁹ To put the question bluntly: if Kant’s concern is explicitly with the argument from privation, why couldn’t rich women vote?
his powers.” Through a rather idiosyncratic taxonomy, Kant designates domestics, shop clerks, day labourers, barbers and even Indian blacksmiths as lacking self-mastery, distinguishing them from tailors, wigmakers and European carpenters, endowed with the “property” required for civil personality.

How exactly does Kant understand self-mastery? Given his concession that it is “somewhat difficult to determine what is required in order to be able to claim the rank of a human being who is his own master”¹¹, self-mastery does not appear determinable on the basis of simple property possession, as the argument from privation would suggest. As Kant’s view of property is both murky and subtle enough to be, by his own admission, difficult fix at all (are the skills of tailors and wigmakers really so different?), it appears untenable that material property would constitute the grounds for enfranchisement. The relevant quality of self-mastery pertains not to material wealth, but rather to how subjects engage in various forms of life-activity; skills in given arts and crafts, for example, qualify as types of property. Property is less defined by the possession of material assets than by the capacities and faculties employed by subjects in setting their ends and meeting their needs; it concerns how we go about living our lives. What’s important about property is not that its possession alleviates our self-interest, enabling us to make sound and objective political decisions, but rather that it is reflective of a subject’s capacity to set his own ends, to exercise his rational faculties in determining himself. This distinguishes persons that alienate what’s theirs (their property) from those that sell a general permission to use their powers: where the former exercises self-mastery “in

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¹¹ Ibid., 8:290.
pursuing his trade, thus exchang[ing] his property with another”, the servile labourer “[grants] the use of his powers… to another”\textsuperscript{12}.

Anticipating Marx’s critique of alienated labour, Kant’s “self-master” retains control over the choice of his actions; his property is the endowment which enables and develops this power of choice and the faculty of judgment on which it depends. The “non-master” lacks this endowment, forcing him to relinquish the capacity for self-determination and practical judgment, as the use of his powers is determined by another. Both alienate something that belongs to them; but while the self-master chooses to exchange what’s his – be it skill or material property – the “non-master” alienates his very capacity for purposiveness and so fails to develop the judgment that end-setting requires. This is the crucial problem from which non-masters suffer: they have no choice but to abandon the power to exercise choice itself, the essential core of self-determining, autonomous agency, reducing themselves to the level of things\textsuperscript{13}. To paraphrase “What is Enlightenment?”, servile persons are in a state of nonage; empowering individuals incapable of setting their own ends to participate in political institutions that constrain others’ seems illogical at best. It isn’t the wigmaker’s wigs (or rather, his wig-produced fortune) that qualifies him for civil independence, but rather his demonstrable ability to set his own ends and exercise the capacities required for political judgment. While this has no bearing on one’s capacity to be subject to republican law – after all, a nation of

\begin{flushright}
\textsuperscript{12} Ibid.
\textsuperscript{13} This, of course, does not reduce his stature as a being worthy of dignity and beyond price; it means that he fails to honour the humanity in himself.
\end{flushright}
devils could co-exist under the right political institutions – it does affect the capacity to
exercise political rights\(^{14}\).

The problem with non-masters, then, is their inability to exercise judgment, a
minimal condition for holding political rights. In a section of the *Anthropology*
addressing the “Anthropological comparison of the three higher cognitive faculties with
one another”\(^{15}\), Kant outlines a taxonomy of rational faculties, distinguishing three forms
of cognition: understanding\(^{16}\) (a generalized capacity for identifying and following rules),
judgment (applying general rules to particular cases) and reason (“deriving the particular
from the universal”)\(^{17}\). He associates the exercise of different cognitive capacities with
differently situated members of the commonwealth:

The domestic or civil servant under express orders needs only to have
understanding. The officer, to whom only the general rule is prescribed for his
entrusted tasks, and who is then left alone to decide for himself what to do in
cases that come up, needs judgment. The general, who has to judge all possible
cases and has to think out the rules for himself, must possess reason. – The talents
necessary for these different dispositions are very distinct.\(^{18}\)

\(^{14}\) Judith Shklar argues that republican institutions do not require a particular form of character from their
subjects, distinguishing Kant’s “thoroughly democratic liberal character” from Aristotle’s aristocratic
conception of good character. While it’s true that being a republican subject “requires no special gifts of
intelligence, beauty, wealth, or good luck” (233), there are conditions required for the exercise of political
rights in Kant’s schema. Shklar shows that anyone can be a subject under properly designed republican
institutions; political membership doesn’t require a morally good character. But this doesn’t imply that
anyone can be a citizen under republican institutions; not everyone in Kant’s republic is entitled to political

\(^{15}\) Kant, *Anthropology*, 7:197. Note that I draw on Kant’s examination of the cognitive faculties’ use in
anthropological contexts, rather than on the more analytically rigorous epistemological divisions laid out in
the *Critique of Pure Reason*. Given that I am here examining the applied dimension of Kant’s ethics,
rather than the nature of cognition more generally, this appears to me as the appropriate source on which to
draw.

\(^{16}\) Kant draws an important distinction between the broader use of the term “understanding” (“the faculty of
thinking”, 7:197), and its more particular variant (“when it is subordinated to understanding in a general
sense as one member of a division with two other members” 7:197). The more general version of
understanding, which Kant also calls “the higher cognitive faculty”, consists of this tripartite division
comprising “understanding, the power of judgment, and reason”. Kant, *Anthropology*, 7:197.

\(^{17}\) Kant, *Anthropology*, 7:199.

\(^{18}\) Ibid., 7:198.
Non-masters lack the capacity to, in their everyday lives, “decide for themselves what to do” in cases that require judgment; this is precisely what they alienate in permitting others to use their powers for their own purposes. And importantly, the faculty of judgment only develops through its employment; Kant maintains that “the power of judgment (iudicium) – cannot be instructed, but only exercised”\textsuperscript{19}. Passive citizens draw upon only the most basic capacities of the understanding: they obey directives set by others and so fail to exercise and cultivate the faculty of judgment, the learned capacity to determine what one ought to do, as a matter of principle, in given circumstances. Such passive citizens fail to develop the forms of cognition that specifically concern political decision-making. They suffer, as Kant puts it, from deficiencies that necessitate either a postponement until the growth to proper maturity, or even the representation of one’s person through that of another in regards to matters of a civil nature. The (natural or legal) incapacity of an otherwise sound human being to use his own understanding in civil affairs is called immaturity… if it rests on legal arrangements with regard to civil affairs, it can then be called legal or civil immaturity.\textsuperscript{20}

Non-masters share in this immaturity, in a cognitive deficiency inhibiting the faculties demanded by full citizens; in a word, they fail to cultivate the capacity for political judgment. While Kant never explicitly addressed the moral psychology of political action, it appears relatively clear that the faculty of judgment – the capacity to think in the place of others and to discern “whether something is an instance of the rule or not”\textsuperscript{21} – comprises a minimal condition for the exercise of political right.

This capacity for political judgment is the lynchpin of republican government. Despotic states depend on (and help to perpetuate) the immaturity of their citizens,

\textsuperscript{19} Ibid., 7:199.
\textsuperscript{20} Ibid., 7:209.
\textsuperscript{21} Ibid., 7:199.
“representing the danger of making use of one’s own understanding without the guidance of another as very great, even lethal”\(^{22}\). The stability of absolutist governments turns on the docility of a populace which abnegates its capacity for political judgment.

Republican governments, conversely, both anticipate and depend upon citizens’ capacities to exercise political judgment, both informally (though public reason) and formally (in the citizenry’s involvement in making laws and voting\(^{23}\)). They invite citizens to argue (but, of course, also to obey), preserving and fostering their critical capacities for reason and judgment. Full citizens enjoy “the right to manage the state itself as active members of it, the right to organize it or to cooperate for introducing certain laws”\(^{24}\); they take a direct and active role in determining the state’s direction and priorities. Given citizens’ involvement in the government of republican states, the impetus for Kant’s distinction between active and passive membership becomes clearer: the viability of republican institutions depends upon the citizenry’s capacity to exercise proper political judgment. As we’ll recall, the value of the republican state lies not only in its conformity with principles of right, but also in its function as a conduit for humanity’s moral progress. Our capacity to fulfill our natural end depends on a just civil constitution\(^{25}\); republics are a necessary (but not sufficient) condition for our moral advancement. Extending political power to subjects unable to set their own ends or exercise political judgment not only inhibits good government, but it also stands to undermine an important condition for humanity’s moral progress.

\(^{22}\) Ibid., 7:209.
\(^{24}\) Ibid., 6:315.
\(^{25}\) Kant, “Universal history”, 8: 22.
While the cognitive limitations that Kant ascribes to the un-propertied are clearly problematic, these constitute circumstantial, and not inherent, deficiencies; under republican institutions, “anyone can work his way up from this passive condition to an active one”\(^{26}\). Domestics and day labourers’ state of dependence in no way marks them as *incapable* of development; the republican constitution enables them to work themselves out of their state of immaturity and gain civil personality. Women, on the other hand, face an entirely different prospect.

### 3.3 Political Exclusions, Moral Exclusions

#### 3.3.1 What Nature Makes of Her: Kant’s Gendered Metaphysics

Why *exactly* does Kant claim that “[w]oman regardless of age is declared to be immature in civil matters…women cannot personally defend their rights and pursue civil affairs for themselves”?\(^{27}\) This question has received its due share of attention in the literature, most of which answers with a truth that is hard to avoid: Kant was a product of his time, and shared in (and, as some commentators suggest, helped to further entrench) the less palatable views of his era\(^{28}\). While undoubtedly true, such explanations fail to scrutinize precisely *why* Kant considered women as incapable of enfranchisement, taking his prejudice as a sufficient explanation. In order to make sense of this, we need to more closely examine his conceptualization of women’s *nature*, and of women’s function in relation to humanity’s broader moral advancement.


\(^{27}\) Kant, *Anthropology*, 7:209.

\(^{28}\) For two enduring critiques of Kant’s treatment of women as second-class subjects – both politically and morally – see Elshtain “Woman as a Suspect Category”, in *Meditations of Modern Political Thought*; and Okin, “Sentimental Family”.
In both the *Anthropology* and *Observations on the Feeling of the Beautiful and Sublime*, Kant describes women as integrally bound to humanity’s moral-historical development, the collective movement through stages of social advancement outlined in the last chapter. Women play a critical role in developing and furthering civilization by curbing the barbaric urges and impulses to which men are naturally prone, and which inhibit the development of their rational faculties. Women’s “qualities” – docility, vanity, loquacity and coquettishness among them – are providentially instilled in them as part of a larger teleological plan of nature, enabling them to manipulate men and exercise a measure of control over them despite a weaker physical constitution. In so doing, they bring about the refinements and improvements of a morally progressive culture, distinguished by its distance from the crudity of our barbaric origins. Such civilized cultures comprise a critical component of humanity’s moral advancement: they “make great headway against the tyranny of man’s propensity to the senses, and so prepare him for a sovereignty in which reason alone is to dominate”\(^{29}\).

But this must lead us to wonder: *why* are women inclined to further the refinements of civilized cultures at all? Kant asserts that women’s particular virtues and character only become expressible within civilized contexts; women are thus naturally impelled to pursue the fineries of a highly cultivated society\(^{30}\). Feminine qualities, Kant observes, remain latent and inexpressible in savage societies, effectively depriving women of their measure of social power. In savage nations, “the woman is a domestic

\(^{29}\) Kant, *Judgment*, 5:434.

\(^{30}\) Holly Wilson echoes this point, arguing that for Kant, “[t]he proper nature of the female sex is civilization itself”; femininity can only become realized under conditions of civilization. See Wilson, *Kant’s Pragmatic Anthropology*, 290.
animal”; under a “barbaric civil constitution”\(^{31}\), she is treated as a piece of property as such societies’ rule by force render them unresponsive to the feminine qualities that comprise women’s tools of social control. “In the crude state of nature”, Kant asserts, “one can no more recognize these features… culture does not introduce these feminine qualities, it only allows them to develop and become recognizable”\(^{32}\). The development of more refined social conditions shepherds a greater responsiveness to forms of compulsion beyond mere force; women are thus inclined to push men towards the civilized social contexts within which their qualities enable them to exercise social power. A wise and providential nature creates woman such that she is naturally motivated to push forward the civilization harboring her particular character and virtues, drawing the species towards higher stages of moral development.

Women’s character and virtues are, in Kant’s view, qualitatively distinct from men’s; while men’s character is *sublime*, women’s is – and ought to be – measured by the standard of the *beautiful*\(^{33}\). Both sexes participate in humanity’s ongoing moral development, but do so differently, through the gender-specific virtues and character which stand as their proper points of measure; the aims which men and women are bound to pursue as progressive agents are thus different. The panoply of feminine virtues which Kant elaborates is not unpredictable: women’s nature is characterized by patience,

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31 Kant, *Anthropology*, 7:304.
32 Ibid., 7:303.
33 Kant’s thoughts on the beautiful and the sublime concern his aesthetic theory and are, of course, extensive; I restrict myself here to his appeals to beauty and sublimity only insofar as these relate to gender. Susan Moller Okin draws on Kant’s *Observations on the Feeling of the Beautiful and Sublime* to make the general point that “men and women are not similar but entirely complementary in their natures.” Okin, “Sentimental Family”, 81. I pursue this further below (in section 3.3.2), examining men’s and women’s natures in relation to their function in humanity’s teleological development. Cornelia Klinger more specifically explores the connections between Kant’s aesthetic and moral theories, concluding, as I do here, that “Kant subsumes woman’s essence, her entire being, under the category of the beautiful” (194). See Cornelia Klinger, “The Concepts of the Sublime and the Beautiful in Kant and Lyotard”, in *Feminist Interpretations of Immanuel Kant*, ed. Robin May Schott (University Park, PA: The Pennsylvania State University Press, 1997), 191-211.
sensitivity and a driving desire for domination, where men are sensible, tolerant and better suited to govern. But more important than Kant’s perception of feminine qualities is the character which stands as the measure of her moral perfection:

all the other merits of a woman should unite solely to enhance the character of the beautiful, which is the proper reference point; and on the other hand, among the masculine qualities the sublime clearly stands out as the criterion of his kind. All judgments of the two sexes must refer to these criteria, those that praise as well as those that blame; all education and instruction must have these before its eyes, and all efforts to advance the moral perfection of the one or the other – unless one wants to disguise the charming distinction that nature has chosen to make between the two sorts of human being.\(^{34}\)

Each sex has its own distinctive character, the reference point from which to measure their respective “moral perfections”; moral progress enjoins the two sexes to pursue different ends and develop different capacities and faculties.

These gendered forms of character and virtue ground a differentiated account of the kinds of skills and orientation demanded of moral agents; men and women develop, as moral beings, in entirely different ways. As Robert Louden observes, “[m]orality for human beings is, on Kant’s view, the intended outcome of an extensive educational process”\(^{35}\); this educational process, as Kant suggests above, distinguishes between the kinds of skills and faculties that each sex is bound to develop. Educating women to masculine virtues, or vice versa, produces improperly oriented agents that pursue the wrong ends, detracting from humanity’s progress rather than contributing to it. Kant describes effeminate, coquettish men and intellectually-driven women as equally misdirected and incapable of realizing their moral natures. “Laborious learning or painful pondering, even if a woman should greatly succeed in it, destroy the merits that


\(^{35}\) Louden, *Impure Ethics*, 38.
are proper to her sex”; such a woman fails to cultivate the beautiful character that draws men towards her as a matter of moral, and not merely animal, impulse. Kant identifies two forms of masculine desire for women, distinguishing a “coarse”, animalistic sexual impulse from that based in a “finer taste”, responding to the moral qualities in women’s “beautiful” character. The moralization of men’s desire – from sexual possession to moral inclination – depends on her developing a properly beautiful character; the masculinization of her character by “laborious learning” destroys men’s moral impulsion towards her. Kant equally chides preening, fastidious men for failing to develop the sublime character that is their natural end; their inclinations towards the beautiful detract from the cultivation of the rational faculty that is properly awed before the sublimity of the moral law.

Each sex thus has its own ends, character and virtues, delineating the kinds of agency that they’re bound to develop as moral actors. Given this, it’s not surprising that Kant also differentiates between men’s and women’s cognitive capacities: “The fair sex has just as much understanding as the male, but it is a beautiful understanding, whereas ours should be a deep understanding, an expression that signifies identity with the sublime”.

The sublimity of men’s character inheres in its capacity for properly moral action, for the principled fulfillment of moral duty incumbent on all rational beings.

37 Sarah Kofman argues that the moral qualities in women’s beautiful character allows for a form of attraction respecting both sexes’ humanity by avoiding the reduction of desire to animal impulses. For an account of the subtleties (and oddities) of Kant’s respect for women, see Sarah Kofman “The Economy of Respect: Kant and Respect for Women”, *Social Research*, 49:2, 1982, 383-404.
38 Kant, *Observations*, 2:229. Both Jean P. Rumsey and Cornelia Klinger draw on this passage to show that the defects that Kant identifies in women’s basic rational capacities impact on their moral agency. Rumsey argues that “lacking a basis in principle, it [women’s cognitive faculty] falls short of the practical reason demanded by the predisposition to morality” (131); see Jean P. Rumsey, “Re-Visions of Agency in Kant’s Moral Theory,” in *Feminist Interpretations of Immanuel Kant*, ed. Robin May Schott (University Park: Pennsylvania State University Press, 1997), 125-144, and Klinger, “Sublime and Beautiful”.
Their end, as moral beings, is to develop a moral character whose consistent and principled conformity to the moral law stems from the respect which its sublimity compels. Women, conversely,

will avoid evil not because it is unjust but because it is ugly, and for them virtuous actions mean those that are ethically beautiful. Nothing of ought, nothing of must, nothing of obligation. To a woman anything by way of orders and sullen compulsion is insufferable. They do something only because they love to, and the art lies in making sure that they love only what is good. It is difficult for me to believe that the fair sex is capable of principles, and I hope not to give offense by this, for these are also extremely rare among the male sex. In place of these, however, providence has implanted goodly and benevolent sentiments in their bosom, a fine feeling for propriety and a complaisant soul.\footnote{Kant, \textit{Observations}, 2:232.}

Each sex partakes in moral development in its own way; we express our moral natures through the qualities particular to our gender. Where men’s moral character is realized through the faculty of reason – through rational self-determination – women’s virtue lies in the development of moral feelings. The beauty in women’s character awakens the moral feeling in men, arousing the virtuous disposition by which imperfect agents develop a consciousness of their moral obligations. Men engage in moral action directly, by acting on principled grounds (where relevant); women, conversely, articulate their moral nature by acting on and through the natural inclinations that refine and civilize men. This conforms to the teleological account described above: women civilize men, drawing them away from the crudity of animality and towards the civilized culture within which they develop their rational faculties.

Women thus participate in moral life \textit{indirectly}, by stimulating the moral feeling, rather than by engaging in immediately moral action; a woman’s “philosophy is not to reason, but to sense. In the opportunity that one wants to give to women to cultivate their

\footnote{Kant, \textit{Observations}, 2:232.}
beautiful nature, one must always keep this relation before his eyes"\textsuperscript{40}. The beautiful and the sublime constitute the normative standards by which women’s and men’s virtues are measured, in relation to our ends as morally-progressive beings; the categories of the beautiful and sublime \textit{mediate} our participation in moral life. This is precisely what enables Kant to claim that “[t]he virtue of a woman is a \textit{beautiful virtue}. That of the male sex should be a \textit{noble virtue}”\textsuperscript{41}. In a dim echo of Aristotle’s view of goodness as related to function, Kant’s measure of men’s and women’s qualities relate to the \textit{distinctive} ends given by their different natures. We exercise our moral perfections by acting on the qualities proper to our sex: “A woman in whom the agreeableness befitting her sex particularly makes manifest the moral expression of the sublime is called \textit{beautiful} in the proper sense”\textsuperscript{42}. For women, the moral expression of the sublime is articulated \textit{through} the beautiful qualities given by her particular character. While the sublimity of men’s character lies in its capacity for principled, moral action, the sublimity of a woman’s character is articulated through the beautiful qualities that are her proper measure. Men are oriented by the moral law, while women are inclined towards the virtues that are preparatory for morality, rather than partaking in morality itself.

3.3.2 \textit{Three Kinds of Wrong: Masculinism, Moral Ends and Teleology}

What precisely are the wrongs that run through Kant’s view of gender? Feminist scholars have treated this question in depth, presenting important challenges to Kant’s moral and political thought. I begin by treating two lines of criticism that have been elaborated in the feminist literature (problems of masculinism and moral ends) before

\textsuperscript{40} Kant, \textit{Observations}, 2:230.
\textsuperscript{41} Ibid., 2:232.
\textsuperscript{42} Ibid., 2:236.
drawing out a third point of critique (the problem of teleology) which, to my knowledge, has not been addressed.

To begin with, Kant’s account of gender is in the simplest and most banal way entirely misogynistic, pervaded by a masculinist bias that both directly and indirectly relegates women to a subordinate moral and political status. Kant adopts, reproduces and even furthers the tropes of his era by characterizing women as incapable of principled action, intellectually inferior, in need of governance, and beholden to their emotions. Kant’s considered opinion of women’s “understanding”, and of their cognitive abilities more generally, is persistently unclear; he appears to share in Aristotle’s view that “the female indeed possesses it, but in a form which remains inconclusive”43. Women’s rational faculties are not merely quantitatively inferior to men’s, but rather qualitatively distinct. But while we can’t fault Aristotle for failing to jump over Rhodes, Kant lived in an age of enlightenment; and as Robin May Schott and Susan Moller Okin have pointed out, his failure to recognize women as equals is all the more glaring in light of the depth of his commitment to ideals of human equality in so many other realms44. This is no merely presentist critique; the conservatism of Kant’s view of women was, while prevalent, not unchallenged in his day. In 1790, Condorcet published *De l’admission des femmes au droit de cité*, advocating for women’s right to political enfranchisement. Still closer to home, Hannelore Shröder shows that Theodor Gottlieb von Hippel, mayor of Königsberg and a personal acquaintance of Kant’s, publicly declaimed against the

perpetuation of women’s disenfranchisement, arguing for their accession to equal civil and political rights\textsuperscript{45}. Kant not only resisted his contemporaries’ efforts to recognize women as equal political agents, but actively opposed them by entrenching women’s differences in a naturalized account of gendered virtues.

This line of critique pertains not only to Kant’s directly misogynistic treatments of women, but to the androcentric presumptions pervading his moral and political thought. Drawing on Carol Gilligan’s critique of Kohlberg, Sally Sedgwick criticizes the ideal of isolated autonomy animating Kant’s view of moral agency, arguing that “female identity development essentially involves community rather than detachment”\textsuperscript{46}. Kant’s conceptualization of moral action explicitly denies the social and affective embeddedness and interactivity of human agency, dimensions of moral personhood that Gilligan and Sedgwick associate with female identity formation. Kant’s ideal of moral autonomy is thus far from universal, failing to recognize the distinctive features of women’s experiences, and so producing a specifically male conception of moral agency. Jean Bethke Elshtain similarly argues that the abstract universalism of Kant’s moral theory presumes and reproduces a particularly masculinist view of the world. She demonstrates that the ideal of noumenal freedom, as entirely divorced from the phenomenal world, “cannot begin to get at complexities of women’s embodied experiences”\textsuperscript{47}. Kant’s depiction of women as inexorably beholden to their emotions also makes them “a suspect

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\textsuperscript{46} Sally Sedgwick, “Can Kant’s Ethics Survive Feminist Critique?”, in Feminist Interpretations of Immanuel Kant, ed. Robin May Schott (University Park: Pennsylvania State University Press, 1997), 94.

\textsuperscript{47} Elshtain, Masculine/Feminine Themes, 26.
category within a Kantian framework\cite{Ibid}; his mistrust of the emotions, from the moral point of view, is thus indirectly transferred onto women.

Kant’s view presents a second problem, concerning women’s ends. As is well known, Kant’s conception of freedom depends upon our rational capacity to set our own ends. Human autonomy is manifested in our unique ability to transcend the causal chains binding all natural creatures to the phenomenal world by setting and pursuing our own rationally-determined ends. The capacity to recognize and act on moral imperatives grounds our freedom as rational beings: true freedom, the exclusive property of autonomous agents, lies in the pursuit of ends unconditioned by natural inclinations. As rational and yet imperfect creatures, our natural end is thus to develop the capacity to set our own ends autonomously. However, as Jean P. Rumsey observes, “Kant’s primary reason for holding that women are morally immature is that their own purposes are co-opted by nature’s. Unlike men… women must serve nature’s purposes”\cite{Rumsey, “Development of Character”, 260}. Women’s highest end, their natural end, lies not in autonomous self-determination, but in the mediate moral goal of drawing humanity towards its moral realization. Kant argues that

One can only come to the characterization of this sex if one uses as one’s principle not what we make our end, but what nature’s end was in establishing womankind… These ends are: 1) the preservation of the species, 2) the cultivation of society and its refinement by womankind.\cite{Kant, Anthropology, 7:305}

Where men’s freedom inheres in their capacity to set ends independently of natural causality, women’s ends are explicitly derived from, and determined by, nature’s own design. Rumsey observes that Kant measures women’s character in relation to a functional, rather than a moral end; theirs is to draw the species towards moralization, the
ever-elusive endpoint of Kant’s teleological history. Susan Meld Shell similarly asserts that “[t]he special role of women now lies, above all, in bringing about civil order and refinement “through inclination” rather than compulsion”\textsuperscript{51}. While women are capable of setting the morally inconsequential ends demanded by everyday life, they’re unable to engage in the autonomous end-setting characterizing \textit{free} agents; they’re beholden to the ends that nature sets them.

Finally – and, I would like to argue, most egregiously – women’s exclusion from the sphere of autonomous, end-setting beings is not merely incidental, but is rather \textit{embedded} in the teleological account of humanity’s moral development. Much as Kant asserts that “these principles [of teleology] pertain merely to reflective judgment: they do not determine the actual \textit{an sich} origin of these beings”\textsuperscript{52}, his account of humanity’s moral advancement \textit{depends} on a progressive civilization, and on women’s role in bringing it about. From the teleological perspective, women \textit{must} foster virtues and a character that actively detracts from their capacities as autonomous, end-setting beings if they are to act in conformity with their moral perfections. This is problematic: the character which makes women \textit{good} in Kant’s teleological account is precisely what makes them \textit{bad} by the transcendental standards of moral agency. The beautiful virtues exhibiting the sublimity of their \textit{kind} of moral character are diametrically opposed to those demanded of rational, autonomous beings. Women participate in moral life by drawing men into relations of affective and sexual partnership, softening the edges of their barbarism and so pushing civilization forward. Their capacity to shepherd humanity towards the civilization that is, by Kant’s reckoning, a necessary preparatory stage for


\textsuperscript{52} Kant, \textit{Critique of Judgment}, 5:429.
moralization depends on their cultivating these beautiful qualities. Women’s virtues thus appeal to (and draw on) inclinations and emotions, rather than the rational faculty; even worse, Kant asserts that women deform their character and fail to fulfill their naturally-given ends by developing or exercising their rational faculty. Humanity’s development, our progressive civilization, depends on women’s capacity to awaken the moral feeling, to play on men’s affective drives in pushing them towards a higher stage of moral consciousness.

Jean P. Rumsey touches on the problem of teleology, asserting that “Kant’s teleological arguments about the contribution of women to the civilizing and thus the moralizing of the race are basically contrary to Kantian tenets”\(^\text{53}\), but misjudges the depth of the problem. While acknowledging that Kant’s teleological arguments are “patently inconsistent” with his moral universalism, Rumsey remains convinced that “this apparent inconsistency vanishes when one takes a broader perspective which includes Kant’s theory of character”\(^\text{54}\). Rumsey argues that by pushing humanity towards an increasingly “civilized”, progressive world, women produce the very conditions in which they can develop themselves as moral agents. From this perspective, Kant’s view of women pertains to their function in this moralizing process; Kant does not deny women’s “fundamental moral capacity”, but rather explains “why she is unable to develop it properly, because of her function”\(^\text{55}\). While Kant appears to explicitly disallow women’s moral capacities, Rumsey argues, we ought to interpret him as in fact preoccupied with the conditions in which “women would then find it possible to develop their latent but

\(^{53}\) Rumsey, “Development of Character”, 262.
\(^{54}\) Ibid., 251.
\(^{55}\) Ibid.
undeniable moral capacities”\textsuperscript{56}. Rumsey’s defence of Kant turns on an argument from maturity: the world’s state of imperfection requires women to adopt a temporary “functional” role to bring about a condition in which their full moral realization becomes possible. But this is problematic in at least three ways. First, this treats existing women as a means for the realization of future women’s “undeniable moral capacities” – clearly untenable from a moral point of view. Secondly, women’s character is a natural and permanent condition; as we saw above, there’s nothing in Kant’s view of women’s character to suggest their ever transcending its “defects” to develop a sublime cognitive faculty. Kant’s assertion of women’s perpetual immaturity in civil matters, along with the “natural” distinctions he draws between men’s and women’s character, virtues and understanding, suggest that women’s “state of Unmundigkeit” is a fixed, rather than temporary condition. Finally, this future end-state – the state of maturity in which women switch from a functional to a moral role – is unattainable, a regulative and not an objective end. Unless and until we transcend our corporeality, human beings are destined to remain in a state of constitutive immaturity; we will never achieve the condition in which women’s “functional” role ceases to be necessary.

We can now see that women’s civil immaturity is, in fact, epiphenomenal; the defects in their understanding are not merely political, but are rather reflective of a deeper moral failure. As Kant maintains, “[a]n understanding that is in itself sound (without mental deficiency) can still be accompanied by deficiencies with regard to its exercise”\textsuperscript{57}; women’s “beautiful understanding” – the kind of understanding proper to them, that they

\textsuperscript{56} Ibid., 262. Robert Louden pursues a similar argument, suggesting that Kant regards women “as still being in a state of Unmundigkeit: they do not yet have the courage to use their own reason” (Louden, \textit{Impure Ethics}, 87), a state which they will presumably transcend at an undetermined future point.

\textsuperscript{57} Kant, \textit{Anthropology}, 7:209.
ought to cultivate – comprises just such a deficient faculty. Women’s exclusion from
civil enfranchisement isn’t merely attributable to simple prejudice (though this is clearly
at work as well) as much of the commentary suggests, but rather points to a substantive
moral problem stemming from their place in humanity’s broader moralization. The
exercise of their “virtues” directly detracts from their capacities as moral agents, in the
transcendental sense; theirs is to sense, not to reason. Women’s moral agency is realized
by shepherding the civilization within which humanity progresses, compelling them to
adopt forms of character and virtue that inhibit the distinctly human capacity for free,
autonomous, rational agency; the more they contribute to the development of the species,
the less are they able to realize their own autonomous moral agency. Women are agents
of moralization, and not moral agents, in Kant’s teleological conception of human
development.

Arthur Ripstein argues that Kant’s “political philosophy rest[s] on the simple but
compelling normative idea that, as a matter of right, each person is entitled to be his or
her own master… of not being subordinated to the choice of any other particular
person”58. Yet it’s difficult to reconcile this basic normative intuition with the fact that
every part of Kant’s political philosophy pertaining to women’s rights explicitly argues
that they should be subordinated to the choice of another person in perpetuity. And as
I’ve argued, this is no mere aberration in an otherwise sound system of right, but in fact
relates to the ends we’re bound to pursue as moral agents. While the un-propertied retain
the hope (and capacity) to work towards a condition of enfranchisement, women’s civil
exclusion points to a deeper problem: how are we to conceptualize the moral status of
agents who, despite sharing in a formal moral equality as human beings, are unable to

58 Ripstein, Force and Freedom, 4.
develop those capacities in which our dignity inheres? While providing invaluable insight into the relation between Kant’s formal and “impure” ethics, this is a question that Louden, Herman and Wood (among others) fail to pursue: what are the moral consequences of the slippage between our shared, transcendentally-derived moral equality, and an anthropological account of how we progress – or fail to progress – towards the realization of the very rational capacities from which this equality stems? If the moral nature of which we’re capable compels us, as I’ve argued, to continually approximate virtue and cultivate a subjective orientation and dispositions towards moral action, then women’s inability to develop precisely these capacities and faculties troubles their moral status.

As a number of commentators have noted, a deep tension runs between Kant’s formal, transcendental account of moral personhood and the anthropological, teleological account of our moral development. I would like to argue further that these entail two different conceptualizations of moral agency which coexist uneasily in Kant’s thought: the transcendental view, anchoring a shared dignity in which all human beings partake, and the teleological/developmental view, which distinguishes between the moral potentiality in all human beings and the kinds of agents who are capable of realizing our shared moral ends – who are, in other words, morally progressive. It is this tension, and this disjuncture, that we turn to examine in Kant’s treatments of race, culture and civilization.

3.4 Moral Exclusion

59 McCarthy, Race, Empire; Kleingeld, “Idea of Moral Development”; Wood, Kant’s Ethical Thought; Frierson, Freedom and Anthropology; Bernasconi, “Concept of Race”.
This disjuncture – between these two conceptualizations of moral agency – is, I will argue, at the heart of the exclusionary dimensions of Kant’s moral and political thought. Kant’s transcendental accounts of moral action, duty and personhood ground our shared moral equality in the inalienable humanity within us all; this unconditional respect guarantees, for example, our fair treatment of criminals, whose humanity we’re bound to respect, despite their own failure to do so. And yet, our capacity to realize our humanity, to become worthy of what’s morally valuable within us – or, as Kant describes it on a macro-social scale, our capacity to move from nature to freedom – is a matter of subjective moral development. This, I have argued, gives us a different view of what moral action, duty and personhood imply; recognizing our constitutive imperfection – as Kant does – complexifies the conceptualization of moral agency. This draws us to recognize the particularly human tasks that our moral nature demands of us: to develop a receptivity to the moral law, to cultivate a moral character (as we’ve seen, the outcome of a particular course of formation), to pursue our imperfect moral obligations, to strengthen our moral capacities and resolve – in a word, to develop the subjective dispositions orienting us towards our moral ends. We might think of these two pictures of moral agency in the very figurations with which Kant presents us: the *Groundwork*’s transcendental picture of the divine will of angels and the *Religion*’s developmental account of the good human being. While the former speaks to the derivation of our moral obligations, the objective grounds of the moral law anchoring the dignity of all rational beings, the latter attends to the kind of moral agency that we’re capable of exercising.

