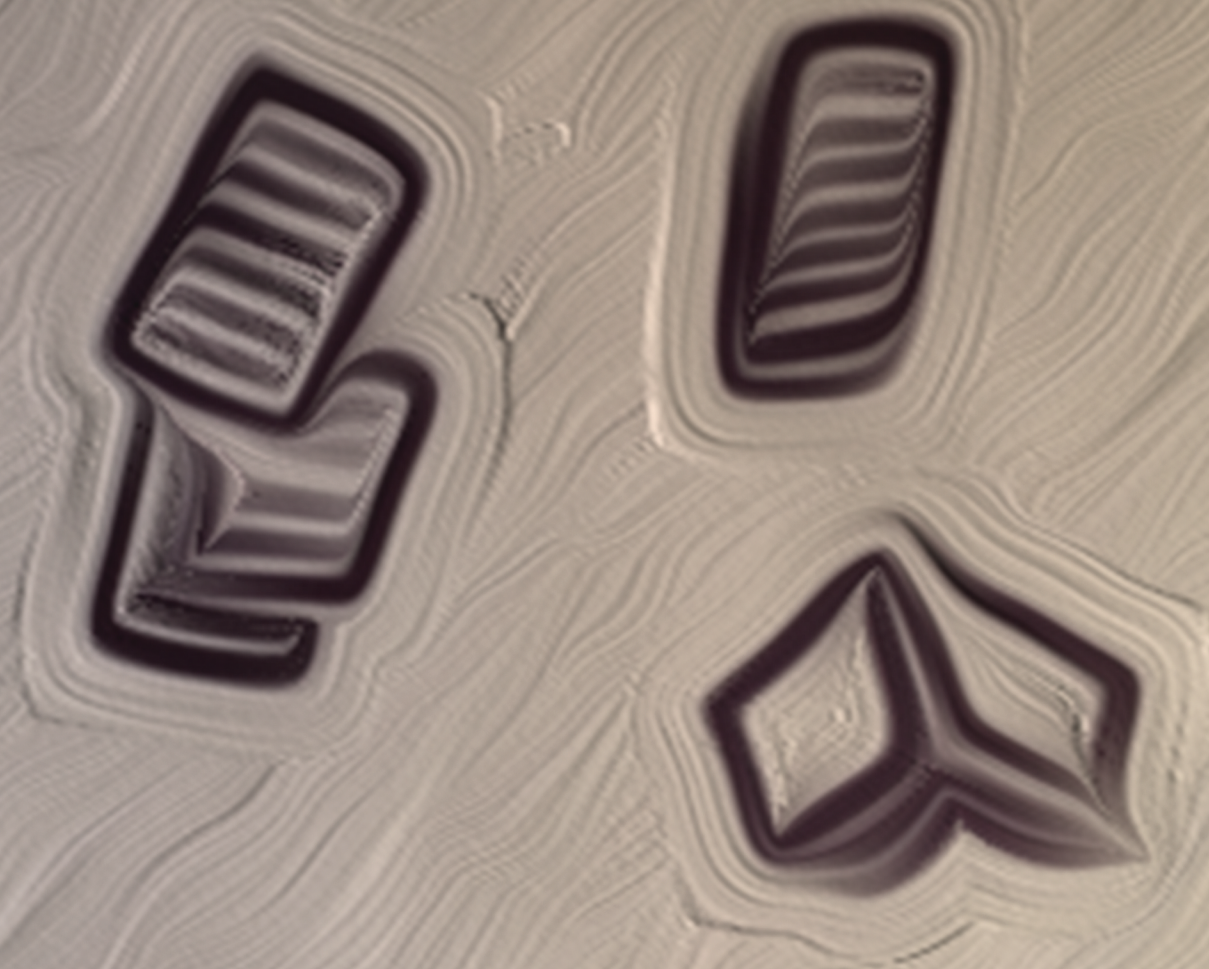


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NOTES ON CONTRIBUTORS

Juniper Alcorn is a PhD student in Philosophy at the New School for Social Research. Her current research focuses on issues of transgression, biopolitics, and resistance in the work of Foucault. She also leads the Philosophy Department's Feminist Philosophy Reading Group, this semester exploring the trope of the "mother" in light of contemporary, interdisciplinary critique.

Anna Katsman is an MA student in philosophy at the New School for Social Research. Her current research focuses on the question of the continuity between nature and freedom in Kant and Hegel's aesthetics as well as in German Idealism and Romanticism more broadly.

Caitlin Dempsey McKoy received her PhD in Philosophy from the New School for Social Research in 2003. She is currently interested in exploring the philosophical issues that are emerging from contemporary currents in neurobiology, cosmology and particle physics, focusing particularly on the field of quantum biology.

NOTE FROM THE EDITORS

People in Support of Women in Philosophy (PSWIP, formerly Women in Philosophy), is a student-founded and run organization dedicated to the professional support and development of women and minorities in the Philosophy Department at the New School for Social Research. We meet weekly throughout the academic year to workshop members' papers for publication and conference presentation.

Our group gains its strength and longevity from the shared commitment of members to the greater institutional visibility of women philosophers and the advancement of their work through critical, rigorous discussion in a group of respected peers. In so doing, our group cultivates forms of alternative education that support and challenge our members in their intellectual development as students, teachers, and philosophers. These goals will remain politically prevalent for our group as long as women and minorities continue to receive fewer than 30% of the degrees granted in philosophy per year, and occupy less than 25% of the academic jobs available in philosophy.¹ The lack of diversity in the overwhelming majority of philosophical publications and presentations not only marginalizes women and minorities, but also systematically devalues their philosophical work.²

People in Support of Women in Philosophy is a group defined by a feminist commitment to the diversity of philosophical concerns addressed by our members. From the dungeon to the family to quantum physics, this year's journal presents three timely philosophical interventions into areas of contemporary interdisciplinary research and debate.

This year's, and previous years', Women in Philosophy Annual Journal of Papers can be found online at www.newschool.edu/nssr/wip. For more information, contact pswip@newschool.edu. Our group would like to thank the Department of Philosophy at the New School for Social Research for their continued support.

Juniper Alcorn, Anna Katsman, and Daniella Polyak
Editors-in-Chief

Shae Chang and Jenna Goodman
Editorial Assistants

The New School for Social Research, New York City, April 2013

NOTES

¹ See Katherine Mangan, "In the Humanities, Men Dominate the Fields of Philosophy and History," *Chronicle Of Higher Education* 59:10 (2012): B5; Julie Van Camp, "Tenured/tenure-track faculty women at 98 U.S. doctoral programs in philosophy," last modified December 20, 2011, http://www.csulb.edu/~jvancamp/doctoral_2004.html; Linda Martín Alcoff, "A Call for Climate Change," *Newsletter On Feminism and Philosophy*, 11:1 (2011) 7–9, cited on APA Committee on the Status of Women, last modified March 22, 2013, <http://www.apaonlinecsw.org/>; "Resources," The Pluralist's Guide to Philosophy, last modified March 25, 2013, <http://pluralistsguide.org/resources/#awp::resources/>; Sally Haslanger, "Changing the Ideology and Culture of Philosophy: Not by Reason (Alone)," *Hypatia* (2008), 210–23; Robin Wilson, "Black Women Seek a Role in Philosophy," *Chronicle Of Higher Education* 54:5 (2007): B4–5.

² See Mangan, *Ibid.*; Alcoff, *Ibid.*; Haslanger, *Ibid.*.

THE POLITE FETISHIST

Investigations Into the Subversive in Mainstream Media

Juniper Alcorn

Despite Freud's initial definition of a fetish-object as a supplement for sexual satisfaction, our current notion of the "fetish" is simultaneously broader as well as more particular and individualized. Everyone has heard of, and many people have a mild curiosity and some experience with, fetishes, specifically BDSM. I define BDSM, which stands for Bondage/Discipline Sadism/Masochism, as a set of sexual practices focused around the transgressive explosion of pleasures, which paradoxically creates a population of interested individuals but has historically remained peripheral to any sort of popular cultural expression or discourse. The development of BDSM as a cultural trope parallels the normalization of homosexuality, and some now argue for the normalization of BDSM as a sexual orientation.

This normalization is internal to the BDSM community, and is negotiated around the visibility of the fetish in popular culture, such that the individual "fetishist" both creates and is assigned an intelligible sexual identity. The imbrication of the individual "fetishist" and the cultural understanding of the fetish, is held together by the naturalization of the fetish to an individual. And yet, despite the cultural role in this naturalization, the fetish as natural must be made, once again, cultural, through the sexual activism of the BDSM community for the recognition of a plurality of sexual orientations.

The purpose of this paper is to explore the possibility of "subversive sexuality" in relation to changing conceptions of normal sexual categories. By subversive, I mean a historically determined transvaluation of values—a definition indebted to Foucault, which I will return to below. That is to say, if many of the practices of BDSM, and in particular the "fetish," are created by a titillating transvaluation of heteronormative categories of appropriate and inappropriate sexual objects, BDSM exists by virtue of its subversive relationship to the "normal." I will contrast the commodification of the "fetish" as cultural image in contemporary film and television with the internal normalization of BDSM in lifestyle communities. I will look to Freud in

order to examine what contemporary recognition of and discourse on BDSM achieves, in terms of normalization. Freud dismisses the notion of a “normal” sexuality—insofar as the fetish is operative in all sexual desire. In order to trace the contemporary relevance of fetishism Foucault will be an important voice in considering BDSM lifestyle communities, such as the popular social networking site, Fetlife.com. The normalization of BDSM relies on new discursive mechanisms, and a tenuous relationship with an understanding of sexuality as categorizable by identity or “orientation.”

The question I seek to problematize is: how does the cultural oversimplification of the category BDSM prevent or promote the persistence of subversive sexuality? As such, I would like to propose, although problematically, a distinction between a “recreational” kink in cultural imagery, and a “lifestyle,” or sexual-orientation style, understanding of kink, as can be seen on Fetlife. This distinction will allow me to explore the different goals of each distinction, in contrast with how they rely upon each other for two very different modes of progressive normalization.

First I will outline the structure and use of Fetlife, then I will move to Freud’s interpretation of the fetish. I will comment on Foucault’s critique of the “repressive hypothesis” to discuss how discourse, sexuality, and the particular example of the fetish operate within Fetlife, and other cultural examples. This discussion will show the reach of kink outside of its circumscribed communities for the purpose of examining the modes, successes, and failures of BDSM as either normalized or subversive.

Fetlife: lifestyle BDSM online.

Fetlife¹ is a massive social networking site that is popular internationally, and is used as a forum for individual profiles/social networking, personal ads, event advertisement, community outreach and support, personal confession and recognition, and philosophical discussion of fetish/kink as such. Members can post their orientation, their lifestyle status (active, occasional, etc.), and their “looking for” which consists of options such as “sub,” “dom,” “slave,” as well as dating website staples of “relationship” or “casual sex.” There is an “about me” and “location” section, as well as a “fetish” section. In the “fetish”

section you can choose from a number of pre-existing fetishes (spanking, feet, submission)² or create new ones. Each particular fetish hyperlinks to lists of other members who share the same fetishes, and to discussion threads which range from abstract debates on the nature of such and such a fetish, to how-to and safety tips, to regrettable erotica. On a profile page, next to each hyperlink, one can indicate, from a table of options, if one is interested in “giving” or “receiving,” “wearing,” “watching,” or “everything to do with” a given fetish. On some profiles, lists of fetishes go into the dozens.

Fetlife operates on two levels: first, identifying the “fetishist” *tout court*—presumably the user of Fetlife, and secondly identifying particular fetishes, allowing one to express a certain level of interest or involvement. Thus, despite the website’s attempt to characterize individuals (the clearly identified “lifestyle sub,” for example), the move towards self-description is caught in the impossibility of such a task. That is, Fetlife remains, somewhat necessarily, caught in a description of “pleasures.” Imagine a profile with only two or three fetishes listed. Does this indicate a lack of experience, or a more self-conscious commitment to highly particular fetishes and practices? The interpretive gap, here, is whether or not the listing of fetishes on Fetlife, as they are communally defined and confirmed, rises to the task of the categorization of lifestyle individuals. Or, does the task of listing create a much simpler definition of the fetishist: the user of Fetlife? For example, the culturally current categories of, say, “foot fetishist” are typically subverted by the multiplicity of expression evident on every page of Fetlife. Certain themes predominate, such as sadomasochism or the overvaluation of a typically non-sexual object, but are shown to have such a variety of expression that a relatively small number of Fetlife users seem to be able to express themselves as simply “dominant” or “submissive.”

Fetlife’s work of identifying the “fetishist” consists of both self-description and multiple modes of communication fostered by the website. The general goal of Fetlife is to elaborate lifestyle practices and parameters. The purpose of Fetlife is to expand previously localized and isolated BDSM communities, and create opportunities for the practice of BDSM. Importantly, it is also to serve as a platform for the negotiation of

BDSM as such, responding to cultural images of BDSM, which, without Fetlife, would proliferate without visible critique.

One such example is the image of a BDSM act in an episode of the television show, *Bob's Burgers*. As a nationally broadcast television show now in its third season on network television, *Bob's Burgers* speaks to the everydayness of the example that I wish to make. In this particular episode our typical American family—a heterosexual married couple with three children, struggling to keep a family start-up afloat—turns their house into a Bed & Breakfast to make extra money.³ Three rooms are occupied, which upsets the normal distribution of space among the members of the family. The mother of the family, Linda, works obsessively to create a fun, welcoming atmosphere—with breakfast, ice cream socials, and events to welcome and socialize the guests. One room is occupied by a young couple who are reticent to attend these events. In an attempt to convince them to partake in the Bob's Burgers Bed & Breakfast experience, Linda barges into their room, only to reveal the couple dressed in extreme bondage gear—all leather, whips, and a gimp mask, the man prone and submissive to the standing woman. Embarrassed, Linda leaves; the couple, ashamed, having been in search of a quiet weekend alone, escape through the window, and the gimp mask is left behind to become a plaything for one of the kids.

The sudden appearance of quite extreme bondage (not the typical *Cosmopolitan* magazine “spice things up, get kinky—tie him up with his neck-tie” kind of advice) is a gag, but one that has cultural currency and is at once more and less shocking than actual sex. It is far more graphic than the kind of sex that could have been shown on the show (using other episodes as examples, this would roughly include light petting while fully clothed, or under covers), despite the fact that the scene we observe involves no touching, no nudity—it is not sex. This scene is simultaneously more shocking and absurd than if Linda had walked in on the couple having sex. Sex would have been expected, and could have been joked about (even if inappropriately). But the surprise of BDSM is never addressed or explained, and remains a specter throughout the rest of the episode as the mask gets reappropriated. It is assumed that we, as viewers, have an idea of what this means. While it is clearly depicted as unusual, the general thought conveyed by the mutual embarrassment of

Linda and the couple is that this was indeed a recognizable scenario of mutual consent between two adults, and Linda is the one who has trespassed their privacy.

