

Thesis opponent's report – PhDr. Ing. Jiří Chotaš, Ph.D.

Nenad Miličić, *Contemporary Visions of Kant's Political Philosophy*, 151pp (doctoral thesis)

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The doctoral thesis of Nenad Miličić deals with selected subjects from the legacy of political philosophy of Immanuel Kant. The main of these, according to Miličić, are the concept of natural right, the right of nations, just war, and cosmopolitan democracy. Issues he leaves aside are for instance contemporary reactions to Kant's treatise *Toward Perpetual Peace* (with the exception of J.G. Fichte's review, mentioned on p. 61–62), response to Kant's political philosophy in both neo-Kantianism (Hermann Cohen and others) and the philosophy of law (Hans Kelsen), and rather surprisingly also Kant's theory of liberal or democratic peace, discussion upon which has been inspired by M.W. Doyle's article *Kant, Liberal Legacies and Foreign Affairs* (1983).¹ This discussion led to the emergence of various critics and adherents of Kant's theory of liberal or democratic peace and contributed to a renewal of interest in Kant and his views of international politics. Nevertheless, Miličić doctoral thesis is a remarkable research achievement, especially considering that no history of reception of Kant's political philosophy has been written as yet and secondary literature deals only with some specific subjects (neo-Kantianism and ethical socialism).

Regarding the structure of Miličić's doctoral thesis, I have some reservations regarding its basic layout. The Introduction (p. 4–13) should include a more detailed definition of the thesis subject. While it includes a section called 'Research Aims and Objectives of the Dissertation' (p. 8), this outlines the subject of investigation in excessively broad terms. Miličić promises to present 'a new perspective on [Kant's] philosophical teachings' but after reading the thesis, it remains unclear what the new perspective should be. In the 'Concluding Remarks', Miličić summarises his investigations in a statement that there exists a 'necessity of implementing Kant's political philosophy in contemporary political theory and its integration in today's international relations policies, positively influencing the United Nations transformation process' (p. 138). Regarding this conclusion, it should be noted that Miličić draws a distinction between two broad theoretical groups: the followers and the sceptics with respect to Kant's

¹While Miličić lists Doyle's article in the bibliography (p. 143), he does not mention it in the text of his dissertation.

theory of a just war, international relations, and cosmopolitan democracy. Subsequently, he divides various current political philosophers in three groups depending on their attitude to the legacy of Kant's political philosophy (p. 138–139). It seems to me that this may be too little of a contribution to contemporary scholarship, which is what is required of dissertations. I believe that this perception is due to the fact that the Introduction does not include a summary of current state of research of the thesis subject, the 'status questionis'. If Miličić presented such a brief summary, he could narrow down his subject to what has not been researched as yet or to what remains neglected by secondary literature. The contribution of his thesis would be thus more readily apparent.

Nenad Miličić had published some parts of his dissertations as articles in Serbian academic journals (p. 12–13). That is laudable, because in this way he presented partial results of his research to the academic public. What I view as problematic, though, is that the seventh chapter (The Processes of Globalisation), which appeared as an article in the *Theoria* journal, was written jointly with Takeshi Hamano as a co-author (p. 3, 12). In the chapter itself, however, there is no reference to Hamano. I leave it to the committee to assess this issue. Another problem is that the incorporation of these previously published articles into the dissertation is not quite careful or smooth: they are not linked to the surrounding text and at some points, we find passages which are duplicated elsewhere. So, for instance in the summary of chapter seven, we find reference to what is achieved 'in this article' (while it should say 'in this chapter') and an exposition of Popper's criticism of historicism is found both in the seventh and in the eighth chapter.

Let us now take a look at the individual chapters of the dissertation:

The first chapter (Introduction) presents the research aims, methodology, contents of the dissertation, and the published partial studies. Regarding its text, I want to note the following:

– p. 4, 37:

'...the thesis will aim to examine Kant's essays published continuously in the "Berliner Monatsschrift" journal in the last two decades of the eighteenth century. Most important among them elaborated in the thesis are: "An Answer to the Question: What Is Enlightenment?", "Idea for a Universal History with a Cosmopolitan Purpose", "On the common saying: That may be correct in theory, but it is of no use in practice", "Toward Perpetual Peace", and the second part of Kant's work "Conflict of the Faculties".'

