

Roberta Pasquare`

Visiting Scholar at Karl-Franzens-University Graz (Department of Philosophy)

**University, Republic, and Morality:
On the Reversed Order of Progress in ‘*The Conflict of the Faculties*’**

Paper presented at the

Leuven Kant Conference 2021

May 27 - 29

KU Leuven (online)

**University, Republic, and Morality:
On the Reversed Order of Progress in ‘*The Conflict of the Faculties*’**

The 1798 essay *The Conflict of the Faculties* is commonly considered to seal Kant’s retreat from progressive to conservative positions. Supposedly, Kant’s conservative shift is especially evident from his discussions of public use of reason and moral progress. In its initial version, the unrestricted freedom to make public use of reason encompasses potentially all adult men and serves to foster moral and political progress through the self-education of the citizenry. However, according to several interpreters, in *The Conflict of the Faculties*, Kant adjusts his notion of public debate to the absolutist conception of speech, restricts it to academics and politicians, and advocates moral progress through state-sanctioned education.

In contrast to this reading, I will argue that Kant does not withdraw any of his previous stances. On the contrary, *The Conflict of the Faculties* maintains the project leading from moral progress to the republican constitution through the public use of reason but, at one juncture, reverses the order of the progression.

In the first section, I show how Kant reaffirms and even extends the scope of his initial notion of public use of reason and, in the second, I argue that the idea of moral progress through state-sanctioned education is Kant’s republican rebuttal of reactionary positions.

1. On The Public Use of Reason: Reaffirmation and Extension

What I call Kant’s initial notion of public use of reason is the one presented with the essays *What is Enlightenment?* and *What Does It Mean to Orient Oneself in Thinking?* In these articles from the mid-1780s, Kant coins the term ‘public use of reason’ and outlines its features, requirements, and function.

The public use of reason is “that use which someone makes of it *as a scholar* before the entire public of the *world of readers*” (WA, AA 8:37). Thus, scholars as subjects and readers as recipients constitute the participants in public use of reason.

As for its subjects, anyone who meets an epistemic and a juridical condition potentially qualifies as a scholar. The epistemic condition requires that someone only communicate thoughts that derive from universally shareable grounds (WDO, AA 8:146 Fn.). The juridical

condition requires that someone speak in his own person and not on behalf of the state. The latter is the case of someone speaking as a state official and making private use of reason. Such use “is not and cannot be free” since the subject “is carrying out another’s commission” and is, therefore, bound “to deliver as prescribed” (8:38). Conversely, to the extent that someone speaks outside his function as a state official and thus “in his own person”, he makes public use of his reason and “enjoys unrestricted freedom” (ibid.).

Equally inclusive is the public use of reason in relation to its recipients since anyone who has material and intellectual access to print media potentially qualifies as a reader.

The function of the public use of reason is to realize that self-education of the citizenry that Kant terms enlightenment and designates as the progress in which lies the vocation of human nature (WA, AA 8:39). As the scope of this self-education process, Kant singles out three areas: morality, legality, and physical health. The result of the self-education of the citizenry effected through the exercise of the public use of reason is the “true reform of one’s way of thinking” (8:36), which in turn renders the people “capable of *freedom in acting*” and the ruler inclined to reform the “principles of *government*” (8:41) conformably to what Kant will later term the regulative idea of a republic.

With *The Conflict of the Faculties*, Kant’s position seems to change.

