

Book Reviews

Katrin Flikschuh and Lea Ypi (eds), *Kant and Colonialism*

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Kant and Colonialism opens with the claim that it is the first volume dedicated to a systematic examination of colonialism in Kant's political philosophy. The essays in this volume suggest a consensus emerging out of the debate about Kant's views on race and colonialism. Because many of the contributions in this book build on well-known work by their respective authors, I will approach the volume as a whole, drawing out unifying themes and productive tensions.

The essays in this volume build on two overlapping premises: first, that Kant revised his views on race in the early 1790s and, second, that his political turn corresponded to a radical rejection of his previous views on colonialism. Pauline Kleingeld provides the clearest explication of these theses in her contribution, which offers a nuanced revision of her claim that Kant rejects his hierarchical theory of race in the early 1790s, arguing that by the 1790s he no longer believed that race had any bearing on agency, intellect or juridical equality, and that this in turn motivates a revision of his views on colonialism. Kleingeld, like most contributors to this volume, argues that Kant's late criticism of colonialism assumes full juridical equality for all people on all continents, extends the right to political autonomy to non-Europeans and defends the rights of nomadic and non-state peoples.

If Kleingeld offers textual evidence for this shift in Kant's thought, Lea Ypi provides a philosophical explanation for the shift by examining the concept of 'predispositions' in Kant's philosophy of history. As Kant rethinks the relationship between natural teleology and morality in the third *Critique* and excludes this kind of biological analysis from the study of human history, Ypi shows that his account of cosmopolitan philosophy no longer draws on his theory of race, nor on the idea of social unsociability as the predisposition that drives history towards a cosmopolitan end.

Anthony Pagden explores Kant's inconsistent use of the term 'colony' in order to draw out the normative denial of the right to colonize in Kant's late political arguments and to raise a problem raised by Kant's defence of the law of continuity: if a government's legitimacy does not

derive from the means by which it established authority, then *de facto* colonial governments are legitimate, even if Kant recognizes no right to colonize. Because Kant's reluctance to countenance violent revolution in turn denies the colonized the right to resist, Pagden points out that, despite Kant's criticism of colonialism, his own arguments suggest that those who are already colonized would have no choice but to hold out until a cosmopolitan world is realized.

Several chapters in this volume offer unsatisfactory responses to this problem. Sankar Muthu mines Kant's idea of social unsociability in order to distinguish two kinds of resistance: resistance for equal worth, the form of resistance normatively required to establish the equal dignity of all humanity, and resistance for greater worth, which motivates both violent revolution and colonial dominance in the first place. But on Muthu's account, justifiable resistance takes a limited number of acceptable forms: he cites the case of the Chinese and Japanese refusing entry to European colonial trading powers, and argues that those who find themselves oppressed by a colonizer might offer resistance in the form of public reason. One wonders how much good public reason or the denial of colonial hospitality would be to those enslaved in the Sugar Islands.

Arthur Ripstein and Peter Niesen recognize, like Pagden, that Kant's defence of the status quo in international law entails that *de facto* colonial rule is legitimate regardless of its origin, but they nevertheless focus on normative requirements for colonizers. Ripstein argues the Kantian criticism of colonialism offers a nuanced framework for determining colonial wrongs, as well as a clear set of normative obligations for *de facto* colonial powers, which can choose not to compound the wrongs of colonial acquisition by ruling their colonies according to their own interests. Niesen argues that the inclusion of restorative justice within Kant's account of international law offers a solution to the problem posed by the law of continuity, since it defines *de facto* colonialism as a violation of international law requiring restitution. But the normative requirements of restorative justice are not as forceful as one might hope: there is no right to wage war or to mount a revolution in the name of restorative justice, so the colonized are left waiting for colonial powers to recognize and fulfil the requirements of restorative justice. Thus Niesen's argument, like Pagden's, concludes with the claim that those suffering under *de facto* colonial oppression must effectively sit tight until a cosmopolitan world is realized.