In this final section, I argue that Kant draws upon both of these conceptions of moral agency, enabling the exclusionary proclivities within his thought to (uneasily)
coexist with a formally inclusive and universalistic moral doctrine. While the transcendental view grounds the moral equality of all human beings, the teleological, developmental account of progressive moral agency qualifies the kinds of agents that are capable of realizing their moral potentiality. This disjuncture ultimately stems from the distance between Kant’s moral idealism and the irreducibly imperfect beings to whom it applies, who so often fail to pursue their “natural” ends without the formation through which a moral sensibility is inculcated. I argue that we ought to take seriously the moral quandary facing persons whose “natural” or circumstantial limitations inhibits the development of these subjective dimensions of moral personhood, who are unable to progress towards the ends that we’re morally bound to pursue.

We began to consider this problem in the case of women, whose subjective failures of understanding and judgment stem from their role in humanity’s collective advancement. We now turn to consider the moral challenges faced by non-Europeans, and particularly, by races that Kant describes as “incompletely adapted”60. I begin by outlining Kant’s racial theory and the critical role of teleology and reflective judgment in making sense of it. I argue that Kant’s treatment of race illuminates the tension between the two conceptions of moral agency sketched out above and draw upon their disjuncture to explore the status of agents unable to foster and cultivate a proper receptivity to the

60 OTDR, 2:438. Gayatri Chakravorty Spivak argues, to the contrary, that the forms of marginalization and exclusion to which women and non-European races are subjected operate on different registers. She suggests that while women are “argued into dismissal” from moral recognition, the “ruses against the racial other are different” – non-Europeans are, in Spivak’s account, foreclosed (30). While there certainly are important differences in Kant’s views of women’s and non-Europeans’ “defects”, I maintain that these remain rooted in their shared inability to develop the subjective capacities of morally progressive agents. Kant treats both women’s and non-Europeans’ natures and ends as (1) given by nature and (2) only comprehensible from the perspective of reflective, teleological judgment. This suggests that, while manifested in different ways, women’s and non-Europeans’ deficits are attributable to the same fundamental problem. Women, in this view, appear every bit as “foreclosed” as are non-Europeans. See Gayatri Chakravorty Spivak, A Critique of Postcolonial Reason: Towards a History of the Vanishing Present (Cambridge, MA, Harvard University Press, 1999).
moral law. I then turn to examine Kant’s conceptions of culture and civilization as further troubling the moral status of non-Europeans. I conclude the chapter by considering two dominant approaches in the literature addressing Kant’s theorizations of race, civilization and human development, before staking out my own view of how we might understand moral and political exclusion in Kant’s thought.

3.4.1 Race, Teleology and Natural History

While Kant’s thoughts on race and non-European cultures are scattered throughout his writings on anthropology, history and physical geography, his racial theory was first outlined in a 1775 essay entitled “Of the Different Races of Human Beings”, and subsequently elaborated and developed in two further essays: “Determination of the Concept of a Human Race” (1785) and “On the Use of Teleological Principles in Philosophy” (1788). Kant was among the eighteenth century’s progenitors of an early “natural science” that attempted to provide a systematic account of humanity’s phyletic origins. Robert Bernasconi maintains that Kant was, in fact, the first to outline a full, modern typology of the human races.

Drawing on Buffon and Blumenbach, Kant proposes a monogenetic and non-physiognomic theory of human origins. Rejecting polygenetic accounts of human difference, his racial theory aims to provide a plausible and parsimonious account of humanity’s shared origins, despite our external differences. Kant identifies four races of human beings, descended from a single phyletic origin: “1) the race of the whites, 2) the Negro race, 3) the Hunnish (Mongolian or Kalmuckian) race, 4) the Hindu or Hindustani

61 Bernasconi, “Concept of Race”.
Kant asserts that the phyletic origin – the “original human being” – contained all four seeds, or “germs” (Keime), from which the different races evolved. As human populations spread across the globe, climatic variations “activated” given germs in different groups of people, developing the racial character best suited for their respective environments. This character “takes root over a long series of generations in the same climate until it becomes a persistent race which preserves itself even if such a people afterward acquires new residences in milder regions.” Once a germ takes root, it becomes permanent, hereditary, and exclusive, extinguishing the others and fixing a population’s race. Kant argues that “air and sun appear to be those causes which most deeply influence the generative power and produce an enduring development of the germs and pre-dispositions, i.e., are able to establish a race”; and yet, racial differences are not the only forms of variation in human type. Kant distinguishes a race from a human “variety” or “strain” by the unfailing heredity of the racial characteristic: “[t]he concept of a race is therefore: the classificatory difference of the animals of one and the same phylum in so far as this difference is unfailingly hereditary.” While human beings share a single phyletic origin, different adaptations establish the dominance of given seeds, leading populations to coalesce into determinate groups demarcated by ineradicable, hereditary racial characteristics.

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63 Robert Louden argues that the first human being’s possession of all four germs disproves the contention that Kant supports a natural hierarchy of races; the fact that we were all, at the origin, potentially red, yellow, black or white, Louden claims, is incompatible with a racial hierarchy.
64 Kant, “Different races”, 2:437.
65 Ibid., 2:436.
66 Kant, “Concept of a human race”, 8:100.
Importantly, Kant’s account of race is regulative, not descriptive, falling under the auspices of “natural history” rather than “the mere description of nature”67. While a “description of nature” comprises a mechanistic account of natural phenomena, “natural history” aims to explain the sensible world and causation in relation to a broader natural purposiveness68. Natural history incorporates forms of reflective judgment that enable us to understand the phenomenal world in relation to natural and moral ends. Race, Kant argues, is not comprehensible from the perspective of natural description: from a merely descriptive standpoint, race indicates little other than the phenotypic differences between groups of human beings. Only by adopting the perspective of natural history can we properly understand racial difference in relation to the larger purposive organization of the natural world and to our place within it. The very concept of race is thus bound to the telos of the human species, in relation to which our phyletic origins, differentiation and development become comprehensible. Race must be understood as the mechanism by which human beings of a single phyletic origin become capable of populating the globe, in accordance with nature’s own intention; it explains the purpose of human difference in relation to our natural ends. By providing us with the four germs enabling environmental adaptation, nature equips us with the tools to fulfill our destiny: to populate and moralize the entire world. Race thus does not concern the physiological distinctions of human varieties (which can not speak to purposes), but rather addresses our teleologically-given natural ends: “the evolving seeds were distinct but originally implanted in one and the same line of descent purposively suited for the first general populating of the earth

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67 Kant, “Teleological principles”, 8:161
68 For an exploration of purposiveness in Kant’s natural science, see Phillipe Huneman, ed., Understanding Purpose: Kant and the Philosophy of Biology (Rochester: University of Rochester Press, 2007).
through their offspring." The concept of race, for Kant, concerns how we ought to 
conceive of human origins and development in relation to nature’s intention, of which our own rational perfection is the ultimate end.

3.4.2 Two Views of Race and Moral Agency

What exactly are racial characteristics? Do they describe merely physical differences between various races (concerning what nature makes of us), or do they also entail morally relevant distinctions (concerning what we make of ourselves)? Kant clearly recognizes all races as equally “human” (in contrast with polygenetic accounts of race), and so, as equally worthy of respect. Accordingly, he maintains that “not a single [characteristic] can be found within a class of human beings characterized merely by skin color that is necessarily hereditary – but that this latter character, insignificant as it may appear, is universally and unfailingly hereditary.” If, as we saw above, races are determined by the unfailing transmission of hereditary traits, then skin colour appears as the defining mark of race. While certain characteristics might recur more frequently in particular races, and might even be passed through generations, skin colour alone demarcates racial difference.

And yet, Kant’s treatments of race are pervaded by ambiguities and contradictions that complicate his view. His references to racial “predispositions”, for example, suggest forms of difference that run more than skin deep. At points, Kant describes race as entailing a set of predispositions, “inevitably hereditary properties” accompanying

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69 Kant, “Teleological principles”, 8:169.
70 Kant, “Concept of a human race”, 8:96
71 See quotation from note 65.
72 Kant, “Concept of a human race”, 8:99.
phenotypically-differentiated populations. Because “these predispositions developed… in different ways, different classes of human beings had to arise”; these differences lend “their determinate character” to each race. Kant appears to think of race in two distinct ways: in a “formal” sense, race is morally-benign, defined by nothing other than unfailingly inherited skin colour; yet he also alludes to racially-determinate forms of character and predisposition, implying a considerably “thicker” – and morally-salient – conception of racial heredity. These contradictory views of race illuminate the tension between the two conceptualizations of moral agency outlined above: while the “formal” account race reflects the phyletic unity and moral equality of all human beings, differences of racial character and disposition ascribe morally-substantive attributes to given people(s) that, as I elaborate below, affect their capacities to develop morally-progressive forms of agency. It’s precisely the slippage between these two views that enables Kant to uphold the moral equality of all races while also asserting that “[h]umanity is at its greatest perfection in the race of the whites. The yellow Indians do have a meager talent. The Negroes are far below them and at the lowest point are a part of the American peoples”.

The tension between these two accounts of race and moral personhood manifests itself throughout Kant’s treatments of race, which fail to recognize the moral equality of non-Europeans in various ways. To begin with, his account wavers between arguing both for and against a hierarchy of races based on proximity to the “original” human form. In certain instances, Kant’s view appears to follow directly from the “formal” account: given the coexistence of all four seeds in the “original” human being, no race can be

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73 Ibid.
74 Excerpt from Kant’s Lectures on Physical Geography; cited in Eze, “Colour of Reason”, 63.
understood as any “closer” to it than any other. Following this logic, Kant asserts that it is “impossible to guess the shape of the first human phylum (as far as the constitution of the skin is concerned); even the character of the whites is only the development of one of the original predispositions that together with the others were to be found in that phylum”\textsuperscript{75}. All races stem from the vicissitudes of climate and geography and become concretized over generations in an unfailingly hereditary skin colour; in this case, race clearly holds no moral value. Accordingly, Kant describes the four races as equal “deviations”, rather than as “degenerations”, from the phyletic source, suggesting their equiprimordiality\textsuperscript{76}; races are better understood as different (but equal) paths of human evolution, rather than as degradations from an original and “pure” human form.

And yet, in “Of the different races of human beings”, Kant asserts that the region of the earth from the 31\textsuperscript{st} to the 52\textsuperscript{nd} degree of latitude in the ancient world (which also with respect to its population appears to deserve the name of the ancient world) is rightly taken for that region of the earth in which the most fortunate mixture of the influences of the colder and hotter regions are found… and where also the human being must have diverged the least from his original formation, given that he is equally well prepared for all transplantings from there. Now here we do indeed find inhabitants that are white, however they are brunette, which shape we thus want to assume to be the one closest to that of the phyletic species.

This generates a natural hierarchy structured by each race’s proximity to the “original” human being:

\begin{itemize}
  \item \textit{Phyletic Species} Whites of brunette colour.
  \item \textit{First race} High blondes (Northern Europeans) from humid cold.
  \item \textit{Second race} Copper-reds (Americans) from dry cold.
  \item \textit{Third race} Blacks (Senegambia) from humid heat.
  \item \textit{Fourth race} Olive-yellows (Indians) from dry heat.\textsuperscript{77}
\end{itemize}

\textsuperscript{75} Kant, “Concept of a human race”, 8:106.
\textsuperscript{76} Kant, “Teleological principles”.
\textsuperscript{77} Kant, “Different races”, 2:441.
This phyletic ranking is, in itself, a marked departure from “equiprimordial” view above; races are here conceptualized in relation to their degree of divergence from the “original formation”. This incorporates an evaluative dimension that is absent above: the white, European race is understood as least deviated from the original, rather than as the lineage of one of four possible Keime, all equally present in potentia in the phyletic progenitor.

Even more starkly, Kant goes on to directly assert that

> Humanity is at its greatest perfection in the race of the whites. The yellow Indians do have a meager talent. The Negroes are far below them and at the lowest point are a part of the American peoples… The inhabitant of the temperate parts of the world, above all the central part, has a more beautiful body, works harder, is more jocular, more controlled in his passions, more intelligent than any other race in the world.\(^\text{78}\)

From this perspective, the white race enjoys the good fortune of inhabiting the most propitious climate and retains a greater capacity for adaptation, given its proximity to the “purest” human strain. As the “greatest perfection” of humanity, as the most “talented”\(^\text{79}\) and intelligent race, as most capable of rational control and self-possession, the white race is, in this rendition of Kant’s racial theory, indisputably morally superior. This superiority is manifested in at least two respects: first, the phyletic ranking conceives of white Europeans as least deviated from a pure, original human stock, of which non-European races clearly are degenerations. Secondly, the panoply of characteristics that Kant ascribes to the white race are morally-relevant: rational self-control, discipline and intelligence are, as we’ve seen, the endowments of morally-progressive beings. Taken together, Kant’s two views of race suggest that while non-Europeans share in the equal moral dignity accorded to all human beings, they also appear less morally capable, lacking the skills and faculties required to pursue our moral ends and foster a moral

\(^{78}\) Excerpt from Kant’s Lectures on Physical Geography; cited in Eze, “Colour of Reason”, 63-64.

\(^{79}\) Talent, as I elaborate below, concerns an individual’s naturally-occurring cognitive capacities.
disposition. The question we’re bound to ask, then, is: are these racial “defects” inborn and permanent? If so, can non-Europeans participate in the species’ moral improvement at all – can they move, as Kant puts it, from nature to freedom?

3.4.3 *Merely Skin Deep? The Problem of Racial Character*

As we saw above, race is only comprehensible from the perspective of a purposive natural ordering: from the standpoint of reflective judgment, racial difference is the mechanism enabling human beings to populate and moralize every part of the globe, fulfilling nature’s highest end. While we’re unable to make determinative judgments concerning race (i.e. nature intended the black race to be indolent and lazy), we can understand racial difference in relation to a reflective teleology (i.e. the black race’s indolence and laziness is comprehensible as an effect of the forms of difference enabling us to adapt to different environments) anchored in a natural purposiveness. How, then, are we to regard non-European races in relation to our collective moral development and broader moral ends?

While from a “formal” point of view, Kant depicts non-European races’ environmental adaptations as morally-indifferent, his treatments of racial character present a very different picture. The Negro “is well suited to his climate, namely strong, fleshy, supple, but who, given the abundant provision of his mother land, is lazy, soft and trifling”\(^80\). Kant here leaves open the possibility that the Negro’s laziness is *circumstantial*, rather than reflecting an inborn racial character. And yet, citing Hume, he goes on to suggest that

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\(^80\) Kant, “Different races”, 2:438.
[t]he Negroes of Africa have by nature no feeling that rises above the ridiculous. Mr. Hume challenges anyone to adduce a single example where a Negro has demonstrated talents, and asserts that among the hundreds of thousands of blacks who have been transported elsewhere from their countries, although very many of them have been set free, nevertheless not a single one has ever been found who has accomplished something great in art or science or shown any other praiseworthy quality, while among the whites there are always those who rise up from the lowest rabble and through extraordinary gifts earn respect in the world. So essential is the difference between these two human kinds, and it seems to be just as great with regard to the capacities of mind as it is with respect to color.\textsuperscript{81}

Negroes’ natural limitations are clearly inborn, and equally clearly constrain their capacities as end-setting, autonomous beings. The Negro “seed” carries significantly more baggage than mere skin colour; once established, it cements a racial character inhibiting the development of rational faculties. Following Kant’s broader argument from teleological adaptation, this should hardly surprise us: if race concerns forms of difference that enable human beings to populate vastly different environments, there’s no reason to expect these adaptations to remain constrained to skin colour, rather than to a wider array of characteristics. As in women’s case, Negroes’ adaptations – their \textit{functional} role in humanity’s moral development – implicitly entail cognitive limitations that throw their moral status into question. Amerindians do not fare much better. Kant describes native North Americans as an “incipient”, “incompletely adapted race”\textsuperscript{82}, suggesting that “the southern adaptation… was interrupted halfway through [its development]… establishing the persistent state of this cohort of human beings”\textsuperscript{83}. The fact that their natural disposition did not achieve a \textit{perfect} suitability for any climate, can be seen from the circumstance that hardly any other reason can be given for why this race, which is too weak for hard labor, too indifferent for industry and incapable of any culture – although there is enough of it as example and

\textsuperscript{81} Kant, \textit{Observations}, 2:253.  
\textsuperscript{82} Kant, “Different races”, 2:438.  
\textsuperscript{83} Kant, “Teleological principles”, 8:176.
encouragement nearby – ranks still far below even the Negro, who stands on the lowest of all the other steps that we have named as differences of the races.\textsuperscript{84}

Amerindians suffer from genealogical, climatic and migratory misfortunes; the malignity of fate has produced a race with a “half extinguished life power”\textsuperscript{85}. As an incipient race, unfit for culture, incapable of rational self-determination and – perhaps worse of all – inexorably bound to this condition by a determinate racial character, it is difficult to imagine how Amerindians might fit within humanity’s moral development. Robert Bernasconi argues that Kant’s philosophy of history constrains non-Europeans to either “become” Europeans or to fade into obscurity; Amerindians appear fated to fall into the latter category\textsuperscript{86}.

Non-Europeans’ moral status is further troubled by Kant’s ascriptions of differences in talent across races. “By talent (natural gift)”, Kant explains, “we understand that excellence of the cognitive faculty which depends not on instruction but on the subject’s natural predisposition”\textsuperscript{87}. Talent thus constitutes one of the few points of connection that Kant explicitly draws between natural endowments and the rational faculty of self-determining agents. Emmanuel Chukwudi Eze argues that talent constitutes a fixed measure of different races’ biologically-determined rational faculties, establishing a firm and naturally-embedded moral order\textsuperscript{88}. While Eze somewhat overstates the case\textsuperscript{89}, talent does further problematize Kant’s “formal” account of racial

\textsuperscript{84} Kant, “Teleological principles”, 8:176.
\textsuperscript{85} Kant, “Different races”, 2:438.
\textsuperscript{86} For the “Europeanization” argument, see Louden, Impure Ethics; for the “extinction” argument, see Bernasconi, “Unfamiliar Source of Racism”.
\textsuperscript{87} Kant, Anthropology, 7:220.
\textsuperscript{88} Eze, “Colour of Reason”.
\textsuperscript{89} While talent affects an agent’s moral capacity, I don’t take it as the sine qua non of moral agency. Where Eze understands talent as fixing a given quantum of cognitive ability in different races, Kant appears to count talent among a number of naturally-occurring qualities affecting our rational faculties.
equality by ascribing cognitive “ceilings” to different races. Talent also appears to relate specifically to race; without explicitly drawing this connection, Kant’s few references to talent almost all describe it as an endowment distributed along racial lines. As we saw above, the Negro race has no talent, while the yellow race has a “meager” talent; all indications suggest that the Amerindian, incapable of culture and “well below [the level] of the Negro”, is similarly bereft of talent. Without arguing, as Eze and Charles Mills do, that this racial theory denies the very humanity of non-Europeans, Kant’s allusions to talent contribute to a broader discrepancy between two views of moral personhood\footnote{Mills, “Kant’s Untermenschen”; Eze, “Colour of Reason”}. It points to the bifurcation in Kant’s conceptualizations of human moral agency: at once an indelible property in us all, but also a goal towards which we’re bound to progress.

3.4.4 Cultures of Discipline and Skill: Civilization and Moral Progress

Non-Europeans’ moral defects are not merely racial, but also cultural; they have the wrong kind – or even a total lack – of culture. As we saw in the last chapter, culture (\textit{Kultur} or \textit{Bildung}, which Kant uses interchangeably) refers to cultivation, to “the procurement of skillfulness [\textit{Geschicklichkeit}]”\footnote{Quoted in Louden, \textit{Impure Ethics}, 40.} at both individual and social levels. For the individual, this occurs through moral education; collectively, we are formed by the development of increasingly civilized forms of social life, through which we acquire the skills and dispositions orienting us towards our moral ends. In the third \textit{Critique}, Kant explicitly describes culture as the bridge between nature and freedom: \textit{only} with the refinements and moralizing influence of civilized cultures does humanity’s enlightenment

\footnote{Temperament, for example, also influences the exercise of our cognitive capacities; this does not assign fixed cognitive limits to persons with given temperaments. I treat talent in greater detail below.}
progress. Culture is not an incidental artifice that certain societies might side-step, but is rather an unavoidable dimension of our collective moral education. As Allen Wood argues, savages suffer from an unmitigated, uncontrolled desire for freedom\(^{92}\); without the “ennobling” effects of discipline and culture, this impulsion manifests itself through the savage’s natural drives, rather than through his rational capacities. Culture constitutes an invaluable learning tool, turning a pathological drive for unrestrained freedom into an ennobled desire for rational self-control – Kant’s conception of true freedom.

Sankar Muthu thus argues that Kant understands human beings as “constitutively cultural”, taking him to recognize all cultures as valuable and entitled to protection\(^{93}\). But where Muthu sees Kant as endorsing cultures as “equally legitimate forms of life that are neutral from the standpoint of a categorical morality”\(^{94}\), I would like to suggest that only certain kinds of culture are, in Kant’s eyes, capable of drawing us towards our moral ends. Culture – understood, as Muthu does, as a form of collective life – is valuable only as a functional, transitory good for Kant, as a mechanism by which we develop the skills, aptitudes and dispositions that we’re morally bound to foster. Far from endorsing all cultures as equally valuable forms of collective life (or as valuable in themselves), Kant attributes value only to those civilized cultures that push us towards our moral ends. Savage peoples have the wrong kind of culture, exacerbating rather than mitigating savage peoples’ unrestrained drive for freedom:

\(^{92}\) Wood, *Kant’s Ethical Thought*, 253-6.

\(^{93}\) Muthu, *Enlightenment Against Empire*, ch. 5; see also Sankar Muthu, “Justice and Foreigners: Kant’s Cosmopolitan Right”, *Constellations*, Vol. 7, n. 1, 2000. Problematically, Muthu’s argument is based on the contemporary understanding of the term “culture”; he treats Kant’s conceptualization of culture in the current sense, referring to a form of collective social life. This ignores important differences in Kant’s usage of Bildung and/or Kultur, undermining his argument regarding Kant’s purported valuation of human beings’ “cultural agency”.

Now by nature the human being has such a powerful propensity towards freedom that when he has grown accustomed to it for a while, he will sacrifice everything for it. And is it precisely for this reason that discipline must be applied very early... It is also observable in savage nations that, though they may be in the service of Europeans for a long time, they can never grow accustomed to the European way of life. But with them this is not a noble propensity towards freedom, as Rousseau and others believe; rather it is a certain raw state in that the animal in this case has so to speak not yet developed the humanity inside itself... If he is allowed to have his own way and is in no way opposed in his youth, then he will retain a certain savagery throughout his life.95

Savage nations clearly comprise “bad” cultures, cultures that mis-educate and develop the wrong forms of impulsion, forming “raw” human beings whose capacities for progress are stunted. Improperly acculturated people(s) remain incapable of adopting European forms of life; their early lack of discipline condemns them to a lifetime of moral ineptitude.

Cultures, then, are not all equally capable of drawing us towards our moral ends; only refined, civilized cultures train us to subject our natural drive for freedom to the control of the rational faculty. Uncivilized, non-European cultures fail to inculcate the discipline required for an autocracy of the mind to take hold; they fail to bridge nature and freedom, indulging the former to the detriment of the latter. Culture serves to “produc[e] in a rational being an aptitude for purposes generally”96; without it, we’re incapable of the purposive activity characteristic of autonomous, end-setting beings. In the third Critique, Kant directly addresses the unique role that civilized cultures play in our moral development:

not just any culture is adequate for this ultimate purpose of nature. The culture of skill is indeed the foremost subjective condition for an aptitude to promote purposes generally... Th[e] other condition could be called the culture of discipline [Zucht (Disziplin)]. It is negative and consists in the liberation of the

95 Kant, Pedagogy, 9:442
96 Kant, Critique of Judgment, 5:432.
will from the despotism of desires, a despotism that rivets us to certain natural things and renders us unable to do our own selecting.  

Only certain *kinds* of culture develop the subjective capacities and propensities orienting us towards our moral ends, pushing us towards this “ultimate purpose of nature”. Savage peoples, nomadic peoples and non-European peoples fail to arrest and mitigate the influence of their animal natures, of their sensible impulses; they remain too close to nature to actualize themselves as *free* beings. They fall back into what nature makes of them rather than developing the discipline and skills required for self-creation. Barbaric social forms fail to cultivate the dispositions, the skills, the social graces that draw us “if not to morality itself, to that which is its cloak, moral decency”. This is a matter of cultivation; we can not progress towards our ultimate end of moralization without the discipline, self-mastery and sociality characteristic of European societies. Culture – the *right* culture – Kant tells us,

mak[es] room for the development of our humanity, namely, by making ever more headway against the crudeness and vehemence of those inclinations that belong to us primarily as animals and that interfere most with our education for our higher vocation… [For we have] the fine art[s] and the sciences, which involve a universally communicable pleasure as well as elegance and refinement, and through these they make man, not indeed morally [*sittlich*] better for [life in] society, but still civilized [*gesittet*] for it; they make great headway against the tyranny of man’s propensity to the senses, and so prepare him for a sovereignty in which reason alone is to dominate.

Kant’s treatment of culture illustrates the problem that I have traced throughout this chapter: while differences of culture are, from a formal perspective, morally-inconsequential, they clearly *do* point to a form of moral exclusion. They draw out the problem of *subjectively* defective moral agents, whose deficiencies are not only

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97 Ibid.
embedded in their “natural” character (whether racial, cultural or gendered), but are also functionally necessary from the perspective our teleologically-given natural ends. I conclude by reviewing two approaches to Kant’s treatments of race and culture, along with a summary of my own.

3.5 Conclusion: The Kind of Moral Agents We Can Be

What are we to do with this?

As I pointed out at the top of the chapter, commentary on Kant’s accounts of non-Europeans is roughly divided into two camps, between those who argue that Kant’s racism goes to the heart of his moral theory and so reject it outright (which I refer to as the critical literature), and those who, while condemning his views on race, maintain that it remains separable from the core of his moral theory (which I describe as the defensive literature). From the first camp, Emmanuel Chukwudi Eze suggests that the cognitive limits which Kant attributes to non-Europeans impose hard and fixed constraints which undermine their moral dignity; Kant’s moral theory, Eze argues, is little other than a justification for European superiority\(^{100}\). Charles Mills similarly argues that Kant’s racial theory portrays “human-ness” as a matter of degree, rather than as a categorical type; non-Europeans are thus sub-human, Untermenschen floating somewhere between true humanity and animality\(^{101}\). Approaching the question from the historical-teleological perspective, Robert Bernasconi suggests that non-European races’ cognitive failures throw into question their capacity to participate in humanity’s progress towards our moral ends; the inherency and biological rootedness of their cognitive limits appear inescapable.

\(^{100}\) Eze, “Colour of Reason”.
\(^{101}\) Mills, “Kant’s Untermenschen”.
We are led to the conclusion that Europeans alone belong in the kingdom of ends; what happens to non-European races is, with all of the sinister implications this carries, left unclear. While drawing on different dimensions of Kant’s thoughts on race, the critical literature argues a relatively consistent point: the cognitive limitations ascribed to non-Europeans implicitly corrupt and undermine the formal account of humanity’s shared moral equality.

On the other side of the divide are commentators such as Robert Louden, Pauline Kleingeld and Sankar Muthu, who suggest that non-Europeans do in fact participate in the species’ ultimate ends. Louden maintains that Kant’s insistence on our common phyletic ancestry – we were all potentially white, yellow, black or red – is incompatible with a view of progress as limited to Europeans. While the moral qualities that Kant attributes to different races are indefensible, he argues, these are best understood as extricable aberrations in his thought, rather than a systematic problem; on the balance, Kant’s better known and more philosophically rigorous commitment to equality ought to carry the day over these instances of prejudice. From a different perspective, Pauline Kleingeld and Sankar Muthu both read Kant’s post-critical attention to cosmopolitanism as indicating an increasing sensitivity to the cultural differences of an irreducibly plural humanity. Muthu maintains that Kant’s cosmopolitanism provides a framework enabling the coexistence of fundamentally different ways of life; if, as he suggests, we are constitutively cultural beings, we require a global system of law to mediate the relations

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102 Bernasconi, “Unfamiliar Source of Racism”.
103 Louden, Impure Ethics; Kleingeld, “Kant’s Second Thoughts” and “Idea of Moral Development”; Muthu, Enlightenment Against Empire.
of different cultural groups. Kleingeld argues that Kant’s late, post-critical writings abandon the racial theory altogether, given their incompatibility with his burgeoning commitment to cosmopolitanism. Both Kleingeld and Muthu, then, assert that the conjunction of Kant’s egalitarianism and his attention to international right made him increasingly conscious of the equality of differently situated racial and cultural groups. Bernard Boxill and Thomas Hill take a somewhat different approach, suggesting that while Kant’s treatments of race are clearly reprehensible, they comprise *a posteriori* judgments and so fail to detract from the moral dignity of all human beings, determined *a priori*.

While both critical and defensive literatures provide invaluable insights into Kant’s views on race, culture and civilization, I believe that they fail to properly situate problems of exclusion in relation to his broader moral and political thought. The critical literature does not take Kant’s division between objective and reflective judgments seriously enough, and so tends to treat his writings on race and culture – which he clearly understands as matters of *reflective*, and not determinative, judgment – as describing objective conditions, rather than postulates of reflection. As I elaborate in the conclusion of this study, this misplaces problems of exclusion within Kant’s thought and inhibits us from more carefully identifying what we ought to be critical of. The defensive literature, conversely, fails to take the subjective dimensions of moral agency and the constraints which these impose on the moral development of variously “defective” agents seriously.

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104 This is, in my view, an erroneous argument. Kant’s justification for a global system of right is, as I argued in the last chapter, explicitly derived from our shared right of humanity and the need for lawful conditions to preserve it. Domestic, international and cosmopolitan spheres of right comprise a system of law mediating the various relationships capable of impacting upon our innate right of freedom; there is little evidence in Kant’s corpus to suggest that he in fact (or perhaps additionally) aims to preserve cultures.  
enough. This tends to treat Kant’s exclusionary proclivities either as aberrations from an otherwise sound system of moral and political right, or, arguing from within Kant’s teleological perspective, as the result of humanity’s collective immaturity, transitional problems destined to fade with the advance of enlightenment. Such exclusions are thus either bracketed off as unfortunate but morally-irrelevant instances of prejudice, or as signs of our current state of imperfection.

These are the views that, over the last two chapters, I have tried to steer between. I have argued that we ought to take seriously what Thomas McCarthy describes as “a lack of fit between how things look from the normative point of view of morality or right and how they look from the functional point of view of human progress”\(^{106}\) by showing that this “functional” dimension \textit{conditions} the kind of moral agency of which we are capable, but does not displace its “normative” grounding. The critical literature conflates these two perspectives, treating the “functional” point of view as equivalent to the “normative” (and so regards Kant’s \textit{reflective} judgments concerning women’s and non-Europeans’ defects as holding \textit{objectively}); the defensive literature ignores the “functional” perspective altogether, arguing that it has no impact upon the “normative” standpoint. In my view, Kant in fact draws upon \textit{two} ideals of moral agency, corresponding to the normative and functional perspectives that McCarthy identifies; the slippage between them is precisely what enables Kant’s “putatively universalistic, inclusive, moral doctrines [to] so readily countenance particularistic, exclusionary practices – and, as it seems, with surprisingly little cognitive dissonance”\(^{107}\).

\(^{106}\) McCarthy, \textit{Race, Empire}, 62.
\(^{107}\) Ibid., 42.
This slippage responds to a tension at the heart of Kant’s moral philosophy, between universal moral equality and the particular social, political, cultural and pedagogical conditions required to produce the right kinds of persons, liberal agents oriented towards moral improvement. At bottom, both moral and political exclusions aim to preserve the conditions for moral progress. These clearly strike against the formal, “normative” conception of moral agency; and yet, they delineate the boundaries of the progressive agency that we’re equally bound, from the “functional” perspective, to pursue. In these chapters, I’ve argued that we should not regard these exclusions as merely incidental instances of prejudice – though they certainly do reflect Kant’s prejudices – or as deviations from an otherwise right-minded moral system, but rather, as forming the right kind of agents, subjectively oriented and disposed towards our moral ends.

Both critical and defensive literatures fail to note how the subjective, volitional dimensions of moral agency impact upon the realization of our transcendentally-determined moral ends. Over the course of these two chapters, I have tried to demonstrate that the developmental dimensions of Kant’s ethics are not separable from an otherwise perfectly transcendental account of moral agency; as constitutively “impure” beings, the realization of our moral ends lies precisely in cultivating our receptivity to, and disposition towards, the moral duties that we’re bound to pursue, but never reach. If we recognize – as Kant does – that we can never be the sage, but can only aspire to continuously approximate him, then we come to see that our particularly human task is to develop a moral character oriented towards the right set of ends and to foster the subjective capacities that assist us in strengthening our moral resolve. We can not detach
and distinguish a “pure”, transcendental moral subject from the conditions that characterize it as human, and not merely rational; developmentalism belongs to a human ethics. We ought to be wary of attempts to separate the teleological from the transcendental dimensions of moral agency if the teleological comprise a qualifying condition for the ethical development of our kind of being; unlike rational angels whose wills can’t help but to conform to the moral law, human beings need to grow into their moral personhood. Kant’s reflections on human development are all too frequently argued into dismissal, portrayed as an afterthought – and an embarrassing one at that – that can, and should be, separated from a free-standing, transcendental ethics; yet Kant himself argued that a complete ethics requires an account of the beings to whom it’s to apply to avoid lapsing into an idle reverie. The reading of Kant that I’ve put forward, conversely, agrees with Thomas McCarthy’s assertion that

the laws of freedom can be put into effect only if they are “schematized” in some sense, so that purely “formal” principles can be applied to the “material” of experience. Impure ethics is not, then, a merely convenient but unnecessary addition to pure ethics; it is, as Derrida might say, a necessary supplement, if morality is to have any purchase at all on human life.¹⁰⁸

As McCarthy here notes, and as I’ve tried to emphasize, a practical ethics can not dispense of principles of application; failing to account for these, Kant argues, we produce an ethics that remains merely speculative. A practical ethics guides our conduct in contexts which demand the exercise of practical reason; it not only discerns the moral ends which bind us, but also enjoins us to develop the subjective faculties and skills which enable us to pursue them. This is precisely what Kant’s ethics do: they articulate the individual ends (the ideal of virtue embodied in the figure of the sage), political ends (a cosmopolitan federation of republics) and natural ends (the kingdom of ends) that

¹⁰⁸ Ibid., 47.
orient the exercise of practical reason in various domains of human action. This constellation of practical ends comprises a series of regulative ideals, the moral beacons that we’re bound to pursue, but never achieve. It stands to reason, then, that their function is to ground the subjective dispositions, orientations and predilections of morally-progressive agents – to develop, in a word, the moral character of the good human being. These ideals orient the exercise of practical reason; they lead us towards the particularly human moral tasks of cultivating our sensitivity to the moral law, strengthening our resolve in pursuing our moral ends, and learning to love others and respect the humanity in ourselves. This is the moral agency of which we’re capable. If this is the case, then we must recognize a serious moral wrong in conceiving of vast swaths of people as subjectively limited, as incapable of developing the faculties, capacities and dispositions at the heart of human moral agency.
Chapter 4

Democratic Character and the Affective Grounds of Citizenship

Now, one cares most for what one loves… And someone loves something most of all when he believes that the same things are advantageous to it as to himself and supposes that if it does well, he’ll do well, and that if it does badly, then he’ll do badly too.