As for the subjects of public use of reason, after reasserting university professors’ freedom to judge publicly (SF, AA 7:8) and to dispute publicly (7:28), Kant characterizes the other state officials as “bound to uphold whatever [...] the crown sanctions for them to expound *publicly*” (7:8), “not free to make public use of their learning” (7:18), and forbidden “from contradicting in public” state-sanctioned teachings (7:29). Several interpreters have focused on these passages and drawn similar conclusions. Particularly influential is John Christian Laursen’s reading. Accordingly, 18th-century German jurisprudence deprives the adjective ‘public’ of its numerous meanings and, in line with absolutism, reduces it to ‘pertaining to the state’ or ‘owned by the state’. Conversely, literary critique reclaims the adjective and refers it to the authors and audiences of the literary arts. With his initial use of ‘*Publikum*’ and ‘*öffentlich*’, Kant adheres to the literary reappropriation of this terminology, refers it exclusively to writers and readers, and employs it “to subvert the language of absolutism” (Laursen 1996, 253). Kant’s terminology serves “to introduce a subversive doctrine” (257) that Laursen terms ‘two hats theory’. Specifically, “each individual can play two roles in society”, namely the law-abiding citizen who speaks according to the state’s will and the scholar who publicly and freely questions it (257). However, so Laursen, in *The Conflict of the Faculties*, Kant’s terminology undergoes a shift indicating that “Kant is reverting to the

narrower definition of Gelehrten as scholars”. Consequently, “the privileges of free debate are reserved for the latter”, and the “part-time men of learning are now disenfranchised” (259 f.). As for the recipients of public use of reason, a parallel restriction seems to occur. Due to Kant’s qualification of laypeople as “incompetent” (*SF*, AA 7:18), Laursen and others conclude that now “[t]he reading public [...] is evidently composed of only the government and the higher faculties” (Laursen 1996, 260).

In my interpretation, Kant does indeed redefine his vocabulary but, far from restricting the scope of public use of reason, he even extends it to an area initially assigned to the private use of reason.

Let us start with the subjects of public use of reason. The groups that Kant treats are theology, law, and medicine professors (as scholars of the higher faculties), philosophy professors (as scholars of the lower faculty), and clergymen, magistrates, and physicians (as the practitioners trained by the higher faculties). All three groups consist of state officials. As such, according to Kant’s notion of public use of reason, they should be allowed to speak freely while not in the exercise of their official function. This is precisely the case for all of them. For the lower and higher faculties Kant consistently claims the right to carry out a “public conflict of views” (e.g. *SF*, AA 7:29). As for the practitioners, the prohibition he keeps in place is to disregard state-sanctioned prescriptions while in their official function. When Kant prescribes the practitioners “to uphold whatever [...] the crown sanctions for them to expound *publicly*” (7:8), he introduces them as “those who are appointed to teach the people” (*ibid.*), thus clearly framing them in the exercise of their official function. Likewise, when Kant claims that “clergymen, magistrates, and physicians [...] are not free to make public use of their learning” (7:18), he contextualizes them as “tools of the government [who] deal directly with the people” (*ibid.*), and clearly considers them in the exercise of their official function. Since nowhere does Kant prohibit the practitioners from making public use of their reason in their spare time, it is legitimate to conclude that they still may. It stands as additional evidence the passage in which Kant envisions, just like in his initial project, the removal of “all restrictions that [the government’s] choice has put on freedom of public judgment” (7:35).

Moving on to the recipients of public use of reason, Kant’s depiction of laypeople as “incompetent” or, in his words, “*Idioten*” (7:18), does not signal any restriction. As Reinhard Brandt highlights, with the term ‘*Idiot*’, Kant is not expressing his opinion but parodying “the sorry triad of feudal arrogance” (Brandt 2003, 9). Referring the reader to the *Anthropology Friedländer* of the mid-1770s, Brandt points out a passage in which Kant mocks the absolutist

language that labels laypeople as cattle, children, and idiots (*V-Anth/Fried*, AA 25:541). Thus, so my argument, Kant does not restrict the recipients of public use of reason to academic scholars and government members. Rather, retorting the absolutist conception of laypeople against itself, he defies absolutism to let academics and part-time scholars speak freely to a public who, by the government's own judgment, either "takes no notice" (*SF*, AA 7:8) or "is resigned to understanding nothing" (7:34). Significantly, nowhere does Kant mention a restriction of the periodical press, the instrument par excellence of public debate.