Only the first three of the referenced essays indeed appeared in the *Berliner Monatsschrift*. The last two were published separately (1795, 1798). Moreover, Miličić does not mention the interpretation suggested by Hannah Arendt, who believed that these essays offer a mere 'play

with ideas'. Arendt suggests that Kant's political philosophy is to be found rather in his thoughts on 'general communicability' contained in *The Critique of Judgment*.² What stance would Miličić take to Arendt's interpretation?

– p. 25:

'The main point of view of his natural right theory can be found in his work "Metaphysics of Morals", especially in the first part of the book called "Doctrine of Right" in M. Gregor's translation or "Metaphysical Elements of Justice" as J. Ladd translated it. I will use both translations simultaneously to better understand Kant's arguments on this matter.'

I find Miličić's decision to use both translations at the same time somewhat unfortunate, because they differ in their translation of some key terms (e.g. 'Recht' is translated by Ladd as 'Justice' while Gregor renders it as 'Right'). I would recommend using only Gregor's translation, which is newer and currently more widespread.

– p. 28, 29: correct is John 'Locke' and not John 'Lock'. This typo appears in the dissertation several times.

– p. 34:

'Kant, regarding this matter, has a somewhat different opinion. Justifying civil disobedience against the government in an already established civil condition would be contradictory.'

Kant advocated gradual reforms in transition from absolute monarchy to a republican constitution (see *The Metaphysic of Morals*, transl. M. Gregor, p. 505, 'Conclusion'). Within a republican constitution, however, Kant viewed resistance against the sovereign power as inadmissible, because it would impinge on the public right.

The third chapter (Foundations of Kant's Political Thought) features Miličić's summary of Kant's theory of enlightenment on which his conception of politics is based. In subchapter 'Role of the State', I would like to ask Miličić about his interpretation of this passage (which he admittedly does not quote):

'So a people's sovereign" (legislator) cannot also be its *ruler*, since the ruler is subject to the law and so is put under obligation through the law by *another*, namely the sovereign. The sovereign can also take the ruler's authority away from him, depose him, or reform his administration. But it cannot punish him.' (*The Metaphysic of Morals*, p. 460 [§ 49]).

The fourth chapter (Kant's Vision of the Right of Nations) contains a brief outline of the history of the right of nations and of Kant's contribution to this theory. Due to the fact that this chapter was published as a partial result separately, it contains some duplications: for instance, the

² Arendt, H., *Lectures on Kant's Political Philosophy*, Chicago UP 1989, p. 40.

passage 'Republican Constitution' (p. 55–56) repeats an exposition which appears in the dissertation on p. 43 without in any way expanding on it. Furthermore, in passage 'Fichte as a Contemporary of Kant', I miss an explanation why, among the various contemporary reactions to Kant's treatise, Miličić selected Fichte, and not for instance Friedrich Schlegel or Joseph Görres.

The fifth chapter (Reformulations of Kant's International Law Theory) contains some current reformulations of Kant's theory of the right of nations. In the introduction to this chapter, we find a (correct) reference to John Rawls and his book *The Law of Peoples* (1999), but the chapter does not explain his theory. Excessive attention is paid to articles by Jürgen Habermas. It is a pity that Miličić in his dissertation did not compare Rawls's and Habermas's views on Kant and international law, because such comparison would have nicely highlighted the differences between the two thinkers.

In the sixth chapter (Kant on Just War...) Miličić summarises Kant's views of just war and cosmopolitan international constitution. In my view, this is the best chapter of the dissertation and one that is developed in the greatest detail. What I miss in it, though, is Miličić's explanation of Kant's theory of 'unjust enemy':

'It is an enemy whose publicly expressed will (whether by word or deed) reveals a maxim by which, if it were made a universal rule, any condition of peace among nations would be impossible and, instead, a state of nature would be perpetuated.' (*The Metaphysic of Morals*, p. 487, [§ 60]).