Here, the image of BDSM that has currency, and any particular content to the event, is peripheral to an overall conception of adult consent in private. By limiting interaction with BDSM to just this moment of shock, the distinctions between recreational versus lifestyle, universal versus innate, and pleasure versus desire (or rather, the status of the “specification” of the individual), are rendered irrelevant. However, the extremity of the image implies such an investment into the performance of BDSM on the part of the couple that I argue it implies a sort of BDSM orientation—although the lack of discussion around the event leaves this sense vague.

The goal of Fetlife seems to be the clarification of what is a general oversimplification of BDSM in popular culture: the pathologizing, flattening view of bondage in *50 Shades of Grey*, the highly aestheticized images of bondage and dominance in magazine photo editorials, the throw away pokes at extreme bondage in television shows (*Sex and the City*, *30 Rock*, etc.), and the *Cosmopolitan* magazine version of the pink-fuzzy handcuff. Fetlife nonetheless persists in creating an illusion of division and specification of different types of sexuality: one can simply be submissive or dominant.⁴ And this is not to say that this identification is not liberating for many, or entirely wrong, but it seems to me that within the lifestyle community Fetlife problematizes strict distinctions based on activity, passivity, and innate orientation. This is partially an effect of the ethical discourse at play in Fetlife, which creates and encourages an atmosphere where fetishes are constantly renegotiated, and in compromise with the fetishes of others.

Fetlife works in two directions:

1. It supports the normalization of BDSM through a disciplinary regime of categorization and elaboration of particular fetishes, creating a top down hierarchy of “lifestyle, fetish, acts,” that is, the broad category of fetish which contains within it specific fetishes which consist of particular acts. Derivative to this kind of categorization is a certain kind of sexual binary, the replaying of “active/passive,” “dominant/submissive,” “masculine/feminine”

within each particular fetish. Through the plethora of potential interests, certain intelligible constellations are created, lending to the identifications of some individuals as *only* “dominant” or *only* “submissive,” consistent across the plurality of fetishes. Furthermore, the commitment to a single fetish for some exceeds these binaries in place of full identification with a single practice—which may exceed the sense of the above binaries. The encouragement of Fetlife to identify one’s self in these ways (indeed, it is the purpose of Fetlife), creates a general sense of “fetish as orientation” for its users.

2. Fetlife supports the normalization of fetish by reaffirming the position of the fetish within sexuality as a mutable curiosity, defined more by particular acts or practices than an essentialized identity of the fetishist. This generates a variety of possible expressions of fetish, underlining the import of in-real-life (“IRL”) practices, which are furthermore to be found in *varying extremes in all normal sexual acts*. Fetlife renders the fetish no longer innate in the sense of orientation, but rather *transcendental* to any and all sexuality whatsoever, and constantly exceeds attempts at categorization through the practice of BDSM, or through bodies and pleasures. By transcendental, I mean simply that the fetish becomes the very condition of possibility for any sense of sexuality as such—be it understood as a mode of practice or a category of individuals.

With this in mind, we can turn to Freud’s understanding of the fetish.

Freud: fetish as orientation

Freud most notably discusses the sexual fetish in 1909, in his *Three Essays on the Theory of Sexuality*,⁵ and later in a more developed way in his article “Fetishism”⁶ in 1927. In the *Three Essays*, fetishism follows from a discussion of inappropriate sexual objects and Freud’s analysis of “inversion,” which I will return to shortly. The fetish is a “deviation” in respect of the sexual aim, i.e., it stifles or prevents heterosexual reproduction. It is specifically an “unsuitable substitute” for the sexual object, rather than an “overvaluation” of the sexual object or a misuse of sexual organs: “the normal sexual object is replaced by another which bears some relation to it, but is entirely unsuited to serve the normal sexual aim.”⁷ The fetish therefore represents an “abandonment” of the

sexual aim, and is either an unsuitable part of the body or an object which can come to represent/supplement the person desired or their “sexuality.” This leads to a proliferation of potential fetish objects, which Freud finds clinically fascinating. Indeed, “[a] certain degree of fetishism is thus habitually present in normal love,” representing the obsession with one’s beloved, their body, their things—but it is *only* when the fetish “passes beyond the point of being merely a necessary condition attached to the sexual object and actually takes the place of the normal aim” that fetishism becomes problematic and pathological.⁸

Thus, to return to how Freud begins this first of the *Three Essays*, Freud discusses inversion (?? homosexuality). One of his questions is whether or not inversion is an innate characteristic of individuals, given that varying degrees of inversion and a flexibility of sexual object is broadly evident. Freud in fact argues against a reading of inversion as “degeneracy,” due to the fact that degeneracy would imply a biological malfunctioning. Importantly, inversion can be found in subjects who “exhibit no other serious deviations from the normal,” have “unimpaired” efficiency, and in fact inversion is found as a sign of the pinnacle of culture—i.e., in Ancient Greece.⁹ As such, he concludes that

experience of the cases that are considered abnormal has shown us that in them the sexual instinct and the sexual object are merely soldered together—a fact which we have been in danger of overlooking in consequence of the uniformity of the normal picture, where the object appears to form part and parcel of the instinct. We are thus warned to loosen the bond that exists in our thoughts between instinct and object.¹⁰

It seems that Freud takes up a Platonic view, referencing as he does the *Symposium*, allowing for the innateness of inversion to exist in a socially normative realm wherein it may exist as a practice, or even be innate, but is a form of social relationship that ultimately would only compliment a coextensive heterosexual, reproductive, private relationship. To an extent, this follows the second normalizing trend within Fetlife, which seeks to affirm that BDSM is not *usual*: it is immanently normal to all sexuality and pursuing a BDSM lifestyle is not exclusive with cultural, heterosexual norms.

The feeling of normalcy accompanying inversion in Freud's earlier work persists in his understanding of the fetish in his latter essay. In the *Three Essays* the invert does not feel that their desire is wrong, their functioning is not impaired, and all told the inversion of the sexual object indicates no particular pathology in and of itself. Whereas the fetish is earlier understood as a perversion, in the essay "Fetishism" it is *understood as an abnormality, but not felt as a symptom or ailment*.

Freud goes further in his theory of fetishism here, connecting it to the problem of sexual difference as described in his essays on female sexuality, and describing the fetish as a "substitute for the penis," particularly the woman/mother's penis, which the little boy once believed in but has come to find does not exist, provoking a number of developmental crises. The disavowal of the mother's castration, through the reorientation towards an inappropriate sexual object, also indicates an aversion on the behalf of the little boy towards female genitalia in general, thus preventing the normal sexual aim. As such, fetishism and inversion are related as possible outcomes to the universal and scarring experience of the young man viewing female genitalia for the first time.

What I would like to take, then, from Freud's account of the fetish, is the following:

- A certain amount of fetishism, defined loosely as an "overvaluation" of a sexual object and objects surrounding the desired individual, is present in all love—and is as such our strongest claim to a normalization-via-universalization of the fetish, and supports a claim to an innate character of the fetishist.
- Fetishism, strictly defined, is the replacement of the appropriate sexual object with an object normally devoid of sexual significance that can become a requirement for sexual satisfaction, and thus precludes any possibility for the achievement of the heterosexual sexual aim.
- The feelings surrounding fetishism, however, can be comparable to those surrounding inversion—it is possible for fetishism to present neither great conflict in an individual, nor impair that individual's success in the world, as per Freud's description of inversion at the height of civilization. There is a level at which fetishism, even when strictly defined as the exclusive interest in

an inappropriate sexual object, is within the “normal” and unremarkable range of polymorphous perversity.

If this is the case, then there are two modes of the normalization of the fetish: in the first mode, it acquires a similar status to inversion, and has the potential to become a determined, primary, and privileged aspect of one’s sexuality. Here one might conceive of the fetish’s naturalization as an “orientation.” It is not “normal,” but presents no specific anxiety to the subject. *The second mode is one in which the fetish can be universalized, and is seen as a “condition of possibility” to all sexual relations, normal or abnormal.* This depends on a flexible definition of the fetish, although contained within the stricter, first modality. Fetishism is normalized both as an orientation and as transcendental to any sexuality whatsoever.

In order to understand the shift in these modalities of normalization, which correspond roughly to the cultural distinction mentioned above, I will now turn to Foucault’s work on sexuality and normalization.

BDSM as proliferation of bodies and pleasures

In his first volume of the *History of Sexuality* Foucault refutes the main thesis of psychoanalysis, characterizing it as the “Repressive Hypothesis.”¹¹ Freud is figured as the beginning of the overcoming of sexual repression, coinciding with the rise of the bourgeoisie, and Freud’s work is seen as a voice expressing what

may be another reason that makes it so gratifying for us to define the relationship between sex and power in terms of repression: something that one might call the speaker’s benefit. If sex is repressed, that is, condemned to prohibition, nonexistence, and silence, then the mere fact that one is speaking about it has the appearance of a deliberate transgression.¹²

Hence, the proliferating discourse on sexuality, observed in Freud’s work, affirms the repression on sexuality, while offering the titillating prospect of sexual freedom for the future. As such, Foucault’s inquiry into sexuality is not a question of asserting a contemporary “liberty” of sexuality, but rather a question of how we arrived at controlling the

knowledge pertaining to sexuality. The apparent silencing of sexuality by repression through fields of study, proliferation of discourse, a constant, plurality of speech on and about sexuality in fact surges forth, loudly and ubiquitously.

Indeed, the very question of “normalization,” understood as a progression indicated within or hoped for by the work of Freud, is problematized here. Does proliferation mean normalization, does normalization mean progression, are we moving towards a freeing up of the sexual impulse through concepts such as innate inversion or the transcendental fetish, or are these figures produced as new categories of division *within* paradigmatically heterosexual, reproductive, “normal” sexuality? This normal sexuality is conceived of as the “population,” a way of grouping together modes of sexuality and discourse towards a single goal: numbers, labor, and relations in a “sexuality” that are economically useful and politically conservative.¹³

This claim is supported by “figures” of the proliferation of discourse around sexuality, including the Malthusian couple, the masturbating child, the perverse adult, and the hysterical woman. All these divisions, which Foucault discusses, are applicable within the work of Freud. Hence, the proliferation of discourse speaks against the so-called repression of sexuality, but also creates, for the sake of the normal sexual aim described by Freud, a distinct “specification of individuals” around the structure of sex-desire (instinct and object). Foucault finds promise for the refusal of this categorization—an operation of power-knowledge which is not repressive but rather productive of functional subjects to a new end of biopolitics¹⁴—not a continuation of refinement of sex/desire constructs, but a focus on “bodies and pleasures.”¹⁵

In reference, then, to what I have described of Freud’s work above, this would reject the normalizing aspect of Freud’s emphasis on inversion and fetishism as either universal moments of sexuality or potentially determinate characteristics. Such an understanding would cast “the invert” or “the fetishist” as operative clinical-epistemological categories, and hence ontological categories of subjectivity. Foucault’s focus on bodies and pleasures attempts to de-normativize and de-ontologize sexual categories, making a systemic application of sexuality-as-ontology face its own impossibility in the plethora of acts and pleasures which

temporarily escape structural definition. As such, Foucault begins to offer a more provocative suggestion regarding pleasures: the emphasis on pleasures indicates the material, non-conceptual and *evental* rather than *structural* mode of sexuality. Sexuality is a tenuous term that does not fit Foucault's theory. His own more appropriate terminology would oppose the structure of sexuality to the event of pleasure. This evental mode of pleasure will be what allows for some sense of subversion to sexuality, insofar as that transvaluation of normative sexual identity will not come from a strict reversal in terms—a same-but-other sense of sexual identity—but rather in the practices of pleasure which will each time subvert those norms.

These are precisely some of the tensions evident in Fetlife, where the copious lists of fetishes cannot clearly support a precise sense of what it means to *be* submissive or dominant. It can actually only indicate a community of shared interests—and interests which are defined by practices. That is to say, submission makes no sense outside of the situation of submission, hence the immanent relation of submission to practice, to pleasure, and to the event—rather than sex/desire. Indeed, the locality of BDSM is in fact a part of the fetishist's claim to normalization: BDSM is practiced in, and only in, the appropriate situation, and “submissive” means nothing outside of that. BDSM, then, at worst becomes derivative to still-operative categories of sexuality, and at best subverts the very moments of instantiation of sexuality through the revaluation of the event of pleasure.

In that sense, the idea of the fetish as it is elaborated earlier in Freud's work seems to represent the frustration of the sexual aim but also the valuation of pleasure that Foucault's work suggests as subversive.¹⁶ Then what are we to make of the presence of BDSM and the concept of the “fetish” in contemporary pop culture? Do images of the fetish in fashion magazines and television shows serve to categorize the individual or to proliferate potential pleasures? What is Fetlife's broad effect on the lifestyle community? To what extent is Fetlife instrumental to the emergence of “ethical BDSM,” which is defined by the normalization of the fetish (the fetish as natural and particular to highly regulated internal norms)? Are these two strands of normalization contingent on each other? Should we hope to conserve some aspect of subversive sexuality

through BDSM?

Conclusions

What would Foucault make of the explosion of discourse around BDSM—the simultaneous creation and exclusion of sexual practices focused on the subversion of the “normal” sexual aim for the sake of a proliferation of pleasures? How can we distinguish “pleasures” in such a way as to resist the normalizing urge to categorize, subjectivate, and delimit “orientation”?

To characterize modern sexuality I agree with Foucault in “A Preface to Transgression.”¹⁷

[W]e have not in the least liberated sexuality, though we have, to be exact, carried it to its limits: the limit of consciousness, because it ultimately dictates the only possible reading of our unconscious; the limit of the law, since it seems the sole substance of universal taboos; the limit of language, since it traces that line of foam showing just how far speech may advance upon the sands of silence. . . . Sexuality is a fissure . . . [which] permits a profanation without object, a profanation that is empty and turned inward upon itself and whose instruments are brought to bear on nothing but each other.¹⁸

I bring attention to this earlier essay as a contrast to the turn in the *History of Sexuality* towards population and the biopolitical. Foucault’s understanding of bodies and pleasures in this preface is relevant to both his genealogical and biopolitical analyses, but is not explicitly pursued in either. What this essay indicates is that it may not be fully possible to break from the normativizing strand of modern sexuality. However, Foucault nonetheless suggests that the way to subvert, or more precisely, transgress this categorization and proliferation of discourse is to focus on the moments and fissures, which de-objectify sexuality in order to allow for an event of sexuality to persist. In this sense, Foucault does not seem far from Freud’s earlier explanation of fetishism, as transcendental to sexual experience. Foucault’s “profanation without object” would nonetheless require an object, but would collapse the distinction between object and aim required for Freudian sexuality in a way which prevents

the sexual object from being seen as a means. This limits the subjectivation and categorization into “orientation” required of an abstraction from object to aim and prevents a sex act from becoming sexuality. Whether or not this is possible, or merely ideal, is questionable.