Not only does Kant not restrict the scope of public use of reason, he even extends it to an area initially assigned to the private use of reason. Whereas the scholars of the higher faculties are allowed to make public use of reason in the press but bound to make private use of reason at the university, philosophy professors are free to make public use of reason in both contexts. In Kant's words: "It is absolutely essential that the [...] university also contain a faculty that is independent of the government's command [...]; one that [...] is free to evaluate everything, [...] one in which reason is authorized to speak out publicly" (7:19 f.). Remarkably, it is not only philosophy professors in their spare time who are allowed to judge freely and publicly, it is the "*philosophy* faculty, which has the public presentation of truth as its function" (7:33), namely philosophy scholars *qua* state officials.

In my view, the widespread misunderstanding that Kant restricts the scope of public use of reason derives from Kant's new vocabulary in which the adjective '*öffentlich*' is indeed not as univocal as in its initial formulation. Overall, it recurs 68 times. The absolutist use occurs 37 times against the 14 occurrences of the initial one. In expressions like 'a public conflict of views' or 'public presentation of truth', Kant unequivocally conveys his initial project through his initial vocabulary. However, in expressions like 'public teachers' and 'public teachings', he conveys the spirit of his initial project through the letter of absolutism.

Why Kant, despite reaffirming his initial project, indulges the absolutist conception of speech and education is the topic of the next section.

2. University, government, and progress: a new trajectory for an old project

As outlined earlier, with the public use of reason, Kant envisions a bottom-up trajectory of progress that starts with the self-education of the people, proceeds with their moral progress, and culminates in the republican reform of the state. Yet, in *The Conflict of the Faculties*, he claims that moral progress can only occur through state-sanctioned education "from top to bottom" (*SF*, AA 7:92). For Frederick Beiser, Kant's call for state intervention is

“a betrayal of the heart of his moral philosophy, the principle of autonomy” on both the juridical and ethical level (Beiser 1992, 68).

On my reading, the notion of a top-to-bottom education is a rhetorical tool devised to provoke reactionary absolutism on its ground and reaffirm against it the moral and political project of critical philosophy.

In the 1790s, reactionary writers make political reform contingent upon the people’s education to freedom but declare such education impossible. This judgment rests on the false dichotomy between, on the one side, tradition and stability and, on the other, rationalism and revolution. Whereas tradition stands for time-tested institutions capable of satisfying the basic human need for stability and happiness, rationalism stands for the project to reprogram society on the principles of reason and freedom. Since human beings value happiness over freedom and feelings over reason, rationalism is bound to cause social disruption and political unrest. The French Revolution is the ultimate proof that rationalism turns human beings into raging mobs and political systems into terror machines. Thus, it is incumbent upon any sage government to preserve the *status quo* and strictly oversee the university, the pulpits, and the press.

Kant defies precisely this conception that immorality can be contained by absolutism and exacerbated by rationalism. He does so by confronting absolutism with the vicious circle of its own making: the government first enacts policies that hinder moral education and then uses moral immaturity as an argument against reforms. *The Conflict of the Faculties* is a provocative argument crafted to blame the people’s immorality on the government by carefully exonerating the ruler, presented as pursuing a well-meaning interest for the truth, and only charging his officials, depicted as fraudulent advisers pursuing self-serving ends.

Kant starts by mimicking the reactionary cliché of common people as affected “by the inclination to *enjoyment* and the aversion from *working* for it” (*SF*, AA 7:30). Rather than seeking advice on how to adopt an ethical, legal, and healthy conduct, they recognize as expert advisors whoever can teach them tricks to live as scoundrels and still go to heaven, break the law and still win the case, abuse their bodies and still enjoy a healthy life (*ibid.*). He then goes on to denounce that the scholars of the higher faculties and the practitioners they train have “the effrontery to give [themselves] out as such miracle-workers” (7:31). The former, “instead of viewing transgressions of the law as hindrances, welcome them as occasions for showing their great art and skill in making everything as good as ever” (*ibid.*). The latter, misrepresenting themselves as “self-appointed tribunes of the people”, spread

“doctrines in keeping with the people’s inclinations”, thereby winning them “away from the influence of a legitimate government” and sowing “the seeds of insurrection” (7:34 fn).