-Plato, Republic

Education and opinion, which have so vast a power over human character, should so use that power as to establish in the mind of every individual an indissoluble association between his own happiness and the good of the whole; especially between his own happiness and the practice of such modes of conduct, negative and positive, as regard for the universal happiness prescribes; so that not only he may be unable to conceive the possibility of happiness to himself, consistently with conduct opposed to the general good, but also that a direct impulse to promote the general good may be in every individual one of the habitual motives of action, and the sentiments connected therewith may fill a large and prominent place in every human being’s sentient existence.

-J. S. Mill, Utilitarianism

4.1 Introduction: A Comprehensive Approach to J. S. Mill

Over the course of the last two chapters, I aimed to draw to light under-explored facets of Kant’s thought on the formation of character and what I described as the subjective dimensions of moral personhood. I aimed to flesh out a clearer picture the kinds of persons presupposed by Kant’s better-known critical and practical philosophies, and to consider the ways in which this “thicker” view of agency both sustains and problematizes his moral and political thought. The acculturation and pedagogy explored in Chapter 2 concerned the formation of moral character and the conditions –

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pedagogical, historical, cultural, political and even biological – turning inexorably
imperfect human beings towards their naturally-given moral ends. Chapter 3 addressed
the flip side of this rather particular view of moral agency and acculturation: the problems
of moral and political exclusion faced by either “naturally” or “circumstantially”
defective agents.

In this chapter and the next, I turn to consider similar issues and concerns in the
thought of John Stuart Mill. Kant and Mill are, of course, at the origin two very different
strains of liberalism, progenitors not only of diverging accounts of politics, but of the
deontological and consequentialist ethics within which they’re framed. Yet despite the
clear and substantive differences distinguishing them, Kant and Mill share in a
remarkable consciousness of – and attention to – the subjective dimensions of moral and
political agency. As I hope to show in the next two chapters, Mill elaborated a
sophisticated account of the moral psychology and acculturation of progressive, liberal
agency centered on the ideal of democratic character. Like Kant’s, Mill’s conception of
character bridges ethics and politics – perhaps more clearly, as Mill unabashedly
regarded politics as subservient to ethics – such that he regarded a progressive,
democratic character as not only a political ideal, but as encompassing a broader range of
affects, pleasures, habits and dispositions oriented towards our ends as progressive
beings.

And as with Kant, Mill’s conceptualization of character is not without its
problems; even more starkly than Kant’s, Mill’s moral and political thought countenances
forms of exclusion that demand critical scrutiny. As Jennifer Pitts, Bhikhu Parekh and
other commentators have pointed out, Mill’s liberalism is constrained by a deeply
problematic account of the kinds of people(s) entitled to free, representative governments, most succinctly (and infamously) articulated in his endorsement of “benevolent despotisms” for peoples “in their nonage”3. In a number of his writings – including seminal texts such as *On Liberty* and *Considerations on Representative Government* – Mill draws a strong distinction between civilized and non-civilized peoples. While he conceives of the former as entitled to unfettered liberty and self-government, the latter, he argues, require the strong arm of an enlightened despot (or very fortuitous conditions) to draw them towards a higher state of civilization. Mill’s life-long tenure at the East India Company compounds the problem; his complicity in British colonial rule over India serves as a stark reminder that bad theory can make for even worse practice. Despite his celebrated egalitarianism, his enthusiasm for “experiments in living”, and his attunement to the social benefits of difference and originality, Mill’s appreciation for the great variability of human life was qualified by deeply exclusionary impulses. How, then, are we to reconcile these conflicting dimensions of Mill’s thought?

In this chapter and the next, I draw together what are often treated as disparate and disconnected elements of Mill’s thought to examine the relationship between formative and exclusionary dimensions of his moral and political philosophy. This chapter focuses on the formation of a progressive, democratic character, drawing to light the under-examined connections between individual moral psychology and broader social and political institutions; Chapter 5 closely examines the problems of unprogressive peoples, the uncivilized societies that Mill regarded as incapable of self-determination. Much of the criticism directed at Mill in recent years focuses on his accounts of civilization and human development, taking his as the most philosophically sophisticated

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and comprehensive articulation of liberal imperialism. Yet, as I elaborate in the next chapter (and in the conclusion of this study) this fails to be borne out by a careful and broad-ranging reading of his thought; much of this critical literature, I argue, remains problematically one-sided. Of course, this does not deny or minimize Mill’s unambiguous endorsement of a “civilizing” colonialism or the exclusions it countenances; it aims, rather, to properly situate them in relation to his broader view of human nature and historical development. In these chapters, I examine Mill’s thoughts on ethnology, utilitarianism and education – attending to the formation of progressive agents – in conjunction with his treatments of civilization, historical development and government, which harbour the exclusionary proclivities for which he has come under fire. I adopt a comprehensive approach to Mill’s thought to argue that its formative and exclusionary dimensions are systematically related, attending to a single and singular concern: to preserve the conditions for humanity’s progressive improvement.

By adopting this comprehensive view, I hope to clarify misperceptions not only of Mill’s view of the uncivilized, but of civilized societies as well. Much of the literature treats Mill as drawing a strict, categorical distinction between civilized and uncivilized peoples, demarcating qualitatively different types of societies entitled to different moral and political rights. Over the next two chapters, I challenge this interpretation by arguing that Mill’s exclusionary proclivities stem from a sociological concern regarding the dispositional and affective grounds of democratic citizenship, rather than from a philosophical conceptualization distinguishing rigidly-differentiated kinds of societies. Rather than regarding all civilized peoples as entitled to unfettered self-determination, I

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4 Leading exponents of this view include (but are not limited to) Jennifer Pitts, Uday Mehta, Bhikhu Parekh, Dipesh Chakrabarty and Thomas McCarthy. I treat this literature in detail in Chapter 5.
argue that Mill is equally attentive to the forms of acculturation required by both civilized and uncivilized people(s). Mill saw even the most civilized of societies as pervaded by social and political pathologies that inhibited their capacity to benefit from democratic government and that required concerted social and institutional guidance. Uncivilized peoples need to develop the capacities for freedom; civilized peoples need to learn what to do with their freedom. Rather than treating Mill’s views of the civilized and uncivilized in isolation from one another, I understand the exclusion of uncivilized peoples from political independence as responding to the same concerns addressed in his writings on character-formation and utilitarianism: to produce agents responsive to man’s interests as a progressive being. Along with Kwame Anthony Appiah and Martha Nussbaum, I argue that Mill’s deep anti-foundationalism in no way inhibits his perfectionist commitment to an ideal of progressive, liberal agency grounded in our interests as perpetually progressive beings.

This chapter proceeds in three sections. The first examines the aims and ends of all governments – given by utilitarian ethics – showing the interconnectedness of Mill’s moral and political thought. I consider both the broader purposes of government and Mill’s sociological account of the more particular conditions sustaining democratic politics, showing that only certain kinds of agents appear capable of fulfilling both conditions for, and aims of, representative governments.

This leads to the central premise of the second section: I argue that democracy is, more than any other form of government, a character-dependent good. By closely examining Mill’s view of democratic character, I draw attention to his often-

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unrecognized concern with variously “deficient” subjects’ affective failures; both the civilized poor and the uncivilized fail to develop the predilections, orientations and ethos sustaining democratic governments. Where critics such as Pitts, Muthu and Mehta understand Mill as drawing a strict line between civilized and uncivilized peoples based on their rational capacities, suggesting that Mill “argued for a direct correspondence between a society’s stage of historical development and the mental capacities of its members”\(^6\), I argue that this ignores Mill’s deep concern for the affective grounds of political stability and social cohesion. Mill’s preoccupation with democratic character reveals an important insight: citizens must learn to care about their co-citizens, laws and institutions, and more so in democracies than under any other form of government. I follow Graham Finlay in arguing that Mill regards people willing to fight for their enfranchisement as entitled to representative government\(^7\); this is a matter of affect, rather than of strictly rational ability.

The final section of the chapter draws on this “affective” argument to show that both civilized and uncivilized peoples are bound to develop given forms of character in order to progress; the central difference between them concerns the kinds of formation from which they’re likely to benefit. Having examined the deficits of variously unprogressive people(s) in section 2, I here delve into the nature of the progressive, moral agents capable of fulfilling our moral and political ends, showing that Mill’s utilitarian ideal depends upon the cultivation of a very particular moral character. Drawing on his associationist moral psychology, I argue that this character is critically important in maintaining the moral coherence of his utilitarianism, particularly in relation to its

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\(^6\) Pitts, Empire, 127.
political dimensions. If utilitarianism is to avoid lapsing into a self-serving hedonism, citizens must learn to want certain kinds of pleasures, the higher pleasures derived from the exercise of social virtues; in other words, they must cultivate the socialized orientations, dispositions and habits at the heart of Mill’s conception of moral character. Mill’s associationist moral psychology thus bridges his political and ethical projects: we cultivate the affective bonds, desires and pleasures of socially-oriented, democratic character through the formative influence of progressive social, political and educational institutions.

4.2 Government

4.2.1 Aims and Ends of Government

Mill’s championing of liberty and self-government has often been taken as a libertarian call to arms: governments serve no other function than to patrol the boundary between self- and other-regarding action, imposing sanctions to deter unwarranted intrusions on our equal liberties. This, however, misinterprets Mill’s understanding of the ends of representative government and of political institutions more generally; as Charles Larmore notes, Mill’s view of government is entirely indebted to his broader ethical perfectionism. In Considerations on Representative Government, his best-developed account of the purposes of political organization, Mill stipulates that “the influence of government on the well-being of society can be considered or estimated in reference to nothing less than the whole of the interests of humanity”. Utility “in the

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8 Charles Larmore, “Political Liberalism”.
9 John Stuart Mill, Considerations, 185.
largest sense, grounded on the permanent interests of a man as a progressive being”\textsuperscript{10} constitutes the measure by which to evaluate all governments, representative or not; the science of politics is ultimately subservient to the arts of utility. In the System of Logic, Mill distinguishes between the moral “arts” and the social “sciences” derived from them; while the sphere of art addresses our ultimate moral ends and values – an art “enunciates the object aimed at, and affirms it to be a desirable object”\textsuperscript{11} – sciences concern the means by which we pursue them. “Ethics, or morality,” Mill asserts, “is properly a portion of the art corresponding to the sciences of human nature and society”\textsuperscript{12}; morality sets the ends that the various sciences of society – political science, sociology and ethology – take as their object\textsuperscript{13}. The object of political science, then, is to determine the “combinations of circumstances” enabling differently situated societies to pursue the ends of utility.

While the principle of utility orients the social sciences in a broad sense, Mill further specifies subsidiary principles pertaining to politics and statecraft. Drawing on Coleridge’s conceptualization of social development, he identifies two basic principles of social phenomena balanced by any successful government: “the two antagonistic powers or opposite interests of the State, under which all other State interests are comprised, are

\begin{itemize}
\item \textsuperscript{10} John Stuart Mill, On Liberty, 14.
\item \textsuperscript{12} Ibid., 943.
\item \textsuperscript{13} Mill’s view of the relationship between ethics and politics is uncommonly clear and unambiguous, establishing a clear division of labour between different objects of knowledge: “art proposes to itself an end to be attained, defines the end, and hands it over to the science. The science receives it, considers it as a phenomenon or effect to be studied, and having investigated its causes and conditions, sends it back to art with a theorem of the combinations of circumstances by which it could be produced.” Mill, System, 944.
\end{itemize}
those of permanence and of progression”. Mill was deeply influenced by Coleridge’s central political insight; managing the tension between imperatives of order and progress is, in his view, the fundamental task of government. Only by striking this careful (and contextually variable) balance can a state effectively maintain social stability and cohesion while also pushing society forward. Reflecting on the genesis of Britain’s social institutions and relations – which had, in his view, enabled its civilizational ascent – Coleridge associated principles of “permanence” and “progression” with (respectively) the landed aristocracy on one hand, and the mercantile, manufacturing and professional classes on the other. Mill drew on (and extrapolated from) Coleridge’s observations, treating these as basic principles governing all social and political organization; they recur, variously modified, throughout his writing on politics. In the System of Logic, for example, Mill translates this central organizing principle into a socio-scientific frame, treating Comte’s “social statics” and “social dynamics” as addressing “the conditions of stability in the social union” and “the laws of progress”.15

These twin imperatives inform the aims of all, and not just representative, governments. In Considerations, Mill asserts that

The first question in respect to any political institutions is, how far they tend to foster in the members of the community the various desirable qualities, moral and intellectual… This leaves, as the other constituent element of the merit of a government, the quality of the machinery itself; that is, the degree in which it is adapted to take advantage of the amount of good qualities which may at any time exist, and make them instrumental to the right purposes.16

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15 Mill, System, 917-918.

16 Mill, Considerations, 193. In a similar passage addressing these two criteria of good government, Mill’s perfectionism is more clearly manifested: “We have now, therefore, obtained a foundation for a twofold division of the merit which any set of political institutions can possess. It consists partly of the degree in which they promote the general mental advancement of the community, including under that phrase advancement in intellect, in virtue, and in practical activity and efficiency; and partly of the degree of
All political institutions are, in Mill’s view, bound to take up these two critical tasks: to elevate the moral and intellectual standing of the populace while managing the resources – the “good qualities” – present within it. Far from conceiving of government as a neutral mechanism coordinating between self-directed citizens or merely preserving individual liberties, Mill measures its value in relation to the broader ends of politics and the subsidiary aims of preserving conditions of stability and progress. Societies leaning too heavily towards principles of order fall into stagnation; conversely, those whose progressive elements become unmoored from the “condition of permanent political society” lose the basic cohesion required of any political union. Political institutions, then, aim to cultivate improving and yet stable populations, oriented towards their ends as progressive beings.

4.2.2 Conditions of Government

In stark contrast with Bentham’s science of legislation, Mill understands governing as an evaluative and context-dependent art, drawing on practical and prudential judgment rather than on a pre-given legislative schema. He was highly attuned to the sociological differences accompanying given states of society and national character, arguing that

When an institution, or a set of institutions, has the way prepared for it by the opinion, tastes and habits of the people, they are not only more easily induced to accept it, but will more easily learn, and will be, from the beginning, better disposed, to do what is required of them both for the preservation of the

perfection with which they organize the moral, intellectual, and active worth already existing.” Mill, Considerations, 195.

17 Mill, System, 922 (citing Comte).
18 To be clear, I here employ the common usage of “art” and “science”, rather than Mill’s (described above).
institutions, and for bringing them into such action as enables them to produce their best results. It would be a great mistake in any legislator not to shape his measure so as to take advantage of such pre-existing habits and feelings when available.\(^1\)

Overly scientistic or pre-determined approaches to government are incapable of incorporating precisely these “pre-existing habits and feelings”, the contextual variations in tastes, opinions and disposition that give a people its character and that Mill regards as resources, rather than as problems, for legislation. Well designed political institutions ought to recognize and incorporate these habituated and affective dimensions of human life. Such variations, in Mill’s view, affect a society’s ability to sustain given forms of government at all; certain peoples are simply unable to satisfy fundamental conditions for given forms of government.

What, then, are these basic conditions of government? Political institutions require not just the acquiescence of a people, but (in varying degrees) their active engagement:

This implies three conditions. The people for whom the form of government is intended must be willing to accept it; or at least not so unwilling as to oppose an insurmountable obstacle to its establishment. They must be willing and able to do what it requires of them to enable it to fulfil [sic] its purposes… They must be capable of fulfilling the conditions of action, and the conditions of self-restraint, which are necessary either for keeping the established polity in existence, or for enabling it to achieve [its] ends.\(^2\)

Mill’s three conditions – a *willingness* to accept a government, to do what it requires to fulfill its purposes, and a *capacity* to fulfill its conditions of action – address the minimal requirements of government, drawing explicit connections between particular forms of character and agency and the political institutions suited to them. The legislator’s art lies in recognizing the capacities, qualities and character of a given populace and forming

\(^{1}\) Mill, *Considerations*, 180-1.
\(^{2}\) Ibid., 177.
political institutions in conformity with them.\textsuperscript{21} Mill’s attention to national character thus concerns not only the moral and intellectual virtues that governments ought to foster, but more basically, the \textit{kinds} of government that different peoples are capable of supporting at all. Governments both depend upon, and help to produce, the bonds of sociality, solidarity and social cohesion motivating citizens to conform to their demands, bonds that are cultivated not only politically, but within the broader affective networks of civil societies.

These three conditions and the social solidarity they secure are hard-fought achievements; Mill recognizes that “the very first element of the social union, obedience to a government of some sort, has not been found so easy a thing to establish in the world”\textsuperscript{22}. Political institutions neither exist in a vacuum, nor are they capable of single-handedly commanding this obedience; they \textit{depend} upon a framework of social, cultural and educational supports to form a population willing and able to satisfy basic conditions of sociality. Political societies are not the mere aggregates of interchangeable laws, rights and institutions, but rather stand at the intersection of culture, history, politics and education. The stability of states, then, is sustained by “a system of \textit{education}, beginning with infancy and continued through life”; “the feeling of allegiance, or loyalty”; and finally, “a strong and active principle of cohesion among the members of the same community or state”\textsuperscript{23}. Contextually-particular social supports and networks are integral in shoring up citizens’ bonds of connection and solidarity; in Rawlsian terms, they

\textsuperscript{21} Georgios Varouxakis provides a detailed account of Mill’s context-sensitive approach to the design of political institutions; see chapters 1 and 4 of Georgios Varouxakis, \textit{Mill on Nationality} (London: Routledge, 2002).

\textsuperscript{22} Mill, “Coleridge”, 132.

generate a willingness to take on the burdens of social cooperation. Military training, religious teaching, political ideologies and common ancestry belong to the broader network of institutions that Mill regards as shaping a population’s willingness to meet these conditions of government. These social bases generate the nationalist sentiment that, as Georgios Varouxakis argues, are integral for social cohesion and cooperation\textsuperscript{24}. They produce a national spirit and forge bonds of sympathy between citizens, “enabl[ing] society to weather these storms, and pass through turbulent times without any permanent weakening of the securities for peaceable existence”\textsuperscript{25}; in other words, they form a citizenry capable of fulfilling the basic conditions sustaining their political institutions.

Taken together, Mill’s view of the ends of, and conditions for, political institutions hardly conforms to the neutral, minimal government often portrayed as the entitlement of civilized, self-directed societies. If governments are to balance principles of order and progress and develop the moral and intellectual standing of their citizenries, they are bound to take account of the dispositions and character of culturally, sociologically and historically-differentiated peoples. If they’re to command obedience, loyalty and social cohesion, they must recognize themselves as situated within the broader pedagogical and institutional networks of unique and idiosyncratic forms of collective life. Far from arguing for a non-interventionist government for civilized societies, Mill recognizes an intimate connection between citizens’ character, the social and institutional supports shaping it, and the forms of government to which they’re responsive. Politics does not merely concern the establishment of fair and neutral institutions of justice and law, but belongs to the broad acculturation of citizens to the

\textsuperscript{24} Varouxakis, \textit{Nationality}, chs. 1-2.
\textsuperscript{25} Mill, “Coleridge”, 134.
affective, dispositional and habituated dimensions of social and political life. Politics, in other words, is a matter of character and agency.

4.3 A Character-Dependent Good: Affect and Democratic Stability

As we’ve seen, governments aim to shape certain kinds of subjects, citizens who are (minimally) willing and able to fulfill their conditions of existence and (maximally) oriented towards the ideal of self-development. Wendy Donner describes this ideal as the self-directed pursuit of the higher human faculties for “individuality, autonomy, sociality, and cooperativeness” 26, capturing the intimate relationship between individual and social goods: self-development refers to individual attributes which nevertheless depend upon the supports and acculturation of progressive social and political contexts. As Andrew Valls notes, such progressive, activist states “provid[e] the material and institutional prerequisites of self-development” 27, enabling us to foster the social sympathies at the heart of moral action.

Yet, not all social and political institutions orient us towards self-development; democratic governments alone cultivate the skills, dispositions and habits of progressive, self-improving agents. Conversely, not all peoples can sustain democratic institutions; uncivilized peoples are, as Mill infamously put it, unfit for self-representation, leading him to advocate for their subjection to benevolent despotism. In this case, as John

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Gibbins points out, the imperatives of progress clearly trump those of liberty\textsuperscript{28}. Why \textit{exactly} are the uncivilized unable to benefit from democratic self-determination? Critics such as Pitts, Mehta and Parekh (whose arguments I treat in detail in Chapter 5) suggest that their “backwardness” stems from \textit{cognitive/rational} defects; Mill’s conception of history, Mehta asserts, “derives centrally from premises about reason as the appropriate yardstick for judging individual and collective lives”\textsuperscript{29}. This argument stands behind what Mehta describes as “the stark binary of the backwards and the progressive, with nothing inbetween”, the Manichean divide that Bhikhu Parekh imputes to Mill in distinguishing rational and irrational societies\textsuperscript{30}.

In this section, I argue that Mill’s exclusionary proclivities in fact reveal his deep concern with the \textit{affective} register of politics, with the emotive and habituated bonds connecting citizens to their social and political institutions, laws and co-citizens. While these are of great consequence for any political association, they are indispensable for fostering democratic social cohesion in particular; Mill’s central interest, in my view, is with the “schools of public spirit” forming and sustaining a democratic \textit{character}. By shifting the focus from cognitive to affective dimensions of citizenship, I hope to clarify the relationship between Mill’s exclusionary impulses and the formation of all citizens, including the most civilized. Where the cognitive approach emphasizes the purportedly rigid distinction between civilized and uncivilized societies, the affective view enables us to see their connections: both advanced and “backward” peoples require (different) forms of acculturation to develop the habits, orientations and pleasures of a well-lived human


\textsuperscript{29} Mehta, \textit{Liberalism}, 82.

\textsuperscript{30} Mehta, \textit{Liberalism}, 104; Parekh, “Decolonizing Liberalism”.
life. I argue that Mill is at least as concerned with preserving the conditions for the progressive improvement of civilized societies against the very distinct possibility of social regress and failure as he is with the advancement of the uncivilized.

The last section examined the aims and conditions of governments; I here turn to consider the ways in which certain kinds of agents fail to develop the affective, dispositional orientations and habits of citizenship sustaining progressive, representative political institutions – who, in other words, fail to develop a democratic character.

4.3.1 Failures of Affect I: Pathologies of Passivity and Passion

Two related problems bedevil the uncivilized and justify their exclusion from political enfranchisement; these pertain to the conditions and aims of government examined above. First, while the uncivilized might well accept representative government, they’re incapable of “doing what it requires of them”, of fulfilling the conditions of action and self-restraint sustaining a democratic polity. Secondly, political institutions are good insofar as they foster a character in their citizens which, “for the general good of humanity, it is most desirable should predominate”31. Representative institutions not only fail to improve uncivilized populations, but in fact exacerbate the pathological elements in their character; under the wrong circumstances, they detract from the higher ends of politics. Why, then, are the uncivilized incapable of benefiting from democratic institutions, which Mill otherwise regards as invaluable “schools of public spirit”?

31 Mill, Considerations, 211. Mill is unambiguous in his perfectionism; “[t]he goodness of a government”, he argues, is measured by “how far it promotes the good management of the affairs of society by means of the existing faculties, moral, intellectual, and active, of its various members, and what is its effect in improving or deteriorating those faculties.” Mill, Considerations, 208.
While *On Liberty* most famously articulates Mill’s view of the uncivilized as unable to profit from self-determination, *Considerations on Representative Government* provides a substantially clearer view of the substance of his argument. In the first few chapters, Mill addresses the conditions for democratic government, and more specifically, the failures of character endemic in “rude” states of society:

> A people may prefer a free government, but if, from indolence, or carelessness, or cowardice, or want of public spirit, they are unequal to the exertions necessary for preserving it; if they will not fight for it when it is directly attacked; if they can be deluded by the artifices used to cheat them out of it; if by momentary, or temporary panic, or a fit of enthusiasm for an individual, they can be induced to lay their liberties at the feet even of a great man, or trust him with powers which enable him to subvert their institutions; in all these cases they are more or less unfit for liberty… a people may be unwilling or unable to fulfil [*sic*] the duties which a particular government requires of them.\(^{32}\)

While Mill’s catalogue of their failures is expansive, the central problem he identifies lies in the *passivity* of uncivilized peoples, variously expressed in their indolence, lack of public spirit, cowardice, and so on. This indolence results from a lack of habituation to the demands of sociality and law; “a people in a state of savage independence, in which every one lives for himself”\(^{33}\) is unaccustomed to the burdens of political association, and so fails to fulfill the second of Mill’s three conditions: they will not do what it takes to sustain the polity. The natural egoism of savages, unbowed by social institutions, produces citizens unmotivated to engage in any greater social exertion than is required by a bare obeisance to the law. A citizenry that cares little about institutions of public law, that fails to stop crimes when they see them, that is unwilling to learn about political representatives, and that is generally uninterested in public life is simply unable to sustain a functional democratic polity. The deep problem at the heart of Mill’s criticisms is this

\(^{32}\) Ibid., 178.  
\(^{33}\) Ibid., 197.
habituated passivity, the lack of *affective* connection between citizens and institutions: it’s not that savages are unable to engage in the rational deliberations demanded by democratic politics (though, as we’ll see, they fail in this regard as well), but more fundamentally, that they have not learned to *care* about public life at all.

Democratic institutions require a democratic character, a public-mindedness absent in a people unaccustomed to seeing themselves in their political institutions; “representative institutions are of little value,” Mill argues, “when the generality of electors are not sufficiently interested in their own government to give their vote”\(^{34}\).

Without any particular desire to see its institutions preserved, an apathetic citizenry too easily slides from democracy into despotism. Without the public spirit, the commitment to the laws that citizens feel as their own, and the sense that a citizen “feel[s] himself one of the public, and whatever is for their benefit to be for his benefit”\(^{35}\), democracies are incapable of achieving their ends. Democratic societies, more than any other, take work; they depend upon an active life of public engagement motivated by feelings of belonging and connection to co-citizens and public institutions. The passive character of the uncivilized, conversely, “is favoured by the government of one or a few”\(^{36}\). “Inactivity, unaspiringness, absence of desire, are a more fatal hindrance to improvement than any misdirection of energy”, Mill asserts, and these are precisely the character traits “which retain in a savage or semi-savage state the great majority of the human race”\(^{37}\). Mill’s argument, then, is based in a *sociological* account of the affective grounds of democratic public and political life, rather than in a *philosophical* concern for, as Mehta understands

\(^{34}\) Ibid., 179.
\(^{35}\) Ibid., 217.
\(^{36}\) Ibid., 215.
\(^{37}\) Ibid.
it, a “civilizational classification that determines whether or not savages can, for example, be members of independent societies”\textsuperscript{38}.

Compounding these defects of passivity, Mill paradoxically argues that the uncivilized are \textit{also} incapable of restraining and controlling their passions; they are both too passive to shoulder the burdens of democratic citizenship and too impassioned to properly govern themselves. The uncivilized are doubly damned, caring too much for themselves, and not enough for the public good:

A rude people, though in some degree alive to the benefits of civilized society, may be unable to practice the forbearance it demands: their passions may be too violent, or their personal pride too exacting, to forego private conflict, and leave to the laws the avenging of their real or supposed wrongs.\textsuperscript{39}

The unruliness of savages’ passions is doubly problematic: as citizens, they are unable to place the law above their private interests, and as political actors, they are incapable of engaging in rational political debate. Rather than curbing these pathologies, Mill argues, representative institutions in fact foster and exacerbate them:

How can a representative assembly work for good if its members can be bought, or if their excitability and temperament, uncorrected by public discipline or private self-control, makes them incapable of calm deliberation, and they resort to manual violence on the floor of the House, or shoot at one another with rifles? How, again, can government, or any joint concern, be carried on in a tolerable manner by people so envious that, if one among them seems likely to succeed in anything, those who ought to cooperate with him form a tacit combination to make him fail?\textsuperscript{40}

Incapable of calm deliberation, violent, intemperate, envious and vindictive: these are not the \textit{natural} character traits of the uncivilized, but rather those that they \textit{develop} through exposure to democratic institutions. The problem lies not merely in affective failure, but more significantly, in institutional mismatch; the pathological domination of self-

\textsuperscript{38} Mehta, \textit{Liberalism}, 100.
\textsuperscript{39} Mill, \textit{Considerations}, 178.
\textsuperscript{40} Ibid., 192.
interested passions is *exacerbated* by representative institutions, deepening the egoism and misdirection of improperly acculturated actors. The uncivilized thus fail to fulfill either the conditions or aims of government under representative institutions; far from ameliorating their active, moral or intellectual faculties, democratic institutions in fact deepen their pathological impulses.

### 4.3.2 Failures of Affect II: Pathologies of Self-Interest, Moral and Institutional

These affective deficits are not only problematic in themselves, but also further entrench the problem of self-interest from which the uncivilized suffer. More than any other defect, self-interest inhibits the development of the associative and affective bonds sustaining democratic citizenship; this is particularly problematic for the savage, whose “social [sentiments] cannot even temporarily prevail over his selfish feelings, nor his impulses bend to his calculations”41. This is not only a matter of selfish *feeling*, but also of cognitive ability: Mill describes the uncivilized as unable to perceive long-term interests over short-term gains and as incapable of sacrificing any private advantage for the sake of a greater social good. The uncivilized thus suffer from both cognitive and affective failures troubling their capacity for self-government in a number of respects. Mill outlines both moral and practical problems associated with self-interest.

In his discussion of justice in *Utilitarianism*, Mill describes the moral faculty as depending upon the socialization, through education and acculturation, of given natural

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impulses. Justice, he argues, stems from a person’s natural desire to avenge wrongs perpetrated on them (the “natural” core of the moral sentiment), extended (through learning and socialization) by sympathetic association to those around them. Lacking the stable, long-term associative networks and sentiments created by civilized societies (Mill describes savages and barbarians as “wandering or thinly scattered over a vast tract of country”), the uncivilized fail to forge the bonds of empathetic extension that socialize, and so moralize, our otherwise self-centered instincts for punishment and advantage.

“Barbarians,” Mill asserts, “will not reciprocate. They cannot be depended on for observing any rules. Their minds are not capable of so great an effort, nor their will sufficiently under the influence of distant motives; as a result, “the savage cannot bear to sacrifice, for any purpose, the satisfaction of his individual will.” Unable to alienate their immediate self-interest, perceive the longer-term gains of cooperation, or pursue a broader a social good, the uncivilized are both cognitively and affectively indisposed towards the public spirit sustaining representative government. As Mill argues, “[w]hen the general disposition of the people is such that each individual regards those only of his interests which are selfish and does not dwell on, or concern himself for, his share of the general interest, in such a state of things good government is impossible.”

In a democratic context, this moral problem entails at least two practical-institutional challenges: self-interested citizens both fail to check the excesses of governments, and misuse the power of enfranchisement. As a keen sociologist, Mill

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42 Mill’s account of moral sentiments and his moral psychology more generally are treated in detail below, in section 4.4. I here simply address the problem of self-interest as a failure of socialization.
43 Mill, “Civilization”, 120.
46 Mill, Considerations, 193.
observes that the ongoing viability of democratic institutions depends upon the citizenry’s public-mindedness, on its willingness to both limit the excesses of representatives and select them on the right grounds. “If the agents”, Mill asserts, “or those who choose the agents, or those to whom the agents are responsible, or the lookers-on whose opinion ought to influence and check all these, are mere masses of ignorance, stupidity and baleful prejudice, every operation of government will go wrong”47.

Democracy is a uniquely character-dependent good which demands the active engagement of all citizens, and not just of elected representatives; a self-governing demos requires a democratic ethos. The failure to cultivate this public orientation leads to a second institutional failure: electing representatives from private rather than publicly-minded reasons. Recalling Rousseau’s critique of factionalism as a perversion of the general will, Mill argues that citizens who “do not bestow their suffrages on public grounds, but sell them for money, or vote at the beck of some one who has control over them, or whom for private reasons they desire to propitiate”48 fundamentally misuse democratic institutions, eroding the public good. Under the sway of self-interest, democratic institutions become conduits for social oppression; the very mechanisms intended to ameliorate a people’s moral, intellectual and active faculties lead to parochialism, factionalism and the tyranny of the majority. Without “the degree of interest in the general affairs of the State necessary to the formation of a public opinion, the electors will seldom make any use of the right of suffrage but to serve their private

47 Ibid., 193.
48 Ibid., 179.
interest, or the interest of their locality… in this state of public feeling… [they] for the most part use it solely as a means of seeking their fortune”\textsuperscript{49}.

While Mill most clearly identifies problems of self-interest with the uncivilized, these failures are not their unique province, but rather trace the defects and pathologies of variously imperfect democracies. Class-based rule, the election of panderers, the low intellectual standing of political representatives, the tendency to regard political office as a means to personal enrichment, antipathy towards unconventional ideas: these are not particularly “uncivilized” failures, but rather describe the kinds of problems bedeviling any improperly formed democracy. In fact, Mill most often observes these kinds of pathology in existing, entirely civilized – and yet improperly acculturated – democratic states. Kant described the best political institutions as enabling a race of devils to coexist, channeling our self-interest towards the social good; Mill’s democracy, conversely, is a character-dependent form of government. Bad citizens can’t be good democrats – but not only the uncivilized make bad democrats.