BDSM thus becomes a part of broader cultural understandings of sexuality and the fetish. On the one hand, this broader cultural understanding attempts to refute the cultural reduction of BDSM to edgy fashion shots, sly jokes, and inept romance novels. On the other hand, there is also the attempt to promote BDSM as a “lifestyle” replete with internal norms and mores, as the greater expression of a natural desire for the fetish, for sexuality, and for identity. Fetlife navigates this apparent divide, and reveals the concept of a “subversive” sexuality to be precisely the attempt to create the rupture between normal and abnormal, between an excess of discourse and not enough of it. As subversion immanently negates itself, serving only to challenge the constitution of pre-existent categories (here of sexual identity) without the hope of escape from the confines of the “intelligible,” one simplistic hope may be for the event of pleasure to continually outweigh its overwrought counterpart of sexuality. That is, pleasure-as-event fundamentally challenges the very constitution of categories of sexuality. A similarly unsatisfying answer is to find pleasure in precisely the overwrought: in the self-stylization which is requisite of BDSM. Although the latter option is where Foucault would take interest, my dissatisfaction with either option emerges from the fraught ground of contemporary representations and discourse around BDSM. The subversive character of BDSM is normalized by a progressive conflation of self-aware practice with categorical identity.

Indeed, Foucault’s attempt to value pleasure over desire becomes solely an academic distinction as BDSM attempts to water itself down culturally. The relative impossibility of strong orientation within the intelligible categories of BDSM (submission, dominance, etc.), is overwhelmed by the “progressive” attempts to see the idea of such an orientation as natural, and therefore emancipatory. Fetlife’s role as a social networking website and cultural arbiter, is precisely to perpetuate this notion by creating the need for a broader BDSM community. The far more insidious element of this discourse, and indeed what marks

Foucault's continued relevance, is that the normalization of practices of BDSM to orientation, especially as we see in Fetlife, has to carefully bridge the public and the private, in order to emphasize that the public individual has not become perverted through the affirmation of their private pleasures. The sadist can be a warm and loving parent. The masochist still has limits and can be violated. The polite fetishist will blend into a crowd of every-day shoe-shoppers. Although the object of a proliferating discourse, BDSM is made acceptably private, thereby solidifying the private as the expanding domain of scientific categorization. It leaves entirely untouched our notions of public, political subjectivity. It is just the prying apart of these two categories that allows for the *normalization* of BDSM, and undermines the Foucaultian subversion of ethical self-valuation and practice.

NOTES

¹ See: "Fetlife.com," last modified March 23, 2013, <http://www.fetlife.com.html>.

² This category of fetish thus covers all of "kink" under "fetish," rendering Freud's distinction of sadomasochism versus fetish unnecessary.

³ *Bob's Burgers*, "Bed & Breakfast," directed by Holly Schlesinger (2011; 20th Century Studio Fox, 2012). DVD.

⁴ A more recent example to be added to this list is an article featured in *The New York Times* fashion section, "Bondage, Domination and Kink: Sex Communities Step Into View." The article notes the normalization of BDSM through James Franco's recent documentary, "Kink," explains such lifestyle terms as "Munch" (a social networking event for fetishists), and considers the prevalence of phrases like "safe word" in more mainstream media. Matt Haber, "Bondage, Domination and Kink: Sex Communities Step Into View," *The New York Times*, February 27, 2013, accessed March 15, 2013. <http://www.nytimes.com/2013/02/28/fashion/bondage-domination-and-kink-sex-communities-step-into-view.html>.

⁵ Sigmund Freud, *Three Essays on the Theory of Sexuality*, trans. James Strachey (New York: Basic Books, 2000).

⁶ Sigmund Freud, “Fetishism,” from *The Standard Edition of the Complete Psychological Works of Sigmund Freud, Volume XXI (1927-1931): The Future of an Illusion, Civilization and its Discontents, and Other Works*, trans. James Strachey (London: Hogarth Press, 1927), 147–58.

⁷ Freud, *Three Essays*, 152.

⁸ *Ibid.*, 154. Similarly, Freud’s discussion on sadism and masochism, the former a joy in the giving of pain, the latter either an indifference to the activity of the sadist or in fact a self-reflected sadism and an enjoyment in the feeling of pain, results in the finding of a sort of normalcy to sado/masochism: “the history of human civilization shows beyond any doubt that there is an intimate connection between cruelty and the sexual instinct” (159). Freud ultimately rephrases sado/masochism in two ways: first, as representing the active or passive sides of the libido, respectively; secondly, he states that rather, both these active/passive forms of the libido are “found in the same individual” (see 159n4 where he quotes Havelock Ellis as grounding this argument in his own text). As such, the “pair of opposites” forming the personified relation of sexuality and pain holds a certain key to understanding the composition of bisexuality, and prevents the reification of strictly oppositional binaries in sexuality.

⁹ *Ibid.*, 137–8.

¹⁰ *Ibid.*, 147.

¹¹ Michel Foucault, *History of Sexuality Volume One: An Introduction*, trans. Robert Hurley (New York: Vintage Books, 1978), 6.

¹² *Ibid.*

¹³ *Ibid.*, 36.

¹⁴ “Biopolitics” is regarded as a nebulous concept worked out somewhat in Foucault’s later work, and is the subject of my continued research.

¹⁵ *Ibid.*, 157.

¹⁶ An important distinction is made in Foucault’s essay, *A Preface to Transgression*, between the subversive and the transgressive: the former is a transvaluation of historically determined categories, and as such is limited to existence within and critique of, relevant, culturally intelligible, values. The latter, however, is a technical term, which denotes a transcendent excess which momentarily escapes relation to the norm, or history, or the intelligible. As such, I find subversion to be generally politically limited, but as is clear from Foucault’s own analysis, the transgressive is an elusive experience which seems essentially

limited to the aesthetic. Hence any use of “transgression” here will not be technical.

¹⁷ Michel Foucault, “A Preface to Transgression,” from *Language, Counter-Memory, Practice*, trans. Donald F. Bouchard and Sherry Simon (Ithaca: Cornell University Press, 1977), 29–52.

¹⁸ *Ibid.*, 30.

FINDING FREEDOM IN FAMILY LIFE

Feeling in Hegel's *Philosophy of Right*

Anna Katsman

In the *Philosophy of Right*, Hegel resuscitates the impulse to somatic solidarity, i.e., love, from its entombment within ethical formalism (Hegel's interpretation of Kant's morality) through depicting the family sphere as a domain of sensuously constituted ethical life. The aim of this paper is to demonstrate how Hegel's description of family life philosophically re-institutes bodily life in its ethical importance.

Hegel's project emerges as a way of addressing the issues left over from his critical engagement with Kant's morality in the beginning of the *Philosophy of Right*.¹ Recall that for Kant, freedom involves dutiful engagement toward others and this alone coherently addresses how autonomous, self-determining individuality is consistently realized with the self-determining individuality of others. In order to establish the justificatory grounds for delimiting free action *compatible* with others, from free action *against* others, Kant argues that acting needs to fulfill the criteria of universalizability—the categorical imperative—otherwise we could act inconsistently with the freedom of others. Kant establishes a systematic delimitation of civic duties and political duties from these considerations in the form of laws that, to be free and moral, must be obeyed over and against whatever inclinations, bodily promptings, or natural urgencies compel us to act.

Hegel's account of ethical life allows us to see that from Kant's perspective of autonomous self-determination, other individuals appear as coercive limitations on one's freedom rather than avenues for its realization. For Hegel, Kant's casting of freedom as abstract self-determination, structurally overlooks freedom's concrete manifestation in intersubjective life.² The problem Hegel thinks is endemic to such an indeterminate conception of freedom is the self-alienation it entails: subjective needs, desires, preferences, and promptings acquire no authoritative weight because the moral subject is identified with an abstract position that legislates on desires, inclinations, and drives. In an extreme formulation, Kant's conception of freedom requires that when we are moved by our affective life, we cannot but feel guilty in the face of

the moral law, and when our sensuous needs compel us, we must stop and ask after the law.³

Hegel's analysis of ethical life describes spheres of human interaction that neither entail self-alienation nor cast others as mere occasions for carrying out duty. This is because the ethical spheres, for Hegel, are grounded in and supported by a *unity* between bodily life and institutional objectivity. In the family sphere, it is the particular feeling of love (bodily attraction; the desire to be held, kissed, and given affection) that unites the members of the family. This feeling gains institutional objectivity through concrete practices of family life, for example patterns of bodily care and cultivation in monogamous marriage, and bearing/raising children.

To see how ethical life accomplishes this unity of freedom and bodily life, we must look to Hegel's account of "natural feeling" (*Empfindung*)⁴ within the family, as Hegel understands this as the bridge between them. That is, "natural feeling" both grounds and constitutes the family as an institution realizing human freedom. The puzzle is to understand how feeling can be anything more than natural immediacy. I will argue that the natural feeling on which the unity of family life depends does not place the natural *in opposition to* the social, historical, and self-conscious. I will discuss two interrelated reasons, adapted from Hegel, that support this point: 1) the very meaning and intelligibility of who we are as free beings requires us to maintain a relationship to nature that negates its immediacy, and 2) the family, *as a natural bond*, is a sphere of freedom. Since the freedom of the family requires both the natural bond of feeling and self-conscious rationality, the natural immediacy of the family must be shown in congruity with self-consciousness. Our ability to understand family life as an ethical sphere, then, depends on understanding "feeling" differently.

Before moving directly to Hegel's account of feeling in the family, I will address a worry about his defense of a seamless integration between natural, bodily feeling and objective, institutional conditions. Hegel's interpretation of marriage as what transforms the capricious, passionate character of love into a robust, ethical form of life can be censured on the grounds that subsuming love into the marriage relationship (and what comes therewith) denies love of the very qualities that constitute its

unique significance: passionate reciprocity, un-codified sexual intimacy, the significance of individual personhood within the union, natural authority, and so on.⁵ As Simone de Beauvoir's analysis of marriage demonstrates in *The Second Sex*, the elements of monogamy and child-rearing are not only parasitical to love, but also represent its very subsumption into repressive forms of life, especially for women. The presence of marriage and children establishes a series of responsibilities that weigh upon what is supposed to be a free union grounded in the feeling of love alone. It transforms the woman in particular from an individual in her own right, to fulfilling the reproductive labor of baby-bearing. It forces the sexual impulse into a reification wherein it becomes a task. It socially regulates intimacy and sexuality, which many personal testimonies show are extinguished altogether.⁶

The essential disagreement between Hegel and Beauvoir lies in that the latter considers that objectification in children and institutionalization in marriage deny the sexual impulse as a free impulse. For the former, these elements are what transform a merely capricious, unessential sexual impulse into one necessary for living freely. Insofar as for Hegel there cannot be freedom without the family, while for Beauvoir freedom is regularly denied within family structures, what is at issue for us is determining if and how the objectivity of feeling in marriage and children is not antithetical to freedom but is, on the contrary, its condition of possibility. The effort to clarify the ethical potential of "feeling" in the family involves three steps: 1) interpreting Hegel's conception of marriage over and against Kant's contract theory view, 2) discarding some of Hegel's outdated views on sexuality and 3) retaining the broad structural contours of ethical life presented by Hegel's theory of the family.⁷

1. The Structure of Ethical Life: Intimating the Family Sphere

As a specific realization of ethical life, the promise of the family can only come into the fore once we have the structure of ethical life in view. Hegel introduces the idea of ethical life as follows:

Ethical life is the *Idea of freedom* as the living good which has its knowledge and volition in self-consciousness, and its actuality through

self-conscious action. Similarly, it is in ethical being that self-consciousness has its motivating end and a foundation which has being in and for itself. Ethical life is accordingly the *concept of freedom which has become the existing [vorhandenen] world and the nature of self-consciousness.*⁸

The essential claim or promise of ethical life is the specific form of unity it realizes between the following oppositions: 'Idea of freedom' and the 'living good', objectivity and subjectivity, being for itself and being in itself, concept and actuality. Hegel understands reflections on morality especially to have identified freedom with the rational will at the expense of freedom on the level of life, that is, regular human practices and engagements in the world. Against this opposition in which freedom cannot be recognized in one's form of life, Hegel seeks to emphasize the way in which freedom is not in the mind but is actually and concretely realized within our institutions and intersubjective practices.

Hegel seeks to emphasize the inherent unity in the family, civil society, and the state as forms of ethical life in his affirmation of and response to two, interrelated problems. First, how it is possible for an individual to retain his/her individuality as a free individual (to be able to carry out self-determined life projects, pursue one's desires, establish one's own way of life, etc.) in a way that not only non-coercively but also *intrinsically* respects and contributes to the freedom of others? Secondly, how can realizing freedom be co-extensive with one's bodily needs, inclinations, and desires? If the institutions of family life, civil society, and the state are realizations of freedom as a concrete, living good, then these two problems must be abandoned. As we will see, the family is the sphere of life wherein we are already free in a way both intrinsically constituted by the freedom of our family members, and our affective embodiment.

Hegel's essential move of locating freedom within our practices is to circumvent *prescriptive* castings of freedom. The claim underwriting this move is that locating the significance and grip of normativity independently of our existing ways of life—that therefore need to be legislatively introduced to us—misunderstands freedom and, more importantly, overlooks the possibilities for freedom in our intersubjective practices. Hegel's ethical life attunes us to our forms of life in the family, civil society, and the state as *already normative*, that is, as already conditions that materially realize our freedom: we do not need prescriptive

legislations for freedom because *we already live freely*. The trick now is how to account for this freedom and how to subjectively appropriate the objective conditions we have institutionally established. A Kantian worry looms in the background: if freedom is our contingently organized way of relating to one another, then we lose the compulsory (non-negotiable) ground of respecting one another's freedom. Our social relations could be just as against freedom, and we would be in no place to resist it since our ethical claims are co-extensive with our forms of life. Here, part of my reconstruction of Hegel will show that a normativity grounded in living practice neither renders this normativity arbitrary nor does it entail that it is co-extensive with contingently empirical social relations. Hegel's claim is that "ethical determinations are *necessary relations*" and not formal duties.⁹ If Hegel can show that ethical determinations are necessary forms of life rather than fortuitous happenings, he addresses Kant's problem of how freedom must have a compulsory ground without coercing freedom into the form of duty hostile to its intersubjective realization.

Taking family life as ethical life, then, requires demonstrating that modern bourgeois family life—monogamous marriage, children and their education, property relations, and sensuous bodily intimacy—exists as a result of the progressive development of freedom in forms of human organization that seek to realize it. The necessity Hegel finds in a given form of human organization like the modern family comes from its historical context of striving to realize freedom. Though our historical context makes possible freedom in our practices, this context also limits and circumscribes its configuration. The family, for instance, must take on a form contiguous with the values of the community, their self-understanding, traditional practices, and so forth. In some historical periods, such a context is not amenable to the family expressing freedom, so it becomes wrought with internal contradictions.¹⁰ Assuming parts of Hegel's philosophy of history here, internal contradictions in a form of life cannot be sustained and so become sublated by new forms of life that redress them: a realization does not match up to its promise, so the realization gives way to a different form that tries to better realize the promise.¹¹ Unable to rid themselves of the new contradictions they form, new configurations are sublated into new forms of life, and so on. The

necessity for any given form of life, then, comes from its historical inscription as overcoming the insufficiencies of a previous form of life. The family is no different. Its necessity emerges from this structure of historical development: that it is the modern bourgeois family structure, and not just any family form that realizes freedom, is what gives modern family life its necessity as a sphere of freedom. There are two levels of necessity at work here. The first level is that it is the modern family's specific structures of monogamy and child-rearing and not others (polygamy, forms of disinheritance, child slavery, etc.) that realize freedom.¹² The second level of necessity is that these structures of modern family life are not fortuitous events but self-conscious responses to the historical failures that make them possible as responses.