The portrayal of demagogic officials living off the people’s immorality finds its counterpoint in the ruler’s opposite interest in having righteous, just, and healthy subjects (7:22). Kant declares legitimate both this interest and the means to its pursuit, namely the sanctions of university instruction for the practitioners and the sanctions of public teachings for the people (7:19). Yet, although the ruler, in this rhetorical depiction, is interested in the truth of what fosters morality, he has to rely on who is closest to the people to know by what teachings, at the university and on the pulpits, he can acquire “the strongest and most lasting influence” (ibid.). Unfortunately, the ones closest to the people are the practitioners, these fraudulent advisers by whom he is “*led* to obtrude on the faculties a theory that arises [...] from calculations of the influence [they] can exert on the people” (7:31).

Here, after the indictment of the practitioners and the exoneration of the ruler, is where the project of a state-sanctioned education ‘from top to bottom’ sets in. Although through no fault of his own, the ruler is ultimately responsible for the people’s moral immaturity. But, since his interests are legitimate and his intentions good, he just needs better advisors to counsel him on how to reform university instruction so as to train practitioners capable of true moral education. Through a three-step argument, Kant states that such advisors are philosophers making unrestricted public use of reason. That by ‘philosophers’ Kant means ‘critical philosophers’ clearly emerges from the use of key terms of theoretical and practical critical philosophy.

The first step is a crescendo that culminates with the pragmatic indispensability of philosophy. At the outset, Kant makes philosophy inviting by stressing that philosophy, just as the ruler, only “concerns itself with [...] the truth” (7:20). He then presents philosophy as harmless by stating that it relies on the same hierarchy of incentives as the ruler: eternal, civil, and physical well-being (7:21). Next, philosophy becomes pragmatically useful since it “can deal with [the people’s] wishes only by precepts it derives from reason” and is capable of “saying what the human being himself can and should do [to] live *righteously*, commit no *injustice*, and [be] *moderate* in his pleasures and patient in his illnesses” (7:30). Finally, Kant elects philosophy as the ruler’s best ally by averring that “without its rigorous examinations and objections, the government would not be adequately informed about what could be to its own advantage or detriment” (7:35).

In the second step, Kant nominates philosophy to the function of advisor in matters of university instruction reform. He first secures the sanction of university teachings both as the

ruler's duty ("since otherwise there would be no [...] norm for their guidance") and right ("for otherwise it could not demand obedience") (7:22). Then, he suggests that the ruler reform university instruction according to philosophy's insights and spells out the ruler's pragmatic advantage: better-instructed university professors and, consequently, more enlightened practitioners (7:29). The long-term benefit is that "the government may find the freedom of the philosophy faculty, and the increased insight gained from this freedom, a better means for achieving its ends than its own absolute authority" (7:35).

In the third and last step, Kant advocates the unrestricted freedom publicly to discuss any sanctioned teachings as a means to serve the ruler's interest for truth and his right to count on righteous, just, and healthy subjects: "The philosophy faculty can, therefore, lay claim to any teaching, in order to test its truth. The government cannot forbid it to do this without acting against its own proper and essential purpose" (7:28). But "this is possible only if complete freedom to examine these teachings in public is permitted" (7:32).

Thus, with the notion of a state-sanctioned education, Kant manages to blame the government by exonerating the ruler, charging his officials, electing critical philosophers as moral educators, and advocating freedom of the press.