4.3.3 Democratic Deficits, Civilized and Uncivilized

Thus far, I have tried to draw out Mill’s deep concern with the affective, habituated and dispositional dimensions of political agency, particularly in relation to sustaining democratic states. From this perspective, we can better see his view of the good of democracy as less reflective of a “simple binary scale of civilized or backward”\textsuperscript{50}, as Mehta puts it, than of a sociological concern for the affective bases of democratic citizenship. The kinds of failure which Mill most clearly associates with the

\textsuperscript{49} Ibid., 219.
\textsuperscript{50} Mehta, Liberalism, 101.
uncivilized, however, is far from unique to them; his treatments of poor, laboring classes reveal identical concerns regarding their capacities to sustain democratic public life.

As in the case of the uncivilized, the defects of the poor are grounded in sociological phenomena, the result of contingent social and historical conditions. The uncivilized, Mill argues, develop through the advancement of military, economic, cultural and industrial organization; these comprise the various “operations [by which] mankind learn the value of combination”\(^{51}\), the cooperative institutions through which they learn to alienate self-interest and develop social orientations and dispositions. Similarly, Mill argues that “[t]he poor have come out of leading-strings, and cannot any longer be governed or treated like children… the virtues of independence are those which they stand in need of… The prospect of the future depends on the degree in which they can be made rational beings”\(^{52}\). This “rationalization” is no merely cognitive shift, but also entails three important *dispositional* changes in the poor: (1) a refusal to blindly submit to the “mere authority and *prestige* of superiors”, both political and religious; (2) a concomitant desire to govern themselves; and (3) a desire to see their interests reflected in law, accompanied by a willingness to submit to its authority\(^{53}\). As in the case of the uncivilized, Mill regards the poor classes’ advancement as consisting not only in an “increase of intelligence, of education, and of the love of independence among the working classes”, but also, in “a corresponding growth of the good sense which manifests itself in provident habits of conduct”\(^{54}\). In conjunction with an improved capacity to perceive long-term and collective interests, the rationalization of the poorer classes also

\(^{52}\) Mill, *Political Economy*, 763.  
\(^{53}\) Ibid., 763-4.  
\(^{54}\) Ibid., 765.
awakens their sense of social responsibility, empowering them to participate in collective action. Rather than simply developing a capacity for rational political deliberation, the poor learn to *feel* themselves as invested in a joint political life.

Yet, as with the uncivilized, “the too early attainment of political franchises by the least educated classes might retard, instead of promoting, their improvement”\(^{55}\). In *Considerations*, Mill examines the suffrage of the lower classes in depth, arguing for institutional restrictions on universal enfranchisement; barring a substantive improvement in the lower classes’ intelligence, “the benefits of completely universal suffrage cannot be obtained without bringing with them, as it appears to me, a chance of more than equivalent evils”\(^{56}\). This tension—between the value and dangers of inclusive democratic participation—perhaps best captures the deep schism between Mill’s egalitarianism and elitism\(^{57}\). The middle chapters of *Considerations* explore the institutional mechanisms that navigate this tension, mitigating the lower classes’ failures of character while also fostering their nascent public-mindedness. By advocating for weighted voting schemes (entitling more educated classes to exercise greater civic power) and for the disenfranchisement of welfare recipients and tax defaulters, Mill aims to inculcate a socialized disposition while limiting the deleterious effects of improperly oriented citizens. A democratic citizen

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\(^{55}\) Ibid., 764.

\(^{56}\) Mill, *Considerations*, 287.

\(^{57}\) Wendy Donner argues that, on the balance, Mill’s egalitarianism wins out over his elitism. She notes that the voting restrictions he advocates are a temporary measure, intended to mitigate the potentially deleterious influence of uneducated voters while simultaneously educating them through the exercise of civic responsibility; thus, no group is entirely or permanently excluded from enfranchisement. Peter Berkowitz similarly suggests that these institutional mechanisms aim to lessen the character-based pathologies of “unsocialized” citizens (such as voting for panderers, treating the franchise as a matter of private preference, etc.) while fostering the virtues learned by and through democratic participation. See Donner, *Mill*, and “Education and Democracy”; and Berkowitz, “Discipline of Individuality.”
is bound to give [his vote] according to his best and most conscientious opinion of the public good. Whoever has any other idea of it is unfit to have the suffrage; its effect on him is to pervert, not to elevate his mind... it awakens and nourishes in him the disposition to use a public function for his own interest, pleasure or caprice.58

As Mill argues in the case of the uncivilized, universal enfranchisement is not only detrimental to the public good, but also distorts the development of the poorer classes’ public-mindedness. Far from drawing a strict division between civilized and uncivilized societies, then, Mill’s concerns regarding the poorer classes mirror those pertaining to “backwards” peoples more generally: premature enfranchisement detracts from the development of a progressive character (a failure of agency), and produces factionalism and class-based rule (an institutional failure).

More generally, Mill regards many civilized societies as unfit for democratic rule; “civilization” is no guarantee of a people’s capacity for self-government. He describes France, for example, as characterized by “a superficial love of freedom, in the face of a practical habit of slavery”; citing Tocqueville, he suggests that “the question whether or not the French are to be a free people, depends… upon the possibility of creating a spirit and a habit of local self-government” 59. A great many civilized societies fail to cultivate this public spirit, upon which self-government depends; this clearly does not indicate a rational shortcoming, but rather reflects a lack of democratic habituation and enculturation, a problem pervading both civilized and uncivilized societies60. Even in the most civilized of states, Mill argues, a “democratic constitution, not supported by

58 Mill, Considerations, 299.
60 Georgios Varouxakis notes Mill’s distinction between civilized societies able to sustain representative government and those whose national character renders them ill-equipped for self-rule; see Varouxakis, Nationality, ch. 4.
democratic institutions in detail, but confined to the central government, not only is not political freedom, but often creates a spirit precisely the reverse”\(^{61}\). Civilization, then, stands as no guarantee of a people’s capacity for self-determination; representative governments require particular kinds of citizens oriented towards particular kinds of goods, the goods of public life. More than mere civilization, democracy requires a public spirit.

4.3.4 *Schools of Public Spirit and Democratic Character*

As we’ve seen, democracies are particularly dependent on their citizens’ commitment to the social good; the public spirit, Mill argues, is an essential condition for democratic politics. How, then, do we develop it?

As I argued in addressing the conditions of government, democratic institutions depend upon a broader network of social institutions forming public habits, dispositions and character. Through “the instruction obtained from newspapers and politics tracts”\(^{62}\), for example, citizens learn to recognize themselves as engaged in a joint social enterprise, rather than as mere subjects of political authority. This instruction belongs to what Mill describes as humanity’s education writ large; such social institutions as jury trials, public service, increasingly accessible educational institutions, and “industrial and philanthropic enterprises by voluntary associations”\(^{63}\) constitute invaluable schools of public spirit, drawing us away from our narrower parochial and self-interested concerns\(^{64}\). Public,

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\(^{62}\) Ibid., 763.


\(^{64}\) Mill in fact describes these social institutions as “parts of national education; as being, in truth, the peculiar training of a citizen, the practical part of the political education of a free people, taking them out of the narrow circle of personal and family selfishness, and accustoming them to the comprehension of joint interests, the management of joint concerns – habituating them to act from public or semi-public motives,
semi-public, private and civil society organizations educate us to our responsibilities as citizens beyond the mere strictures of the law, generating the affective networks connecting citizens to one another and to their public institutions. “The institutions for lectures and discussion, the collective deliberations on questions of common interest, the trade unions, the political agitation,” Mill argues, “all serve to awaken public spirit, to diffuse variety of ideas among the masses.” Progressive politics depend not merely on democratic governments, but on democratic regimes; democratic states are built upon an interconnected matrix of mutually supportive social institutions producing the public spirit, through which a citizen “learns to feel for and with his fellow-citizens, and becomes consciously a member of a great community.”

Of all of these institutions, Mill regards democratic political participation itself as the most important school of public spirit. It’s precisely by engaging in politics – particularly at the local, municipal level – that citizens “cultivat[e] habits of collective action.” Mill asserts that a “people among whom there is no habit of spontaneous action for a collective interest… have their faculties only half developed; their education is defective in one of its most important branches.” Political participation itself enculturates the predilection to seek the public good; far from merely enabling collective self-determination, democracies in fact cultivate the inclinations required to sustain a public life at all. Ever the keen sociologist, Mill clearly describes this public-mindedness and guide their conduct by aims which unite instead of isolating them from one another. Without these habits and powers, a free constitution can neither be worked nor preserved.” Mill, On Liberty, 105.

65 Mill, Political Economy, 763.
66 Mill, Considerations, 278-279.
67 Wendy Donner documents the importance that Mill attaches to citizens’ education through both formal (schools, universities) and informal (newspapers, unions, etc.) institutions, and particularly, through democratic political participation; see Donner, “Democracy and Education”.
68 Mill, Political Economy, 942.
69 Ibid., 943.
as resulting from the democratic habituation awakening us to the interests of increasingly distant others: “what really constitutes education is the formation of habits… it is only by practicing popular government on a limited scale, that the people will ever learn how to exercise it on a larger”\textsuperscript{70}. By participating in local government we develop a habit of incorporating the good of others in making social and political choices, a disposition drawing us to develop the social sentiments anchoring democratic politics. In a remarkable passage drawing together Mill’s central insight and concerns, he describes the moral part of the instruction afforded by the participation of the private citizen, if even rarely, in public functions. He is called upon, while so engaged, to weigh interests not his own; to be guided, in case of conflicting claims, by another rule than his private partialities; to apply at every turn, principles and maxims which have for their reason of existence the common good… Where this school of public spirit does not exist, scarcely any sense is entertained that private persons, in no eminent social situation, owe any duties to society… There is no unselfish sentiment of identification with the public… The man never thinks of any collective interest, of any objects to be pursued jointly with others, but only in competitions with them… Thus even private morality suffers, while public is actually extinct.\textsuperscript{71}

Without this “unselfish sentiment of identification” with others, without the habituated disposition expanding one’s circle of interest, without the public spirit connecting private and public goods, representative governments fail to achieve their ends. Democratic politics require agents that work on themselves, in Foucault’s words, citizens that develop the pleasures and orientations that sustain the public good. This goes beyond a mere show of public identification with others, or recognizing one’s self-interest as best served by social cooperation; democratic participation teaches us not only to care about others,


\textsuperscript{71} Mill, Considerations, 217.
but to become the kind of person that wants, as a matter of our own private good, to care for others.

4.3.5 The Contingency of Progress

Why exactly is Mill so deeply concerned with these schools of public spirit, with the affective dimensions of democratic character? I would like to suggest that this reflects his anxieties regarding the “too-often transitory nature of political freedom”\textsuperscript{72}, resulting from what we might describe as his sociological disenchantment. Mill’s “sociological turn”, his empiricist analyses of cultures, states of society and history, led him to reject the Enlightenment idealism pervading 18\textsuperscript{th} century conceptions of historical development. While James Mill held a deep conviction in humanity’s ineluctable rationalization, the younger Mill was too keen a sociologist to retain this idealist’s faith in the inevitability of a given course of human progress. Without abandoning hope in our collective capacity to improve ourselves, Mill translated the Enlightenment’s deterministic, teleological view of human development into contingent, sociological analyses.

Mill’s Romanticism also informed his criticisms of Enlightenment philosophers’ tendencies to universalize their own parochial experiences\textsuperscript{73}; rather than treating cultural differences as irrational remainders destined to fade with the advance of reason, he clearly regarded them as influencing the kinds of political institutions best suited to any given people. Ironically, Mill’s rejection of Enlightenment rationalism and his sensitivity to cultural difference exhibit precisely those Burkean inclinations which Mehta lauds; his

\textsuperscript{72} Mill, \textit{On Liberty}, 105.
\textsuperscript{73} I treat Mill’s critique of Enlightenment philosophy in detail in Chapter 5.
sociological view of human development is, in fact, keenly attuned to both progressive and regressive dimensions of all societies. As Don Habibi and John Robson note, Mill recognized the great contingency of progress\textsuperscript{74}; if societies were to advance, they would require the concerted direction of social, political, industrial and cultural reformers. Condorcet optimistically projected that humanity’s “progress will doubtless vary in speed, but it will never be reversed”\textsuperscript{75}, suggesting the inevitability of “the progress reserved for future generations, which the constancy of the laws of nature seems to assure them”\textsuperscript{76}. Mill was considerably more skeptical of nature’s laws as guarantees of human progress; lacking Condorcet’s faith in our inevitable rationalization, he was in fact deeply concerned with the possibility of civilizational regress. Civilizations can and do fail, as Mill’s infamous assessment of China’s stagnation attests to. Progressive societies are highly conditional, fragile, and contextually-dependent entities; social imbalances and political failures are entirely capable of plunging a people into the darkness of barbarism. Mill takes this threat seriously; “[i]t is not in China only”, he warns, “that a homogenous community is naturally a stationary community… It would be an error to suppose that such could not possibly be our fate”\textsuperscript{77}.

Mill’s turn to the social sciences addresses this fear of regress: social progress is a matter of complex sociological evaluation, and not the foregone conclusion that teleological histories projected onto an ever more rational horizon. Bereft of the


\textsuperscript{76} Ibid., 9.

\textsuperscript{77} Mill, “Tocqueville (II)”, 197.
Enlightenment faith in human progress, Mill turned to the social sciences as the tools with which to create the conditions for progressive advancement, to ward off the very real possibility of civilizational regress. The central task of the social sciences was, in Mill’s view, “to surround any given society with the greatest possible number of circumstances of which the tendencies are beneficial”\(^78\), to foster the progressive elements in differently situated societies. Ultimately, this stands at the root his deep concern with the affective, character-based foundations of social and political progress. Mill’s attention to character (both individual and collective), to the social circumstances surrounding it, and to the political institutions most capable of harnessing its resources corresponds precisely to the spheres of inquiry of ethology, sociology and political science. The social sciences attend to Mill’s central concerns: avoiding civilizational regress and advancing our permanent interests as progressive beings. As Terrence Ball and Georgios Varouxakis note, the formation of character is thus the cornerstone of Mill’s thought, the foundation of his sociological and political inquiries\(^79\).

We’ve now examined the importance of democratic character for Mill, and the failures of character that inhibit the uncivilized, the poor and even certain civilized states from benefiting from democratic government. We now turn to more carefully examine the formation of advanced, civilized and ultimately progressive citizens.

### 4.4 Moral Psychology and the Formation of Progressive Character

#### 4.4.1 A Fettered Liberty: Coercions Beneath the Law

\(^78\) Mill, System, 898.

As I’ve argued, Mill is often understood as advocating for the unfettered freedom of sufficiently advanced, civilized societies; *On Liberty* tends to be read as a defense of minimally intrusive government, preserving a sphere of individual negative liberties. Yet, this appears incompatible with the democratic government described above: highly interventionist, centered on the formation of virtuous agents, and enmeshed within a supportive network of public and private social institutions. If civilized subjects are the best judges of their own good, if they’re entitled to pursue the lives and choices to which they’re drawn, how can Mill defend the state’s right – in fact, its obligation – to cultivate a virtuous citizenry?

The answer to this puzzle lies in the fact that Mill’s defense of liberty does not in fact advocate unrestricted freedom for developed peoples, but rather constrains the kinds of formation and coercion to which they can be legitimately subjected. The principle of liberty is frequently misread as an end in itself, rather than as a limitation on the *kinds* of formation justifiably imposable on civilized citizens; it distinguishes the mechanisms of enculturation from which more and less advanced peoples stand to benefit. In the case of uncivilized peoples, Mill is unambiguous: “[d]espotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement”. Given their defects, the uncivilized are best led towards their improvement through forceful compulsion. Yet the liberty principle, governing the freedoms of the civilized, is substantially subtler than is often recognized:

Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion… But as soon as mankind have attained the capacity of being guided to their own improvement by conviction or persuasion (a period long since reached in all nations with whom we need here concern ourselves), compulsion,

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either in the direct form or in that of pains and penalties for non-compliance, is no longer admissible as a means to their own good.\textsuperscript{81}

Far from arguing for unfettered liberty, Mill rather distinguishes the \textit{types} of coercion that are both ineffective and unjustified from those that contribute to the improvement of sufficiently advanced peoples. The civilized are amenable to formation by rational discussion, deliberation and persuasion, rather than by the compulsion of law. Yet, they still need to be guided to their progressive improvement; liberty remains subsidiary to the higher ends of progress. Both civilized and uncivilized peoples need to be directed towards progressive ends; but where the latter are best led through direct compulsion, the former develop public-mindedness, sociality and democratic sensibilities precisely by learning to exercise their freedoms in the right ways, internalizing the virtues inculcated by social and political “schools of public spirit”. The civilized, in other words, are subjected to \textit{indirect} compulsion, to what Mill understands as moral, rather than legal, forms of coercion.

Ironically, this is made most evident in \textit{On Liberty} itself, in which Mill both condemns \textit{and} encourages the use sub-legal mechanisms of coercion and persuasion to steer free, civilized agents towards their ends as progressive beings. While critics frequently point to Mill’s view of civilized and uncivilized peoples as exhibiting the deep tension between principles of liberty and progress, this contradiction is in fact most intractable in his treatment of civilized socialization. As is well known, \textit{On Liberty} undoubtedly comprises one of the liberal tradition’s most incisive criticisms of \textit{custom}, as a form of social domination and tyranny beyond the ambit of the law. Mill is arguably more concerned with custom’s subterranean influence than with the coercive powers of

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\textsuperscript{81} Ibid. My italics.
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law; far from being the exclusive purview of the state, he recognizes that domination inheres in “the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct”⁸². The coercive force of public opinion, he maintains, is among the most pernicious and insidious dangers of the modern social condition.

And yet, Mill also advocates for a complex panoply of sub-legal social coercions shaping citizens’ preferences, habits and behaviours in ways amenable to democratic sociality. He regards “moral reprobation”, “moral disapprobation”, “reproach”, “advice, instruction, persuasion, and avoidance by other people”, “distaste” and “contempt”⁸³ as legitimate means for constraining “not only these [unsocial] acts, but the dispositions which lead to them”⁸⁴. In conjunction with moral acclamation (admiration and high social standing), such moral sanctions comprise invaluable tools for shaping the social orientation of progressive citizens; and yet, they are also the forces against which he warns in addressing the dangers of custom. While the harm principle aims to delineate the boundaries of coercion to which advanced, civilized peoples can rightfully be subjected, its very coherence is undermined by Mill’s admission that legal instruments are far less effective in shaping peoples’ opinions and behaviour than are these forms of moral sanction; through social stigma, “a person may suffer very severe penalties at the hands of others for faults which directly concern only himself”⁸⁵. If On Liberty persuasively demonstrates that social pressures can be as coercive as legal constraints, then the harm principle – the guarantee of the liberties to which the civilized are entitled

⁸² Ibid, 8.
⁸³ Ibid, 74-78.
⁸⁴ Ibid, 75.
⁸⁵ Ibid, 74-75.
– appears unable to redress what Mill regards as deeply problematic forms of coercion. These are, perhaps not coincidentally, precisely the pressures he appeals to in shaping the dispositions and orientations of civilized subjects.

In addition to this, the harm principle is incapable of effectively distinguishing between forms of coercion in which the state is or is not entitled to interfere. Mill acknowledges the tenuousness of the line separating self- and other-regarding actions, conceding that “the distinction here pointed out between the part of a person’s life which concerns only himself and that which concerns others, many people will refuse to admit”86. On Liberty’s final chapter explores the fluidity of moral and legal forms of coercion; Mill’s unconvincing attempts to match “undesirable” behaviours with appropriate forms of censure attest to the instability of the harm principle. Trade, for example, is both a self-regarding and a social act, as selling goods “affects the interests of other persons”87; drunkenness, the sale of poisons, and idleness are ambiguous cases; gambling-houses and prostitution “lie on the exact boundary line between two principles, and it is not at once apparent to which of the two it properly belongs”88.

The point is this: the harm principle’s distinction between self- and other-regarding acts, between objects of moral and legal censure, is as tenuous as it is malleable. The liberties to which the civilized are entitled, then, do not preserve untrammeled spheres of non-interference, but rather constrain the exercise of one particular form of coercion: the coercion of law. What’s more, Mill’s analysis of customary oppression suggests that social pressures are, in fact, often more pervasive than those of the law. So while civilized peoples are not subject to the direct coercion of

86 Ibid, 77.
87 Ibid, 91.
88 Ibid, 95.
political power – as are the uncivilized – this by no means suggests that they should not be subject to coercion at all; it is precisely through these sub-legal mechanisms – social stigma, disapprobation, and moral censure and acclamation – that they develop the social orientation and dispositions sustaining progressive, democratic politics.

4.4.2 Utility, Virtue and Character

What, then, are these progressive, democratically-oriented citizens like? Much like Kant’s account of our imperfect duties, Mill’s utilitarianism fleshes out a fuller picture of moral agency and of the social bases of individual virtue. Progressive agents, Mill tells us, carefully balance tranquility and excitements; they “cultivate a fellow-feeling with the collective interests of mankind”; they foster interests in “the objects of nature, the achievements of art, the imaginations of poetry, the incidents of history, the ways of mankind, past and present, and their prospects in the future”; they maintain “genuine private affections, and a sincere interest in the public good”; they pursue “good physical and moral education, and proper control of noxious influences”; they avoid the “gross imprudence of ill-regulated desires, or of bad or imperfect social institutions”.

This “moral character” is further elaborated in Mill’s account of behaviours subject to moral censure; we are warranted, he argues, in shaming and stigmatizing a person

who shows rashness, obstinacy, self-conceit – who cannot live within moderate means – who cannot restrain himself from hurtful indulgences – who pursues animal pleasures at the expense of those of feeling and intellect…

Cruelty of disposition; malice and ill-nature; that most anti-social and odious of all passions, envy; dissimulation and insincerity, irascibility on insufficient cause, and resentment disproportioned to the provocation; the love of domineering over others; the desire to engross more than one’s share of advantages… the pride which derives gratification from the abasement of

89 Mill, Utilitarianism, 124-126.
others… these are all moral vices, and constitute a bad and odious moral character.  

While states are not warranted in redressing such private vices, Mill’s list of morally censurable behaviours, attitudes and dispositions is expansive. Like Kant’s imperfect duties, Mill’s prescriptions and prohibitions are neither exhaustive nor categorically binding, but rather sketch out the proclivities and orientations of progressive agents; they fill out a picture of the kinds of socialized citizens that both sustain and are cultivated by progressive government. And while On Liberty draws a strong – if unconvincing – line between political and moral spheres of coercion, Considerations and Utilitarianism consistently identify the task of political institutions as developing citizens’ moral and intellectual virtues. The already tenuous boundary distinguishing ethics and politics dissolves entirely in Utilitarianism:

As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator… As the means of making the nearest approach to this ideal, utility would enjoin, first, that laws and social arrangements should place the happiness, or (as speaking practically it may be called) the interest, of every individual, as nearly as possible in harmony with the interest of the whole; and secondly, that education and opinion, which have so vast a power over human character, should so use that power as to establish in the mind of every individual an indissoluble association between his own happiness and the good of the whole; especially between his own happiness and the practice of such modes of conduct, negative and positive, as regard for the universal happiness prescribes; so that not only he may be unable to conceive the possibility of happiness to himself, consistently with conduct opposed to the general good, but also that a direct impulse to promote the general good may be in every individual one of the habitual motives of action, and the sentiments connected therewith may fill a large and prominent place in every human being’s sentient existence.  

As this remarkable passage demonstrates, utilitarianism is a far-reaching and comprehensive moral project; far from regarding all “advanced” societies as equally

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90 Mill, On Liberty, 75.
91 Mill, Utilitarianism, 128. My italics.
valuable, Mill’s utilitarianism enjoins us to pursue a very particular set of social, moral, individual, pedagogical and political ideals. Free peoples are not of necessity virtuous peoples; freedom is a tenuous, fragile achievement whose goodness is contingent on an enculturated sociality. “If we wish men to practice virtue”, Mill maintains, “it is worthwhile trying to make them love virtue and feel it an object in itself… It is worth training them to feel, not only actual wrong or actual meanness, but the absence of noble aims and endeavours, as not merely blameable but also degrading” 92. Mill’s moral vision is entrancing in its grandeur; recalling the task which Rousseau sets for his legislator, utility aims at nothing less than the transformation of our habits, affects, pleasures and desires, such that we internalize the virtues translating freedom into a positive social good. We now turn to Mill’s associationist moral psychology to examine exactly this: how moral agents come to feel the right ways and want the right pleasures.

4.4.3 Better to be Socrates Dissatisfied: Associationism and Complex Pleasures

Mill elaborates his associationist psychology in Chapter 4 (“Of the Laws of Mind”) of the System of Logic’s sixth book, addressing the laws of ethology. Starting from the premise that “[a]ll states of mind are immediately caused either by other states of mind, or by states of body” 93, he diverges from Comte, who attributes all mental states to originary physiological phenomenon (given the impossibility of determining the non-existence of originary mental states independent of physiological causes, Mill resists the reduction of psychology to physiology). Psychology, he contends, concerns “the

93 Mill, System, 849
uniformities of succession, the laws, whether ultimate or derivative, according to which one mental state succeeds another. Any state of consciousness that has been produced in us – by either mental or physical causes – is capable of being reproduced by the mind alone; human beings are endowed with a capacity to re-create ideas, or “secondary mental states”, in the absence of those states’ original causes. Importantly,

[These ideas, or secondary mental states, are excited by our impressions, or by other ideas, according to certain laws which are called Laws of Association. Of these laws the first is, that similar ideas tend to excite one another. The second is, that when two impressions have been frequently experienced (or even thought of) either simultaneously or in immediate succession, then whenever one of these impressions, or the idea of it, recurs, it tends to excite the idea of the other. The third law is, that greater intensity in either or both of the impressions, is equivalent, in rendering them excitable by one another, to a greater frequency of conjunction.]

Simple pleasures or pains, originating from basic sensory or mental phenomena, become linked through consistent association with one another. These aggregated mental phenomena bear resemblances to similar mental states, and so develop more complex associations with them. These in turn might recall pleasures/pains emanating from different sources, drawing together initially separate experiences or states of consciousness; and so on and so forth. Our associations are a product of what and how we learn: states of mind that share similarities, that are experienced together frequently, or that exert a deep influence over us become sedimented, over time, in our habits, predilections and preferences. Through these associative channels, we develop the complex pleasures and pains, and affections and aversions, of a human life. These associative connections – whose impacts affect us by intensity, frequency and proximity – habituate us to regarding actions, objects and experiences as desirable or unpleasant.

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94 Ibid., 852.
95 Ibid.
These simple laws ground our capacity to develop higher-order, more complex ideas and pleasures; but, importantly, these are not comprised of the mere *accumulation* of simpler pleasures. While higher-order ideas and pleasures emerge from basic associative processes, Mill asserts that “the Complex Idea, formed by the blending together of several simpler ones, should… be said to *result from*, or *be generated by*, the simple ideas, not to consist of them”\(^96\). Complex ideas spring from simpler ones, but are not simple aggregates of more elementary states of consciousness; they generate entirely independent mental states unmoored from their originary phenomena. Complex ideas generate their own *distinct* pleasures that are not reducible to the accumulated pleasures of their simpler constituent elements\(^97\). Mill describes the development of such higher-order states of consciousness as “mental chemistry: in which it is proper to say that the simple ideas generate, rather than that they compose, the complex ones”\(^98\). This distinguishes Mill’s and Bentham’s utilitarianisms\(^99\): while Bentham’s utilitarian calculus assesses *quantities* of pleasure/pain, Mill’s higher-order pleasures are of a different *kind* than simpler ones. Mill’s utilitarianism incorporates both quantitative and qualitative modes of evaluation, distinguishing between different kinds of pleasures whose goods are ultimately incommensurable. This generates the indexical separation of higher and lower pleasures: if higher pleasures are qualitatively distinct from lower ones, no quantity of the latter can outweigh the good of the former\(^100\). “Some *kinds* of pleasure”, Mill argues,

\(^{96}\) Ibid., 854.
\(^{97}\) For a detailed examination of the relationship between simpler and more complex cognitive states in Mill’s moral psychology, see Fred Wilson, “Psychology and the moral sciences”, in *The Cambridge Companion to Mill* (New York: Cambridge University Press, 1998), 217.
“are more desirable and more valuable than others”\textsuperscript{101}; otherwise put, “[i]t is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied”\textsuperscript{102}.

In distinguishing between higher and lower pleasures, Mill makes both descriptive and normative claims\textsuperscript{103}. In the same vein as Rawls’ Aristotelian principle, he argues that, given the choice of an infinite supply of lower pleasures weighed against a life of higher pleasures (and higher pains), human beings that have experienced both will prefer the latter. But utility also \textit{enjoins} us to prefer higher pleasures: we have to develop the right \textit{kinds} of pleasures if happiness is to serve as the measure of the social good\textsuperscript{104}. We’re not born wanting higher pleasures, but are rather bound to develop both a desire for them and the evaluative capacity to distinguish between higher and lower pleasures\textsuperscript{105}. Given the slippage between descriptive and normative claims, Mill’s moral psychology needs to bridge the \textit{evaluation} of pleasures with our \textit{desire} for them, to show that “those who are equally acquainted with, and equally capable of appreciating and enjoying, both, do give a most marked preference to the manner of existence which

\textsuperscript{101} Mill, \textit{Utilitarianism}, 119. Mill’s italics.
\textsuperscript{102} Ibid., 121.
\textsuperscript{103} The slippage between the descriptive and normative dimensions of Mill’s account of the higher pleasures is treated in detail below, in section 4.4.5.
\textsuperscript{104} John Gibbins draws attention to the normativity in Mill’s conception of happiness: happiness is not merely a state of desire-satisfaction, but rather points to the pleasures that advanced, progressive agents \textit{ought} to seek. See Gibbins, “Liberalism and Progress”.
\textsuperscript{105} Mill’s account of the competent agent who distinguishes between higher and lower pleasures suffers from a well-documented circularity: the agent whose evaluation determines whether higher pleasures are superior to lower ones is designated as “competent” precisely because (s)he prefers the higher pleasures. The competent agent is competent \textit{because} (s)he prefers the higher pleasures; it thus comes as little surprise that (s)he also endorses the higher pleasures as superior. Mill’s shift between normative and descriptive judgments is also problematic: while the test of pleasures is descriptive (experienced persons prefer it), the valuation of the higher pleasures as more conducive to utility is normative; it reflects Mill’s opinion. For a clear account of both of these problems, see John Robson, \textit{The Improvement of Mankind: The Social and Political Thought of John Stuart Mill} (London: Routledge and Kegan Paul, 1968), 156-159.
employs their higher faculties.” 

We are bound to develop what Wendy Donner describes as the standpoint of the “competent agent” – properly formed, socially-oriented and self-developing – if Mill’s qualitative hedonism is to ground a social ethics. How, then, do we cultivate this character that prefers the higher over the lower pleasures?

4.4.4 Habit and the Cultivation of Utilitarian Character

As we’ve seen, Mill understands the frequency, proximity and intensity of associative connections to cement otherwise singular states of mind into complex preferences and aversions; habituation is thus essential for cultivating moral character. While repetition clearly contributes to forming the indelible associations at the heart of moral character, Mill’s account of habituation is not reducible to it; habits introduce a change in the structure of our wills and desires:

As we proceed in the formation of habits, and become accustomed to will a particular act or a particular course of conduct because it is pleasurable, we at last continue to will it without any reference to its being pleasurable. Although, from some change in us or in our circumstances, we have ceased to find any pleasure in the action, or perhaps to anticipate any pleasure as the consequence of it, we still continue to desire the action, and consequently to do it.

This accounts for both good and bad habits; actions initially stemming from our preferences/aversions become engrained, by the force of repetition, in the habitus of our actions, to the point where the pleasures or displeasures themselves no longer exert motivational force. Habits consist of the inertia of our pleasures, explaining why we act in certain ways without any direct reference to pleasure. Habits expand the scope of our

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106 Mill, Utilitarianism, 120.
107 Donner, The Liberal Self and “Democracy and Education”; Donner and Fumerton, Mill.
108 Mill, System, 842.
motivations beyond the unmediated influence of pleasure/pain; they account for the more distant or abstract incentives to action characteristic of moral agents.

We are thus not only driven by immediate, or even more complex, pleasures and pains, but also by engrained habits which Mill describes as purposes: “A habit of willing is commonly called a purpose; and among the causes of our volitions, and of the actions which flow from them, must be reckoned not only likings and aversions, but also purposes”109. Habituated purposes generate the stability of moral character, comprising more predictable and dependable grounds for moral action than volatile impulses of pleasure and pain. While these “habits of willing” develop from pleasures initially desired in and for themselves, Mill argues that a properly moral character fosters the right purposes, acting from habit rather than from desire. “It is only when our purposes have become independent of the feelings of pain or pleasure from which they originally took their rise,” Mill argues, “that we are said to have confirmed character… the will, once so fashioned, may be steady and constant, when the passive susceptibilities of pleasure and pain are greatly weakened, or materially changed”110.

This account of moral character – connecting will, desire and habit – is illustrated in Mill’s explanation, in Utilitarianism, of how we come to internalize the higher pleasures of social virtue. Virtue, Mill asserts, requires the transposition of our incentives to moral action from the province of desire to the dominion of habit; the acquisition of moral character transforms the structure of our volitions. While moral inclinations towards justice and equality clearly originate from a pleasure-based desire for the results of social virtue (I feel good when I perform a just act), a moral character lies in the

109 Ibid., 842.
110 Ibid., 842-3.
habituated internalization of the virtues themselves, such that they become inseparable from one’s own conception of the good (to be unjust would strike against who I am). The very possibility of moral character turns on this “confirmed will to be virtuous”, on the incorporation of social virtues into our habits of conduct:

How can the will to be virtuous, where it does not exist in sufficient force, be implanted or awakened? Only by making the person desire virtue – by making him think of it in a pleasurable light, or of its absence in a painful one. It is by associating the doing right with pleasure, or the doing wrong with pain… that it is possible to call forth that will to be virtuous, which, when confirmed, acts without any thought of either pleasure or pain. Will is the child of desire, and passes out of the dominion of its parent only to come under that of habit. That which is the result of habit affords no presumption of being intrinsically good; and there would be no reason for wishing that the purpose of virtue should become independent of pleasure and pain, were it not that the influence of the pleasurable and painful associations which prompt to virtue is not sufficiently to be depended on for unerring constancy of action until it has acquired the support of habit… the will to do right ought to be cultivated into this habitual independence.\textsuperscript{111}

To have a moral character is to act virtuously as a matter of course, in the absence of immediate incentives of pleasure and pain. Habits are the bedrock of moral character, transforming moral sentiments and desires into confirmed purposes of will; these are precisely the dispositions and orientations towards virtue – the moral purposes, in Mill’s words – inculcated by progressive social and political institutions. In order to complete our investigation of Mill’s moral psychology, we turn to examine these moral sentiments and their intimate connection to social life.