The point of underscoring the historical necessity of the ethical spheres illustrates that even though laws gain their meaning and substantive expression in ethical life, the laws do not lose their authoritative grip or universal character. The trick is that in ethical life—unlike abstract right and morality—there are laws with an authoritative, rational, universal standing that nevertheless concede to the subjective will. While the laws are still laws (they are universal, forbid transgression, etc.), they lose their abstract character because they are mediated by concrete social forms of life. This makes them stronger because they gain a subjective basis. For the identity between subjective feeling and universal laws to be possible, we cannot maintain both a conception of 1) subjectivity as purely particular interests/inclinations, and 2) universality/objectivity as an eternal, unchanging, disembodied idea that subjectivity can only ever approximate. Objectivity reveals itself differently in forms of ethical life: objectivity reorganizes the form of principally subjective desires, aims, and projects in such a way that they gain their meaning, substance, and free expression only in occurring together with the desires, aims, and projects of the subject's social others in a freely constituted unity. Only if we maintain objectivity as this intersubjectively constituted individuality can we maintain a freedom wherein laws are adhered to for their intersubjective, personally binding, rather than externally coercive, character. That our modern forms of life evince laws in this intersubjective and personally binding manner gives us

reason to affirm this (rather than the familiar, abstract) designation of objectivity.

From this perspective, we can see that the difference between subjective inclination and objectivity is not the difference between an internal subjectivity and external universality, but rather is a difference *in the mode or manner of subjectivity itself*. This is to say, objectivity names a being of subjectivity wherein purely particular ends, ideas, desires, and feelings are no longer the substantial elements at play for the subject. Here, subjectivity accomplishes itself in taking others' ends as constitutive of one's own ends. In short, the freedom of another is *a constitutive element* of the content of one's own freedom. Freedom is not the merely private: our own desires, ends, goals and pursuits are enmeshed in a sphere of concern for others such that our projects and proclivities extend beyond ourselves. In this way, the desires of others have a grip on us even though they are not our particular, individual desires. It is misleading to speak of particular, individual desires since for Hegel, as socially constituted beings, our proclivities and desires only gain their content within the unity established through communal forms of life.¹³ Indeed, the connection between the subjective and objective in ethical life is such that what appears to be external to the subject as a force, is intrinsic to the subject's identity and cannot be viewed as an entirely foreign determination.¹⁴

This description of the existing unity of the objective and subjective in our ethical forms of life is likely to inspire opposition when it comes to practices of freedom, insofar as it challenges our seduction by freedom as an idea of unfettered self-determination. What is freedom if not the ability to pursue one's own natural promptings, desires, and life projects unencumbered by the expectations and determinations of others? This picture must shift if subjectivity is in an identity with objectivity, as Hegel makes evident in the structure of our ethical spheres. If objectivity demands this moving beyond, while simultaneously demands that subjectivity remain reconciled with itself, then this vision of freedom as unencumbered actualization of private ends simply is neither a tenable notion of freedom nor the actual form freedom takes in our practices. A freedom that practically manifests in a way that bears these dual demands of a subjectivity reconciled fully with itself and a subjectivity in

identity with the objective, is precisely what Hegel seeks to descriptively attune us to in his elaboration of the structures of family life. After we establish this descriptive attunement and look back on a view of freedom as unencumbered self-determination, not only does this freedom cease to be coherent, but it also ceases to be practically desirable. To some extent, this is the political intervention Hegel's account of the family sphere makes for us liberal-minded thinkers today.

Now that we have the definitive structural contours of ethical life in view—namely, the unity between the subjective and objective (my freedom is constituted by the freedom of others), this unity as actually manifest in our living practices, ethical spheres of freedom as necessary rather than contingent, and norms as authoritatively binding through their intersubjective, personal grip—we can identify the family as gaining its substance as ethical through how its own structures actualize these forms.

2. The Family's Structures: the Substance of Ethical Life

The family sphere is the first ethical sphere: it is our earliest form of life through which we develop ethical relations and become self-sufficient individuals. Children in the family eventually grow up to become individuals who enter into new family relations but also the different spheres of civil society and the state wherein they can own property, partake in the roles of citizenship, speculate in the market, etc. I will argue that this structure does not entail that the family is only a nascent manifestation of ethical life, as if it realizes the ethical only preliminarily. This point is not obvious considering that Hegel explicitly claims that the family is the first form of an evolving ethical life that eventually gives way to the state, which, as being the context of self-sufficient individuals socially interacting with other self-sufficient individuals, is its most full expression.¹⁵ The family, considered thus, serves as the nesting place wherein we first approximate realizing our freedom as constituted with another's.

Taking this as Hegel's final position, viz., that the family is inferior in ethical fullness to civil society and the state, necessitates certain conclusions about the family that are at variance with the criteria the family must meet for it to be a sphere of ethical life. If we commit *prima*

facie to Hegel's claim about the nascent character of family life, we are led to considering the family as 1) a condition for habituating us to the forms of consciousness and practice necessary for being a member of the state with no end of freedom in itself, and 2) not capable of realizing the identity between subjectivity and objectivity constitutive of ethical life.¹⁶ Perhaps most seriously, *prima facie* considering the family as lower in ethical substance than civil society and the state may promote a conception of the family's inferiority as grounded in its natural and bodily actualization of ethical substance. This would prevent us from taking up Hegel's most essential reworking of our codified understandings of "natural," "feeling," and "love." Only if we begin by granting that the family is an ethical sphere, full stop, can we consider Hegel's puzzling claim that these "natural" elements actualize rather than impede freedom.

For these reasons, we must go the other way around, a shift that brings us to a claim Hegel makes that poses a challenge to his prior statement concerning the inferiority of the family. Hegel maintains that "each of these moments [of ethical life] has become for itself the totality of the Idea and has the latter as its foundation and content."¹⁷ What I want us to hear in this is that each sphere of ethical life, from its own perspective, gains its substantive content through successfully addressing how we can realize freedom in our historical situatedness. While the family does not assume the form of freedom that civil society and the state take, I argue that the form of freedom the family realizes is one circumscribed within its own limits and possibilities. Though the state realizes freedom on the level of self-sufficient individuality and the rights that come therewith, it does not address bodily desires, attractions, exigencies, and concerns. If we take the perspective of sensuous and bodily freedom, for example, it appears that the family represents an achievement of ethical life paramount to the state, insofar as the state does not have the resources to bring together individuals on the level of their affective life.¹⁸ Such a perspective involves understanding that the concerns of bodily pleasure, intimacy, and affective ties are concerns of the family to the extent that the family is a response to the question of freedom. Indeed, we are in the realm of a specific sort of freedom. To the extent that this is heading in the right direction, the necessary

disintegration of the family Hegel describes—children growing up and entering into society as self-sufficient persons—represents *an* end to the family rather than *the* end. As we will see, the family *must* have its end in its own sphere constituted by reciprocal love in the form of sensuous feeling and the concrete forms of self-conscious relating and being together that follow therewith.

As a sphere of ethical life, the family contains the subjective and objective moments in their identity. Starting with the subjective element, Hegel draws three different connections between the family's unity and its subjective basis in love as feeling:

The family, as the *immediate substantiality* of spirit, has as its determination the spirit's *feeling* [*Empfindung*] of its own unity, which is *love*. Thus, the disposition [appropriate to the family] is to have self-consciousness of one's individuality *within this unity* as essentiality which has being in and for itself.¹⁹

But love is a feeling [*Empfindung*] that is, ethical life in its natural form. ... The first moment in love is that I do not *wish* to be an independent person in my own right and that, if I were, I would *feel* incomplete.²⁰

Love itself is a feeling [*Empfindung*], subjective in character, and unity cannot assert itself against it. Thus, if unity is required, it can be required only with reference to those things [*Dinge*] which are by nature external and not conditioned by feeling.²¹

The first claim is that the social cohesiveness of family life is grounded in and sustained by the feeling [*Empfindung*] of love. The second claim highlights that insofar as the family is grounded in feeling it needs to be conceived of as natural in form. The third claim articulates the decidedly modern character of the family: it is a self-founding, self-grounding, and self-sustaining form of life since nothing can assert unity over and against the unity it establishes itself. Taken together, these claims suggest that the often unrecognized level of vibrant bodily life is what *gives form to, sustains, and establishes the legitimacy of* the intersubjective sharing of life found in the family.

That the unity of the family rests on feeling signifies that what precipitates individuals joining together is a pull of affective life that finds self-conscious affirmation in the activity of joining together in order to constitute one's substantive identity. The unity that is thereby established gains its tenacity through affective pull, that is, through the practices of reciprocal affection, attention, and bonding that sustain, make intelligible, and open for re-organization what is undergone by the body in feeling. As we know, parents do not love their children because they rationally acknowledge that their identity entails carrying out the tasks of affectionate devotion. On the contrary, parents find themselves having to make sense of why they love their children despite their transgressions and the difficulties they bring. On the one hand, nothing pains a parent more than a child who has taken a stance opposed to the family. And on the other, a minor transgression from a friend, colleague, or stranger warrants greater condemnation than a child's monumental wrong. These sorts of responses are rooted in the common source Hegel brings to light here: the unity of the family is constituted by bodily-sensed affectionate intimacy, which disposes its members to such seemingly irrational effects.

If we understand the structure of the family as an ethical unity, we see how these responses rather bespeak a deep rationality. Because the child constitutes a part of the parents' own identity, transgressions are overlooked for the sake of maintaining this unity in which one's substantive identity is found. Likewise, a stance opposed to the family by any one of its members is not simply an affront to the unity; it calls into question the very self-identity of all of its members since their identities as free beings gain their possibilities and content within the unity. There is no mother, father, child or sibling before the family, but, likewise, these are not roles contingently tacked onto otherwise neutral persons. For the members of the family, the unity therein runs so deep that each individual's identity cannot be self-consciously and intelligibly conceived outside of how one is constituted within this unity. If each individual gains their substantive identity from the relationship they maintain with others—one is always already other to oneself—then the conditions of possibility for having desires, maintaining projects, and making decisions (not to mention carrying them out) already depends on being in a relationship with others in which this gains traction.

That feeling is the basis of one's self-relation and relation to others in family is even more evident in children's experiences of this unity. The family is our first form of social existence, indeed it is our first form of life. Before all questions of individual self-assertion comes the deep unity between young children and their parents. Not yet initiated into forms of reason that describe the necessity of certain social forms of life for freedom, the child's recognition of herself as a unique, free being happens organically through the caring devotion of her parents who engage with her in forms of play, bodily nourishment and attention, and mutual learning. In such everyday affairs the child implicitly discovers that the conditions in which one's life gains its meaning, sense, importance, liveliness, and fun is her relationship to her parents. The child learns thereby to carry out familial practices by sensing herself affirmed as a free being in these practices. This discovery provokes the desire to maintain this unity within which life gains its sense: losing unity with a parent feels like losing oneself. Even in the child's increasing independence, the affectionate recognition the parent provides gives support to the child's endeavors, signaling both that the child's freedom feels meaningless to her without social appreciation and that the conditions for the child's independent self-assertions are a loving context in which such risks of independence can be taken.²²

The importance of the affectionate underpinnings of cohesion is particularly pronounced in modern lovers. That modern relationships are predominantly grounded in bodily attraction—"falling in love"—rather than economic considerations, religious determinations, cultural demands, and other exigencies bespeaks the recognition that the unity of the family requires a subjective basis for its standing as a realm of freedom. If the family is coerced into sustaining an external end, its members cannot be said to attain in this unity their substantive identity as free beings because their union is one that asserts itself over and against their own inclinations, reducing them to positions in a larger scheme. The unity of a workplace, business arrangement, or sports team can persevere despite hostile sentiments, but in love relationships this unity would not be an *ethical unity*—that is, freely constituted and constituting unity—and thereby would deny the essence of the family its ethical substance.²³ Modern emphasis on the "feelings of passionate love"

moments in the union are extreme formulations of this insight that coercion disfigures the ethical essence of the family as a loving union based on reciprocal attraction.²⁴

As Hegel describes the matter, entering a loving union comes through taking a stance on one's bodily promptings. It starts with feeling: "the first moment in love is that I do not wish to be an independent person in my own right and that, if I were, I would feel deficient and incomplete." One senses that one is incomplete, and self-reassurances or reassurances from others cannot redress it: one cannot help but be aware of one's lack (one's possibilities seem flat, one's desires feel unsatisfied, one's bodily strivings stand unaddressed, one's self-understanding appears routine, etc.). Something makes itself known as missing such that one has yet to realize an essential dimension of oneself. Attempts to deny this feeling often leads to agitation, rather than amelioration. That it is a sensuous pull in the context of living with others, which underpins our amorous developments rather than a detached affirmation by which we determine for ourselves that, yes, we really ought to partake in a union, is what Hegel understands when he states that the family has a natural form. It is natural insofar as the sensuous element is an indelible moment of it, but it is ethical also insofar as this is not its full and final form.

This exposition of family life's grounding in feeling remains essentially incomplete since ethical life demands objectivity, something feelings themselves cannot establish due to their setting within subjectivity (they can change or dissolve). The ethical demands objectivity—it cannot come and go by whim—insofar as our being is one that seeks to realize a freedom that has conditions for its realization, namely, the supportive co-existence with other free persons. If the ethical were to be grounded solely in feeling, it would take the mercurial character of passionate life, which would prevent freedom from gaining conditions adequate to its realization. There would be no context durable enough to sustain freedom.²⁵ Hence, the ethical must name those spheres which sustain the condition adequate to freedom's realization, which entails a framework of relations more tenacious than passionate desire. As we will see, this formulation of the ethical does not indicate that objectivity asserts itself over and against feelings; rather objectivity provides the form in which feelings, transient on their own, can sustain

themselves and thereby acquire an enduring role in the realization of our freedom. Until we see how the sensuous form of bonding appropriate to family life is objective in character, we cannot properly appreciate feeling in the unique ethical sense Hegel intends it here. In other words, the meaning of “feeling” Hegel is after in the family only gains its substantive content in its “identity” with objectivity. For this reason we will have to return to Hegel’s claim of spirit’s determination of unity through feeling after we have introduced the objective element of the family wherein this feeling takes its ethical place.