In another place, equating republicanism with pacifism and absolutism with war, Kant denounces the latter as responsible for the moral and juridical immaturity of the people. Accordingly, absolutism hinders morality since wars are "the greatest obstacle to morality" and neglects moral education since "it uses all the money for war" (7:93). Kant thus meets reactionaries on their ground and reverses the burden of proof from rationalism and human nature onto absolutism and its policies. Assuming the reactionary position, Kant avers that state intervention in matters of morality is indeed necessary. However, at the same time, he argues that absolutism is responsible for people's moral immaturity. It is not human nature that values happiness over freedom and inclinations over reason. It is not rationalism that causes social disruption and political unrest. It is absolutism that with its war economy neglects moral education and with its wars fosters immorality. Consequently, it is up to the government to either admit to thrive in immorality or "to renounce offensive war altogether" (7:93), initiate a republican reform, and invest in critically informed education.

Kant's initial trajectory of progress was a four-step project that proceeded from the public use of reason, to the self-education of the people, to moral progress, to republican reform. It was a trajectory for times of enlightened absolutism, in which the monarch tolerates freedom of the press, assesses its positive moral effects, and willingly initiates republican reforms. His later

trajectory of progress is a five-step project that proceeds from the public use of reason, to the top-to-bottom but critically informed reform of university instruction, to the reform of the practitioners' teachings to the people, to moral progress, to republican reform. It is a trajectory for times of reactionary absolutism, in which freedom of the press must be won with pragmatic arguments and reform forced with rhetorical skill.

Abbreviations

<i>V-Anth/Fried</i>	Anthropology Friedländer
<i>WA</i>	An Answer to the Question: What is Enlightenment?
<i>WDO</i>	What Does It Mean to Orient Oneself in Thinking?
<i>SF</i>	The Conflict of the Faculties

References

References to Kant's works are to the *Academy Edition Immanuel Kant: Gesammelte Schriften*, edited by the Prussian Academy of Sciences (vol. 1-22), the German Academy of Sciences in Berlin (vol. 23), and the Academy of Sciences in Göttingen (vol. 24-29), 1900-.

They are indicated in the following form: *Siglum*, AA volume:page.

All emphases are Kant's.

BEISER, Frederick C. (1992). *Enlightenment, Revolution, and Romanticism. The Genesis of Modern German Political Thought 1790-1800*. Cambridge/London: Harvard University Press.

BRANDT, Reinhard (2003). *Universität zwischen Selbst- und Fremdbestimmung. Kants „Streit der Fakultäten“*. Berlin: Akademie Verlag.

KANT, Immanuel [1784] (1996), An Answer to the Question: What is Enlightenment?, *Practical Philosophy*, 48-59. Trans. and ed. by Gregor M.; intr. by Wood A. W, Cambridge: Cambridge University Press.

KANT, Immanuel [1786] (1996), What Does it Mean to Orient Oneself in Thinking?, *Religion and Rational Theology*, 26-43. Trans. and ed. by Wood A. W. and Di Giovanni G. Cambridge: Cambridge University Press.

KANT, Immanuel [1798] (1996), The Conflict of the Faculties, *Religion and Rational Theology*, 258-327. Trans. and ed. by Wood A. W. and Di Giovanni G. Cambridge: Cambridge University Press.

KANT, Immanuel (2012), Anthropology Friedländer 1775–1776, *Lectures on Anthropology*, 37-255. Trans. by Clewis R. R., Loudon R. B., Munzel G. F., and Wood A. W. Ed. by Wood A. W. and Loudon R. B. Cambridge: Cambridge University Press.

LAURSEN, John Christian (1996). "The Subversive Kant: The Vocabulary of 'Public' and 'Publicity'". In: Schmidt, James (ed.). *What Is Enlightenment? Eighteenth-Century Answers and Twentieth-Century Questions*. Berkeley/Los Angeles/London: University of California, 253-269. (orig. Id. *Political Theory* 14: 4 (1986): 584-603. Rep. Id. (1992). *The Politics of Skepticism in the Ancients, Montaigne, Hume, and Kant*. Leiden/New York/Köln: E.J. Brill, 213-232).