4.4.5 Moral Sentiment and the Coherence of Utility

Mill’s conception of moral sentiment lies between naturalistic and conventionalist accounts of morality, consisting of both natural impulses and their socialization. While moral sentiments stem from natural inclinations, their moral value is only realized

\textsuperscript{111} Mill, Utilitarianism, 149-150.
through their direction towards social ends. “The moral feelings”, Mill argues, “are not innate, but acquired, [but] they are not for that reason the less natural… the moral faculty, if not a part of our nature, is a natural outgrowth from it… susceptible of being brought by cultivation to a high degree of development”\textsuperscript{112}. This naturalistic core lies in “the social feelings of mankind; the desire to be in unity with our fellow-creatures”\textsuperscript{113}. While natural to us, this social impulse is also subject to development; Mill understands the advance of civilization as charting the progressive improvement of our implicit capacities for sociality and cooperation. In his (somewhat idealized) view, all of the broad measures of social progress – rising national wealth, increasingly widespread education, heightening levels of literacy, the betterment of the working classes – reduce the economic, social and intellectual inequalities that inhibit human beings from regarding one another as equals, enabling us to better realize these innate “social feelings of mankind”. Social and political improvements strengthen the influence of this “powerful natural sentiment”\textsuperscript{114} by “giv[ing] to each individual a stronger personal interest in practically consulting the welfare of others; it also leads him to identify his feelings more and more with their good”\textsuperscript{115}.

Yet, the inherency of our natural impulse towards sociality in no way guarantees its realization; misdirected social and political institutions are every bit as capable of extinguishing or distorting it as progressive societies are able to foster it. Recall Mill’s historical fallibilism: far from assuring the realization of our natural sociality, history is littered with the memory of failed, regressive or stagnant societies. As John Robson

\begin{itemize}
\item \textsuperscript{112} Ibid., 140.
\item \textsuperscript{113} Ibid., 141.
\item \textsuperscript{114} Ibid.
\item \textsuperscript{115} Ibid., 142. Mill’s italics.
\end{itemize}
observes, Mill regards human beings as naturally subject to both selfish and sympathetic impulses; the task of social and political institutions is to “stimulat[e] the propensity to sympathy which, although weaker than self-love, is still natural and hence available for reform”\(^\text{116}\). This “propensity to sympathy” is the root of our innate sociality, the natural core of our desire to be in unity with others; and yet, our predilection for acting on sympathetic inclinations is entirely subject to socialization and acculturation. At its most basic, then, morality consists in the socially-inculcated habit of elevating sympathetic impulses over selfish ones; sympathy, for Mill, grounds all moral sentiment.

Sympathetic bonds moralize our natural inclinations for self-preservation and self-preference by extending them to a broader social whole. Take, for example, Mill’s account of justice. Justice arises from “two sentiments, both in the highest degree natural, and which either are or resemble instincts; the impulse of self-defence, and the feeling of sympathy”\(^\text{117}\). Justice is rooted in the natural desire to exact vengeance on those who have harmed us, or those whom we love. Yet the instinct for retribution is not, in itself, moral; justice is not reducible to vengeance. Justice consists in the retributive desire for vengeance extended by sympathetic identification to all of the members of a given social sphere, in wanting to rectify not only wrongs to oneself, but those inflicted on a larger social whole\(^\text{118}\). The morality in justice lies in its sympathetic socialization, rather than in the natural desire for punition.

\(^\text{116}\) Robson, *Improvement of Mankind*, 134. Wendy Donner similarly notes the importance of education for Mill’s ethics: the cultivation of sympathy is entirely learned. See Donner, “Democracy and Education”.

\(^\text{117}\) Mill, *Utilitarianism*, 159.

\(^\text{118}\) While the expanded “sphere of consideration” that justice enjoins ideally extends to all of mankind, the moralization that Mill addresses in *Utilitarianism* aims at the more circumscribed “social whole” encompassed in the state.
Sympathy enables the disinterested care for distant others, the genuine concern for an abstracted social whole that is the natural end of our inborn sociality. Our capacity for sympathetic extension makes possible the higher-order, more complex forms of care presumed by morality; “the power of sympathizing”, Mill maintains, “enables [man] to attach himself to the collective idea of his tribe, his country, or mankind”. And yet, this “power of sympathizing” is wholly contingent on the formative powers of socialization; the moralization of our natural impulses inheres in their “exclusive subordination… to the social sympathies, so as to wait on and obey their call.” And so we return to Mill’s account of moral habit and engrained purposes: progressive social and political institutions cultivate a sympathetic habit, drawing the identification between one’s own good and the social good beyond the domain of pleasures and desires, into the sphere of purposes. While “the foundation of the moral feeling is the adoption of the pleasures and pains of others as our own”, a properly moral character incorporates this sympathetic affinity into one’s “confirmed purposes of will”. Progressive schools of public spirit – democratic participation, newspapers, unions, public service, public education – don’t just teach us to like virtue (though they do that too), leaving social virtue to the vagaries of pleasures and preferences; they inculcate a habit of sympathy, such that one’s good is inseparable from the social good.

119 As Mill asserts in the notes to his father’s Analysis of the Phenomena of the Human Mind, “The mere idea of a pain or pleasure, by whomsoever felt, is intrinsically painful or pleasurable, and when raised in the mind with intensity is capable of becoming a stimulus to action, independent, not merely of expected consequences to ourselves, but of any reference whatever to Self; so that care for others is, in an admissible sense, as much an ultimate fact of our nature, as care for ourselves; though one which greatly needs strengthening by the concurrent force of the manifold associations insisted on.” J. S. Mill, in James Mill, Analysis of the Phenomena of the Human Mind, Vol. 2 (London: Longmans, Green, Reader, and Dyer, 1878), 309.
120 Mill, Utilitarianism, 160.
121 Ibid.
These foundations in moral psychology are critical for sustaining the moral
coherece of Mill’s utilitarianism. As is well known, Mill’s account of utility suffers
from certain argumentative failures, the most notable of which is generally described as
the fallacy of composition\textsuperscript{123}. Arguing that “happiness is desirable, and the only thing
desirable, as an end”, Mill goes on to claim that “each person’s happiness is a good to
that person, and the general happiness, therefore, a good to the aggregate of all
persons”\textsuperscript{124}. This is clearly problematic: the desirability and pleasure of one’s own
happiness in no way implies a desire for the aggregated happiness which utility enjoins us
to pursue. There is a slippage between the justification of the happiness principle (a
descriptive claim: happiness is desirable to me, an end I naturally seek) and its
generalization (a normative claim: given that we all desire happiness, we ought to seek
the happiness of all). Without the socialization of the happiness principle, utilitarianism
amounts to little more than selfish hedonism\textsuperscript{125}. Mill contends that “[n]o reason can be
given why the general happiness is desirable, except that each person, so far as he
believes it to be attainable, desires his own happiness”\textsuperscript{126}; but there remains a gap
between the desirability of the general happiness and the fact of each person’s desiring
their own happiness. While the descriptive claim alone (people derive pleasure from

\textsuperscript{123} See Robson, \textit{Improvement of Mankind}, 155-159; and Robert Scott Stewart, “Art for Argument’s Sake:
Saving John Stuart Mill from the Fallacy of Composition”, \textit{The Journal of Value Inquiry}, Vol. 27, n.3/4,
1993, 443-453.
\textsuperscript{124} Mill, \textit{Utilitarianism}, 144-5.
\textsuperscript{125} One response to this problem might be to appeal to Mill’s argument that utility does not compel us to
calculate the greater good in all of our actions. However, this addresses a \textit{practical} concern, not a
\textit{normative} one: it would be inconceivable to calculate benefits or losses to the general happiness whenever
we engage in other-regarding action. The principle of utility ought rather to be regarded as an \textit{ultimate}
destination [which does not] forbid the use of landmarks and direction-posts on the way” (Mill,
\textit{Utilitarianism}, 134). The ethical principle remains, and this \textit{does} require an account of the connection
between my own happiness and others’ if I’m to care about the good of others at all. My own happiness
exerts little force in motivating me to treat others well unless I can see why others’ happiness is a part of
my own.
\textsuperscript{126} Mill, \textit{Utilitarianism}, 144.
their own happiness) is not in itself moral, the normative claim (we ought to want other peoples’ happiness) lacks motivational grounds.

Mill’s associationist moral psychology responds to the problem: through association and habituation, we learn not only to desire other people’s happiness, but to internalize their good such that our own happiness remains incomplete without it. Mill’s account of the development of social virtues redresses the motivational gap between hedonistic desire and utilitarian ends. Social virtues, Mill argues, are initially means to a private good; they cultivate the dispositions and behaviours enabling the social stability required to pursue our private ends. Politeness, sociality, cooperation, care for others: these are the sometimes onerous burdens which secure the social harmony from which we all privately benefit. Over time and through their repeated association with the social advantages they produce, we learn to value these virtues as goods in themselves, to think of them as important elements in our own private conception of the good. We also become accustomed to considering the good of others; we come to integrate the public interest (and not just the virtues conducive to it) into our own. Mill describes this transformation:

Virtue, according to the utilitarian doctrine, is not naturally and originally part of the end, but is capable of becoming so; and in those who love it disinterestedly it has become so, and is desired and cherished, not as a means to happiness, but as a part of their happiness… What was once desired as an instrument for the attainment of happiness, has come to be desired for its own sake. In being desired for its own sake it is, however, desired as part of happiness… There was no original desire of it, or motive to it, save its conduciveness to pleasure, and especially to protection from pain. But through the association thus formed, it may be felt a good in itself.127

Through their exercise, the social virtues become a constituent element of our happiness. I come to act virtuously not from a desire for the advantages or pleasures of moral action,

127 Ibid., 146-7.
but because I come to see myself as a just and socially-conscientious person; to be unjust would make me unhappy.

This desire to seek the good of others and the pleasure derived from it comprise Mill’s higher desires and pleasures. Recall that complex mental states originate from simpler ones, but are qualitatively distinct from them. Simpler pleasures – the private benefits initially motivating socially virtuous behaviour – generate, but do not compose, the higher, more complex pleasures of properly virtuous action. The higher pleasures transform our conception of happiness; the brute pleasures associated with immediate, self-satisfying gratification lose their traction as we develop an affinity for the higher pleasures derived from the exercise of social virtues. Through progressive socialization, our more distant, complex and abstract pleasures and desires become integral to our happiness, superseding their originary constituent parts. My desire for social justice, for example, comes to exert greater motivational force over my actions than does my inclination for certain kinds of food or drink; the pleasure of justice clearly plays a more substantive role in my happiness than does the satisfaction of transient, passing urges.

This is an important feature of human nature; we would be substantially impoverished were it not for our capacity to develop and experience complex, higher order pleasures. As Mill puts it, “Life would be a poor thing, very ill provided with sources of happiness, if there were not this provision of nature, by which things originally indifferent… [to] the satisfaction of our primitive desires, become in themselves sources of pleasure more valuable than the primitive pleasures”\textsuperscript{128}. Through the repetition and habituation instilled by social intercourse, these complex pleasures become engrained in our purposes, in the character of progressive citizens. Our desire for virtue moves from the sway of pleasure.

\textsuperscript{128} Ibid., 147.
to the constancy of habit; we develop properly social orientations and dispositions through the “cultivation of the disinterested love of virtue”\(^{129}\). The moral agent upon which progressive social and political institutions depend (and which they also foster) not only cultivates a pleasure in social virtues, but makes a habit of them; virtue is, to such an agent, “a good in itself, without looking to any end beyond it... a thing desirable in itself”\(^{130}\).

### 4.5 Conclusion

Of the various interpretive challenges Mill presents to his reader, the sheer breadth of his scholarship is a considerable one; over the 33 volumes of his *Collected Works*, there are few dimensions of the human condition that he fails to address. Given this, Mill’s interests, concerns and pursuits can be difficult to draw together under a single, comprehensive view; the well-noted contradictions between some of his views do not help matters. And yet, as I hope to have shown, there are important connections between what often appear as disparate or even unrelated dimensions of his thought. I have argued that Mill’s view of the social sciences, addressing the broad lines of human development and social progress, are internally connected to the minutia of individual character-formation and moral psychology; these address (respectively) the macro-social and micro-psychological formation of agents oriented towards our “permanents interests as progressive beings”. In this chapter, I have tried to draw together these dimensions of his thought to develop a comprehensive view of our moral ends, the political institutions which they orient, and the kinds of persons capable of pursuing them. Terrence Ball

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\(^{129}\) Ibid., 147.
\(^{130}\) Ibid., 145.
argues that Mill’s unwritten exploration of ethology – the science of character-formation – is the lynchpin of his entire philosophical enterprise\textsuperscript{131}; this chapter has, in a modest way, tried to sketch this hypothesis out, tracing the mutual imbrication of individual and social development in Mill’s perfectionist view of social progress.

In so doing, I have focused on the considerable, and yet wholly under-examined, attention that Mill devoted to the affective, dispositional dimensions of progressive agency and citizenship. In contrast to much of the critical literature’s focus on the rational deficits of under-developed peoples, I have tried to draw attention to Mill’s concern with the formation of democratic character, with the habits and orientations sustaining progressive, democratic political institutions. Far from simply espousing a crude, binary distinction distinguishing civilized and uncivilized peoples, Mill’s moral psychology comprises a sophisticated evaluation of the forms of agency and character capable of translating representative institutions into a social good. In this chapter, I have tried to draw out the great particularity of this progressive, moral character, and the equally particular social and political institutions and conditions required to cultivate it.

Human beings, Mill observes, are “susceptible, by a sufficient use of the external sanctions and of the force of early impressions, of being cultivated in almost any direction”\textsuperscript{132}. A progressive, moral character – oriented towards properly socialized ends, acculturated to the right kinds of pleasures, habituated to the social virtues – is a rarefied and fragile good.

Precious few peoples, then, appear capable of sustaining progressive, democratic institutions. This is the problem to which I turn in the next chapter: how are we to

\textsuperscript{131} Ball, “Ethology”.
\textsuperscript{132} Mill, \textit{Utilitarianism}, 140.
understand the place of such peoples – peoples incapable, in Mill’s view, of self-determination and self-improvement – in humanity’s broader moral, political and civilizational advancement? Does Mill’s exclusion of the uncivilized from equal political standing reflect a stage-based view of historical progress incapable of recognizing the worth of non-European cultures? This chapter has fleshed out the forms of character that moral and political agents are bound to cultivate in order to pursue their permanent interests as progressive beings. In the next chapter, I turn to more closely examine Mill’s views of history, social development, civilization and barbarism to consider the forms of exclusion to which the uncivilized are subjected.
Chapter 5

Complicating Barbarism and Civilization: Mill’s Complex Sociology of Human Development

5.1 Situating the Uncivilized

In the last chapter, I argued against the view that Mill saw all advanced, civilized peoples as entitled to unfettered freedom and democratic self-rule, proposing instead that even the most highly developed societies require the steering and acculturation of progressive social, political and pedagogical institutions to direct their freedoms towards the right set of moral and political ends. The sympathy at the heart of our natural sentiment of sociality – the anchor of utilitarian ethics – is entirely prone to cultivation, suggesting that such institutions are instrumental in drawing us towards these ends. And yet, as we saw, not all people(s) are equally capable of sustaining them; progressive, democratic institutions depend not only upon cognitive abilities – the capacities to recognize long-term interests and the advantages of social cooperation – but also on the cultivation of the affective bonds, dispositions and social orientations leading citizens to care about the many dimensions public life. In other words, I aimed to show the great particularity of Mill’s conception of progressive, democratic character, and of the equally particular conditions required to draw even the most well-developed societies towards progressive forms of social organization. Mill’s political ideal – a stable representative government enabling citizens’ freedom to pursue a diversity of interests – is intimately connected with a much thicker conception of human happiness and social virtue than is often recognized.
In the context of this investigation, I also considered the kinds of people(s) who are, in Mill’s view, unable to sustain such progressive institutions. I drew attention to the deficits of agency plaguing the uncivilized and the poor, in relation to the aims, ends and conditions of government. In contrast with the critical view, which – as I elaborate throughout this chapter – understands Mill as drawing a *categorical* distinction between civilized and uncivilized peoples, I aimed to show the bridges connecting them: both the civilized poor and the uncivilized fail to cultivate the sociality, reciprocity and civic orientation demanded by public life. And yet, by drawing to light these points of connection, I don’t mean to obviate or ignore the substantive differences between them: the civilized poor *do* participate – albeit, in a limited way – in the democratic institutions acculturating them to civic participation. Mill’s view of the development of the uncivilized is, of course, considerably more problematic.

In this chapter, I turn to Mill’s treatments of history, civilization and human development to examine the place of the uncivilized in his broader account of humanity’s collective progress. Where Chapter 4 fleshed out Mill’s conceptualization of progressive moral and political agency, this chapter explores the savage and barbarian societies that Mill regards as incapable of self-determination¹. In so doing, I develop several of the arguments introduced in the last chapter: that the “categorical” distinction between civilized and uncivilized peoples attributed to Mill is, in fact, unwarranted (or at the very least, over-determined); that the rigid, “stage-based” theory of historical development

¹ Mill employs a number of (equally derogatory) distinctions to designate the uncivilized: savages, barbarians, rude peoples, peoples in their nonage, and so on. While he does on occasion appear to differentiate these as designating different kinds of “backwardness”, he draws these distinctions inconsistently. For the purposes of this chapter, I do not focus on these finer differences as they do not affect my arguments; I here address the “binary distinction”, attributed to Mill by a number of critics, distinguishing civilized and uncivilized societies. In this context, the term “uncivilized” includes savage, rude, barbarian or any other “backward” peoples.
imputed to him is equally misplaced; and that he did not regard European history as charting a “universal” course through which all societies were destined to pass. Of course, I do not at all mean to deny or minimize the depth of Mill’s cultural chauvinism or its implication in his enthusiasm for what Mark Tunick describes as a pedagogical imperialism. This aims, rather – as my examination of Kant’s treatments of non-Europeans and women did – to properly situate Mill’s exclusionary proclivities in order to clearly understand the problems they incur.

I begin by reviewing a critical literature addressing Mill’s views of civilization and human development which has, in recent years, become something of an orthodoxy. Critics such as Pitts, Mehta and Parekh have declaimed against Mill’s liberalism, arguing that his conception of civilization is inextricably bound to a hierarchal conception of social progress justifying Europeans’ moral right to “civilize” barbarian peoples. They argue that, like his father, Mill conceived of human progress as following a particular historical trajectory, a view derived from the Scottish Enlightenment “four-stage” theory of social development. This view ostensibly buttressed his endorsement of imperialism; “civilized” peoples were saddled with an obligation to draw “backwards” societies up to the point of self-governance. Disregarding differences of sociality, culture or collective life, Mill thus regarded all societies as measurable by a pre-determined index of social progress distinguishing civilized, self-governing peoples from non-civilized, subject populations.

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2 Tunick, “Tolerant Imperialism”. For a similar view, addressing Mill’s distinction between “good” (pedagogical) and “bad” (exploitative) colonialisms, see J. Joseph Miller, “Chairing the Jamaica Committee: J. S. Mill and the Limits of Colonial Authority,” in Utilitarianism and Empire, ed. Bart Schultz and Georgios Varouxakis (Lanham, Md.: Lexington Books, 2005), 155-178.
In contrast with this line of interpretation, I argue that Mill holds a far subtler view of historical development and civilization than is often attributed to him. The critics’ charges propose what I describe as an *aggregative* view of Mill’s conceptualization of historical development – suggesting that he understood societies to move through discrete stages of social development, characterized by internally-correlated stages of economic, political, industrial and cognitive advancement – that fails to be borne out under close examination. In contrast with this view, I argue that Mill was keenly attuned to the vast differences between peoples, to the contingencies of historical development and to the great pathologies endemic in ‘civilized’ states. Far from regarding civilized and uncivilized peoples as uniformly ‘good’ or ‘bad’ totalities, I follow John Robson’s intuitions in suggesting that Mill saw *all* societies as highly complex entities which required careful evaluation and institutional formation to preserve both social stability and progressiveness.\(^3\)

This chapter proposes a *disaggregative* reading of Mill’s conception of historical development.\(^4\) I argue that Mill outlines a highly nuanced account of history and progress that recognizes the extraordinary complexity of social development, and that incorporates social and cultural particularity in designing effective political institutions for any given people. While Mill does, in certain contexts, draw a strong division distinguishing civilized and uncivilized peoples, this does not exhaust his view of civilization; he also holds a much more sophisticated conception of historical

\(^3\) Robson, “Civilization and culture”.
\(^4\) Thomas McCarthy’s recent *Race, Empire, and the Idea of Human Development* similarly argues for a disaggregative approach in elaborating a ‘critical theory of global development’, recognizing that aggregative conceptions of progress, intentionally or not, obfuscate the great complexity and unevenness of historical development. As I emphasize in the final section of the chapter (and in Chapter 6), this is precisely what Mill’s sociological conception of history recognizes, and what some of his critics fail to attribute to him.
development that problematizes the simpler view often attributed to him. Given the great attention that he devoted to the particular social, economic, cultural and political conditions under which people develop the capacities to sustain effective representative government – conditions that he saw as difficult to achieve in even the most ‘civilized’ of states – I argue that the critics’ characterization of Mill as an unquestioning imperialist must be re-considered.

Taken together, then, Chapters 4 and 5 address (respectively) the formation of progressive agents and the exclusion of variously defective people(s) from progressive social and political institutions. Formation and exclusion patrol the boundaries of Mill’s liberalism, delimiting the kinds of persons we need to be to pursue progressive ends and to sustain progressive institutions. This chapter focuses on these exclusionary proclivities, proposing an alternative view to the one dominant in the critical literature; I aim to reconsider and situate these exclusions within Mill’s broader moral and political thought. There is much to criticize in Mill’s exclusionary views of the uncivilized; and yet, as I elaborate in the dissertation’s final chapter, it’s important that we get what’s wrong right if we’re to distinguish what remains of value in his thought from what we ought to jettison.

5.2 An Unthinking Imperialist: The Case Against J. S. Mill

Mill’s writings on civilization, empire and representative government have long been criticized for distinguishing between civilized and uncivilized peoples; commentary
ranges from outright denunciations of Mill’s racism\(^5\), to treating him as a crude teleologist who drew on (and largely misappropriated) the Scottish Enlightenment’s “four-stages” theory of historical development\(^6\), to reading in him, despite clear instances of Eurocentrism, a surprising consciousness of the particularities of different cultures\(^7\).

Among the most influential recent critics, Mehta, Parekh, and Pitts (among others) persuasively argue that Mill’s liberalism is inextricably bound to British colonialism, and equally problematically, that he upheld a hierarchal conception of socio-historical development relegating non-Europeans to a position of moral and political inferiority.

While a significant number of commentators share in an approximation of these views\(^8\), I address Jennifer Pitts’ and Uday Mehta’s treatments as articulating the most comprehensive and well-developed critiques of Mill from this perspective.

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\(^6\) See Pitts (2005). John Gibbins also examines Mill’s developmental-historical arguments, but treats them as significantly less problematic than does Pitts; see his “Liberalism and Progress”.


In *A Turn To Empire* and “Bentham: Legislator of the World?”, Jennifer Pitts provides a compelling account of Mill’s complicity in British colonialism, not only in his professional life as an administrator for the East India Company, but also in his philosophical concerns and political theory. She argues that Mill’s celebrated thoughts on liberty, on the value of pluralistic, progressive societies, and on representative government are inseparable from his views on historical development and civilizational “maturity”, which draw a hard distinction between advanced and barbarian societies. In light of his well-documented influence over his son, and of his *History of British India*’s impact on both John Stuart Mill and the East India Company’s colonial administration, Pitts examines James Mill’s ideas on India. The elder Mill’s views of India are infamously reprehensible, deeply paternalistic and replete with observations on the subcontinent’s general state of barbarity. James Mill clearly regarded British colonialism as the white man’s burden, the moral obligation of a superior civilization to draw a people in its infancy towards a higher state of social order. His thoughts on India – and on civilized and non-civilized peoples more generally – conjoined

a standard of utility from Bentham and an idea of progressive social development from Scottish thinkers such as Smith and Ferguson. What emerged was a problematic fusion: an index of progress in which utility is the sole standard against which any nation can be measured.\(^9\)

Distinguishing it from the Scots’ more sophisticated conception of social progress, Mill’s reductive account ascribed significant defects to non-civilized peoples; most problematically, he attributed mental/cognitive shortcomings to individuals in uncivilized states of society. By misappropriating elements of both utilitarianism and conjectural


\(^{10}\) Pitts, *Empire*, 127.
history, James Mill not only posited a singular conception of historical development reflecting progressive stages of cognitive achievement, but also justified the colonization of less developed societies: if utility stood as the measure of all social organization, under-developed peoples ought to be “civilized” for their own good. Mill’s developmentalism conceived of societies as discrete wholes that moved through particular stages of social development; all societies occupied identifiable positions on an evaluative scale of progress. This not only justified the colonization of subject peoples, but also failed to recognize the particularity of any given society by “assimilat[ing] all ‘rude’ peoples into a single category of moral and political inferiority”\(^{11}\).

By Pitts’ account, the sins of the father are inherited by the son. J. S. Mill’s thoughts on social progress and civilization largely replicated the failures, prejudices and defects that pervaded James Mill’s account, even extending them in certain respects: “[t]he younger Mill also retreated from the relatively subtle account of historical development elaborated by the Scots, in favor of a rough dichotomy between savage and civilized, and he too combined this historical argument with utilitarian ones to justify despotic, but civilizing, imperial rule”\(^{12}\). J. S. Mill reproduced his father’s singular, stage-based conception of social development and the concomitant belief that “all diversity in social practices and institutions could be ranged along a scale of progress, and that the challenge for political thinkers and actors was to draw backward societies towards the state of the most advanced society”\(^{13}\). The Mills are also purported to share

\(^{11}\) Ibid., 130.
\(^{12}\) Ibid., 133.
\(^{13}\) Ibid., 140. Despite acknowledging the greater acuity of J. S. Mill’s thought, Pitts does little to illustrate the substantial differences that do distinguish the two Mills, arguing that J. S. Mill “reduce[d] diversity among societies to variation along a single axis of progress… [he] supported a view of social progress that in many of its details restated and affirmed the much less complex ideas of his father.” Pitts, Empire, 136.
in the belief “that societal development is a matter of the improvement of individuals’
cognitive capacity”\textsuperscript{14}. The cognitive argument contributes substantively to justifying
colonial vanguardism: if the populations of less-developed societies suffer from cognitive
defects, then only under the most fortuitous circumstances (under the unlikely
stewardship of an Akbar or a Charlemagne) or under colonial authority could backwards
peoples hope to climb the civilizational ladder.

J.S. Mill’s “rigid hierarchy of progress”\textsuperscript{15} is, importantly, monolithic and unified.
The critical perspective apprehends his conception of social advancement as \textit{aggregative}:
stages of development encompass totalities of internally-connected social factors,
including political, cultural, economic, industrial and even cognitive points of
achievement. Societies progress as discrete and distinctive wholes, as aggregated
totalities of correlated sociological phenomena moving from one readily identifiable
stage to the next. The conceptualization of civilization as a \textit{categorically distinct} social
stage turns on this aggregative view: “civilization”, from this perspective, refers to a \textit{type}
of social organization distinguishable from an equally distinctive “savage” state of
society. The categorical view thus generates the strong dichotomy dividing civilized and
savage peoples, leading to different political rights, and even different moral standards,
for either group. Like his father, J.S. Mill espoused an aggregative conception of social
development that understood “all realms of human endeavor as tending to progress
simultaneously”\textsuperscript{16}.

\textsuperscript{14} Ibid., 142. Karuna Mantena persuasively argues that J. S. Mill’s conception of barbarism – unlike James
Mill’s – does not attribute cognitive deficits to \textit{individuals} in given society, but rather designates \textit{collective}
traits. See Mantena, “Mill and the Imperial Predicament,” in \textit{J. S. Mill’s Political Thought: A Bicentennial
Reassessment}, ed. Nadia Urbinati and Alex Zakaras (New York: Cambridge University Press, 2007), 298-
318.

\textsuperscript{15} Pitts, ‘Bentham’, 79.

\textsuperscript{16} Ibid., 80.
Uday Mehta’s *Liberalism and Empire* largely agrees with Pitts’ account. Mehta conducts an in-depth exploration of the ideal of progress in liberal political theory, and more specifically, in the project of liberal imperialism. Like Pitts, he asserts that “Mill plainly is assuming some version of the objective scale of civilization similar to that crafted by his father”\(^{17}\). This civilizational hierarchy not only lurks in the background of Mill’s political thought, but also informs the practical tasks undertaken by a colonial administration:

If, in fact, a firm line of civilizational progress, or the “scale of nations”, could be inductively established, then the Benthamite legislator-scientist would not have to humor customs or engage with local conditions. A clear scale of civilizational development would tell the legislator precisely what was below and what was above for any civilization under consideration.\(^{18}\)

Like Pitts, Mehta argues that Mill measured social advancement through a rigid, singular civilizational index; that he viewed societies as progressing through discrete, clearly identifiable stages of development; that they did so as aggregated wholes, comprised of internally-connected social, political, economic, cognitive and cultural phenomena; and that, equipped with this knowledge, European colonists could draw any backwards people to a higher stage of social development.

In Metha’s view, Mill exemplifies a liberal chauvinism whose singular view of historical progress fails to attribute any value or worth to non-European societies; “[w]hat represents or speaks for the savage is the location of the civilization of which he is deemed to be a part, and this in Mill’s case turns on a simple binary scale of civilized or backward”\(^{19}\). Mill thus fails to recognize cultural particularity and difference in at least

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\(^{17}\) Mehta, *Liberalism*, 102.

\(^{18}\) Ibid., 93.

\(^{19}\) Ibid., 101. Etienne Balibar understands this universalizing impulse (characteristic, by his reckoning, of modern humanist thought) in still more sinister terms, arguing that it implicitly treats social, cultural and
two ways: first, by ranking societies along a single axis of development, reducing all cultures to their position in the civilizational hierarchy; and secondly, by treating cultures in binary terms, as either civilized or uncivilized. This civilizational scale intentionally eschews the recognition of cultural specificity, enabling legislators (and philosophers) to ignore cultural differences in designing laws and institutions for any given people. The “Benthamite legislator-scientist” had simply to identify a given society’s stage of development to issue the proper set of civilizing laws. Mill thus “erased details of particular societies in favor of a single and narrow set of criteria placed along a scale of progress”\textsuperscript{20}.

Broadly speaking, then, the critical view argues that Mill not only conceived of non-civilized peoples as incapable of sustaining free political institutions, but that he also entirely disregarded the worth and particularity of non-civilized cultures, seeing in them little other than the markings of given stages of social development. This reductionism ignores the internal value or agency of any cultural group below a certain civilizational threshold. Non-civilized cultures are “confined in the waiting room of history while some other agency has the key to that room”; subject peoples lack “a set of conditions whose normative and experiential credence can be justified without reference to a future or a necessary past and prescribed path of development”\textsuperscript{21}. Non-civilized peoples are non-agents, objects of historical or colonial change and incapable of political or moral self-determination. Uncivilized cultures are interchangeable and consequently valueless;

\begin{itemize}
\item racial differences as threats to civilizational advancement, justifying their eradication; see Balibar, “Racism and Nationalism,” in \textit{Nations and Nationalism : A Reader}, ed. Philip Spencer and Howard Wollman (Edinburgh: Edinburgh University Press, 2005).
\item\textsuperscript{20} Pitts, \textit{Empire}, 141.
\item\textsuperscript{21} Mehta, \textit{Liberalism}, 97. For insightful commentary on the role of historical temporality in relation to colonialism, see Dipesh Chakrabarty’s \textit{Provincializing Europe}. Chakrabarty’s work is further addressed in Chapter 6.
\end{itemize}
the parameters of a pre-determined index of social progress provide no measure by which to recognize the worth of cultural particularity. The converse of this was, of course, to regard civilized, European social forms as unequivocally good, occupying a categorically distinct and hierarchically superior position on the civilizational ladder. As Bhikhu Parekh puts it, Mill articulates “a Manichean theory of two worlds, one is an area of light, the other that of darkness, one is perfect and without blemish, the other irredeemably evil, and each governed by radically different principles and norms”22.

5.3 Inheriting the Sins of the Father? James and John Stuart Mill

James Mill’s well-documented influence over his son’s education and career has drawn significant attention from J. S. Mill’s critics; many of his ideas on civilization and human development – particularly as these regard India – are often treated as directly attributable to his father’s conceits. J. S. Mill’s earlier dispatches from the East India Company reflect James Mill’s ideas relatively faithfully, often reproducing his deeply prejudiced views on Indian custom and his advocacy for “Europeanizing” Indian education. Critics argue that J. S. Mill uncritically adopted James Mill’s civilizational hierarchy, as well as his ambition to devise a “science of legislation” applicable not only to India, but to any other equally retrograde colony. But did J.S. Mill follow his father so closely? We begin by examining James Mill’s thoughts on India.

5.3.1 India as Tabula Rasa: James Mill’s Enlightenment Rationalism

James Mill was “in many ways a typical product of the Scottish Enlightenment. He held strong opinions regarding the possibilities of social progress and the power of

22 Parekh, “Decolonizing Liberalism”, 92.
education”

He held a deep conviction in the emancipatory power of reason and regarded the task of education as dispelling the myths and customs that kept much of the world in the thrall of paternalistic authorities. Mill’s commitments to the Scottish Enlightenment’s rational idealism and to its stage-based theory of historical development pervade his *History of British India*. The conjunction of his faith in the liberating power of education and his perception of India’s low stage of social development informed his advocacy for a pedagogical colonialism. As Lynn Zastoupil argues, “[f]or James Mill, improvement meant bringing to India the advanced ideas of the Enlightenment”

Mill saw India as dominated by custom and despotic authority; elite-governed social institutions and a widespread attachment to regressive religious and cultural beliefs inhibited the cultivation of Indian minds. His moral psychology informed his view of critical importance of education; he adhered to an Owenite associationism that regarded minds – and in this case, nations – as blank slates, entirely subject to external formation

As Zastoupil observes, this exerted a clear influence over his policies as a colonial administrator:

Mill’s view of the human mind as a tabula rasa, waiting to be formed by outside influences, was transformed in his *History* to the notion that India too was a blank slate waiting to be shaped according to utilitarian principles. Such a view obviously informed Mill’s later administrative work. British administrators schooled in the science of politics were to create a system where Indians would be educated into habits of industry, thrift, and prudence. Indians would have their minds shaped by a new environment in which rational, self-interested character traits would be encouraged to become dominant.