As a substantial entity, the family is actualized as a form of human relating, which is what gives it more than a subjective grounding. Manifesting amongst individuals as their unity, the family exists irreducibly to each individual involved in it, which gives it the form of a universality to which each individual must relate. Along these lines, Hegel claims (in an almost contradictory way to his previous emphasis on the necessarily subjective basis of family life) that:

A third and equally unacceptable notion is that which simply equates marriage with love; for love, as a feeling [*Empfindung*], is open in all respects to contingency, and this is a shape which the ethical may not assume. Marriage should therefore be defined more precisely as rightfully ethical [*rechtlich sittliche*] love, so that the transient, capricious, and purely subjective aspects of love are excluded from it.²⁶

At first glance, it seems Hegel contends that because feelings are open to contingency, they cannot be fundamental to ethical life, which is why marriage is necessary: marriage transforms the mere feeling of love into “ethical love.” Hegel’s attempt to supplement the capricious and transient unity constituted by the feeling of love with the ethical love of marriage—which presumably overcomes this subjective problematic through its neutralization—is puzzling, considering our previous analyses.²⁷ How can we read this in such a way that we retain Hegel’s important insights about the feelings of love and make sense of his emphasis on marriage?

Although it may sound like it, Hegel here is not advocating for marriage as the stabilizing force which redresses the contingency of

feeling so that the partners can necessarily and without their particular interests constitute a relationship of everlasting freedom. This cannot be what Hegel intends because, remember, Hegel is worried about a form of freedom that comes at the cost of bodily self-alienation, and he makes explicit the necessity of feeling (*Empfindung*) constituting the unity of the family as an ethical relation. Marriage, on Hegel's account, avoids these deleterious poles by being an intersubjective form of ritual practices and monogamous promising that, as intimated earlier, makes possible feeling as constituting the ethical unity of the family. I want to field the counter-intuitive thesis that, from the perspective of ethical substance, feeling does not necessarily institute marriage, but marriage institutes and sustains feeling.²⁸

As we have seen, the feeling of love does not necessarily have to manifest or be sustained between individuals. It is possible for the feeling of love to be present on one occasion but disappear the next so that the form of intersubjective organization that alone makes possible freedom dissolves immediately upon the dissolution of the feeling. This means that the sustainability of feelings depends on a *form of life* in which they can be sustained. Marriage, for Hegel, is just the name for the condition that gives rise to a context wherein feelings gain the conditions by virtue of which they themselves can be sustained. For instance, feelings of trust cannot arise from a context of their systematic exploitation and denial insofar as trust is grounded in the assumption that one's vulnerabilities will be responded to in appropriate ways. Trust, like love, is founded upon a form of living together that makes this feeling possible and intelligible; that is, trust and love neither arise from nowhere nor do they emerge from the interiority of the subject. Their conditions of existence are social: they are feelings that respond to a given social situation which can thereby sustain or destroy them. Trust simply cannot gain traction in a social setting wherein one's vulnerabilities are constantly exploited. In these conditions there is no place in which trust can coherently anchor itself or find expression.²⁹

Hegel's account of marriage is just the response to this understanding of feelings as socially mediated—it is not an institutional, quasi-legal structure that contractually codifies relationships (this would precisely deny the feelings Hegel affirms need sustaining). Notice that

Hegel's worry of the conceptual fusion of marriage and love is one that seeks to transform the "subjective aspects of love" to make way for "ethical love." Both are forms of feelings. The former is the form of feeling absent contextual inscription and so fleeting while the latter is just the contextualization of love within a form of intersubjective practice that gives it the conditions to grow, giving it the form of the ethical.

Marriage, for Hegel, makes possible feeling as the ground of family life through the mutual promise of monogamy. This element is so important that he designates it as "one of the absolute principles on which the ethical life of a community is based."³⁰ In our "sexually liberated" culture, considering monogamy as an essential element of the ethicality of family life seems counter-intuitive. Is not monogamy precisely a restriction of freedom in the name of defending the lack of an enduring subjective basis for love? Theodor Adorno gives voice to this puzzle in *Minima Moralia*: monogamy is "a barbarous sexual oppression that can compel a man to take life-long responsibility for a woman with whom it once gave him pleasure to sleep."³¹ Of course, the same is to be said for a woman. Indeed, why *would* we stay with another after the pleasurable excitement of first encounter has passed and the daily affairs of living together have doused our initial passion? And how can this possibly represent the realization of freedom rather than a "barbarous sexual oppression"?

Hegel overstates the essential character of monogamy in order to drive the symmetrical points he has been stressing all along about ethical life: 1) marriage is a re-working of feeling into "ethical love" which is alone capable of supporting the spiritual bond of its members and 2) freedom means self-determination as self-limitation. Monogamy is precisely that practice whereby sexual drives and passions are cultivated to sustain the self-conscious decision to share one's life with another. This is essential to freedom because freedom involves negating the purely natural promptings not by extinguishing them, but by sublating them into a socially informed, self-conscious form of life.

Along the freedom as self-limitation line, the ethicality of monogamy, for Hegel, is not the assurance gained from knowing that your partner is not going to sleep with another, but knowing that you do not want to sleep with anyone else. This is the crucial moment for

realizing ethical substance because it represents the sensuous recognition of the unity constituted with one's lover that entails one's own being so fully that breaking the unity through actualizing one's amorous feelings with another represents one's being as in variance with oneself and thereby unfree—driven by one's promptings rather than driving them through self-conscious refinement. However, monogamy, as freedom, cannot *just* be the overcoming of one's sexual promptings because one certainly doesn't need monogamy for that: one can be abstinent, for example. So in what positive sense does monogamy entail freedom? The answer is somewhere along these lines: being with one other makes possible the exploration of one's sensuous life in a way geared toward mutually coming to develop a sensitivity to one another's proclivities, intensities, affections, tendencies, pleasures and so on—learning how to give and take pleasure together. Perhaps this is an image that best represents what Hegel is aiming for in the notion of ethical love and monogamy. Sexual cultivation, understood as the bringing of bodily desires/pleasures into a context within which a bodily response can be met, entails a development of conceptual openness and responsiveness sourced in bodily feeling—orchestrating this together is the work of sexual love. Marriage is the home for this cultivation of a mutual intimacy wherein each has space to constitute what sensuousness might count as, together. For the most part, such vulnerable work takes time, trust, and great intimacy—difficult to establish in the context of first meetings. In this precise sense, monogamy is sexual liberation.³²

Monogamy also emphasizes the decidedly subjective aspect of the family. The union rests on nothing other than the subjective strength of the individuals who desire to project themselves and their bodily feelings into the future together through nothing other than the promise to stay with one another, a promise that can fail or be broken. Thus marriage might bring about the conditions that minimize the possibility of feeling's dissolution but they do not guarantee it since marriage, as a promise, is based to some extent in feeling itself. As Hegel notes, monogamy notwithstanding, "since marriage is based only on subjective and contingent feeling, it may be dissolved."³³ While feeling gains concretion through the practices of monogamy and the practices of living together

that come therewith, this concretion is always only an expression of feeling, never its reification.

As this subjective underpinning of monogamy makes clear, the unity of the family in this form alone cannot, strictly speaking, be objective. On Hegel's account, the unity of the couple gains this objective element only in children. Hegel writes:

The relation of love between man and wife is not yet an objective one; for even if this feeling [*Empfindung*] is their substantial unity, this unity does not yet possess objectivity. The parents attain this unity only in their children, in whom they see the whole of their union before them.³⁴

Children, as the beings who constitute the couple under the new unity of parents, are concrete beings in the world that have an independent standing vis-à-vis their parents. That is, their existence is not reducible to them.³⁵ Through this position, the children represent the objective unity of the parents: they are objective to the extent that the unity of the lovers no longer has subjective feelings and the practices grounded therein as its sole manifestation. Even if the feeling of love that constitutes the unity of the couple dissolves, even if their marriage dissolves, children cannot be unborn.

To this extent, children represent the genuine objectivity of the parents' unity as subjects in the world. From children onwards, the parents have a living, independent manifestation of their unity. The truth of Hegel's claim here is attested to by both the parents' and children's self-consciousness in cases of divorce. Divorce is personally devastating for the parents not so much for financial or custodial issues, but because they recognize the difficulty this brings on their children. Recognizing themselves as members of a unity made possible by the parents' love, children cannot intelligibly reconcile themselves as manifestations of a lost love. While the child does not disappear, an element of their self-understanding cannot but be problematized: if the unity by which their identity is made possible is no longer, then what *is* their identity absent its correspondent manifestation in the parents? In their own existence they begin to feel a false unity. This idea returns to Hegel's symmetrical points about the family: it is self-founding *and* self-dissolving. Divorce, while making clear the latter also illustrates the former: as children grow out of

their first families, they, as self-sufficient beings, can constitute new ones. Family life's fragmentation does not invariably split our identities. Even if it does at times, we, as self-sufficient individuals, can enter into new families. So while the children cannot rely on their parents to constitute their familial sphere in cases of divorce, they can form new family spheres when they attain a proper age. Divorce in this way concretizes the reality of needing to carry on familial life on our own with others. In this sense, endings allow for new beginnings.

3. Making Good on the Promise: The Ethicality of Feeling

The unique promise of the family is its realization of freedom in a way coherent with bodily feeling through which the opposition between subjective inclination and intersubjective institutions ceases to be crippling. To recapitulate how the family realizes this promise, I will conclude with a consideration of how Hegel's idea of "feeling" functions as the critical lynchpin of the subjective and objective unity in the family.

Firstly, marriage is defined by Hegel as the "consciousness of this union as the substantial end, and hence in love trust, and the sharing of the whole of individual existence [*Existenz*]." ³⁶ The element of self-consciousness—taking a stance on one's bodily proclivities—takes them out of their natural immediacy by turning them into objects of reflective concern and consideration. This taking a stance makes it possible for feelings to be grounded in reasons insofar as taking a stance involves making sense of why one is feeling this way or that. Reflecting on one's feelings, however, cannot simply be a retrospective elaboration of their meaning, for if this were the case, then the taking a stance would be determined by the feelings when freedom requires a minimal level of difference from them. At the same time, freedom cannot be the subject opposed to feelings because this slips into the self-alienation freedom needs to avoid. The liminal space between these deleterious poles is precisely what the ethical love of marriage accomplishes: it allows for a reflective recuperation and determination of feelings without stoically ripping them out of the context of living. In the definitive promise of monogamy that institutes a form of living together—the daily practices of intimacy that constitute the "sharing of the whole of individual

existence”—feelings gain the self-conscious setting in which they are affirmed, cultivated, transformed, and sustained.³⁷

Feelings, as ethical, are not mysterious, uncontrollable subjective impulses. Their conditions of possibility are the social sphere of the family in which they are inspired, sustained, addressed, and carried out. Because they are intersubjective in this manner, they only gain substantive concretion through family practices. Because the feeling of ethical love is not a passing passion to be extinguished in its realization but must be cultivated through reciprocal bodily engagement, it demands a temporal endurance. This again situates it within the activities that make this endurance possible. Thus, just as much as the unity of the family exists in feeling, the feeling exists in the unity of the family. What makes feeling “ethical love” is precisely its perpetuation through practical affairs geared towards its excitement and satisfaction, that is, its wellbeing. In summary form, the family illustrates that feeling is not to be understood as breaking from nature in the sense of erasing it through negation by self-consciousness but rather that the negation self-consciousness represents is a negation of feeling from its particular indefiniteness to a form of binding, intersubjective freedom.

Returning to Beauvoir’s claims concerning the suppression of love and freedom by marriage and children, we can see the force of Hegel’s suggestions that they are rather necessary for preserving the form within which love and freedom are possible. From Hegel’s perspective, Beauvoir is both right and wrong. She is right to the extent that the contractual form of marriage, legalistically understood, institutes a massive repression of bodily intimacy, possibilities of sexual satisfaction, and free individuality through feeling’s denial in the institutional codification of union. As we have seen, this form of marriage simply is not ethical life to the extent that the family becomes a means to external ends which denies not only the free consent of individuals to enter into the relationship but also alienates them from their affective embodiment. When this is the case, Hegel himself concedes that such forms of coercive family life are indeed tragic and corrode the ethicality of the family. However, for Hegel, the other extreme, viz., capricious feelings with no intersubjective practices to sustain them, represents just as much a condition of impossibility of love constituting forms of freedom. This has been Hegel’s

unfamiliar claim insofar as it gets going from a notion of feeling as forms of bodily desire, sensitivity, and response that depend on their social context for their sustained realization. Affirming this, we can see how marriage and children represent the conditions for love just as much as love is their condition. Hence marriage—the promise of monogamy—and children serve as the coordinates along which transient feelings of love take on their more substantive character as ethical, transforming them from an impediment to freedom to its condition of possibility.

NOTES

¹ See in particular G.W.F. Hegel, *Elements of the Philosophy of Right*, trans. Harry B. Nisbet (Cambridge: Cambridge University Press, 2010), §§ 104–13. Citations refer to Hegel’s sections rather than edition specific pagination for ease of comparison.

² This perception of Kant’s moral philosophy as abstract has come under scrutiny by Robert Pippin’s work in *Idealism as Modernism*. For Pippin, although Kant does not outline the precise civic and political duties prescribed by the categorical imperative, the categorical imperative does have enough determinacy to support such a delimitation. Pippin has begun this project in that work, opening up avenues for further exploration. See Robert Pippin, “On the Moral Foundations of Kant’s *Rechtslehre*,” *Idealism as Modernism*, (Cambridge, Cambridge University Press, 1997), pp. 56-91. Nevertheless, the point here is that, for Kant, freedom still has to maintain itself over and against bodily life, which cannot but lead to some sort of indeterminacy insofar as it must neglect the affective claims others make on us—and the forms of life therewith—in favor of adherence to the abstract but formally consistent moral law.

³ Note Kant’s direct emphasis on duty *over and against* feeling: “for, love as an inclination cannot be commanded, but beneficence from duty—even though no inclination impels us to it and, indeed, natural and unconquerable aversion opposes it—is *practical* and not *pathological* love, which lies in the will and not in the propensity of feeling, in principles of action and not in melting sympathy; and it alone can be commanded”. Immanuel Kant, *Groundwork of the Metaphysics of Morals*, ed. Mary Gregor (Cambridge: Cambridge University Press, 1997) 4:400. Here Kant suggests that we cannot establish a code of conduct based on feelings because they cannot be commanded, and what morality requires is

precisely the ability to command. Indeed, we can be entirely inclined in the opposite direction—our needs may even be at stake—but for Kant this still cannot warrant acting on them because such acting would not be grounded in the law which demands independence from all bodily and affective claims for its universality.

⁴ I am following H.B. Nisbet's translation of *Empfindung* as feeling.

⁵ For two critiques of Hegel on these grounds see Luce Irigaray, "Introducing: Love Between Us" in *I Love to You: Sketch of a Possible Felicity in History*, trans. Alison Martin, (New York: Routledge, 1996), pp. 19-33 and Carole Pateman, "Hegel, Marriage, and the Standpoint of Contract," in *Feminist Interpretations of G.W.F. Hegel* ed. Patricia Mills (University Park: Pennsylvania State University press, 1996), pp. 209-224.

