



**Nenad Miličić: *Contemporary Visions of Kant's Political Philosophy*.
Doctoral Thesis. České Budějovice: TF 2022. 151 pages.**

PhD. thesis evaluation

In the first place I have to express my joy over selection of the topic of the thesis dedicated to classic issue regarding the area of social theories, namely Kant's political thinking, its analysis as well as Kant's thoughts in the context of contemporary authors. The idea of enlightenment developed by Kant in cooperation with Lessing and young Schiller achieves its peak in his political works. Apart from this, I consider the thesis to be immensely actual within modern political context and also from the point of view of continuous development of international law and in the context of immediate contemporary circumstances.

The author bases his work on three Critiques by Kant, which was the motive in this field by H. Arendt and currently seen as a standard approach. Hence, the author presents theoretical framework of the issue with its continual transition from theoretical prerequisites through ethical frameworks of imperative, with thorough transmission of these ethically relevant principles into the sphere of legal theory that must accomplish the universal validity of the law. I have to say that his explanation is very comprehensible, detailed and methodically accurate.

Some of my notes and objections:

At the very beginning the author presents several (highly ambitious) goals, among which he highlights methodical aspects of his progress. Apart from already mentioned sources he plans to analyze Kant's work „Streit der Fakultäten“ (Conflict of the Faculties). Considering the fact that it's one of the last Kant's works, I was interested to discover how the author connects this point with other resources, since the core of this work is based on Kant's vision of university and relation among four faculties. Kant focuses on question related to progress of humanity as well as on the future society condition upon which the candidate could build his later chapter on Popper's critique of historicism. Apart from this, there's also Kant's so-called Cracow Fragment to „Streit der Fakultäten“, in which the idea of the progress of humanity is developed, which could have been mentioned by the author and also the mapping of which actually belongs to Kant's idea of enlightenment.



Could the candidate for doctorate at least additionally mention some important points from this work that he planned to analyse as well?

I would also have several remarks regarding the question of natural state. The author submits a good analysis of the problem of natural state, through which he wants to explain the difference comparing to Hobbes and thus point out to divergence of the transition from natural to civil state in Kant's work and his subsequent formulation of international law (*ius gentium*). On this point and the history of *ius gentium* I would like to add that it is not so much to Th. Aquinas who should be associated with this term, but Ockham and later authors of the second scholastics who developed the idea of *ius gentium* and in whose works radical shift in this issue is seen, mainly by Spanish authors like B. De las Casas, F. de Vitoria, Juan de la Peña, Suarez and others. However, after them we need to mention not only Grotius but also Alberico Gentili, his Oxford fellow and Hobbes's teacher (who wrote a great work *De iure belli*, 1598). Along with Grotius they sort of „got involved“ in the confrontation regarding the Dutch ship Santa Catarina and „the law of the seas“ (*mare liberum/mare clausum*) related also to the mentioned „*ius peregrinandi*“ and the fact that the seas are freely ploughed by pirates and fishermen despite the existence of „exclusive“ merchant routes which belong to someone. This gives rise to an impetus for a change of understanding of *ius gentium*.

However, this remark does not diminish the quality of author's interpretation from Hobbes to Kant, Pufendorf, Vattel or others. I was also slightly interrupted by rather often repeated dublets of certain thoughts (e. g. regarding the form of government and the form of sovereignty on p. 45 and 48, colonization in the Kantian epoch on p. 63, 86, 110). I realize that it most probably occurred due to the fact that particular subchapters were published as partial works (studies or articles) where the theses were repeatedly submitted and worked with.

I reckon that further analyses concerning J. Habermas represents a good contribution to this topic also from the point of view of contemporary formation of European community of nations. Chapter 8, however, seems to be only a „small“ contribution to the issue of development of Kant's political postulates and contemporary legal approach.

Questions that have arisen while I was reading the thesis:

My first question concerns H. Arendt and her approach to Kant's political philosophy -- I would like to know the author's opinion regarding her „working method“ rooted mostly in the *Critique of Judgement*. I'd like to know what he



thinks of the approach, considering the fact that he has not paid much attention to the Critique of Judgment.

The second question is related to John Rawls who had been strongly influenced by Kant's political philosophy since the beginning of his theological studies, which he naturally reflects in his work. This reception of Kant led *de facto* to three various „epochs“ concerning his writings. How do you perceive Rawls's emphasis on equality and his interpretation of one of Kant's three mentioned principle of civil condition, besides the principle of liberty and autonomy? Nevertheless, Rawls's work Theory of Justice is confronted with the question of liberty and equality much more intensely, but the idea of equality itself seems to be more „focal“ according to Rawls's opinion.

I have no other objections nor questions regarding the thesis. I consider it to be of relevant quality and if it's defense is successful, I recommend to grant the student PhD degree in the field of philosophy.

Bratislava, 19th May 2022



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