Is this Kant's theory compatible with his other views pertinent to just war, such as the prohibition of interference in the internal affairs of another state, or prohibition of a punitive war?

The seventh chapter (The Processes of Globalisation) is dedicated to the phenomenon of globalisation, ideology of neoliberalism, and Popper's critique of historicism. I find the exposition of the phenomenon of globalisation successful and well-executed (p.105–110) but in Miličić's presentation of the ideology of neoliberalism, I miss references to some leading representatives of this direction of thought, such as F. A. Hayek and Robert Nozick. What remains a mystery to me is subchapter called 'Popper's Liberal Critique in Response to Neoliberal Globalisation' (p. 114–122). Although the presentation of Popper's critique of historicism and holism it contains is correct, what eludes me is the connection with Kant and the phenomenon of globalisation. Popper states:

'I mean by "historicism" an approach to the social sciences which assumes that historical prediction is their principal aim, and which assumes that this aim is attainable by

discovering the “rhythms” or the “patterns”, the “laws” or the “trends” that underlie the evolution of history.’ (*The Poverty of Historicism*, 1957, p. 3, Introduction)

Popper links this approach to the philosophy of history with G.W.F. Hegel and Karl Marx. Moreover, Miličić does not interpret Kant’s philosophy of history in his dissertation. I am afraid that Miličić failed to understand Popper’s concept of historicism.

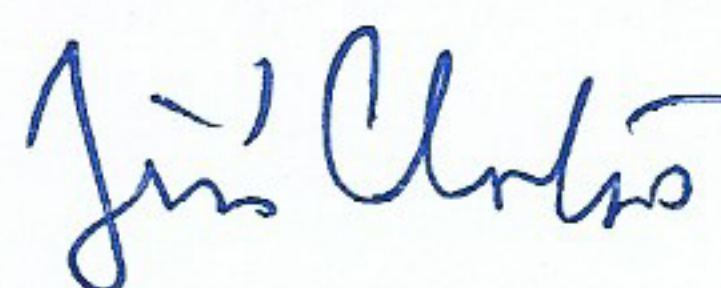
The eight chapter (Contemporary Political Philosophy and Kantian Tradition) is dedicated to the relationship between Kant’s political philosophy and both liberalism and communitarianism. As representatives of liberalism, it lists (as before, hence duplication) Karl Popper and John Rawls. Miličić in his exposition fails to note that American liberalism in European context means rather social democracy. As representatives of communitarianism, he lists the Hegelian Charles Taylor, neo-Thomist Alasdair Macintyre, and social liberal Michael Walzer. It is quite clear that discussions between liberals and communitarianists are rather far removed from Kant’s political philosophy, although Rawls has been clearly inspired by Kant.

Questions for thesis defence:

1. What do you see as your contribution to the current state of research on Kant’s political philosophy?
2. In what respect is Takeshi Hamano co-author of the eighth chapter of your thesis, the chapter called ‘The processes of Globalisation’?
3. What position would you take with respect to Hannah Arendt’s claim that what is presented in Kant’s shorter essays is a mere ‘play with ideas’ and that Kant’s political philosophy is contained rather in his considerations on ‘general communicability’ in *The Critique of Judgment*?
4. In what ways do Rawls and Habermas differ in their views on the connection between Kant and international law?
5. Is Kant’s theory of unjust enemy compatible with his views regarding a just war?
6. What does Popper’s concept of historicism mean and in what ways can it be applied to Kant’s theory of history and globalisation?
7. What is your position in the discussion between the adherents and critics of Kant’s theory of liberal of democratic peace?

I recommend the doctoral thesis of student Nenad Miličić for defence. My reservations to this thesis are listed in the report above.

Ústí nad Labem, 18 May 2022



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