⁶ As Beauvoir writes, "eroticism is a movement toward the *Other*, and this is its essential character; but within the couple, spouses become, for each other, the *same*; no exchange is possible between them anymore, no giving, no conquest. If they remain lovers, it is often in embarrassment: they feel the sexual act is no longer an intersubjective experience where each one goes beyond himself, but rather a kind of mutual masturbation." Simone de Beauvoir, *The Second Sex: Woman as Other*, trans. Constance Borde and Sheila Malovany-Chevallier, (New York: Vintage Books, 2001), p. 467.

⁷ Following Toula Nicolacopoulos and George Vassilacopoulos's strategy in their *Hegel and the Logical Structure of Love*, I take it we should not condemn Hegel's entire investigation into the structures of family life for his socially sensitive claims about women and implicit heteronormativity. Their claim, broadly, is that the logical structure of Hegel's analysis of love (both in his *Logic* and in the *Philosophy of Right*) is amenable to accommodating women as equal partners and homosexuality as fully realizing ethical substance. I am not treating this issues here explicitly because I am assuming that this is the case; however, the structure I lay out makes evident that there are no reasons for this structure not only permitting but promoting sexual equality and non-heteronormative relations. For an extended discussion of the view I'm assuming, see Toula Nicolacopoulos and George Vassilacopoulo, "Sexism, heteronormativity and plural sexualities" in *Hegel and the Logical Structure of Love*, (Melbourne: re.press, 2011), pp. 177-194.

⁸ G.W.F. Hegel, *Elements of the Philosophy of Right*, §142.

⁹ *Ibid.*, §148.

¹⁰ Along these lines, Hegel cites Roman families as they tried to realize freedom and substantive unity within a patriarchal context that gave sole authority to the father over and against women and children. The consequences for women were that their entrances into new families did not give a substantial identity therein because they were still bound to their fathers. Children were also unable to achieve a substantive unity because they were conceived of as slaves under the father's rule. This led to kinship structures and property relations antithetical to freedom which demands, as we will see, that marriage be a sphere that supervenes upon former ties and children must be conceived of as beings independent from their parents. See §175 and §180 for Hegel's direct claims about what I have recapitulated here.

¹¹ Again, Hegel's example here is Rome. He notes: "in Rome, the father in earlier times could disinherit his children, and could even kill them; later, this was no longer permitted" (§180). This change can be accounted for by viewing the family as progressively developing as a sphere guided by the concern of realizing freedom.

¹² The reasons for this will be spelled out in section 2 of this paper.

¹³ If this is the case, however, then how can we normatively distinguish between a desire that is "our own," and a desire that is constituted by another? This issue has been fiercely opened as an issue by critical feminists that point out how because of a lack of culture organized around women's desires, proclivities, and unique sexuate being, women's desires become configured according to the economy of masculine desire. This is important to point out because it raises the issue of normativity within Hegel's account of ethical life. Lacking a prescriptive basis, it would appear that for Hegel we could not establish normative guidelines by which we could determine whether or not a form of life is adequate to our desires and life-projects. As we will see, normativity comes in, for Hegel, around the necessity of *freedom* being realized in ethical forms of life. Very briefly considered, a woman's desire as constituted by a phallocentric regime is not her own insofar as she does not have the space of subjective affirmation in which she can freely develop her own desirous proclivities. This claim will take on more substance once we have covered the relation between freedom and unity Hegel draws out in family life (section 2 of the paper).

¹⁴ In Hegel's terms, "they [ethical laws] are not something *alien* to the subject. On the contrary, the subject bears *spiritual witness* to them as *its own essence* in which it has its *self-awareness* [*Selbstgefühl*] and lives as in its element which is not distinct from itself" (§147).

¹⁵ See §33. Hegel concludes from this that “the right of the state is therefore superior to the other stages: it is freedom in its most concrete shape” (§33).

¹⁶ Since the family subjects are *members*, it seems that their subjectivity is already curtailed by the universal in its very structure and thus cannot form an identity between the subjective and objective since such identity requires two distinct, opposing positions as starting points.

¹⁷ Ibid., §143.

¹⁸ This is an important feature of the family, and we need to reflectively affirm the family in this way for us to realize most fully the freedom it makes possible. Freedom, today, is widely considered on the level of how to execute desires in a way compatible with others, but there is more to the story, namely, the significance of bodily feeling that is often unaddressed and cannot be addressed within the purview of legalistic, political conceptions of freedom. The family offers us a rich perspective on 1) seeing this problem, and 2) seeing the ways in which it can be addressed. In other words, the turn to family life allows us to rethink how we ask about freedom.

¹⁹ Ibid., §158.

²⁰ Ibid.; emphasis added.

²¹ Ibid.

²² Cf. Jessica Benjamin’s and Axel Honneth’s accounts of this moment. Jessica Benjamin, *Bonds of Love*, (New York: Pantheon Books, 1988). Axel Honneth, *Struggle for Recognition*, trans., Joel Anderson (Cambridge: Polity Press, 1995).

²³ This can be questioned in the following manner: what about couples that stay together for the children or economic stability even if they despise each other? I take it that Hegel’s point here is that this no longer constitutes the unity in his sense whereby the subjective and objective meet. The devastation and pain of an imposed unity from above, the feelings that the actions and even sheer presence of my former lover constitutes the very limit and impossibility of my freedom demonstrates that this is no unity but a *unification*, a patching up of incommensurable claims. Once freedom is gone from the unity, the unity is no longer an ethical bond.

²⁴ Arranged marriages present an interesting case from this perspective. For Hegel, it is not that arranged marriages are always ethical or unethical. Indeed, they occupy a liminal space in his thinking. On the one hand, he notes that arranged marriages are more ethical than those founded on contingent desires insofar as contingent desires do not give voice to the historical necessity of marriage, and so the realization of freedom. Arranged marriages do precisely

this: they are the recognition of the historical necessity of this form of life as a realization of freedom so it that freedom is not grounded in the particular partnership but the particular partnership in the necessity of family life as a form of freedom. On the other hand, however, Hegel avows that arranged marriages may fail to realize ethical life in their reducing the marriage to religious, cultural, or economic concerns without the consideration of the couple. This reduces, Hegel claims, the marriage to a means to an external end. See §162 for Hegel's explicit claims on this issue.

²⁵ Fleshing this out, if freedom means sensing another's life projects as in unity with one's own such that one's own projects entail the other's, freedom cannot be situated with a context of sporadic relationality insofar as this would not enable one to *sense* another's projects as one's own considering that it would be felt as possible for that other to simply leave at any moment, blocking our investment into their form of life and hence the content that our own forms of life would take therewith.

²⁶ Ibid., §161.

²⁷ And this is not a slip on Hegel's part. There are other moments in which Hegel makes clear how marriage is what makes possible the ethicality of the union over and against passionate feelings that cannot be considered ethical: "marriage should not be disrupted by passion, for the latter is subordinate to it" (§163); "The sensuous moment which pertains to natural life [*Lebendigkeit*] is thereby put in its ethical context [*Verhältnis*] as an accidental consequence belonging to the external existence of the ethical bond" (§164).

²⁸ See the beginning of §162 for Hegel's claims *apropos* of this point.

²⁹ Of course this is not an *a priori* point; many pathological conditions find apt ways of circumventing such anchorage. The point here concerns the structure of feelings generally: their endurability have conditions of possibility. This will differ from relationship to relationship, but the structural point remains in tact notwithstanding.

³⁰ Ibid., §167.

³¹ Theodor Adorno, *Minima Moralia: Reflections from a Damaged Life*, trans. E.F.N. Jephcott, (New York: Verso, 2005), p. 32.

³² This discussion raises the question, however, of whether Hegel's insights here demand monogamy as the context of just two. Can this structure apply to polygamous unions? The freedom Hegel means here cannot materialize within the context of more than two people because the notion of love as what enables the realization of one's substantive identity entails the *reciprocal constitution* of the

lovers. Once a third is introduced, there are simply three inter-imbricated forms of reciprocity wherein each person's relationship with the other always entails an outside to their reciprocal constitution. This negates freedom by establishing an outside to the relationship, the effect being an alienation from the very unity one needs for one's coherent self-expression.

³³ Ibid., §176.

³⁴ Ibid., §173.

³⁵ As Hegel writes, "children are free *in themselves*, and their life is merely the immediate existence [*Dasein*] of this freedom; they therefore do not belong as things [*Sachen*] either to others or to their parents" (§175).

³⁶ Ibid., §163.

³⁷ For Hegel, this point must necessarily be structural so as to not impose certain determinations onto the family and thereby limit its freedom to exist as a context for coming to understand, take a stance on, and carry out one's unique bodily affects. For this reason, such an account would necessarily have to be supplemented by an analysis of particular forms of bodily relating that concretize this structure. One place to start is Jane Austen's *Pride and Prejudice* wherein Austen explores the question of how we move from traditional to non-traditional family structures and how we overcome the expectations of our social roles so that we can determine ourselves freely through responding to the bodily attractions that compel us.

REEXAMINING KANT'S TRANSCENDENTAL SUBJECTIVITY IN LIGHT OF QUANTUM REALITY

Caitlin Dempsey McKoy, Ph.D.

Introduction to the Problematic

The Kantian critique of traditional metaphysics denies human beings cognitive access to the speculative objects of classical metaphysics (God, the soul, and the world *toto genere*) by restricting valid knowledge claims to objects that can be given in experience. Kant's intention was to deprive metaphysics of its detrimental influence by showing once and for all that reason's principles extend only to objects of possible experience. From the facts of 'I think', consciousness, and the logical use of the categories, Kant argues that their correct deployment is limited to the bounds of sensibility, for the merely transcendental use of the categories "is in fact not a use at all." In the wake of 1781's publication of the first version of the *Critique of Pure Reason*, Kant's contemporaries found themselves confronted with a series of dualisms including, but not limited to, the cleft between sensibility and understanding, the distinction between the object of representations and the unknowable 'thing-in-itself', and the strict proscription that there can be no metaphysics as a science that extends beyond the realm of experience. The distinction between phenomena and noumena is a cornerstone of the Kantian architectonic, designed as it is to allow causality free rein in the empirical realm while still allowing the intelligible subject to spontaneously determine its will in a realm of freedom and ethics 'beyond' space and time.

But precisely how is the 'causality of the natural world' to be reconciled with the 'causality of freedom'? What appears to be demanded by the perceived incompleteness of the Kantian program is some higher, unifying principle that could bridge the mind/matter split, and it is with that problematic that Fichte, and German Idealism, begins.¹ The history of post-Kantian philosophizing is replete with examples of supra-temporalized foundationalisms that precede, posit, and condition subjectivity in such a way that issues of epistemological knowledge and

ethical orientation are assigned their respective positions: for Hegel, it was Spirit, for Schopenhauer it was the Will, for Nietzsche it was Power, for Marx it was Praxis, for Freud it was the Unconscious, for Heidegger it was Being, and for Derrida it was *logos*, to name a few.²

But perhaps one is justified in concluding that the very idea of a constitution of experience in Kant's idealistic sense has become philosophically obsolete. It appears that the belief in a transcendental self, or a non-empirical 'I' that constitutes nature from disconnected impressions, but which itself is never fully encountered in experience, has not withstood the generations of critical scrutiny. At least since Hegel, it seems obvious that philosophical thinking occurs under the banner of historicity: the subject's own standpoint is to be brought to reflective awareness within the horizon of history as a whole.³ Methodologically, it then becomes possible to approach the *radical finitude* of the subject and the concomitant *thoroughly contingent* nature of human experience from an analytic perspective. Once the human being is located as embodied reason, embedded in an ultimately contingent network of history, culture, and society, philosophy may then devote itself to the critical task of genuine thinking with and against the maelstrom of the present.

However, I would like to suggest that Kant's unshakeable conviction that the subject of experience, i.e., self-consciousness—which appears to operate in a region far more splendid and worthy of approbation than that of inert matter—was a function of the limits of the scientific discourse of his era. Hence, this paper is a preliminary investigation of the merits of transcendental subjectivity from the perspective of 21st-century ontology, and the radicalized physics that such a view entails. Given the profoundly reconfigured view of relationships among energy, mind, and matter that are the *status quo* of quantum physics, I would like to suggest that it may be possible to reconnect with a Kantian view of freedom and dignity without relinquishing the demand that any and all conclusions be capable of scientific verification.

First, we will examine Kant's model of 'I think' consciousness, in order to understand the significance of the imbrication of the transcendental power of imagination with the *a priori* rules that are constitutive for *both* the objects of experience *and* the organization of the objective world. Second, we will examine the distinctly Western

worldview that shaped Kantian philosophy, e.g., Newtonian physics and classical determinism, in order to show how science's own logic of investigation has subsequently undermined the classical universe. We will end by considering contemporary thought that finds itself confronted with the quantum realm: a "buzzing, blooming" region of energy and particles not just beyond the everyday world of objects, but in curious ways, beyond space and time themselves. On the basis of the foregoing, it then becomes possible to reevaluate one of the founding notions of transcendental idealism, namely, that self-consciousness is not 'in' space and time, but rather, space and time are themselves limitations of consciousness.

The Critique of Pure Reason: The Chasm between Mind and Matter and the Problem of Necessity

Rene Descartes' philosophy of the world as machine separated 'nature,' an objective sphere of matter that was the proper domain of science, from 'soul,' the subjective sphere that remained the proper domain of religion. Arguably, by means of this strategy Descartes freed the scientific spirit of enquiry from the orthodoxy of the Roman Catholic Church. It was, however, Isaac Newton and his heirs going into the eighteenth century who established materialism and its corollary, the principle of *causal determinism*: all motion in the universe can be predicted exactly on the basis of the laws of motion and the initial conditions of objects, that is, how much they weigh and how quickly they move.⁴ Kant approvingly cites examples of Galileo rolling balls down an inclined plane, Torricelli experimenting with vapor and water, and Stahl oxidizing metals, in order to show how 'reason must—using principles that underlie its judgments—proceed according to constant laws and compel nature to answer reason's own questions.'⁵ Given the sway of physics in Kant's day, it was axiomatic among academics that any physical event could be fully explained as a result of the complete system of the laws of nature combined with the relevant antecedent conditions.

However impressive the results of the natural sciences, Kant was quite right to detect that allowing such conditions precedence within the realm of human freedom would mean that every human deed was predetermined: a consequence disastrous for ethics and incompatible

with the idea of moral responsibility.⁶ At the same time, David Hume had detected a philosophical problem at the foundation of metaphysics: the causal connection, namely that *a* causes *b*, which one experiences every day in the world, is neither a logical relation of ideas (that *a* causes *b* is not deducible from the concept of *a*), nor, on the other hand, is it deducible from experience, which can only confirm that *b* usually follows from *a*. Hence, no strict necessity exists for the so-called 'law of nature' that states that all events have causes, but instead "the mind, therefore, passes from the idea or impression of one object to the idea or belief of another, it is not determin'd by reason, but by certain principles, which associate together the ideas of these objects, and unite them in the imagination."⁷ Not only are the principles of science rendered merely contingent, but also the lofty metaphysical architectonic based on medieval logic, e.g., that substance is permanent, that the soul is immortal, and that God exists, collapses entirely.