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24 Ibid., 14.
25 For a view of Robert Owen’s influence over James Mill’s associationism, see Ball, “Ethology”.
Mill’s thoughts and policies on India were far from uncontroversial; he figured prominently in the Anglicist-Orientalist debates on colonial policy in India. He was a leading expositor of the Anglicist camp that saw the tasks of education as eradicating parochial traditions, myths and superstitions and inculcating “the clear logic of advanced ideas”\textsuperscript{27}; Anglicists were firmly committed to supplanting irrational and despotic customs and replacing them with a scientific, European pedagogy. This stood in contrast with Orientalists, who sought to incorporate Indian customs and traditions in pursuing colonial policy; without abandoning the project of “enlightening” India, Orientalists argued for the integration of modern, European ideas and Indian culture. Orientalist colonial officials such as Thomas Munro, Mountstuart Elphinstone and H. H. Wilson held out “great hopes for using such schools [traditional Arabic and Sanskrit Indian schools] to engraft Western ideas onto traditional Indian learning”\textsuperscript{28}, an approach which Mill entirely opposed.

Anglicists regarded the Orientalist valuation of Indian tradition and custom as encouraging the very forces inhibiting Indians’ proper formation, and so, as undermining the progressive ideals that ought to animate colonial policy. In contrast, the Orientalists regarded Indian culture as a fertile ground for integrating progressive, British notions of law. This stemmed from more than a merely pragmatic concern for educating a recalcitrant populace (though it was this too); the Orientalists – driven in part by William Jones, a philologist, judge and administrator who spent much of his life studying Indian


\textsuperscript{28} Zastoupil, \textit{India}, 33.
language and culture – also shared in Burke’s conservative concerns for the preservation of cultures.\(^{29}\)

The Anglicist-Orientalist controversy thus did not merely stem from pedagogical concerns, but rather reflected deeper divides over political stability, the value of culture and the spread of enlightenment. How, then, did J. S. Mill approach these issues?

5.3.2 From Bentham to Coleridge: J. S. Mill’s Romantic Turn

Did J. S. Mill uncritically reproduce James Mill’s views, as the critics charge? Lynn Zastoupil argues that while J. S. Mill’s early writings on India often echo his father’s opinions, his later dispatches – particularly, those he wrote towards the end of James Mill’s life – depart from the Anglicist position. Not surprisingly, this change also coincides with the decade-long mental crisis to which J. S. Mill fell prey in 1826. As he documents in his autobiography, Mill’s mental anguish stemmed a consciousness of his overly analytical formation, and particularly, from its neglect of the affective dimensions of human life. His education’s intensive focus on the perfection of rational and scientific faculties had, he reflected, been a great detriment to his emotional, aesthetic and affective development. James Mill’s commitment to forming his son into a perfect utilitarian had, not surprisingly, paid little attention to the cultivation of emotions and sentiments.\(^{30}\) Mill eventually emerged from his crisis by immersing himself into the world of romantic

\(^{29}\) Javed Majeed, “James Mill’s The History of British India: A Reevaluation,” in J.S. Mill’s Encounter with India, ed. Martin I. Moir, Douglas M. Peers and Lynn Zastoupil (Toronto: University of Toronto Press, 1999), 53-55. In this article, and in “James Mill’s The History of British India: The Question of Utilitarianism and Empire”, Majeed provides a detailed account of the role that James Mill’s History of British India played in the Anglicist/Orientalist controversy, and of Mill’s disagreements with William Jones.

poetry, finding the counter to his overly rationalistic and analytical education in the works of Wordsworth and Coleridge. From them, he cultivated a life-long sensitivity to the affective dimensions of human life, fundamentally re-thinking the account of human nature animating his father’s pedagogy.

J. S. Mill came to recognize the poverty of moral and political philosophies that neglected the vital role of sentiments in human action, a realization that would pervade his mature political theory. The romantic poets profoundly influenced his view human nature generally, and more specifically, of the affective ties sustaining political stability. As Zastoupil observes,

From the romantics, he learned to appreciate the mind as an organic whole in which emotions played an important part alongside the rational faculties. This led Mill to criticize Bentham and the utilitarians for not understanding the importance of sentiments of loyalty in political affairs. People believed in political institutions or held to political customs for more than rational reasons, and a sound political theory needed to recognize this.31

Mill’s writings on Bentham bear this out. “Knowing so little of human feelings,” he charged, Bentham “knew still less of the influences by which those feelings are formed… [No one] set out with a more limited conception either of the agencies by which human conduct is, or of those why which it should be, influenced”32. Mill’s criticisms equally impugned Bentham’s moral and political theories; his overly rationalistic account of human life, action and morality produced a political philosophy that failed to recognize the affective grounds of social solidarity. Mill asserted that “[m]orality consists of two parts. One of these is self-education; the training, by the human being himself, of his

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31 Zastoupil, India, 41.
affections and will. That department is a blank in Bentham’s system”\textsuperscript{33}. This neglect of “affections and will” led him to an equally impoverished understanding of the political importance of national character:

Taking, as we have seen, next to no account of national character and the causes which form and maintain it, he was precluded from considering, except to a very limited extent, the laws of a country as an instrument of national culture: one of their most important aspects, and in which they must of course vary according to the degree and kind of culture already attained… Very different institutions are needed to train to the perfection of their nature, or to constitute into a united nation and social polity, an essentially subjective people like the Germans, and an essentially objective people like those of Northern and Central Italy.\textsuperscript{34}

As we saw in the last chapter, Mill understood the affective bonds of national culture as indispensable for social cohesion\textsuperscript{35}; these are precisely the dimensions of political life that Bentham neglected.

Mill’s criticisms of Benthamite utilitarianism (of which his father was a firm adherent) directly contradicted James Mill’s Anglicist views on Indian education. James Mill argued that “a scientific approach to the history of that distant land would dispel many myths and prejudices, at the same time confirming the known facts of individual behavior and social development”\textsuperscript{36}; conversely, J. S. Mill recognized that, far from conforming to scientific laws, both individuals and societies developed in idiosyncratic

\textsuperscript{33} Ibid., 98.
\textsuperscript{34} Ibid., 105. Both Mehta and Pitts point out that Mill’s characterization of Bentham has in fact obscured the attention that Bentham did pay to cultural and regional differences in devising systems of legislation; see his “Essay on the Influence of Time and Place in Legislation” (in Works of Jeremy Bentham, cited in Mehta (1999) 92).
\textsuperscript{35} Mill’s assessment of the importance of national character was by no means cursory; he argued that “the laws of national (or collective) character are by far the most important class of sociological laws… the character, that is, the opinions, feelings and habits, of the people, though greatly the causes of the state of society which precedes them, are also greatly the causes of the state of society which follows them.” Mill, System, 905. While Mill’s estimation of the importance of national culture permeates many of his writings on politics (see, for example, Considerations, “Rationale of Representation”, “De Tocqueville on Democracy and America (I/II), “State of Society in America”, Principles of Political Economy), his clearest thoughts on the subject appear in his writings on ethology; see System of Logic. For a close examination of Mill’s thoughts on national culture as generating the affective ties sustaining social solidarity, see Varouvakis, Nationality, ch.1-2; and Robson, “Civilization and culture”.
\textsuperscript{36} Zastoupil, India, 11.
ways, reflecting a particular cultural character\textsuperscript{37}. While James Mill understood a scientifically-calibrated education based in universal principles of reason as raising the moral and intellectual standing of any society, J. S. Mill argued the exact opposite, that “very different institutions” were required to develop the faculties of diversely-situated peoples. J. S. Mill saw the task of political institutions as incorporating the historically-generated and culturally-embedded traditions, customs and mores constituting national character; this clearly contradicted James Mill’s view that the British would “be wrong in attempting to rule it according to indigenous principles or practices, since these were obviously imperfect”\textsuperscript{38}. Where James Mill regarded Indian social life and traditions as devoid of progressive, rational content, J.S. Mill clearly recognized culturally-particular affective ties as invaluable sources of social cohesion.

The essay on Coleridge further illustrates his divergence from James Mill’s universalistic, Enlightenment-era rationalism. J. S. Mill criticized the 18\textsuperscript{th} century’s philosophes for ignoring the historical genesis of their ideas, leading them to “mistak[e] the state of things with which they had always been familiar, for the universal and natural condition of mankind”\textsuperscript{39}. Far from claiming – as his father did – that the spread of reason and enlightenment would lead to progressively rationalized and convergent forms of social organization, Mill argued that “[e]very form of polity, every condition of society, whatever else it had done, had formed its type of national character. What the type was, and how it had been made what it was, were questions which the metaphysician might

\textsuperscript{37} Mill did believe that human behaviour conformed to what he called “empirical laws”, but that their subjection to the influence of external circumstances made it impossible to predict any given person’s (or society’s) course of development. I provide a detailed account of empirical laws in section 5.5.1.

\textsuperscript{38} Zastoupil, \textit{India}, 13.

\textsuperscript{39} Mill, “Coleridge”, 132.
overlook. Rejecting the abstraction and parochialism of such a-historical conceptions of social and political development, Mill instead drew on the “Germano-Coleridgean” doctrine to theorize a politics incorporating “the various elements of human culture and the causes influencing the formation of national character”. Coleridge decisively turned Mill away from deterministic accounts of social progress that treated cultural differences as historical remainders, as unreasonable customs destined to fade with the advance of increasingly rational social and political organization. This was, of course, precisely the view that James Mill espoused in treating India as a *tabula rasa*.

In the early 1820s, J. S. Mill’s colonial dispatches consistently reflected his father’s views; in 1836, with James Mill’s failing health keeping him at a distance from East India House, J. S. Mill drafted an education dispatch that reflected and supported the Orientalist view. He borrowed extensively from H. H. Wilson, arguing that “the lettered classes are still held by the people of India in high estimation, and their degradation and extinction cannot be received with indifference by their countrymen”. Mill encouraged the colonial administration to endow and support an educated Indian elite “whose primary responsibility would be the cultivation of learning” in order to

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40 Ibid., 141.
41 Ibid., 141.
42 This view – of the mind as *tabula rasa*, awaiting formation from an external authority – illustrates an important difference between the Mills’ moral psychologies. While James Mill subscribed to the Owenite conviction that character was explicitly and exclusively formed by outside forces, J. S. Mill came to see individuals as capable of contributing to the development and formation of their own character. This was an important and liberating insight for Mill, following his mental crisis: it opened the possibility that he could improve on the character shaped by his father’s pedagogy, rather than remaining constrained by it. For a close examination of J.S. Mill’s view of character-formation, see Ball, “Ethology”.
43 Zastoupil, *India*, 40. Lynn Zastoupil shows the depth to which the 1836 dispatch diverged from James Mill’s ideas on Indian education; see his “India, Mill, and ‘Western’ Culture,” in *J.S. Mill’s Encounter with India*, edited by Martin I. Moir, Douglas M. Peers and Lynn Zastoupil (Toronto: University of Toronto Press, 1999). Penelope Carson situates the dispatch in the context of the Anglicist/Orientalist debates; see Carson, “Anglicist/Orientalist”.
45 Zastoupil, *India*, 43.
revitalize traditional Indian learning centers. This dispatch is, as it were, the tip of the iceberg; while it clearly indicates a shift in Mill’s views, it only hints at the deeper changes underlying it. It points us towards his romantic turn, his recognition of the culturally- and historically-generated affective grounds of political stability and social cohesion. This was hardly a passing idea; as we saw in the last chapter, it was the foundation of his mature political thought. The careful attention Mill devoted to analyzing English, Irish, Indian, American and French societies bears this out, as do his theoretical treatments of ethology and national character. James Mill’s influence over J. S. Mill’s thought is indisputable; and yet, they clearly diverged in important ways. We now turn to consider the complexities of J. S. Mill’s thoughts on civilization, social development and human progress.

5.4 Complicating Civilization

Mill’s division between civilized and uncivilized peoples is, without doubt, deeply problematic. In many of his writings, and most problematically, in On Liberty and Considerations on Representative Government, he does appeal to the categorical distinction described above. But this does not exhaust, or even clearly represent, Mill’s considered thoughts on civilization; he employs the term and concept in different and far subtler ways that fail to conform to the strictly categorical division attributed to him. We begin, therefore, by closely examining Mill’s conception of civilization.

5.4.1 Two Views of Civilization
Mill’s clearest and most succinct treatment of civilization appears, not surprisingly, in his 1836 essay entitled “Civilization”. The essay’s opening sentence distinguishes two uses of the term; it “sometimes stands for human improvement in general, and sometimes for certain kinds of improvement in particular”. The former describes “a country [as] more civilized if we think it more improved; more eminent in the best characteristics of Man and Society; farther advanced in the road to perfection; happier, nobler, wiser”, while the latter term refers to “that kind of improvement only, which distinguishes a wealthy and powerful nation from savages or barbarians”. This distinction is neither incidental nor unimportant; it clearly differentiates two different (if related) uses of the concept precisely to distinguish the broadly beneficial tendencies of civilization (“civilization in the narrow sense”) from more particular iterations or manifestations of it – the historically-contingent and culturally-specific form of civilization describing “wealthy and powerful” European states. Mill does not conflate all civilization with the European form of civilization, but rather aims to evaluate whether or not the latter ‘is on the whole a good or an evil’.

Mill differentiates civilized and barbarian peoples through a series of comparisons: civilization “in the restricted sense… is the direct converse or contrary of

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47 Ibid. Mill’s somewhat confusing terminology is worth clarifying: his references to “civilization in the narrow sense” in fact describe the broad tendencies of civilization – the wide-ranging progressive impulses that he sees as benefiting mankind. This is in contrast with the particular iterations of civilization – the European and American civilisations that he analyzes and criticizes in this essay and elsewhere. I examine both conceptions of civilization and the importance of the distinction between them in greater detail in section 5.4.3.
48 Georgios Varouxakis points out that “Guizot’s definition of civilization and his historical illustration of this definition… was a far from unimportant component of Mill’s conception of civilization” (308), drawing attention to Guizot’s considerable influence over Mill’s view of development. See also note 64 for a brief account – again, stemming from Varouxakis’ work – of Guizot’s impact on Mill’s understanding of systemic antagonism as the source of social progress. See Georgios Varouxakis, “Guizot’s Historical Works and J.S. Mill’s Reception of Tocqueville”, History of Political Thought, Vol. XX, No. 2, Summer 1999.
rudeness or barbarism. This characterization has drawn the attention and the ire of critics, and for very good reason. The uncivilized are described as “wandering or thinly scattered over a vast tract of country”, having “no commerce, no manufactures, no agriculture”, “little or no law, or administration of justice”, and as incapable of “systematic employment of the collective strength of society”. As we saw in Chapter 4, they are also unable to engage in social cooperation, as the “savage cannot bear to sacrifice, for any purpose, the satisfaction of his individual will. His social cannot even temporarily prevail over his selfish feelings, nor his impulses bend to his calculations.” Savages can not form bonds based on reciprocity as “[t]heir minds are not capable of so great an effort, nor their will sufficiently under the influence of distant motives”. Given that Mill regarded cooperation as the sine qua non of civilization, this inability is particularly problematic.

In these passages (and others), Mill attributes the successes of civilized societies to their superior capacity for reasoned calculation, their discipline and their willingness to engage in self-sacrifice; in short, they are able to perceive the benefits of cooperation. Barbarians’ inability to develop the long-term view required for stable inter-state association leads Mill to even suggest that the “rules of international morality”, upholding the principle of non-interference between civilized nations, do not apply to the relationship between civilized and barbarous peoples. This conception of civilization and the contrast with it by which Mill describes the uncivilized is deeply and irredeemably

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50 Ibid., 120.  
51 Ibid.  
52 Ibid., 122. Mill reiterates this view – that the capacity for cooperation is the lynchpin of civilization – in his Principles of Political Economy, 708.  
prejudiced; this is the view that critics rightly condemn. But Mill’s arguments are tempered in important ways, and are more complex than this alone suggests.

5.4.2 Biological Determinism versus Contingent History

Mill’s account of civilized and savage peoples explicitly rejects biological determinism, attributing the shortcomings of the uncivilized to the social and political institutions forming their character\(^54\). He strenuously opposed the biological essentialism espoused by many of his contemporaries, most famously in his declamation against Carlyle’s “Occasional Discourse on the Negro Question”\(^55\). Carlyle’s ignorance of “laws of the formation of character”, Mill charges, leads him to “the vulgar error of imputing every difference which he finds among human beings to an original difference of nature”\(^56\). Arguing against the inherent cognitive superiority of whites, Mill describes all advanced civilizations as developing from an “extraordinary combination of advantages”, claiming that “[t]he original Egyptians are inferred, from the evidence of their sculptures, to have been a negro race: it was from negroes, therefore, that the Greeks learnt their first lessons in civilization”\(^57\). In the *System of Logic*, Mill directly refutes the nascent biological determinism espoused by a number of 19\(^{th}\) Century thinkers, chastising them...

\(^{54}\) John Robson’s “Civilization and culture as moral concepts” outlines Mill’s denunciation of the biological determinism prevalent in the natural sciences of the 19\(^{th}\) century. For a detailed examination of the changes in Mill’s attitudes towards race, see Varouxakis, *Nationality*, ch. 3.


\(^{57}\) Ibid.
for failing to attribute ‘those mental differences to the outward causes by which they are for the most part produced, and on the removal of which they would cease to exist’.\textsuperscript{58}

This wholesale rejection of deterministic accounts of human nature is reflected in his criticisms of women’s social subordination. Mill repudiates the attribution of a fixed, “natural” character to women, arguing that “[w]hat is now called the nature of women is an eminently artificial thing – the result of forced repression in some directions, unnatural stimulation in others”\textsuperscript{59}. Education and “outward causes” are, for Mill, of far greater importance in determining the mental character of any people(s) than biological or physiological influences\textsuperscript{60}. While recognizing that physiological conditions might affect the mental capacities of particular individuals, Mill argues against the attribution of cognitive limits to any given race or ethnicity. He derides “those who speculate on human nature, [who] prefer dogmatically to assume that the mental differences which they perceive, or think they perceive, among human beings, are ultimate facts, incapable of being explained or altered”\textsuperscript{61}, rather than regarding them as contingent and remediable by a proper education.

Mill thus does not regard Europe’s advanced state of civilization as the consequence of any inherent cognitive or moral superiority, and neither does he understand it as reflecting a pre-determined course of social progress. Rejecting the biological account of social development, he perceives the development of any people – including Europeans – out of the savage state as a matter of historical contingency and

\textsuperscript{58} Mill, System, 859.
\textsuperscript{60} Varouxakis argues that while Mill’s early writings described race as a non-deterministic factor affecting social development, his later work wholly rejected race as relevant in this regard. See Varouxakis, Nationality, ch. 3.
\textsuperscript{61} Mill, System, 859.
sociological-institutional conditioning, and so, as highly variable. Europe’s advancement, he argues, resulted from a series of fortuitous and entirely contingent circumstances:

What has made the European family of nations an improving, instead of a stationary portion of mankind? Not any superior excellence in them, which, when it exists, exists as the effect not as the cause; but their remarkable diversity of character and culture... Europe is, in my judgment, wholly indebted to this plurality of paths for its progressive and many-sided development.  

European civilization was preserved by the balance of power struck between neighbouring nations, none of which was historically preponderant and so capable of assimilating the others. This produced the social conditions that pushed Europeans to learn the hallmark of civilization: cooperation. Fortuitous social diversity and proximity thus forced Europeans to cede their immediate self-interest and realize the long-term advantages of social combination. This capacity for cooperation does not reflect an inherent cognitive superiority in Europeans, as critics claim is Mill’s view, but rather resulted from “a contest of rival powers for dominion of society” that might well, had circumstances been different, “have stagnated, like the great stationary despotisms of the East”  

This systemic antagonism, in conjunction with the moral influence of the Catholic clergy – which despite its many and deep faults, Mill argues, preserved the stability of European Christendom through the medieval era – drove Europe forward. Europe’s advancement thus developed from a particular alignment of advantageous conditions; Mill recognizes that other conditions are equally capable of

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62 Mill, *On Liberty*, 70. My Italics  
64 As Georgios Varouxakis points out, Mill’s view of social antagonism as preserving the conditions for progress is indebted to Guizot. Guizot’s ideas on historical development drew Mill away from his earlier, Saint-Simonian faith in an enlightened elite’s political stewardship and towards a view of social progress as stemming from a systemic antagonism of powers. See Varouxakis, “Guizot’s Historical Works”. 
pushing social groups towards progressive ways of life. This acculturative process does not conform to a singular trajectory; Mill recognizes a plurality of sociological conditions – everything from “the division of employments”, to military operations, to “the operations of commerce and manufactures”, to national culture – as comprising “operations [by which] mankind learn the value of combination”\(^65\). Societies advance through a wide diversity of contingent social, historical and institutional conditions, each of whose particular configuration gives it its own character.

5.4.3 An Ambiguous Good: Pathologies of Civilization

Does Mill consider civilization as an unqualified good, as the critics contend? Civilization “in the narrow sense”\(^66\), referring to a general tendency towards social advancement, is unambiguously beneficial. This is characterized by a few wide-ranging trends: power shifting from individuals to masses, the preponderance of “the spirit of commerce and industry”\(^67\), greater control over the natural world\(^68\), a “growing equality”\(^69\) between people, and greater security for persons and their property\(^70\). In this qualified sense, it describes social advances through which humanity substantially improves itself, moving towards the greater realization of our interests as progressive beings. Yet Mill is keenly aware of the plurality of ways in which these broad movements become manifested in the modern world, and of the problems that, unattended, they are capable of producing. Throughout his writings on politics and

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\(^{66}\) Ibid., 119.  
\(^{67}\) Mill, “Tocqueville (II)”, 197.  
\(^{68}\) Mill, Political Economy, 706.  
\(^{70}\) Mill, Political Economy, 706, 715.
society, he cautions against the pathologies of unguided, or unrestrained, civilization. While praising the general tendencies of civilization, Mill is deeply critical of the particular iterations of civilization embodied in modern European and American societies. Far from endorsing “the vices or the miseries of civilization”\textsuperscript{71} in this sense, Mill asserts that while “civilization is a good … we think there is other good, much even of the highest good, which civilization in this sense does not provide for, and some of which it has a tendency (though that tendency may be counteracted) to impede”\textsuperscript{72}.

Despite Mill’s critical view of uncivilized societies, he consistently admonishes the defects of Western civilizations as well. While industrial, economic and institutional advances are undoubtedly advantageous, civilized societies also face deep social and political problems that require institutional restraint. Mill is frequently ambivalent regarding the value of modern, European civilizations whose advances have been accompanied by the “high price” of

- the relaxation of individual energy and courage; the loss of proud and self-relying independence; the slavery of so large a portion of mankind to artificial wants; their effeminate shrinking from even the shadow of pain; the dull unexciting monotony of their lives, and the passionless insipidity, and absence of any marked individuality, in their characters… the demoralizing effects of the great inequalities in wealth and rank; and the sufferings of the great mass of the people of civilized countries, whose wants are scarcely better provided for than those of the savage, while they are bound by a thousand fetters in lieu of the freedom and excitement which are his compensations.\textsuperscript{73}

Far from describing civilization as an unqualified good, Mill regards European civilizations as pervaded by their own systemic psychological, social, economic and political pathologies. Modern democracies, he asserts in On Liberty, corrupt individuality and originality by fostering a public opinion that tolerates little dissent.

\textsuperscript{71} Mill, “Civilization”, 119.
\textsuperscript{72} Ibid.
\textsuperscript{73} Mill, “Coleridge”, 123.
This wariness of the dangers of mass societies is neither cursory nor isolated; he consistently admonishes modern Britons for their “moral effeminacy”, and civilized, democratic peoples more generally as tending towards intellectual conformity. These are not incidental problems; the social tyranny against which Mill cautions in On Liberty is endemic in democracy and requires concerted institutional rectification 74.

Mill’s criticisms aren’t restricted to the political sphere; they extend to every aspect of modern, civilized life. He is wary, for example, of the preponderance of commercialism and industry in modern societies, arguing that “the most serious danger to the future prospects of mankind is in the unbalanced influence of the commercial spirit” 75. In Britain, Mill saw an increasing divergence between the higher classes’ material advantages and moral virtues, leading to a socially pernicious condition in which wealthy and powerful elites exercised power with neither knowledge of, nor regard for, the public interest 76. Europe’s advanced civilizations experience not only social pathologies, but cognitive ones as well; civilized peoples have their ‘minds bowed to the yoke… they like in crowds; they exercise choice only among things commonly done… their human capacities are withered and starved’ 77. Far from endorsing it as an unmitigated good, then, Mill regards civilization as requiring constant vigilance and restraint. Civilization is Janus-faced; all of the benefits of civilized society are accompanied by the ills – psychological, social, and political – characteristic of modern

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74 This is not to suggest that democracies are inexorably corrupt, but rather that they require institutional checks and balances to steer away from the pitfalls to which they’re prone. Mill’s criticisms of European and American democracies take aim at their failure to adequately restrain their potentially pathological elements.
European societies. Civilization is hardly the panacea that critics suggest Mill envisions, contrasted against a retrograde portrayal of barbarity. Nowhere are his criticisms of civilization more pointed than in his view of America.

5.4.4 Examining the Pathologies of Civilization: Democracy in America

Following Tocqueville, Mill sees American democracy as embodying the broader advances of civilization, exhibiting the progressive tendency towards social and political equality. This egalitarian tendency, however inevitable, remains indefinite; far from following a particular historical trajectory, Mill sees the movement towards equality and a diffusion of power as prone to a great variety of manifestations in different societies and states. So while the general egalitarian impulse is, in his view, clearly beneficial, it nevertheless requires direction: “[l]ike other great powers of nature, the tendency [towards democratic equality], though it cannot be counteracted, may be guided to the good”\footnote{78}{Mill, “Tocqueville (II)”, 158.}

America’s “collective despotism”\footnote{79}{Mill, Considerations, 269-70.} exemplifies the pathologies resulting from the political and institutional failure to channel this egalitarian impulse towards socially beneficial ends. Mill argues that the radically democratic quality of American government leads to the domination of a single, unchallenged power: the public opinion of an overwhelmingly influential middle class. Over the course of several essays, he elaborates a careful analysis of the mutually reinforcing relation of America’s national character and political institutions. American character, he argues, is shaped by the deep egalitarianism embedded in the U.S. constitution and realized (however imperfectly) in
American political institutions; prefiguring Habermas’ thoughts on constitutional patriotism by a century and a half, Mill sees America’s social compact as anchored in a firm commitment to the foundational ideal of political equality. “[T]he institutions of every country”, he argues, ‘shape the national character… The American institutions have imprinted strongly on the American mind that any one man (with a white skin) is as good as any other… a false creed… connected with some of the more unfavourable points in American character” 80. Founded on a rejection of traditional elites, the radically egalitarian spirit of American democracy thus elevates public opinion, the opinion of the masses, to a position of unquestionable authority.

This “deference to numbers” 81 produces not only the conformist character that Mill decries in On Liberty, but a political system that encourages pandering. Democracies work best when citizens regard their elected officials as representatives (empowered to exercise their best judgment when making political decisions, free from the coercion or pressure of their own constituents) rather than as delegates (who simply act as a mouthpiece for the majority’s will). Delegates misuse representative institutions by “canvassing” (in Mill’s words) the electorate and catering to their preferences; a representative, conversely, is “the person best qualified, morally and intellectually, to form a sound judgment of his own on political questions” 82. The radical egalitarianism of American democracy encourages canvassing by emboldening political actors to seek favour in the widest possible constituency, reproducing the electorate’s partialities rather

80 Ibid., 289.
than challenging them with original ideas. This is, in Mill’s eyes, among the gravest dangers facing democratic societies generally, and America in particular, suggesting that “[i]f democracy should disappoint any of the expectations of its more enlightened partisans, it will be from the substitution of delegation for representation… All the chances unfavourable to democracy lie here”. As in China or any other “stagnant” society, unchecked power – even that of a democratic majority – inevitably loses the dissent and challenges that lead to social progress.

This political defect points to a wider problem: the tendency to elect panderers stems directly from the American inclination to elevate private interests above public goods. This privatism manifests itself in the commercialism, spirit of industry and pursuit of wealth endemic in America’s national character:

America is a republic peopled with a provincial middle class. The virtues of a middle class are those which conduce to getting rich – integrity, economy and enterprise… Of all these virtues, the Americans appear to possess a large share… this same industrial prosperity has some undesirable effects… the temptation is strong to all classes… to enter into life, as it is called, in other words, to plunge into money-getting, at the earliest possible age.

The inclination towards personal gain contributes directly to the election of panderers; the electorate is inclined to support delegates catering to their private interests, rather than representatives motivated by a more remote conception of the public good. Lacking public-mindedness, Americans treat their electoral power improperly, as a conduit for furthering private interests rather than as a public trust; in Rousseauian terms, American

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83 Mill makes the point rather succinctly: “the Demos, being in America the one source of power, all the selfish ambition of the country gravitates towards it.” Mill, Considerations, 278.
84 Mill, “Tocqueville (I)”, 80.
democracy produces the will of all, rather than the general will\textsuperscript{86}. The drive for wealth and private goods also leads to Americans’ generally low level of mental cultivation and consequent intolerance for ideas contrary to those of the majority. Citing Tocqueville, Mill suggests that most Americans abandon their education for the pursuit of wealth by the age of fifteen; motivated by private gain, they fail to develop the intellectual faculties that Mill regards as critical for any progressive society. Without the schools of public spirit to instill a democratic ethos and sustain democratic institutions, the egalitarian impulse characteristic of civilization is entirely prone to misdirection.

While far from incurable, American democracy exemplifies the social, political and psychological pathologies of unguided civilization. Mill is undoubtedly critical of uncivilized peoples; but, as we see here, he is at least as wary of the dangers of civilization – and of the failures of civilizations – as well. Civilization is not Parekh’s simple “area of light… perfect and without blemish” contrasted against an equally distinct, “irredeemably evil” barbarism, two poles of a philosophical binary distinguishing categorically different types of peoples\textsuperscript{87}. Civilization and barbarism are, rather, complex and often interpenetrating sociological conditions. We now turn to examine Mill’s sociological conception of civilization and barbarism.

5.4.5 \textit{Civilization: Sociological, not Categorical}

Mill’s reservations about democracy in America – and about the pathologies of civilized states more generally – suggest a more complex view than the “binary” conception of civilization and barbarism allows. Rather than treating civilized and

\textsuperscript{86} Mill, \textit{Considerations}, ch. 10.  
\textsuperscript{87} Parekh, “Decolonizing Liberalism”, 92.
uncivilized societies as Manichean opposites, Mill is concerned with the various pathologies pervading both states of society. This does not imply that Mill treats them as equally valuable, or as sharing a cultural parity; but it does suggest that he does not regard them as so readily and clearly distinguishable.

Civilization is better understood as a complex sociological condition than as demarcating categorically different types of peoples. Rather than conceiving of civilization and barbarism as static and unified states, Mill recognizes both conditions as highly complex, variable, and interpenetrating. Barbarous peoples share in “civilized” characteristics which require cultivation and development; conversely, even the most civilized societies retain “barbaric” propensities. In Considerations, Mill argues that the “barbaric” inclination to exercise power over others, characteristic of under-developed societies, “in many of the conditions even of civilized humanity, is far more largely exemplified.” Civilized peoples depend upon political and educational supports suited to their particular character and condition, without which representative government descends into “a wretched competition for the selfish prizes and the petty vanities of office.” “Uncivilized” tendencies aren’t simply transcended as societies achieve a categorically-distinct stage of development; Mill sees elements of savage life pervading civilized societies, arguing that Europe’s “spirit of liberty… is in fact the self-will of the savage, moderated and limited by the demands of civilized life.” The self-interest inhibiting savages’ capacity for social cooperation also remains in civilized societies;

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89 Mill, Political Economy, 944.
90 Ibid.
91 Mill, “Guizot”, 274.
without institutional guidance, “popular institutions develope [sic] in them not the desire of freedom, but an unmeasured appetite for place and power”\textsuperscript{92}. Rather than conceiving of civilization and barbarism as categorically-distinct states of society, Mill describes them as interpenetrating, unfixed sociological conditions.

Like barbarous ones, civilized societies develop in their own unique ways, contingent on the innumerable influences to which they’re subject. Civilization unfolds as a complex, multi-faceted process, better understood as a general and highly variable tendency than as following a rigid and determinate trajectory. Far from regarding Europe’s progressive advancement as charting an overarching march of civilization, Mill shows that, for example, the “decline of [Spain and Portugal] in national greatness, and even in material civilization, while almost all of the other nations of Europe were uninterruptedly advancing, has been ascribed to various causes, but there is one which lies at the foundation of them all: the Holy Inquisition, and the system of mental slavery of which it is the symbol”\textsuperscript{93}. Societies do not uniformly traverse given stages of development, but rather pitch and lurch forward through the contingent events – such as the Inquisition – that mark their particular histories. Despite being equally advanced societies, Mill describes America as suited to democracy (though, as we saw, a reformed democracy), but not France; the latter’s long history of aristocratic rule renders it (temporarily) unable to develop a properly democratic character. Civilization is an idiosyncratic and highly uneven process, contingent on different societies’ historical and sociological conditions; Mill clearly does not understand human progress as following a particular, determinate trajectory. He regarded Guizot’s analysis of European history as

\textsuperscript{92} Mill, \textit{Political Economy}, 944.
\textsuperscript{93} Ibid., 935.
among the best attempts to discern laws of historical causation; and yet, he argues against the view of Europe’s history as reflecting a universal path of progress:

> If there be such laws; if the series of states through which human nature and society are destined to pass, have been determined more or less precisely by the original constitution of mankind, and by the circumstances of the planet on which we lives; the order of their succession cannot be discovered by modern or by European experience alone: it must be ascertained by a conjunct analysis, so far as possible, of the whole of history, and the whole of human nature.  