If these explorations of the rights of the colonized in Kant's international law are disheartening, Katrin Flikschuh and Martin Ajei offer, in the volume's final chapter, a novel approach to considering the effects of historical colonialism and the normative obligations of colonizers. Flikschuh and Ajei draw on Fanonian arguments in order to argue that, if the long

history of colonialism has produced a colonial mentality for the colonized, then colonialism must also have produced a corollary colonizer's mentality, affecting the descendants of European and Western colonial powers. This colonizer's mentality, they argue, carries with it normative epistemic obligations. Their arguments operate at two levels: they both lay out normative requirements for contemporary and European thinkers to grapple with the legacies of coloniality, and mine Kant's account of cosmopolitan hospitality in order to give an account of the epistemic failures of historical colonizers. By mapping Kant's account of cosmopolitan hospitality against the requirements of rightful contract, they demonstrate that colonial violations of cosmopolitan hospitality violate the requirement that contract must occur between juridical equals. In a rare moment of resistance to the book's thesis about Kant's changing views on race, Flikschuh and Ajei argue that this formal requirement of juridical equality for cosmopolitan contracts means that would-be colonizers have an obligation to treat non-Europeans equally regardless of their raced attitudes towards them, so that Kant's criticism of colonialism need not imply that he in fact changed his views on race.

Flikschuh and Ajei are not the only contributors to this volume who explore the tensions between Kant's criticism of colonialism and the formal requirements of Private Right in order to develop a more consistent reading of Kant's late political thought. Amongst the most productive arguments in this book are those that explore the apparent inconsistencies between standard interpretations of property and contract right and the 'exceptions' suggested by Kant's treatment of cosmopolitan right and non-state peoples. Lisbet Vanhaute and Anna Stilz examine the rights to land that Kant grants to nomadic peoples in order to ask whether these undermine Kantian property rights. Both conclude that nomadic and non-state peoples have a provisional right to land, but that Europeans have no right to coerce them into a civil condition: there is a pace of civilization that Europeans must respect. Ripstein, Flikschuh and Ajei offer a stronger, more compelling account of why Europeans have no right to use colonial means to coerce non-state people. Flikschuh and Ajei remind us that the right to coerce others to join a civil condition holds only *within* a state of nature, and that would-be colonizers are representatives of an already established state. Ripstein argues that the provisional rights of nomadic peoples to their lands require would-be colonizers to treat them *as if* they were in a civilized condition – and therefore *as if* their property rights were conclusive. Ajei and Flikschuh develop this claim into their principle of *epistemic modesty*, which requires would-be colonizers to recognize their own ignorance about the cultural, commercial and political practices of non-European and apparently non-state peoples, and to treat those who *appear* to be non-state peoples *as if* they were in a

civilized condition, and thus in a position of juridical equality. While the rest of this volume responds to an important debate within Kant scholarship, Flikschuh and Ajei's chapter makes a case for the importance of reconsidering Kant's criticism of colonialism from within global discourses about coloniality.

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Patrick R. Frierson, *Kant's Empirical Psychology*

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Patrick Frierson's new book, *Kant's Empirical Psychology*, challenges us to think seriously about Kant's philosophy of action from the empirical point of view. In some ways, this is not a particularly distinctive thing to do. As Frierson himself notes, the interest in making a distinction between 'practical' and 'empirical' (or 'scientific') ways of thinking about Kant's ideas goes back at least as far as H. J. Paton and continues with contemporary Kant interpreters' ideas, including those of thinkers like Christine Korsgaard and Onora O'Neill (p. 121). Indeed, almost every Kant interpreter agrees that we must think of Kant's philosophy as involving a distinction either between two worlds or two points of view. To say then, as Frierson does, that we must distinguish between a practical, transcendental 'from within' perspective on morality on the one hand and an empirical psychological perspective on human action on the other does not seem a new claim.

It is the way in which Frierson so whole-heartedly asks us to consider this alternative 'empirical' perspective that makes his work unique. Most recent scholars (Korsgaard distinctive amongst them) who distinguish between the practical and the empirical/scientific point of view do so to turn to questions of how to understand ourselves as free agents from the practical point of view. It is not that Frierson is uninterested in this question, but his main concern is to think about how the psychological aspects of Kant's ethics can be made sense of from an empirical psychological point of view. As he puts it, we can justify

(at least) two perspectives on human action, an empirical-psychological perspective, from which one investigates human