Kant's 'Copernican Revolution' was designed from the outset to address these concerns:

Hence we shall trace the pure concepts all the way to their first seeds and predispositions in the human understanding, where these concepts lie prepared until finally, on the occasion of experience, they are developed and are exhibited by that same understanding in their purity, freed from the empirical conditions attaching to them.⁸

Kant's response to Hume led him to imbue the transcendental imagination *itself* with the forms of space and time, as well as *a priori* principles for the organization of the spatio-temporally synthesized manifold of experience. Kant could then argue that for experience of a world to be possible at all, it must always already be synthesized in accordance with categories that serve as the bases of the mathematico-physical laws of nature:

Synthesis as such, as we shall see hereafter, is the mere effect produced by the imagination, which is a blind but indispensable function of the soul without which we would have no cognition whatsoever, but of which we are conscious only

very rarely. Bringing this synthesis to concepts, on the other hand, is a function belonging to the understanding, and it is through this function that the understanding first provides us with cognition in the proper meaning of the term.⁹

Moral beliefs, for their part, are to be distinguished from the kind of beliefs that apply to the world of objects; however, they are equally rich in structure and are inseparable from the viewpoint of the person who is the subject of knowledge. In ethics, Kant refers to the fact of pure practical reason, a fact that can always be certified in philosophical reflection by any subject, even though the subject cannot take him or herself to be its author.¹⁰ As Kant explains in *Religion Within the Limits of Reason Alone*, the capacity for simple respect of the commands of morality thus "demands the presence in our nature of a predisposition on which it is absolutely impossible to graft anything evil."¹¹ Thus, the purpose of the *Critique* is to determine the scope and validity of knowledge claims in such a way that a legitimate role for the moral point of view, whose key concept is the notion of freedom, can still be accommodated.¹² Moreover, a philosophy of transcendental ethics from a Kantian point of view protects, by means of the notion of an intelligible self, the insight that 'is-propositions' simply cannot ground 'ought-propositions'. This is precisely because it is necessary that the subject be able to think of him or herself as acting independently of all foreign causes and external influences.

Mind Over Matter: The Role of the Senses in Synthetic *A Priori* Knowledge

Kant is not proffering a psychological hypothesis about how subjective perceptions coalesce into a world of stable images, spatial extension, and chronological order. Rather, he attempts to show that the transcendently presupposed unity of apperception enables principles to be put into play, from the ground up, that go beyond mere 'habits of association'. This is in order to rule out the skeptical rejection of any universal foundations of knowledge. Thus, for Kant, the transcendental subject, although not entirely producing its own experience, nevertheless contributes so much to it that without this subjective contribution, no

experience would be possible. Differently stated, if Kant can show that experience is a synthetic accomplishment of the subject, then some subjective *a priori* judgments would be possible in philosophy, since it then becomes possible to anticipate the form, if not the content, of any and all experiences. Kant's model of the mind is an affair of subtle, complex, and diverse strata, beginning with apprehension, which serves as the fundamental interface between the world and the subject, and out of which experience coalesces:

Hence, when I ascribe to sense a synopsis, because sense contains a manifold in its intuition, then to this synopsis there always corresponds a synthesis; and thus receptivity can make cognition possible only when combined with spontaneity. Now, this spontaneity is the basis of a threefold synthesis that necessarily occurs in all cognition: viz., the synthesis of the *apprehension* of presentations that are modifications of the mind in intuition; the synthesis of the *reproduction* of these presentations in imagination; and the synthesis of their *recognition* in the concept.¹³

The most essential thing to grasp about Kant's conception of the 'synoptic manifold offered through the senses' via reception is its utter, absolute *formlessness* and its status as the primary 'matter' of representation: it is merely the "result of the way the subject is affected by objects prior to any combinative synthesis whatsoever."¹⁴ That is, while sensations relate directly to that which stands 'in itself,' since they are the result of a synopsis *so rudimentary that it is outside the reflective reach of consciousness itself*, nothing whatsoever can be known about the ultimate primary matter of representation that it offers. It therefore seems the only thing that a *a priori* synopsis of the manifold can signify is the *sheer capacity of the subject for sensory affection* by a mind-independent reality. Though the world is, in a way, separate from the transcendental subject of experience, Kant takes pains to differentiate this view from naïve realism: "This receptivity of our cognitive capacity is called sensibility, and even if we were to see through that appearance and to its very bottom, yet this receptivity remains as different as day and night from cognition of the object in itself."¹⁵ In the Comment at the end of the B Deduction, Kant

again emphasizes the impossibility of making any claims about objects of experience above and beyond their limitation by finite, human sensibility: "from one point, however, I could not abstract in the above proof, viz., from the fact that the manifold for the intuition must be given still prior to the understanding's synthesis, and independently of it; but how it is given remains undetermined here."¹⁶

A. The Synthesis of Apprehension in Intuition

The first synthesis is one that Kant calls the 'Synthesis of Apprehension in Intuition.' It is the synthesis of apprehension that encounters the manifold *as a purely subjective manifold*. This is just to say that the synthesis of apprehension is still 'blind' and simply offers up the rudimentary synopsis of sense in a manifold prior to any transcendental combination: "Now in order for this manifold to become unity of intuition (as, e.g., in the presentation of space), it must first be gone through and gathered together."¹⁷ All that is secure at this stage of perception is that the 'raw stuff' of the senses has been offered. This is by no means even a dim consciousness of objects as such, much less a spatio-temporal combination of objects. It is no more than a prereflective, preintentional, prepsychological, entirely passive element of representation, which is why Kant still calls it apprehension in *intuition*.¹⁸ This agrees with the argument given at B44 regarding subjective presentations, namely, that "they may belong, e.g., to the sense of sight, of hearing, or of touch, by [being] sensations of colors, sounds, or hearing. Yet because they are mere sensations . . . they do not allow us to cognize any object at all, let alone *a priori*." To sum up: apprehension in and of itself is a purely immediate, subjective gathering together of the raw data of experience.

B. The Synthesis of Reproduction in Imagination

As shown above, the synthesis of apprehension in intuition is a synthesis responsible for the *manifoldness* of intuition, but not yet its *combination* (thus, it is not even implicitly a cognitive awareness) because it is far too subjective and rudimentary to yield the full-fledged objective unities of space and time.¹⁹ However, the synthesis of reproduction in

imagination is the point in the model of transcendental subjectivity at which space and time, analytically described as *forms of intuition*, become factors in cognition, as *formal intuitions*. In the Aesthetic, Kant argues that space and time are first given as formal intuitions only by means of a determination of sensibility by the *understanding*.²⁰ The synthesis of objective time, as the form of inner sense, and the synthesis of objective space, as the form of outer sense, *precede consciousness while serving as its necessary condition*. In this way, they can combine prereflectively to generate the objective spatiotemporal world within which the subject finds him or herself. At least this has the benefit of explaining why and how space and time are products of imaginative synthesis. Kant ends this section with the argument,

and since the synthesis of apprehension constitutes the transcendental basis for the possibility of all cognitions as such (not merely of the empirical but also of the pure *a priori* ones), the reproductive synthesis of the imagination belongs to the transcendental acts of the mind, and on account of this involvement of the imagination, let us call this power the transcendental power of the imagination.²¹

C. The Synthesis of Recognition in the Concept

Now there can take place in us no cognitions, and no connection and unity of cognitions among one another, without that unity of consciousness which precedes all data of intuitions, and by reference to which all presentation of objects is alone possible. Now this pure, original and immutable consciousness I shall call transcendental apperception. ... Hence the numerical unity of this apperception lies *a priori* at the basis of all concepts, just as the manifoldness of space and time lies *a priori* at the basis of the intuitions of sensibility.²²

Since the original unity of apperception not only can but must obtain prediscursively—i.e., where there is as yet only the manifold offered by sense and its synthesis in imagination—all the conditions necessary for the formal intuition of space and time are in place prior to and independent of thought (reflection, acquisition of concepts, etc.).

Construed in terms of prediscursive apperception, formally intuited space and time are nothing but the sensible expression of the very same unity of which the categories and the forms of judgment are the intellectual expression. And this is because the categories and the forms of judgment are peculiar to finite, human understanding in *precisely the same way* that space and time are peculiar to finite, human sensibility: both are equally contingent products of the particular arrangement of the human faculties of representation. It is thus correct to say that *qua* receptivity, space and time cannot be made conscious but must be presupposed. Only then is it possible to conceive the contingent nature of the spatiotemporal structure of intuitive discursivity with which subjectivity is endowed.²³ Insofar as space and time are bound up with the categories, the entailment is mutual, direct, and always already subject to the 'I think' of the categories.

Outside of the synoptic manifold provided by sense in pure receptivity, the syntheses, which rest on the basis of spontaneity, are to be understood as achievements of transcendental subjectivity *alone*. Certainly, Kant's absolute *purity* in dealing with representations allows for a transcendental escape from Hume's model of subjectivity as a 'bundle of representations' with its 'felt connections' between empirical presentations, allowing Kant to reinstate necessity as a function of reason in the world.²⁴ This means that the transcendental imagination is the bearer of the forms of space and time, as well as the *a priori* principles that organize the manifold of experience. Thus, "Imagination is a necessary constituent of perception."²⁵

At least as far as his model of synthetic *a priori* knowledge is concerned, Kant could proceed to occupy himself exclusively with the transcendental presuppositions that account for the ability to encounter a world. It is important to bear in mind that Kant was not comprehensively investigating and explaining the faculty of knowledge, but rather, justifying certain forms of *a priori* knowledge and rejecting others according to principles.²⁶ Hence, the understanding provides unity to appearances by means of rules; and reason, which deals only with the understanding and not with intuition per se, provides *a priori* unity to the concepts of the understanding by means of principles. Thus, metaphysical knowledge is restricted to grasping the universal and

necessary properties of objects of experience, i.e., objects capable of being represented to finite human cognition in accordance with the laws of physics. Quite simply, the subject, in principle, may have no knowledge at all of objects in themselves, or as Kant terms this aspect of considering objects, 'noumena'.²⁷

The Transcendental Unity of Apperception: Self-Consciousness as the Ground of Experience

Kant's argument depends upon the success of this demonstration: that the necessary connections between certain parts of the subject's conceptual scheme uphold pure self-consciousness in such a way that one of its parts may not be destroyed (the idea of persisting particulars), without destroying the entire scheme itself.²⁸

For the mind could never think its identity in the manifoldness of its representations, and indeed think this identity *a priori*, if it did not have before its eyes the identity of its act, whereby it subordinated all synthesis of apprehension ... to a transcendental unity.²⁹

Consequently, self-consciousness is something which, as a thought, has a reality which is peculiar to it: the thought implies a reference, which is unspecifiable in itself, to something real. By virtue of this reference it is always a real thought. The 'I' is also a thought, which is to be thought as the same in indefinitely many 'I think' instances. It is in being about to have this thought that the entire essence of this self-consciousness consists. But the further quality of essential 'personhood' may not be attributed to the 'I think'-consciousness, construed as the succession of life-phases connected by self-remembrance. Why not? Because remembering is a form of empirical knowing, and Kant had to deny, and constantly did deny, that apperception, in its self-relation, is or includes an empirical cognition. The argument that self-consciousness itself, as the *use* of pure intellectual power (not any sort of 'transcendent person' falsely inferred from it), possesses the property of being self-identical. This is found in the Paralogisms:

For in order to think the categories, this subject must use as its basis its pure self-consciousness, which— after all—was to be explicated. Similarly, the subject wherein the presentation of time originally has its basis cannot thereby determine its own existence in time; and if this determination cannot be made, then the first one, as determination of oneself (as thinking being as such) through categories, cannot take place.³⁰

It becomes clear that by virtue of its self-identity, self-consciousness is also the principle of transcendental unity, which is how Kant always emphatically presents it, for to accompany thought-contents with the consciousness 'I think' means to think them with all other contents as thought by one and the same subject. Although no factual assertions which go beyond the actual instance of 'I think'-consciousness follow from this form of self-consciousness, the instance of consciousness is itself a fact and something in the totality of what is actual, although it cannot be known within this whole. This means that the identity implied in self-consciousness is neither a formal-logical, abstract identity, nor anything that can be exhibited on the basis of criteria that are used to determine objects in the world.

But what Kant is arguing is not that there are innate ideas (a doctrine of rational psychology that he firmly rejected³¹) but rather that there is a need for systematic unity within the human architectonic of reason. In order to maintain the greatest systematic unity, reason strives for answers to the three metaphysical questions, indicated above, involving the immortality of the soul, the freedom of the will, and the existence of God. However,

[w]hen I hear that an uncommon mind is supposed to have demonstrated away the freedom of the human will, the hope for a future life, and the existence of God, then I am eager to read his book ... [t]hat in fact he will have accomplished nothing of all this—this I already know beforehand with complete certainty.³²

Kant's seeming entitlement to make such claims is because he considers the transcendental critique of the faculties to have demonstrated that if

concepts of the understanding are freed from possible experience, they generate only transcendental illusion. Such illusion consists of taking the subjective condition of thinking to be the cognition of an object. And in the final analysis, all that can be said of the 'I think' of consciousness is that it is the vehicle that accompanies all concepts as such, and is hence transcendental, but does not merit further consideration because it serves only to bring forward all thinking:

But if we compare the thinking *I* not with matter but with the intelligible which lies at the basis of the outer appearance that we call matter, then, since of the intelligible we know nothing whatever, we also cannot say that the soul is in any respect intrinsically distinct from the intelligible.³³

Nevertheless, though no subject can be given through 'I think' consciousness, "in view of a certain inner power" finite human existence is able to determine itself in relation to an intelligible world in its role as the locus of moral deliberation and free choice.³⁴ In the Dialectic, Kant develops the antinomy between the concept of freedom and the concept of mechanical determinism in order to show that there is at least no contradiction. Rather, knowledge-claims regarding objects that can be given in experience as well judgments that reference the intelligible realm of morality are both true in their respective regions.

The strict separations between the infinite and the finite, God and his creatures, and the knowable and unknowable that had been ascendant in philosophy since Descartes and perhaps found their pinnacle in Kant's critical venture, aroused a need for reconciliation among his contemporaries. Hegel, for one, found the Kantian view of mankind distasteful, and bemoaned, in *Faith and Knowledge* (1802):

This so-called man and his humanity conceived as a rigidly, insuperably finite sort of Reason form philosophy's absolute standpoint. Man is not a glowing spark of eternal beauty, or a spiritual focus of the universe, but an absolute sensibility. He does, however, have the faculty of faith so he can touch himself up here and there with a spot of alien supersensuousness.³⁵

Nietzsche put the point even more sharply a century later in *The Will to Power* (1901):

But as soon as man finds out how that world is fabricated solely from psychological needs, and how he has absolutely no right to it, the last form of nihilism comes into being: it includes disbelief in any metaphysical world and forbids itself any belief in a *true* world. Having reached this standpoint, one grants the reality of becoming as the only reality, forbids oneself every kind of clandestine access to afterworlds and false divinities—but *cannot endure this world though one does not want to deny it.*"³⁶

This view is but a short step from a kind of "tough love" scientific reductionism that holds that there is nothing beyond the material world, that consciousness can be explained by brain algorithms governing the interaction of chemicals, and that reality consists of nothing more than the space, time, particles, and forces that physicists can document.³⁷ However, is it possible to avoid the dead-end of nihilism, not by a retreat into obscurantism, but by holding fast to the very discourse of objectivity that occasioned these problems in the first place?