Far from regarding the uncivilized as “nascent” Europeans, Mill resists extrapolating universal laws of historical development from Europe’s unique and particular genesis. And yet, he does regard history as subject to principles of succession; it is to these laws of historical development that we now turn our attention.

### 5.5 Disaggregating History: Mill’s Complex Sociology of Human Development

#### 5.5.1 Ethology and the Empirical Laws of Progress

In the *System of Logic*, Mill suggests that “[t]he fundamental problem… of the social science is to find the laws according to which any state of society produces the state which succeeds it and takes its place”\(^\text{95}\). He explores these laws of succession in a broad examination of the causal laws governing human behaviour both at the individual level, through psychology, and at the collectively, through sociology. These comprise Mill’s famously under-developed thoughts on ethology, the science of character-formation, which he regarded as the most important of the human sciences and yet failed to develop into any coherent system\(^\text{96}\).

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\(^{94}\) Mill, “Guizot”, 262.

\(^{95}\) Mill, *System*, 912.

\(^{96}\) For a view of ethology as the lynchpin connecting Mill’s many philosophical interests, see Ball, “Ethology”. 
Mill argues that human actions are *subject* to laws of causality without being *determined* by them, differentiating between “empirical laws” and “universal laws”.

While universal laws are fixed, unchanging and scientifically-derived, an empirical law is an uniformity, whether of succession or of coexistence, which holds true in all instances within our limits of observation, but is not of a nature to afford any assurance that it would hold beyond those limits… In other words, an empirical law is a generalization… its truth is not absolute, but dependent on some more general conditions… it can only be relied on in so far as there is ground of assurance that those conditions are realized.\(^97\)

Empirical laws are sociological laws, derived from general tendencies observed over time and under particular conditions. Ethological laws, governing both individual and collective character formation, constitute such empirical laws; ethology concerns “generalizations” operative in human conduct, rather than scientifically-determined laws by which actions might be accurately predicted. Human behaviour and the societies produced by it *do* follow universal laws of causation; laws do govern character-formation. But these laws are few, general, and most importantly, deeply affected by circumstances. So while human actions conform to empirical laws of succession, the innumerable circumstances affecting them inhibit us from determining what a person will do at any given point. As Mill argues, “our mental capacities and susceptibilities are modified, either for a time or permanently, by everything which happens to us in life”\(^98\); each person’s individual, unique character is shaped by the influence of a great number of contingent conditions. Ethology – both individual and political – is, and can only ever be, an *empirical* science, accounting for tendencies that are inescapably filtered through the particular vicissitudes of our individual and collective trajectories.

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\(^98\) Ibid., 864.
Mill draws a clear connection between the application of these empirical laws at the individual level and collectively: “All phenomena of society are phenomena of human nature… if, therefore, the phenomena of human thought, feeling, and action, are subject to fixed laws, the phenomena of society cannot but conform to fixed laws, the consequence of the preceding”\textsuperscript{99}. And yet, despite this fixity, “[t]here is, indeed, no hope that these laws, though our knowledge of them were as certain and as complete as it is in astronomy, would enable us to predict the history of society”\textsuperscript{100}. The complexity of circumstances affecting both individuals and societies inhibit us from foreseeing, to any accurate degree, the course of historical development. Mill approaches history from a sociological, rather than philosophical, perspective; as a social scientist, he is keenly attuned to the wide diversity of phenomena affecting any given state of society. This sociological acuity led him to directly criticize deterministic accounts of historical development; while acknowledging the usefulness of “the French school” of “philosophizing in the social science”, he saw it as chargeable with a fundamental misconception… The misconception consists in supposing that the order of succession which we may be able to trace among the different states of society and civilization which history presents to us, even if that order were more rigidly uniform than it has yet been proved to be, could ever amount to a law of nature. It can only be an empirical law. The succession of states of the human mind and of human society cannot have an independent law of its own; it must depend on the psychological and ethological laws which govern the action of circumstances on men and of men on circumstances.\textsuperscript{101}

Mill clearly rejects teleological histories charting a determinate, stage-based course of progress for all societies, arguing that successive states of both mind and society are born

\textsuperscript{99} Ibid., 877.
\textsuperscript{100} Ibid.
\textsuperscript{101} Ibid., 914. For a clear account of Mill’s view of social progress and its distinction from those propounded by the French historians of the era, see Alan Ryan, \textit{The Philosophy of John Stuart Mill} (Basingstoke: Macmillan, 1987), 169 – 188.
of the interaction between human beings and the circumstances forming their character. In contrast, he adopts “the inverse deductive method”, examining the succession of social states through the interactions of generalized, empirical laws and ever-changing social phenomena. This aims to avoid the twin errors of basing social science on unwarranted extrapolations from particular social experiences (“the chemical method”), or on “unbending”, abstract ideals and maxims (“the geometrical method”). Ethology, sociology and the study of politics are the sciences addressing the broad laws of social change. They are the tools enabling legislators and social scientists to determine how best to preserve stability and encourage progress in all peoples, “to surround any given society with the greatest possible number of circumstances of which the tendencies are beneficial”\(^{102}\). The social sciences thus aim to encourage the particular progressive tendencies of differently situated societies, following accordingly diverse and diverging courses of social advancement.

5.5.2 Disaggregating Historical Development

Mill’s sociological view of development does not then appear, as the critics claim, to treat societies as unified wholes moving through discrete, pre-given stages of advancement. While he does recognize that “there exist Uniformities of Coexistence between the states of the various social phenomena”\(^{103}\), these comprise generalized tendencies, rather than inexorably aggregated social characteristics subject to scientific predictability. Industrial advances, for example, do not necessarily entail more democratic states, or heightened intelligence. Democratic governments are not always

\(^{102}\) Mill, System, 898. My emphasis.

\(^{103}\) Ibid., 912.
accompanied by the social institutions and schools of public spirit required to sustain them; this disjuncture, as we’ve seen, is at the heart of Mill’s critique of American democracy. Societies do not progress as total, aggregated entities; advances in certain social phenomena are not indicative of improvement overall. Mill in fact distinguishes between progressive impulses (industrial/commercial advances, economic development, etc.) and social improvement more broadly; as he puts it, “Progress and Progressiveness are not here to be understood as synonymous with improvement and tendency to improve.”104 Far from uncritically lauding all forms of development, Mill is attuned to (and wary of) the potentially detrimental effects of “progressive” advancements on the broader social good. The same industrial and commercial spirit from which Europe benefits, for example, is at the root of America’s privatism and social pathologies. Mill in fact criticized several of Tocqueville’s observations on America on precisely these grounds, arguing that

M. de Tocqueville, then, has, at least apparently, confounded the effects of Democracy with the effects of Civilization. He has bound up in one abstract idea the whole of the tendencies of modern commercial society, and given them one name – Democracy; thereby letting it be supposed that he ascribes to equality of conditions, several of the effects naturally arising from the mere progress of national prosperity.105

Tocqueville fails to clearly distinguish distinct sociological phenomena, conflating the effects of different processes under the sweep of a single influence – democracy. In so doing, Mill argues, he mistakenly aggregates disparate modern tendencies within “one abstract idea”.

This is precisely the error that critics impute to Mill: by regarding cultures as monolithic wholes, moving through discrete social-historical stages, Mill is purported to

104 Ibid., 913.
neglect the particularity and value of different cultures. Civilized societies, by this argument, are progressive, while the uncivilized remain mired in regressive or stationary states. But Mill’s antipathy regarding this “stationary state” is often misinterpreted, precisely by attributing an aggregative view to him, characterizing societies as either entirely progressive or wholly stationary. Uday Singh Mehta claims that “anything that is not aspiring to improvement or in the process of being improved must on account of that be designated as retrograde… We are left with the stark binary of the backward and the progressive”\textsuperscript{106}. This portrays Mill as regarding societies as monolithic wholes, positioned on either side of a “stark binary”; but it’s the characterization that does the work by obfuscating Mill’s detailed examinations of diverse social phenomena. While Mill does describe certain “failed” civilizations (such as China) as stagnant, his subtler analyses of various states of society articulate a substantially more nuanced and sophisticated view.

In his writings on socialism, for example, Mill argues for the benefits of a stationary state of economic growth under conditions of advanced industrial production. Unfettered economic growth contributes to social improvement only at a “very early stage of human improvement”; in advanced societies, “what is economically needed is a better distribution”\textsuperscript{107}. While economic and industrial expansions contribute to the social improvement of under-developed, poorer societies, those further advanced ought to institute a redistributive economic system to raise the entire population’s standard of life. “This condition of society”, Mill asserts, “so greatly preferable to the present, is not only perfectly compatible with the stationary state, but, it would seem, more naturally allied

\textsuperscript{106} Mehta, \textit{Liberalism}, 104.
\textsuperscript{107} Mill, \textit{Political Economy}, 754-5.
with that state than with any other.” Mill in fact criticizes conceptions of progress that “regard the stationary state of capital and wealth with the unaffected aversion so generally manifested towards it by political economists of the old school. I am inclined to believe that it would be, on the whole, a very considerable improvement on our present condition.” The “dreaded” stationary state is not the unqualified evil characterizing all uncivilized forms of life but is, in fact, a condition for the social improvement of industrially advanced peoples.

Mill did of course describe variously regressive societies as suffering from stagnation, but this does not exhaust his more nuanced views of social progress. Portrayals such as Mehta’s, Parekh’s and Pitts’ – that treat Mill’s “stationary state” as conceiving of entire societies as uniformly stagnant, backwards or progressive – depend on mischaracterizing his view as reductionist and as ignoring social complexity. However, Mill’s close attention to the vast array of sociological phenomena influencing any state of society challenges this characterization. His analysis of the benefits of economic stagnation (under the right circumstances) attests to a more complex view that distinguishes social improvement in a broad sense from the sociological mechanisms contributing to progress in differently situated societies. He explicitly states that “a stationary condition of capital and population implies no stationary state of human improvement”; only by ignoring Mill’s complex view of social development is the aggregative view sustained. Mill’s attention to the extraordinary complexity of human

108 Ibid., 755.
109 Ibid., 753-4.
110 Ibid., 756.
societies is bound to his view of social development; the crude, stage-based theory attributed to him belies the sophistication of his sociological approach to human progress.

5.6 Conclusion

This chapter presents an alternative reading of Mill’s often demonized writings on historical development not to exonerate him of his undeniably racist and Eurocentric inclinations, but rather to clarify his understanding of civilization, barbarism, history and social development. It is beyond dispute that Mill’s characterizations of uncivilized peoples justified their political exclusion and marginalization, both in theory and in practice, by portraying them as incapable of self-determination. And yet, while we’re well warranted in turning a critical eye to these exclusionary proclivities, it is equally important that we situate them in the right contexts. In this chapter, I have aimed to re-think (or rather, re-present) Mill’s views on civilization, historical development and human progress, and to closely examine the place of the uncivilized within them.

I have also tried to draw out the connections between the formation of progressive agents, outlined in Chapter 4, and the exclusion of persons unable to develop this democratic character and sustain representative political institutions. In so doing, I understand Mill’s conceptualization of the uncivilized and their exclusion from political self-determination differently than does the critical literature. As I’ve argued, this literature tends to treat Mill’s views of the uncivilized in isolation from his broader discussions of the aims and ends of all governments, and particularly, from the democratic institutions perceived as the entitlement of all civilized peoples. This portrays civilized and uncivilized peoples as radically differentiated, subject to accordingly
distinctive moral and political rights. It focuses on the strong, categorical division that Mill ostensibly draws between sufficiently “rational” societies, entitled to self-determination, and “backwards” peoples whose cognitive deficits relegate them to a lower rung in a pre-given civilizational hierarchy.

This is the view that, over the course of these two chapters, I have tried to challenge. Far from conceiving of them as entirely distinct kinds of people(s), Mill’s concerns regarding civilized and uncivilized states of society are, in fact, systematically connected in ways that are obscured by over-emphasizing their supposedly strict separation. By moving away from a philosophical view of human development and stage-based accounts of historical progress, and towards the sociological account elaborated over these two chapters, we are better able to see Mill’s concern for the progressive advancement of inexorably diverse, variable and idiosyncratic societies – both civilized and uncivilized. As we’ve seen, Mill conceives of human development not in singular or convergent terms, but as a pluralistic process; despite his own failure to recognize the worth of non-European social forms, his philosophy of development does provide the conceptual space to conceive of multiple modernities, of a plurality of paths of human progress shaped by distinctive cultural and historical experiences (a point I elaborate in the conclusion of this dissertation). Rather than drawing a stark, binary distinction between civilized and uncivilized peoples, then, Mill appears equally concerned with the conditions for the improvement of both. In fact, given the substantial attention he devoted to analyzing the many pathologies of civilized societies, “civilization” might best be understood as a point of immanent normative critique – Mill appears more concerned with maintaining civilization within civilizations than he is in
bringing the uncivilized *up to* civilization. He is, at bottom, interested in the forms of acculturation that *both* civilized and uncivilized peoples require in order to pursue their ends as progressive beings.

Mill’s treatments of such peoples aren’t as far apart as they’re often perceived to be: both need to be guided towards their moral and political ends. And as we saw in the last chapter, a progressive, democratic character is a rarefied and fallible good, built upon the formative influences of properly-oriented social, political and pedagogical institutions. And yet, these progressive institutions are equally dependent upon precisely this character: without socialized, virtuous and public-minded citizens, Mill argues, democracies all too easily descend into tyranny, privatism and factionalism. Lacking the progressive character of properly socialized agents, the uncivilized, the poor – and even the French – are, in Mill’s view, incapable of sustaining progressive, democratic governments and so should (at least temporarily) be excluded from it. Mill’s formative and exclusionary impulsions, then, aim to preserve the conditions for our progressive improvement; they delimit the *kinds* of persons that we ought to be, and preserve the institutions that both produce and depend upon the cultivation of this character.
Chapter 6

Encountering Difference

What, then, are we to do with this, with the character, affect and acculturation that both sustain and problematize Kant’s and Mill’s moral and political thought? What do we, as contemporary readers of Kant and Mill, gain from drawing out their lesser-known concerns regarding the kinds of persons sustaining liberal politics?

One of the dissertation’s central aims is expository. While scholarship attending to the subjective, formative dimensions of Kant’s and Mill’s thought has increased in recent years, this remains a relatively under-explored field. It addresses what we might call the heteronomous dimensions of human agency: race, gender, civilization, culture – the “non-formal” aspects of their works that concern the development of progressive, liberal character. This has produced a somewhat polarized secondary literature, between critics who treat these “heteronomous concerns” as qualifying (or impugning) the universalism of their moral and political doctrines, and those who defend an inclusive core against the racially-, culturally- or gender-biased aspects of their thought. While both lines of criticism offer valuable insights, they also tend to either simplify Kant’s and Mill’s philosophical systems by reducing them to their exclusionary dimensions (in the case of the former), or “bracket off” these heteronomous concerns as entirely separable from their formal moral and political philosophies (in the case of the latter). As I’ve argued, the first camp often fails to properly situate exclusionary proclivities within Kant’s and Mill’s broader philosophical systems, misconstruing the depth of the problem. The second camp, conversely, fails to recognize heteronomous concerns as impacting Kant’s and Mill’s thought at all, treating them as little more than the easily dispensable
prejudices of their eras. I have tried to avoid these interpretive pitfalls by examining the heteronomous dimensions of human agency in conjunction with their better-known moral and political thought. The exposition that I’ve undertaken thus aims to think through the conditions orienting intractably imperfect human beings towards a given set of moral and political ends.

This expository work informs the dissertation’s second aim: to carry out a critical evaluation of the exclusionary dimensions of character-formation. This stems from a simple and intuitive question: if, as I’ve argued, both Kant and Mill understand progressive, liberal agents as cultivating particular affects, dispositions, skills and orientations in moving towards their moral and political ends, how are we to understand the status of those who, either “naturally” or circumstantially, are unable to develop these subjective capacities? Women, the uncivilized, non-Europeans, the poor: all appear incapable (to varying degrees) of cultivating the forms of character and agency that sustain a liberal polity. How are we to situate and evaluate these instances of exclusion, which coexist with formally inclusive and egalitarian doctrines? In this chapter, I offer a few concluding thoughts on liberalism, exclusion and character-formation. I summarize and make explicit conclusions derived from my examinations of Kant and Mill, and consider how these might inform contemporary liberal-democratic theory and practice. I begin by examining the intimate relationship binding exclusionary and formative practices in Kant’s and Mill’s thought. I then outline what I regard as the deepest challenge to their liberalisms, issuing from post-colonial theorists, feminist theorists and historians of liberal thought, before offering my own views on these critical challenges. I close with tentative thoughts on how a greater consciousness of both exclusionary and
formative dimensions of liberalism enjoins us to cultivate certain habits and dispositions – a certain character, we might say – in ourselves, attuned and receptive to voices from the margins and the hard-to-hear claims of the excluded. I suggest, by way of conclusion, that we cultivate what I describe as a habit of democratic reflexivity.

6.1 Exclusion, Formation and the Arts of Government

In Chapter 1, I outlined a quandary facing the modern, liberal state: given the modern understanding of politics as preserving the freedom and autonomy of individuals – signatories to the social contract – how are we to ensure that these individuals use their freedoms in the right ways? When the sovereign loses the authority to craft souls and becomes constrained to issuing law, how are we to ensure that free subjects preserve the social, political and institutional conditions sustaining liberal governments at all – particularly when we recognize (as both Kant and Mill do) that law alone can not secure the boundaries of the liberal polity? As Habermas recognizes, “[t]he liberal state depends in the long run on mentalities that it cannot produce from its own resources”¹.

Foucault’s lectures on governmentality explore precisely this problem: the legitimization crises of political authority in modern, post-Reformation states and changes in the techniques and mechanisms of power resulting from them. He distinguishes between the juridical mode of power, the dominant paradigm prior to the Reformation, and governmentality, a distinctively modern technique of power². The juridical mode of

¹ Jürgen Habermas, Between Naturalism and Religion: Philosophical Essays (Cambridge: Polity, 2008), 3.
² Specific techniques of power are, in Foucault’s eyes, neither historically discrete nor mutually exclusive; quite to the contrary, different techniques of power overlap and combine in particular, historically-specific assemblages. Different assemblages, however, do tend to emphasize certain techniques of power over others; so, for example, while juridical and disciplinary mechanisms remain operative in the modern era, they become less pronounced than techniques of governmentality and security. Juridical, disciplinary and governmental techniques of power do not succeed one another, each giving way to the next in historically-
power concerns the boundaries, legitimation and exercise of the sovereign’s lawful power; it describes the power of interdiction exercised over a given populace and territory, whose boundaries enclose a domain over which the sovereign maintains a legitimate and direct coercive authority (Machiavelli is, in Foucault’s eyes, the paradigmatic theorist of juridical power). The modern commonwealth, reconstituted by the Reformation, is governed by a different technique of power responding to its social, moral and political reorientation: the modern exercise of power concerns the government – the direction and management – of a free population. Foucault thus identifies, in the 16th-18th centuries, a shift from a juridical technique of power (the direct exercise of the sovereign’s force over a population) to the arts of governmentality (conducting the conduct of free subjects). Governmentality is “constituted by the institutions, the procedures, analyses and reflections, the calculations and tactics, that enable the exercise of this specific, and yet highly complex, form of power that aims at the population”

The arts of government turn from the exercise of immediate coercive force to the management and direction of free citizens.

Foucault’s account of governmentality captures both the modern political dilemma and its solution: liberal forms of government depend not only on formal rules and codes of law, but also on the ethical subjectivation (mode d’assujettissement) and self-constitution of modern subjects. Free beings are governed by the coercion of law, but also by the mechanisms and techniques “establishing… a moral conduct that commits an individual… to a certain mode of being, a mode of being characteristic of the ethical

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3 Foucault, Sécurité, 111. Translation mine.
subject”. This technique of power, this “art of governing men”, Foucault suggests, is “the point of formation, of crystallization, the embryonic moment of this governmentality whose entry into politics marks, towards the end of the 16th, 17th-18th centuries, the threshold of the modern state”. Governmental power is exercised not only directly, through the coercive power of law, but also through the productive power of subjectivation, making agents make *themselves* into given kinds of subjects. To be governed is not only to conform to an order of law and constrain one’s freedom within its limits, but to learn to form oneself as a particular kind of ethical subject, oriented and disposed towards a given set of moral and political ends.

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6. Foucault, *Sécurité*, 169. While the early modern era initiates the shift from juridical to governmental modes of power, Foucault understands the liberalism of the 19th-20th centuries as most thoroughly realizing it. As the *raison d’état* of the early modern era cedes to the economic rationalism (what Foucault describes as a logic of political economy) of the late modern period, the art of government comes to focus on managing populations according to economic imperatives. See Michel Foucault, *Naissance de La Biopolitique : Cours au Collège de France (1978-1979)*, ed. François Ewald, Michel Senellart, and Alessandro Fontana (Paris: Gallimard : Seuil, 2004), chs. 1-2.
7. Foucault’s treatments of normalizing power are often regarded – for good reason – as explicitly critical: his analyses of governmentality, discipline and the more nebulous forms of modern power “unmask” insidious forms of coercion. And yet, I do not believe that drawing upon the critical and analytical tools he provides us with commits us to regarding all institutions of socialization as implicitly problematic, for two reasons. First, Foucault’s distinction between “code” and “subjectivation” moralities, upon which I draw in this chapter, is not explicitly critical, but is rather analytical. There’s nothing in the distinction between moral codes and ethical subjectivation suggesting that subject-formation is implicitly morally problematic or freedom-denying. If we recognize, with Hegel, Marx and the critical theory descended from them, that we’re inexorably social beings, we’re bound to treat subject-formation and socialization as facts of social existence.

Secondly, I believe that the critical perspective imputed to Foucault is over-drawn; Foucault’s own recognition of our inalienable sociality suggests that he was equally conscious of formation as an inevitable dimension of human existence. While his genealogies of imprisonment, madness, sexuality and psychiatry/medicine are clearly critical of normalizing institutions, his later works reveal a constructive ambition: to engage in a continuous project of self-examination and self-formation as an expression of one’s freedom (I address this in the final section of this chapter). Freedom, then, is not realized in *ridding* ourselves of institutions of socialization, but rather lies in developing a critical consciousness of them and taking an active role in forming ourselves as the kinds of subjects we would like to be. This view is borne out by Foucault’s late essays, such as “What is Enlightenment?” and “The Subject and Power”, as well as in his late writings on the care of the self.

8. For a close examination of the relationship between ethics (self-government) and politics (government), see Michel Foucault, “L’Éthique du souci de soi comme pratique de la liberté”, in *Dits et écrits II, 1976-1988* (Paris: Quarto Gallimard, 2001). Jane Bennett argues that Foucault’s “turn to ethics” – his focus on ethical subjectivation – is entirely political; see Jane Bennett, “‘How is it, Then, That We Still Remain...
Kant’s and Mill’s attention to character-formation, and to the conditions – historical, cultural, developmental, biological – within which we develop this orientation attend to this productive dimension of liberal agency: how we, as inexorably imperfect creatures, develop the forms of ethical subjectivity sustaining a liberal polity. They address the cultivation of the feelings of care, sociality and responsibility that uphold the liberal state, the behaviours beneath the law that orient us towards it. Education, civilization, racial differentiation, teleological development: these belong to the myriad enabling conditions shaping the affects, habits, and dispositions by “which the individual establishes his relation to the rule and recognizes himself as obliged to put it into practice”\(^9\). Foucault understands all moralities as comprised of two indissociable dimensions: “codes of behaviour and forms of subjectivation”\(^10\). While the former describes the formal rules, principles and obligations incurred by a given set of moral commitments, subjectivation addresses “the manner in which one ought to form oneself as an ethical subject acting in reference to the prescriptive elements that make up the code”\(^11\). Kant’s distinction (outlined in Chapter 2) between the “principle of appraisal of [moral] obligation” and “the principle of its performance or execution”\(^12\) mirrors Foucault’s; while the appraisal, or determination, of moral obligation pertains to the code we’re compelled to obey, its performance or execution depends upon the cultivation of a given ethical sensibility. Kant’s philosophical division of labour reflects this distinction: while his critical philosophy comprises a systematic moral code, determining our moral

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\(^9\) Foucault, *Use of Pleasure*, 27.

\(^10\) Ibid., 29.

\(^11\) Ibid., 26.

\(^12\) Kant, *Lectures on Ethics*, 27:275.
obligations on unconditional, transcendental grounds, his anthropological, historical and educational works attend to the entirely unsystematizable formation of ethical subjects disposed towards the code.

While drawing this division less strictly, Mill also attends to both dimensions – code and subjectivation – of liberal agency. Principles of utility and liberty anchor the code, the principles, governing Mill’s moral and political philosophies; and yet he devotes substantial attention to social and political institutions fostering the dispositions and habits of democratic character. As I argued in Chapter 4, Mill is critically concerned with the affective orientations translating democratic citizenship into an actual social and political good. Democratic character develops from political participation, universal education, public service, religious and cultural membership; in short, from the broad range of social and political institutions contributing to our “wide education”.

Through this education, we develop our social sympathies, our sense of justice, our care for the public good and the rule of law; we learn to want and feel the higher pleasures of socially virtuous action. Democracies do not simply depend upon a law-abiding populace, but upon, in Foucault’s words, the forms of subjectivation turning citizens towards the right social and political ends.

But what are we to do with subjects that fail to cultivate these orientations, dispositions and affects, that are unable to develop a progressive, liberal character? As I

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13 As Peggy Kohn has very helpfully pointed out, democratic and liberal character are not identical, and should not be conflated. While this is entirely true, I believe that Mill does collapse the distinction between them: as I argued in Chapter 4, his conception of democratic character is inextricable from a thicker ideal of liberal, progressive agency. In fact, he distinguishes between civilized societies that are and are not able to benefit from democratic government on the basis of whether or not citizens have cultivated the social virtues and public-mindedness translating democratic government into a social good. A democratic character, in Mill’s view, is a progressive, liberal character oriented towards the social goods and pleasures demanded by utility. So while the general distinction is an important one, I believe that in Mill’s case, a properly democratic character is, in fact, identical with a properly liberal one.
hope to have shown, both Kant and Mill understand these forms of character not as incidental supports, but rather, as Thomas McCarthy (quoting Derrida) puts it, as the necessary supplements sustaining progressive, liberal governments. While imperfect, Kant’s social virtues are nevertheless morally obligatory; Mill similarly recognizes the necessity of a minimal sense of sociality to stave off the impulse to, as he so delicately puts it, settle disputes on the floor of parliament with rifles. This ethical subjectivation, the cultivation of a properly progressive character, is thus intimately bound to the viability of liberal politics. The exclusionary tendencies pervading Kant’s and Mill’s thought preserve the boundaries of this liberal agency beneath the formal registers of law, moral code or politics; they exclude the kinds of subjects who fail to develop a progressive orientation, who use their freedoms in the wrong ways, care about the wrong things and pursue the wrong pleasures. They patrol the ethical boundaries of formally egalitarian moral and political doctrines when the sovereign has lost the power to do so with the force of law, qualifying the kinds of persons capable of full moral and/or political recognition and/or rights. In Foucault’s terms, these exclusionary impulses purge the ungovernable, those whose conduct is not properly conducted or conductible, who fail to mould themselves as subjects oriented towards the moral or political rule. Subject-formation and exclusion are two sides of the same coin: much as citizens are objects of cultivation (and self-cultivation), so too must variously defective and deficient agents – those incapable of forming themselves as given kinds of subjects – be excluded from the walls of the polis. The exclusionary proclivities in Kant’s and Mill’s thought are of course manifested in the moral and political qualifications (of women, non-Europeans, the poor) for which they have been widely criticized; and yet, these ultimately
stem from exclusions _beneath_ the formal register of moral and political egalitarianism, that concern the constitutive dimensions of liberal agency. Exclusion and formation patrol the boundaries of the _ethical_ – and not merely legal, moral or political – subjecthood that sustains the liberal polity.

While a substantial literature rightly criticizes the exclusionary dimensions of Kant’s and Mill’s thought, this often misconstrues the _site_ of these exclusions by reducing them to matters of prejudice. This takes the parochialism of Kant’s and Mill’s views on race/gender/culture as sufficient explanations for their exclusion: _because_ Kant is sexist, he argues against women’s enfranchisement; _because_ Mill is racist, he treats the uncivilized as incapable of self-government. However, this fails to probe the deeper reasoning behind these instances of exclusion, attributing Kant’s and Mill’s departures from their own egalitarian doctrines to the prejudices of their eras. This leads to two problems: first, it misinterprets Kant’s and Mill’s views by neglecting what exclusions _do_ in their respective philosophical projects (I explore this in detail in the next section). Secondly, it misplaces the site of the problem, failing to recognize that exclusions at the level of law and politics are rooted in _subjective_ limitations at the dispositional, character-based level of ethical formation. For example, Kant is, of course, entirely sexist (if we’re to judge him by our measures); but to take his sexism as a _sufficient_ explanation for his failure to treat women as politically capable ignores the deeper problem of their role in his teleological account of human development. To treat women’s political “defects” as mere evidence of prejudice is to miss the important tension running between Kant’s transcendental ethics and his teleological developmentalism; it’s in this context that he describes women’s “beautiful” _character_, the root of their political deficiencies. The
explanatory “reduction to bias” fails to recognize that exclusions at the level of law and politics often stem from deeper defects of character and ethical formation.

By drawing to light the relationship between objective moral and political principles and the subjective register of character-formation, we better understand the root of Kant’s and Mill’s exclusionary proclivities. As I argued in Chapter 3, Kant’s failure to recognize the moral equality of women and non-European races reflects his view of their inability to develop the subjective capacities for autonomous self-determination. While all human beings share in a formal moral equality and dignity, we are not all equally capable of realizing the humanity within us, in which this dignity inheres. Women and non-Europeans are, in Kant’s view, unable to foster precisely those subjective capacities and faculties that are the object of moral respect. And yet, we fail to see why this is the case when we simply attribute Kant’s exclusions to his prejudices; this fails to situate these deficits within his broader moral system. This ignores his teleological account of human development, which understands women and non-European races as among the conditions of our collective moral realization, and not as beneficiaries of it. Women’s and non-Europeans’ ends are given by nature, and not by themselves; their moral function is to draw humanity (or rather, what remains of it) towards moralization, rather than to develop themselves as moral agents. Women’s and non-Europeans’ exclusion, then, does not merely reflect Kant’s gendered or racial biases (though it clearly incorporates them), but rather points to the more complex problems and tensions emerging from his teleological view of human development. By ignoring this, we misconstrue problems of exclusion in Kant’s moral and political thought.

14 I elaborate on this problem in section 6.3.1.
Mill’s liberalism is similarly qualified, restricting democratic self-determination to adequately civilized societies; and yet, as with Kant, we misunderstand the site of exclusion if we fail to see its relation to democratic character. As I argued in Chapter 5, critics attribute Mill’s exclusions to his purported faith in a rigid civilizational hierarchy; yet, as I noted in Chapter 4, this ignores his deep concern with the dispositional and affective grounds of democratic citizenship. Various “incapable” agents lack the affective and ethical orientations demanded by utilitarian ends; they fail to care about the right things, to develop the right pleasures and to pursue the right social ends. Mill’s exclusionary proclivities, then, do not stem from a binary division distinguishing rational and irrational peoples, but are rather grounded in a sociological view of the kinds of formation best suited to draw differently situated societies towards their progressive ends. Mill’s moral perfectionism, and not his view of historical development, stands behind these exclusions: if the end of all governments is to cultivate a virtuous populace, enfranchisement ought to be restricted to citizens that have developed the minimal public-mindedness and social virtues translating democratic power into a social good.

Formation and exclusion thus delimit the boundaries of a liberal ethical subjectivity in the absence of the sovereign’s power to do so; they define the contours of moral and political citizenship beneath the ambit of the law. And as I’ve tried to show, exclusions on this register, at the level of character-formation and self-development, are indeed morally problematic; they carry a (frequently concealed) moral valence. Constraints delimiting the kinds of subjects capable of realizing themselves as progressive, moral agents smuggle important qualifications under the cover of formally

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15 This of course in no way endorses Mill’s view of the benefits of benevolent despotism as a legitimate mode of governing the uncivilized, but simply points to the kinds of concerns animating Mill’s arguments.
egalitarian and universalistic moral doctrines; they restrict their scope in morally significant ways. This does not imply a *prima facie* rejection of the institutions, mechanisms and disciplines that Foucault’s earlier works treat as instruments of normalization; sociality and social formation are unavoidable facts of life, and are not in themselves morally pernicious. Yet, we ought to cultivate a critical awareness of the ways in which such sub-legal, character-based mechanisms of formation and exclusion are capable of sustaining exclusionary political practices\(^\text{16}\). As my criticisms of the “reduction to bias” aim to illustrate, exclusions at the “objective” level of legal, political and moral “system[s] of codes and rules of behaviour”\(^\text{17}\) often cover over and obfuscate those at the “subjective” level of ethical self-formation. My examination of the institutions and mechanisms forming given kinds of subjects aims to show how, without the benefit of critical scrutiny, these can narrow the boundaries of liberal agency and generate unjust, exclusionary political practices. Before examining these practices, however, I turn to consider important challenges to Kant’s and Mill’s liberalisms.

6.2 Liberalism and Exclusion: Post-Colonial, Feminist and Critical-Historical Challenges

Post-colonial theorists, feminist theorists and critical historians of political thought have in recent years levelled important criticisms not only at Kant and Mill, but at the liberal tradition more generally. These critics draw both historical and conceptual links between seminal liberal thinkers and texts and the colonial domination and injustices of the modern era. Drawing on their insights, we’re bound to consider how

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\(^\text{16}\) I return to this point – to the need to cultivate a critical consciousness of the ways in which liberal forms of character can harbour moral and political exclusions in contemporary contexts – in the final section of this chapter.

\(^\text{17}\) Foucault, *Use of Pleasure*, 28.
deeply such exclusions, domination and injustices reach into Kant’s and Mill’s philosophical commitments. Are these best understood as explicitly historical injustices that can be extricated from the core of their moral and political thought, or as conceptually bound to their liberalisms?

One line of criticism draws out the historical (and ongoing) connections between liberal thinkers and the social, political and moral marginalization and domination of women and non-Western peoples during the modern era. As Edward Said argues, representations of non-Western peoples in the seminal philosophical, historical, anthropological, social-scientific and literary texts of the modern period were instrumental in constructing the Oriental subject as the “Other” against which Western norms of rationality and social and political order developed. These texts naturalized European ideals of individual autonomy and political organization, implicitly (and explicitly) portraying non-European cultures as deviant, deficient, barbaric, savage, under-developed, uncivilized and/or regressive. As Carole Pateman, Charles Mills and Barbara Arneil point out, the theoretical and philosophical tropes of liberal political thought (the state of nature, the social contract, stage-based accounts of human development) fuelled the perception of non-Europeans as lacking properly “political societies”, justifying colonial expansionism. In Said’s words, these texts and discourses secured “positional superiority, which puts the Westermer in a whole series of possible relationships with the Orient without ever losing the relative upper hand”. Gayatri

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18 Said, Orientalism.
Chakravorty Spivak further argues that these representations not only deny the full moral and political personhood of non-Europeans, but in fact foreclose the very possibility of “native” voice and self-representation. In addressing Kant’s metaphysics, she notes that “the New Hollander or the man from Tierra del Fuego cannot be the subject of speech or judgment in the world of the Critique”\(^{21}\); the “raw man”, rational (to a degree) and yet without culture, is unable to develop a receptivity to the moral law. Historians of political thought have also drawn attention to the connections between seminal works of liberal theory (such as Locke’s *Two Treatises on Government* and Mill’s *On Liberty* and *Considerations*) and their authors’ direct complicity in colonial projects\(^ {22}\). Such critical histories demonstrate the ways in which central ideals of liberal political thought (such as Locke’s conceptualizations of private property and political society) were developed in response to the demands of colonial expropriation.

In a second line of criticism, post-colonial theorists draw a conceptual link between liberal political philosophy and the dispossession and domination of non-Western peoples. Carole Pateman, for example, argues that the heuristic device of the social contract and the model of liberal government founded upon it are conceptually bound to systemic hierarchies of racial and sexual domination\(^ {23}\). She describes contractarianism as fundamentally Hobbesian, conceiving of human beings as atomistic monads with proprietary/property rights over their own bodies. Political society, in this view, is an association of private agents bound by a series of contractual relations; as the foundation of all social relations, the contract, so to speak, goes all the way down. As


\(^{22}\) For historical arguments drawing the direct connection between liberal theorists and colonialism, see Armitage, "John Locke, Carolina"; Ivison, "Locke, Liberalism and Empire"; Arneil, *John Locke and America*, and "The Wild Indian's Venison"; Mehta, *Liberalism*; and Pitts, *Empire*.

\(^{23}\) Pateman and Mills, *Contract and Domination*. 
Pateman understands contractual relations as based on domination (I allow you, for a time and a price, to “own” rights to my body or labour), the social contract models an inexorably exploitative political system; rather than founding a just social order, the liberal contract merely enables multiple overlapping relations of domination. While disagreeing with Pateman, Charles Mills also criticizes the contractarian tradition – both historically and in the contemporary context – for addressing questions of justice and politics at a level of abstraction that intentionally obfuscates the social realities and injustices embedded (in Rawlsian parlance) in the basic structure of liberal democratic societies. Pateman and Mills thus both draw conceptual links between racial and sexual domination and liberal contractarianism. From a different vantage point, Dipesh Chakrabarty’s Provincializing Europe analyses the “historicist” impulse pervading Enlightenment and post-Enlightenment historical and political thought. He criticizes the Western inclination to posit “historical time as a measure of the cultural distance (at least in institutional development) that was assumed to exist between the West and the non-West”. By conceiving of historical time as chronicling the development of a neutral political modernity, “historicism” implicitly models the West as modern, measuring the rest of the world in temporal-cultural relation to it, as frozen in time or farther back on a developmental scale. Chakrabarty thus aims to provincialize “the

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24 Given that Mills addresses Rawls directly, his argument focuses specifically on the basic structure of the United States. Robert Nichols puts forward a more radical argument, suggesting that social contractarianism intentionally abstracts away from the realities of colonial violence and domination; the contract establishes an ostensibly “neutral” state that conceals the deep asymmetries of power that continue to run through settler-colony legal and political relations. See Robert Nichols, *Indigeneity and the Settler Contract, Philosophy & Social Criticism*, forthcoming.

25 Pateman and Mills significantly differ in their evaluations of social contractarianism: while Pateman regards the contractarian tradition as irredeemably marked by relations of domination, Mills argues that a “weak” contractarianism is capable of modeling the moral intuitions of a just, liberal politics. For an overview of their differences, see Ch. 1 of *Contract and Domination*.

26 Chakrabarty, Provincializing Europe.

27 Chakrabarty, Provincializing Europe, 7.
Europe that modern imperialism and (third-world) nationalism have, by their collaborative venture and violence, made universal. Philosophically, this project must ground itself in a radical critique and transcendence of liberalism\textsuperscript{28}.

These are important and persuasive avenues of criticisms, both of which, as I have outlined in the dissertation’s chapters, have been levelled at Kant and Mill. I now turn to consider how these critical challenges impact upon our reading of these texts and traditions.

6.3 Situating Exclusion: Making the Case for Critical Re-Aproprization

How are we to think of Kant’s and Mill’s moral and political thought in light of these criticisms? The critical challenges treated throughout this dissertation – both those directed at Kant and Mill, as well as the more wide-ranging challenges outlined above – certainly are damning. They attune us not only to Kant’s and Mill’s parochialisms, but to the philosophical tropes and presumptions that have sustained broader structures of injustice both historically, and, as theorists of neo-imperialism such as James Tully point out, that continue to shape global relations of domination and exploitation today\textsuperscript{29}. They enable us to see the ways in which language, texts and representations carry and perpetuate relations of power, drawing attention to the political consequences of discursive and theoretical forms of marginalization. One need not look deep into the relationship between Mill’s philosophical conceits and his role as a colonial administrator to recognize the most obvious ways in which ideas can create, justify and sustain gross political injustices.

\textsuperscript{28} Chakrabarty, Provincializing Europe, 42.

And yet, I share in Thomas McCarthy’s view that “the resources required to reconstruct our traditions of social and political thought can be wrested from those traditions, provided they are critically appropriated and opened to contestation by their historical ‘others’”\(^{30}\). This dissertation pursues this intuition: that despite the forms of exclusion and domination that Kant’s and Mill’s thought have directly and indirectly supported, they retain the philosophical resources to conceive of a just politics. This recognizes the great value of post-colonial, feminist and historical lines of criticism: these attune us to the overt and covert forms of injustice that a critical re-appropriation aims to recognize and eradicate; they open our traditions of thought, as McCarthy puts it, to contestation by historical “others”. And yet, it does not suggest that these traditions are irrecoverably corrupted by their exclusionary propensities, or that these indicate an implicitly exclusionary onto-politics (to borrow from William Connolly)\(^{31}\). It is in this context that I understand the importance of properly situating exclusions in Kant’s and Mill’s thought: if we’re to critically re-evaluate our traditions of political thought with the aim of recovering their normative intuitions and philosophical resources, it is imperative to get their wrongs right. As I’ve argued throughout, the failure to properly situate the exclusionary dimensions of Kant’s and Mill’s thought misconstrues the nature and depth of the problems they present, and in so doing, closes us off from those dimensions of their thought that we have good reason to value. I here turn, then, to re-situate Kant’s and Mill’s exclusionary proclivities, as part of a broader effort to critically reconstruct the traditions descended from them.

\(^{30}\) McCarthy, *Race, Empire*, 14.

6.3.1 A Matter of Perspective: Situating Kant’s Transcendental and Teleological Judgments

We gain little from focusing on Kant’s and Mill’s prejudices, on their racism or sexism (charges which, while certainly pointing to important problems, are improperly conceptualized in these presentist terms); it is perhaps more fruitful to inquire more generally into how they encounter difference.

How, then, does Kant encounter difference? As I argued in Chapter 3, the central problem in Kant’s view lies less in his prejudices than in his teleological conceptualization of women’s and non-Europeans’ natures. To properly understand both women and non-European races, Kant asserts, “one uses as one’s principle not what we make our end, but what nature’s end was”\(^\text{32}\). Kant thus encounters difference through a teleological account of historical development; differences of gender and race comprise conditions of realization for humanity’s collective moralization\(^\text{33}\). This is, in my view, the deeper problem: the singularity of Kant’s conception of our moral and political ends – what Thomas McCarthy describes as his “tendencies towards monoculturalism”\(^\text{34}\) – commits him to treating social, cultural, racial and gender difference as enabling conditions for humanity’s moral realization. Women and non-European races are instrumentalized; rather than regarding them as ends in themselves, Kant conceives of them in relation to their functional roles in our collective moral development. This challenges their moral status, treating them not as beings beyond mere price, endowed with an inalienable dignity, but as transitory figures paving the way to a moralized

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\(^{32}\) Kant, *Anthropology*, 7:306.

\(^{33}\) To briefly recount Kant’s views: women’s “beautiful” character pushes forward the civilization within which we develop our rational faculties, while racial differentiation enables human beings to populate, and so moralize, the entire globe. Both are, in Kant’s view, only comprehensible from the perspective of reflective, teleological judgment.

\(^{34}\) McCarthy, *Race, Empire*, 68.
humanity. As I argued in Chapter 3, the problem is compounded by the fact that this teleological developmentalism appears inextricable from the kind of moral agency of which human beings are capable. Our developmental moral nature is precisely what distinguishes human beings from the broader category of rational beings; unlike the angels whose wills can’t help but to conform to the moral law, we are committed to developing ourselves as moral agents. Given that Kant’s teleology addresses precisely this – the conditions under which we develop the subjective orientations and receptivity to the moral law – it would appear that this teleological account of racial and gendered differences is bound to a properly human ethics.

This certainly appears to confirm the critical charge: if Kant’s teleological developmentalism explicitly constrains the kinds of agents capable of moral realization, we are left to conclude that his moral theory is, at bottom, exclusionary. Yet, if we read him closely, this conclusion fails to be borne out. This line of criticism ignores an important epistemological distinction; it conflates and confuses two different kinds of claims and forms of judgment. Kant distinguishes determinative, objective judgments (derived from transcendental deduction) from regulative, teleological judgments (postulates of reflection). As I argued in Chapter 2, the former address who we are and what we ought to do, as given kinds of rational beings; they address our intelligible nature and the duties that follow from it. These are the determinative judgments from which Kant deduces universal, categorically-binding, normative principles: because we are free, rational beings subject to the moral law, we ought to treat others (and ourselves) as ends in them-/ourselves, and never as means, irrespective of empirical consideration.
Teleological judgments, conversely, pertain to the ways in which beings of our kind – imperfectly rational and capable of failing in our moral duties – can make sense of ourselves and of our place in the world; they concern reflective judgments that enable us to understand ourselves as morally progressive beings. As Kant asserts, “these principles [of teleology] pertain merely to reflective judgment: they do not determine the actual [an sich] origin of these beings, but only say that the character of our understanding and of our reason is such that the only way we can conceive of the origin of such beings is in terms of final causes”\(^{35}\). Teleological judgments do not have the same status as determinative ones; while the latter generate normative obligations, the former are, as Kant puts it, merely reflective, enabling us to understand ourselves and the world in terms of final causes. In so doing, they serve an important moral function: teleological judgments allow us to see ourselves as progressive beings, moving towards an ever more moralized world, and so sustain moral hope. In the face of a world mired in war, irrationality and prejudice, they ward off what Kant describes as moral despair, the despondency to which human beings are prone when they lose faith in the possibility of moral progress\(^{36}\). Teleological judgments thus enable us to do nothing more than interpret the world and properly situate human beings within it; they can not tell us what we ought to do, as determinative judgments can and do.

By conflating these forms of judgment, critics mistake Kant’s reflective teleology for a determinative teleology in the Aristotelian mold. While Thomas McCarthy is sensitive to the distinction between objective and reflective standpoints, for example, he

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\(^{36}\) Max Pensky similarly argues that the central purpose of Kant’s teleological reflections on history is to sustain moral hope; see Max Pensky, “Contributions Towards a Theory of Storms: Historical Knowing and Historical Progress in Kant and Benjamin,” in *The Philosophical Forum*, Vol. 42 (1-2), 2010.
nevertheless suggests that Kant’s teleology partakes in “[t]he business of justifying the horrors of history by pointing to the unfolding of reason, the steady march of progress”\textsuperscript{37}. Robert Bernasconi goes a step further, arguing that Kant’s account of human progress predicts and sanctifies the eventual extinction of non-European races as the world becomes Europeanized\textsuperscript{38}. But McCarthy’s and Bernasconi’s arguments can only be sustained by an objective, normative teleology: Kant could only justify the immoralities of war, slavery and colonialism if his teleology involved objective claims, as an Aristotelian teleology might. We then might understand these forms of violence as unfortunate, but necessary mechanisms pushing us towards our objectively-given moral ends. If, however, we take Kant’s teleology as regulative, we are brought to a different conclusion: a progressive account of historical development does not justify or sanction war, slavery or other such atrocities, it merely explains them as a consequence of our historical immaturity. Teleological judgments can not generate normative principles that would justify racial or colonial injustice; they merely enable us to understand such injustices as the unfortunate result of our collective nonage. Reflective judgments thus sustain the moral hope demanded by Kant’s practical ethics: they preserve our moral commitments in the face of a world whose imperfections might otherwise lead us to despondency. They anchor a moral orientation without justifying an immoral world (as an objective teleology would).

While Kant’s treatments of women and non-Europeans are undoubtedly objectionable, it is important that we situate and interpret them properly. His speculations on their respective “natures” do not comprise the objective or determinative
claims that critics such as Bernasconi, Eze and Mills take them to be, but are rather the reflective judgments that enable us to understand ourselves as progressive beings. This does not suggest that we should ignore, minimize or bracket off these teleological reflections from a purely transcendental moral theory; as I argued in Chapters 2 and 3, teleological and transcendental judgments are perhaps less easily separable than Kant understands them to be. But it does suggest that we should be equally wary of treating Kant’s views on race and gender as immediately or indelibly corrupting his transcendental account of moral agency.

6.3.2 An Impoverished Hermeneutic Space? Situating Mill’s Philosophy of History

How, then, does Mill encounter difference? As I noted in Chapter 5, Mill has been widely perceived as (and criticized for) developing the fullest philosophical articulation of liberal imperialism. Dipesh Chakrabarty describes his “classic liberal but historicist essays” as “consign[ing] Indians, Africans, and other “rude” nations to an imaginary waiting room of history”39. This historicism not only portrays non-Europeans as morally and politically inferior, but also generates the philosophical binary between civilized/modern/contract and uncivilized/traditional/status societies underlying 19th-20th century colonialisms. Mill’s view of civilization, then, produces “the stark binary of the backward and the progressive, with nothing in between”; the problem, Mehta argues, is that “this condition in which the in-between cannot be acknowledged points to the impoverishment of the hermeneutic space that Mill imagines in the encounter with the unfamiliar”40.

39 Chakrabarty, Provincializing Europe, 8.
40 Mehta, Liberalism, 104.
Does Mill’s “stark binary” countenance such a singular view of historical development? Does he encounter difference in such an “impoverished hermeneutic space”, as “simply a threat to life”, in Mehta’s words? This is, in my view, the fundamental challenge: Mill is incapable of encountering the social and cultural differences exemplified in non-European ways of life in any other way than as farther back on a pre-determined civilizational scale. He is unable to recognize and acknowledge difference on its own terms, outside of the interpretive frame of a progressive history that forecloses openness to cultural plurality and alternative paths of modernity. Mill’s liberalism thus pre-empt s “the potential for a dizzying plenitude that could host a multiplicity of developmental trajectories”41 by conceiving of cultural differences as deviations from an ostensibly universal European path of development.

Is this the case? As I argued in detail in Chapter 5, this view misplaces the exclusionary proclivities in Mill’s thought. Mill did not treat cultural differences as irrational remainders destined to fade with the advance progressively rationalized forms of social organization; he rejected deterministic and universalistic projections of historical progress; he understood the best political institutions as recognizing and incorporating the “opinion, tastes and habits of the people”42; he saw differently situated societies’ development as shaped by their sociological and historical idiosyncrasies; and finally, he did not treat civilized and uncivilized societies as so rigidly distinguishable. This is not to suggest that Mill regarded variously uncivilized peoples as on an even keel with Europeans, or as in themselves having any great worth; he clearly considered

41 Mehta, Liberalism, 108.
42 Mill, Considerations, 180-1.
Europeans as further advanced, morally superior and entitled (or even obligated) to “educate” backwards societies through colonial domination.

But the question remains: how does Mill encounter difference? While his views of who the uncivilized are reflect his evident prejudices, these biases are not implicit in his broader philosophical outlook on social and cultural difference. While Mill did not regard the uncivilized as particularly valuable, his conceptualization of historical development does not preclude the recognition of different ways of life in the way that more rigidly deterministic, teleological views do. The structure of Mill’s philosophies of history and development do not implicitly relegate different cultures to a position of sub-alterity or inferiority, but rather identify such differences as valuable and ineradicable features of human life. While his prejudices certainly consigned non-Europeans to such a state of alterity, these have little bearing on his philosophical accounts of difference and human development. While Mill may well have regarded non-Europeans as politically deficient, there’s nothing in his broader conceptualization of social progress that commits us to sharing in his prejudice; the progressivism implicit in his view of civilization is not inherently incapable of recognizing the value of any given culture. Far from foreclosing a pluralist vision of multiple modernities, Mill in fact provides the conceptual architecture to understand social development and modernization as highly pluralized and de-centered processes. By rejecting the determinism of Enlightenment-era philosophical histories and recognizing the value and intractability of cultural differences, Mill’s sociological account of human development conceives of social progress as a pluralistic and culturally-particular process. Despite his own prejudices, then, Mill’s philosophy of history is in fact entirely receptive to Mehta’s “multiplicity of developmental
trajectories”. He encounters social and cultural differences as irreducible and even valuable dimensions of human life.

As Martha Nussbaum, Kwame Anthony Appiah and Wendy Donner note, Mill’s appreciation of social and cultural difference, his criticisms of social (and not merely political) injustice, and his deep commitments to self-development and self-direction provide the grounds for a deeply capacious, flexible and open-ended liberalism. While we’re well warranted in criticizing the exclusionary dimensions of his thought, this liberalism remains more expansive than the critical view suggests. By properly situating these exclusions, we are better able to identify their place in the broader architecture of Mill’s moral and political thought; from this perspective, we can see that his prejudices are not internally bound to his view of social development and human progress. Bhikhu Parekh contends that “[t]o be a Millian liberal is to take a condescending and paternalistic view of non-liberal societies”; to the contrary, I believe that Mill’s own condescending and paternalistic views are in fact entirely extricable from his liberalism. Despite his own prejudices, Mill was, at bottom, concerned with the conditions for self-authorship and self-development, ends that he understood all human beings to pursue in their own particular ways.

Despite their commitments to equality and inclusiveness, Kant and Mill clearly fail to recognize the moral and political worth of many different kinds of people(s). And yet, the philosophical traditions that we inherit from them are not implicitly bound to their failures. These traditions retain valuable insights that, with the benefit of critical reflection, we can draw out from behind their prejudices. By properly situating these

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43 Nussbaum, “Mill on Happiness”; Appiah, Ethics of Identity; Donner, Liberal Self and “Democracy and Education”.
44 Parekh, “Decolonizing Liberalism”, 92.
exclusionary proclivities within the broader arcs of Kant’s and Mill’s philosophies, we distinguish what’s of value within them from what we choose to leave behind; we critically re-appropriate these traditions of political thought. This kind of critical re-appropriation draws on the context-transcending universality of liberal norms, embedded in these traditions of social and political thought, to, in McCarthy’s words, “rethink putatively universal basic norms and reshape their practical and institutional embodiments to include what, in their limited historical forms, they unjustly exclude”45. Critical re-appropriation draws the normative impulse out of these texts and thinkers against their own parochialisms, as part of a never-ending effort to expand the sphere of justice and re-configure social and political boundaries in response to the claims of those left outside of them. This is critical, but also a constructive effort; it illuminates problems of exclusion in order to draw practical and moral direction from behind them. It aims to turn the critical tools descended from Western thought against its own failures and injustices, and draw in the voices of the excluded. It pursues the intuition that the traditions of political thought we inherit from Kant and Mill retain important resources that, suitably (and critically) chastened, can help us to navigate many of our own moral and political challenges.

### 6.4 Concluding Thoughts: A Habit of Democratic Reflexivity

The space between the idealism of liberal political thought and an irreducibly heteronomous and imperfect humanity is, I have tried to show, an important site of both formation and exclusion. The forms of acculturation and soul-crafting that I have examined are as necessary as they are problematic: liberal polities depend upon the

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45 McCarthy, *Race, Empire*, 37.
democratic habits that they can not compel by law. I have aimed to explore the ways in which this space, beneath the law and yet supporting it, in which citizens are formed and learn to form themselves as particular kinds of subjects, can harbour important forms of social and political exclusion, domination and injustice.

It is, I believe, important to recognize that these problems aren’t merely historical, the result of Kant’s and Mill’s prejudices that, having moved beyond them, we can safely disregard. The feminist, post-colonial and liberal-historian scholarship that I’ve addressed over the course of this study illuminates the subtler, less evident forms of subjection and domination coexisting with formally egalitarian moral and political doctrines, both historically and in contemporary contexts. These critical analyses not only deepen our understandings of Kant and Mill, but also attune us to our own blind spots, to the ways in which contemporary liberal-democratic theory and practice can obscure forms of social, political and moral exclusion. They draw us to recognize that the register of character and ethical formation is indeed political, and carries political consequences. They alert us to the importance of ongoing critical self-reflection and encourage us to cultivate an openness and receptivity to voices from the margins, insights taken up by a number of contemporary theorists.

William Connolly, for example, draws attention to the ways in which democratic theory excludes certain kinds of individuals, groups and claims from the political sphere, muting their political voice and inhibiting their capacity to make appeals to justice. By limiting the political arena to “reasonable” citizens willing to offer public reasons in deliberative processes, neo-Kantian democratic theory effectively closes the sphere of

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46 Connolly, *Ethos of Pluralization*. 
justice off from more radical contestations (a point echoed by Iris Marion Young\textsuperscript{47}). This shelters politics from deeper forms of agonistic challenge, preventing the politicization of ways of life, perspectives and claims that fail to conform to norms of public reason and deliberative political discourse\textsuperscript{48}. Liberal-democratic pluralism is thus substantially constrained, recognizing only certain kinds of social difference as falling within the boundaries of the political, and so remaining steadfastly closed to wide range of claims. Liberal-democratic justice, Connolly argues, addresses those who are already recognized as full members of the polity; the work of getting on the register of justice, of gaining political voice, is in fact inhibited by neo-Kantian conceptions of pluralism. The purported universalism of liberal justice and rights not only excludes politically voiceless people(s), but also obfuscates their inability to make claims of justice at all.

Injustice, then, occurs under the radar of justice itself. Democratic theory and practice, Connolly maintains, need to open up to agonistic contestation and deep pluralization; the political sphere ought to enable previously unheard and unhearable subjects to “migrate from an abject, abnormal, subordinate, or obscure Other subsisting in a nether world under the register of justice to a positive identity now existing on the register of justice/injustice”\textsuperscript{49}. Connolly attunes us to the ways in which certain kinds of speech and claims go unheard at the level of justice within formally inclusive, democratic polities. In much the same way as Kant’s and Mill’s views of progressive character constrain the political sphere to sufficiently mature citizens, Connolly understands the

\textsuperscript{47} For a concise version of her argument, see Iris Marion Young, “Communication and the Other: Beyond Deliberative Democracy,” in Democracy and Difference : Contesting the Boundaries of the Political, edited by Seyla Benhabib (Princeton, N.J.: Princeton University Press, 1996); for an expanded treatment, see Young, Inclusion and Democracy.

\textsuperscript{48} Duncan Ivison similarly advocates for a substantially more agonistic public sphere that entirely abandons the aim of achieving reasonable consensus, settling instead for a reasonable modus vivendi; see Duncan Ivison, Postcolonial Liberalism (Cambridge, UK ; New York: Cambridge University Press, 2002).

\textsuperscript{49} Connolly, Ethos of Pluralization, 184.
neo-Kantian impulse to purify political deliberation of unreasonable, “immature” forms of speech as similarly restricting the kinds of claims that count as political – that are the object of justice – at all. While democratic theory is sensitive to the claims of “movements that have already migrated from a place under-justice to a place on the register of justice/injustice”? it more obdurately resists this migration to the level of justice itself. True injustice lies in the inability to speak on the register of justice at all; true justice, then, is always retrospective, an acknowledgment of the validity of previously unspeakable claims and a willingness to engage them in the political sphere. The formal code of political justice is always radically incomplete, covering over our blind spots, the social, political and moral exclusions that liberalism’s universalism often obfuscates.

Jacques Rancière’s theorizations of politics and democracy are equally helpful in critically examining problems of exclusion in inclusive and egalitarian polities. Politics, for Rancière, consists of the claims of the uncounted to be heard, to gain a political voice and become included in a community of speech from which they’ve been

50 Ibid., 186.
51 Connolly describes the struggle for gay rights in United States in the 1970s in precisely these terms: as an effort to draw a voiceless constituency, whose claims were not recognized as politically legitimate or as objects of justice at all, into the sphere of political debate. Contemporary debates regarding Muslim women’s rights to wear headscarves in public spaces similarly reproduce these kinds of logics. The Stasi Commission, whose report led to the 2004 law banning ostentatious religious symbols from public schools in France, interviewed several hundred experts specializing in Islam, feminism, laïcité and French law, and yet met with only two headscarf-wearing Muslim women. The Commission defended this seemingly egregious failure by claiming that women’s decision to wear the headscarf in itself indicated a lack of autonomy and self-determination, taking this as evidence of their inability to exercise the kinds of rational judgments that would advance the Commission’s fact-finding mission. These women’s voices were (and continue to be, in the current debate on the burka in France) inaudible at the level of political debate, kept beneath the register of justice on account of their failure to exhibit adequately “mature”, rational, or liberal forms of judgment and behaviour.
52 For the purposes of this discussion, I set aside important and difficult questions pertaining to inclusion and exclusion in drawing the borders of democratic states, reflecting the tension between liberal inclusiveness and democratic closure. For a careful treatment of this democratic paradox, see Seyla Benhabib, The Rights of Others: Aliens, Residents and Citizens (Cambridge: Cambridge University Press, 2004).
excluded. Politics describes the egalitarian logic by which the voiceless, whose claims are mere noise at the level of law, confront and challenge the social inertia and boundedness of as existing political order. Political change does not merely consist in different laws, Rancière argues, but rather “redefines the field of experience that gave to each their identity with the lot. It decomposes and recomposes the relationships between the ways of doing, of being, and of saying that define the perceptible organization of the community.”

Politics is the egalitarian demand to reconfigure the social bonds and relationships constituting a given community in response to the claims of the internally excluded. The work of politics lies not at the level of law, within the order of existing social and political relations, but in the challenges from the margins of society that illuminate the ways in which this order renders them voiceless, excluded from the bounds of political logos. “Politics”, Rancière asserts, “exists wherever the count of parts and parties of society is disturbed by the inscription of a part of those who have no part”; politics is the process of redrawing the contours of social and political order in response to the claims of the excluded.

As we can see, the boundaries of the demos are often drawn beneath its borders, concealing the internal others, the voiceless, the outliers of a given community of speech.

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54 Étienne Balibar’s analysis of the disaffected populations in France’s *banlieues* illustrates Rancière’s arguments. The systematic social disenfranchisement of these populations exemplifies the kinds of sublegal exclusions that exist within formally inclusive states and inhibit social and political participation in important ways. Balibar argues for the instauration of positive social rights to pull these communities into the political sphere, redrawing social and political boundaries in response to the claims of the unheard. Like Rancière, Balibar sees the claims for inclusion of people “internally excluded from the possibility of active political participation” as compelling us to understand “democracy [as] being in fact a process, a permanent struggle for the democratization of its own historical institutions”. See Balibar, “Historical Dilemmas of Democracy” (536). For his more general view of minority claims as challenging the false universality of established social, political and ideological orders, see Balibar, “Ambiguous Universality,” in *Politics and the Other Scene*, translated by Christine Jones, James Swenson, and Chris Turner (New York: Verso, 2002).

55 Rancière, *Disagreement*, 123.
These shifting blind spots should not push us towards the Sisyphean pursuit of a freedom unconstrained by social norms and formation, but should rather encourage the cultivation of a habit of democratic reflexivity. We ought to better attune ourselves to different registers of injustice and cultivate our awareness, vigilance and sensitivity to the ways in which our idealizations of liberal character and citizenship can harbour exclusionary presumptions. This reflexivity enjoins us, as Connolly argues, to expand our view of the political, to open ourselves to the voices of political activists, civil society actors, marginal (and marginalized) social movements, religious groups, citizens’ initiatives and transnational actors – in short, to pluralize the public sphere and open ourselves to deeper forms of difference and democratic contestation. It pushes us to advocate for the preservation of what Jane Mansbridge describes as democratic enclaves, the protected spaces enabling counterpublics to coalesce and challenge the sedimentation of relations of power. Such counterpublics give voice to groups and individuals unable to iterate their claims in an idiom that speaks to power; they enable the migration from beneath the register of justice to the level of political speech. This kind of democratic self-reflexivity, then, aims to enhance our sensitivity to the hard-to-hear voices of those we often fail to perceive as making claims of justice at all.

In a late essay on “What is Enlightenment?”, Foucault draws out two central themes running through Kant’s celebrated text. Kant both addresses the Enlightenment as an historical marker, situating humanity in a progressive account of collective


development, and also outlines “a philosophical ethos that could be described as a permanent critique of our historical era”\textsuperscript{58}. This latter point – that Enlightenment calls upon us to expose our perceived limits to constant critical scrutiny and self-reflection – is, in Foucault’s view, what we might most fruitfully take and carry forward from Kant. This ethos orients us towards constant individual and collective self-reflection, animating an ongoing and positive project of social and political critique. \textit{This} Kant, via Foucault, pushes us to inquire: “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?”\textsuperscript{59} In our everyday lives, Kant and Foucault tell us, we adopt given moral and legal codes and learn to form ourselves into the kinds of subjects they demand. In so doing, we often fail to critically reflect upon our attitudes, our beliefs, our desires and our institutions; we fail to consider the arbitrary constraints these might harbour. Foucault’s view of Kant perhaps best captures the central elements of a habit of democratic reflexivity: his injunctions push us to develop an attitude of ongoing self-examination, to question the limits of citizenship, and to expose the subterranean presumptions of liberal character and agency to critical scrutiny. Foucault’s late writings conceive of freedom as an ongoing practice, a process rather than an endpoint. Freedom, in his view, emerges from this constructive project of critical self-reflection:

\begin{quote}
The critical ontology of ourselves has to be considered not, certainly, as a theory, a doctrine, nor even as a permanent body of knowledge that is accumulating; it has to be conceived as an attitude, an ethos, a philosophical life in which the critique of what we are is at one and the same time the historical analysis of the limits that are imposed on us and an experiment with the possibility of going beyond them.\textsuperscript{60}
\end{quote}

\textsuperscript{58} Michel Foucault, “What is Enlightenment?” in \textit{The Politics of Truth}, ed. Sylvère Lotringer and John Rajchman (Los Angeles, CA: Semiotext(e), 2007), 109.
\textsuperscript{59} Ibid., 113.
\textsuperscript{60} Ibid., 118.
This study follows in the spirit of this constructive, critical project; it aims to scrutinize the limits that history imposes upon us in order to consider how we might go beyond them. Why turn back to Kant and Mill? The critical examination I’ve undertaken is not simply critical but also aims at constructive ends; I again draw on Foucault’s belief that “the critical question today has to be turned back into a positive one”\textsuperscript{61}. As I hope to have made clear, my exploration of the forms of character and agency underlying Kant’s and Mill’s thought does not approach them as implicitly oppressive, disciplinary or normalizing, but neither does it treat them as benign. I aim, rather, to consider the relationship between the formation this character and the kinds of exclusion this has sustained in order to distinguish what we have reason to value in these traditions of political thought from what we reflexively choose to leave behind. This kind of genealogical work is not unthinkingly critical; it does not pursue totalizing critique. It aims to illuminate the origins of given systems of thought such that we may expose them to critical appraisal. I borrow, once again, from Foucault’s conceptualization of this project of self-critique, inherited from Kant:

\begin{quote}
this critique will be genealogical in the sense that it will not deduce from the form of what we are what it is impossible for us to do and to know; but it will separate out, from the contingency that has made us what we are, the possibility of no longer being, doing, or thinking what we are, do, or think. It is not seeking to make possible a metaphysics that has finally become a science; it is seeking to give new impetus, as far and wide as possible, to the undefined work of freedom.\textsuperscript{62}
\end{quote}

This is, at bottom, what I have tried to do: to separate out the contingent from the necessary in the structures of thought that we’ve inherited from Kant and Mill as part of an ongoing critical evaluation of our present.

\textsuperscript{61} Ibid., 113.
\textsuperscript{62} Ibid., 114.
At the time of this writing, Bill 94, the Quebec statute proposing to bar burka-
wearing women from accessing a variety of public services, is meeting with widespread
public approval. Just a few days ago, France’s National Assembly resoundingly – by a
vote of 335 to 1 – approved the passage of a law that will ban the burka from all public
space, the latest punctuation in a 20-year old debate that has persistently demonized
Muslims as incapable of adopting French norms, dispositions and attitudes. Belgium,
Spain and other European states have either passed or are contemplating similar measures
(to say nothing of Switzerland’s minaret ban), facing an influx of immigrant populations
portrayed in media and political debates as unable to conform to liberal ways of life. As
the death of multiculturalism is being pronounced across Europe (as Angela Merkel
recently put it, the “multicultural concept… has failed, and failed utterly”63), aggressively
assimilationist immigration and integration policies are on the rise; an often chauvinistic,
militant and intolerant liberalism appears increasingly normal and normalized. Under
these circumstances, Foucault’s injunction to turn a critical eye upon the kinds of subjects
and citizens that our moral and legal codes presume appears as urgent as ever. For all of
the advances we’ve made, we appear, on occasion, distressingly close to the biases and
prejudices that lay beneath Kant’s and Mill’s ideals. It is incumbent upon us to bring our
critical and analytical resources to bear not only on them but also on ourselves in
continuing to pursue, as Foucault put it, the undefined work of freedom.

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