Overcoming Materialism: The Quantum Revolution

Since its beginnings in seventeenth century Europe, mechanistic science has spread worldwide, like Marxism, socialism, and free-market capitalism, touching the lives of billions of people through economic and technological development. Certainly, in 1871, scientists had good reason for optimism. Classical mechanics and electrodynamics had powered the industrial revolution, and it appeared as though their basic equations would describe essentially all physical systems. At the beginning of the nineteenth century, the French physicist Pierre-Simon Laplace perfectly captured the optimism of the classical worldview:

Consider an intelligence which, at any instant, could have a knowledge of all the forces controlling nature together with the momentary conditions of all the entities of which nature consists. If this intelligence were powerful enough to submit all these data to analysis it would be able to embrace in a single

formula the movements of the largest bodies in the universe and those of the lightest atoms; for it nothing would be uncertain; the past and future would be equally present before its eyes.³⁸

Unexpectedly, closer investigation into the nature of matter itself was to lead to the downfall of standard scientific epistemology, because the existence of atoms themselves proved a challenge to classical physics. An atom consists of a positively charged nucleus surrounded by negatively charged electrons. Positive and negative charges attract each other and, if not restrained, accelerate towards each other, emitting energy in the form of electromagnetic radiation along the way. So a difficult question arose: why do electrons not collapse into the nucleus in a flash of radiation? Neither the nucleus nor the electrons individually have more than one ten-thousandth of the diameter of the atom, so what force or forces are stabilizing the structure?

In non-technical accounts, the structure of atoms is sometimes explained by analogy with the solar system: one imagines electrons in orbit around the nucleus like planets around the sun. But that does not match the reality. For one thing, gravitationally bound objects *do* slowly spiral inwards, emitting gravitational radiation (the process has been observed in binary neutron stars) and the corresponding electromagnetic process in an atom would be over in a fraction of a second. For another, the existence of solid matter, which consists of atoms packed closely together, is evidence that atoms cannot easily penetrate each other, yet solar systems certain do.³⁹

The answer necessitates a move from classical reality into a quantum world, in which an individual electron always has a range of different locations and a range of different speeds and directions of motion. At the subatomic level, the electron stops behaving like a particle and starts behaving like a wave, spreading out in space and *simultaneously* occupying every position it can (without affecting neighboring electrons) in a three-dimensional 'smear' also known as a quantum superposition. Thus, in its natural state, the electron can and does occupy every position in the universe that it possibly can, with the caveat that no two instances of this three-dimensional spread can ever interfere with one another. In this way, the electron's quantum behavior resembles the spread of an ink

blot: initially located in a very small region, its superposition spreads out rapidly, and the larger it gets the more slowly it spreads. Hence, when experimenters describe the behavior of an electron, the probability of finding it in each region is mathematically interpreted in terms of probabilities, or wave functions.⁴⁰ Now, if a proton is placed in the middle of the spreading cloud of instances of the single electron, the proton's positive charge attracts the negatively charged electron. As a result, the superposition stops spreading when its size is such that its tendency to spread outwards due to the quantum behavior is exactly balanced by its attraction to the proton. The resulting structure is called an atom of hydrogen.⁴¹ So a typical electron is not a 'thing', but rather an irreducible probability wave, which is to say, it has multiple positions and multiple speeds without being divisible into autonomous sub-entities, each of which has one speed and one position. This means that the trajectory of a quantum object can never be calculated, putting an end to the naive realism and determinism of a Newtonian universe.

Albert Einstein's theory of relativity, developed in 1905, set the speed of light (~300,000 km/sec) as the highest velocity at which information can travel through space. From this, a model of reality is generated that describes a universe comprised of an electron field through which occurrences spread out as waves at the speed of light or below.⁴² This is another way of saying that all influences whereby objects can affect one another in space-time are *local*.

The well-documented occurrence of quantum entanglement put an end to this view during Einstein's lifetime. Specifically, quantum entanglement can be said to occur when particles such as photons, electrons, molecules as large as buckyballs or even small diamonds interact physically then become separated; the type of interaction is such that each resulting member of the pair is properly described by the same quantum mechanical description, or 'state', which is an indefinite wave function or superposition. When a measurement is made and it causes one member of such a pair to take on a definite value (e.g., clockwise spin), the other member of this entangled pair will take on the appropriate correlated value (e.g., counterclockwise spin) immediately, at a superluminal speed, that is, faster than the speed of light.⁴³ Thus, it becomes necessary to conclude that quantum behavior provides a

window into a more fundamental *non-local reality*. In other words, quantum probability waves aren't objects in the classical sense, but rather, a curious form of objective potentiality arising from a domain of reality that transcends local space-time and thus lies outside, or utterly beyond, the jurisdiction of the speed of light barrier of special relativity.⁴⁴ Hence, the deeper into atoms that one peers the more apparent it becomes that they are not ultimate units of matter, made up of solid, massy, hard, impenetrable particles, as Newton envisioned; rather, as the philosopher of science Karl Popper expressed the point, through modern physics, "materialism transcended itself."⁴⁵

A fundamental law in quantum physics holds that no quantum object can ever be brought completely to rest, because at any possible frequency at which particles can be transmitted, a tiny bit of electromagnetic "jiggling" always occurs.⁴⁶ When all these ceaseless fluctuations are added together, all the matter in the universe appears to be floating on a background sea of light, whose total energy is enormous.⁴⁷ This is the electromagnetic 'zero-point' field, so called because although the energy is boundless, it is in the lowest possible energy state, one that exists far below the visible spectrum detectable by human vision. As explained by astrophysicist Bernard Haisch:

Take any volume of space and take away everything else—in other words, create a vacuum—and what you are left with is the zero-point field full of zero-point energy. We can imagine a true vacuum, devoid of everything, but in the real world, a quantum vacuum is permeated by the zero-point field with its ceaseless electromagnetic waves.⁴⁸

Moreover, according to quantum electrodynamics, all electrical and magnetic forces throughout the known universe are necessarily mediated by virtual particles that appear and then disappear from this field. As for biological life, all the molecules within living organisms, cell membranes, and nerve impulses depend on these virtual particles, e.g., electrons and photons, continuously appearing and disappearing from this all-pervading field of nature.⁴⁹ Hence, it is on the basis of a non-linear, non-local, quantum field of subatomic energy that all energy arises, and thus mass itself, giving rise to self-organizing systems such as particles, atoms,

molecules, elements, cells, plants, animals, human beings, planets, solar systems, galaxies, and the visible cosmos.

The point to emphasize is that this scientific account of fundamental reality as non-material, non-classical, and non-local cannot be dismissed out of hand as an interesting theory to be pursued by the new obscurantists. On the contrary, the stunning success of the world so described has helped create modern breakthroughs: understanding radioactivity, developing nuclear power, accounting for the behavior of materials such as semi-conductors, explaining superconductivity, and describing interactions such as those between light and matter (leading to the development of lasers) and of radio waves and nuclei (leading to magnetic resonance imaging).⁵⁰ Moreover, although the impression that quantum behavior is limited to the microworld, while classical physics still hold at macro-levels, remains pervasive, this convenient partitioning is a myth. Until a few years ago, scientists had not confirmed that quantum behavior persists on a macroscopic scale, but today scientists routinely trace out the effects of quantum entanglement on biological systems (e.g., homing pigeons), and measure quantum gravity effects on planetary bodies in our own solar system.⁵¹ Although quantum effects may be less obvious in the macroworld, the reason has nothing to do with size *per se* but with the manner in which quantum systems interact with one another.

Of particular interest is an emerging view holding that quantum entanglement, or 'resonance,' appears to be responsible for the coherence that sustains cellular activity.⁵² According to the view informing research in the contemporary field of quantum biology, the particles and atoms in the human body receive and transmit information not just through biochemical channels at the molecular level, but also and perhaps more fundamentally through 'phase-conjugate quantum resonance': the term used by physicists to indicate that the wave functions of sub-atomic particles exchange information via non-local entanglement. It may well be that this instantaneous, enormously efficient connection is not only the root of intelligence and self-consciousness, but may be the key to the origin of life itself.⁵³ At the very least, the purported dualistic nature of human beings as 'mind' and 'matter' only appears intractable if one fails to take into account the contemporary view that coherent forces in an

all-encompassing non-material reality continually give rise to and sustain the world of everyday objects and their accompanying physical laws. In fact, infinite consciousness understood as pure energetic potentiality, broadly construed, may indeed turn out to be the ultimate ground of being.

The Kantian Problematic Revisited in Light of Quantum Ontology

On the basis of the foregoing account of the limits of the materialist paradigm, I would like to suggest that certain difficulties encountered in the Kantian system that defied explanation in the eighteenth-century may allow of reexamination and even of resolution within an expanded philosophico-scientific paradigm that incorporates a quantum perspective in its ontology. Does a deeper comprehension of reality constrain humans to think of themselves as genetically programmed machines, set adrift to randomly maximize their reproductive fitness in a mechanical universe? Or rather, can rationally superseding the limiting belief that the universe is an inanimate machine reveal a host of promising avenues for further development, possibly even providing the preliminary concepts needed to reconceptualize the ontology of the modern lifeworld?⁵⁴ At the very least, the occurrence of the natural world that presents itself in daily experience begins to assume contours in which consciousness and matter are seen to both spring from an even more fundamental source.

In closing, I would like to suggest that the more robust paradigm currently being revealed by science may allow for the interests of reason to be pursued in a way that succumbs neither to the skeptic who would seek to reduce all phenomena to the material world, nor to the obscurantist who would abandon methodological procedure entirely. Rather, this paradigm explores the spontaneity of consciousness as a phenomenon springing from a realm that transcends space and time in a way that remains true to most profound insights of biology, evolutionary theory, and cosmology. Non-local information about the physical universe may turn out to be the bridging principal between objective science and subjective experience, as the brain itself may be resonating with the electromagnetic mind of the entire cosmos. At the very least,

one may cautiously suggest that science has penetrated far beyond the world of physical experience mediated by sense-data. Moreover, it would seem that until the academic disciplines are able to rigorously think through the occurrence of consciousness in conjunction with the self-organization of organic systems, without relying on either theological notions like 'spirit', or the clockwork universe of reductive materialism, the discourse of modernity will be unable to free itself from the problematic bequeathed unto it by Kant.

NOTES

¹ Simon Critchley, *Continental Philosophy: A Very Short Introduction* (New York: Oxford University Press, 2001), 31.

² *Ibid.*, 31.

³ Jürgen Habermas, *Philosophical Discourse of Modernity* (New York: MIT Press, 1990), 6.

⁴ Amit Goswami, *The Self-Aware Universe* (New York: Penguin, 1995), 34.

⁵ Immanuel Kant, *Critique of Pure Reason*, trans. Werner S. Pluhar (New York: Hackett Publishing, 1996), Bxiii.

⁶ Vittorio Hösle, "The Greatness and Limits of Kant's Philosophy," in *Objective Idealism, Ethics and Politics* (South Bend, Indiana: St. Augustine's Press, 1998), 45.

⁷ David Hume, *A Treatise of Human Nature*, ed. L.A. Selby-Bigge (Oxford: Clarendon Press, 1888), cited in Wayne Waxman, *Kant's Model of the Mind* (New York: Oxford University Press, 1991), 25.

⁸ Kant, *Critique of Pure Reason*, A66/B91.

⁹ *Ibid.*, A78/B104.

¹⁰ Herbert Schnädelbach, "The Face in the Sand: Foucault and the Anthropological Slumber" in *Philosophical Interventions in the Unfinished Project of Enlightenment*, ed. Axel Honneth et al. (New York: MIT Press, 1992), 321.

¹¹ Immanuel Kant, *Religion Within the Limits of Reason Alone* (New York: Harper & Brothers, 1960), 23.

¹² Dieter Henrich, "The Moral Image of the World," from *Aesthetic Judgment and the Moral Image of the World: Studies in Kant* (Stanford: Stanford University Press, 1982), 1–3.

¹³ Kant, *Critique of Pure Reason*, A97.

¹⁴ *Ibid.*, A20/B33, cited in Waxman, *Mind*, 192.

¹⁵ *Ibid.*, A44.

¹⁶ Ibid., B145.

¹⁷ Ibid., A99.

¹⁸ Waxman, *Mind*, 227.

¹⁹ Ibid., 191.

²⁰ Ibid., 190.

²¹ Kant, *Critique of Pure Reason*, A102.

²² Ibid., A107.

²³ Dieter Henrich, "On the Unity of Subjectivity," in *The Unity of Reason* (Boston: Harvard University Press, 1994), 47.

²⁴ Waxman, *Mind*, 215n61.

²⁵ Kant, *Critique of Pure Reason*, A120n.

²⁶ Dieter Henrich, "The Identity of the Subject in the Transcendental Deduction," in *Reading Kant*, ed. Eva Schaper (Oxford: Basil Blackwell Ltd., 1989), 251. The point is made by Kant at Axvii: "For the main question is always this: what, and how much, can understanding and reason cognize independently of all experience? rather than: how is our *power of thought* itself possible?"

²⁷ In Kant's own words in *Critique of Pure Reason*, A250:

But this something is in so far only the transcendental object. This, however, signifies only a something = x of which we don not know— nor (by our understanding's current arrangement) can in principle ever know— anything whatsoever. Rather, this transcendental object can serve only, as a correlate of the unity of apperception, for the unity in sensible intuition's manifold by means of which the understanding unites that manifold in the concept of an object.

²⁸ Eckhart Förster, "How are transcendental arguments possible?" in *Reading Kant*, 17. Kant makes the point in *Critique of Pure Reason*, Bxxiii: "for, as regards its cognitive principles, it [pure speculative reason] is an entirely separate, self-subsistent unity in which, as in an organized body, each member exists for the sake of all the others, and all exists for the sake of each one."

²⁹ Kant, *Critique of Pure Reason*, A108.

³⁰ Ibid., B422.

³¹ Ibid., A347/B406.

³² Ibid., A753/B781.

³³ Ibid., A360.

³⁴ Ibid., B431.

³⁵ G. W. F. Hegel, *Faith and Knowledge*, trans. Walter Cerf and Henry Harris (New York: SUNY Press, 1977), 65.

³⁶ Friedrich Nietzsche, *The Will to Power*, trans. Walter Kaufman and Reginald J. Hollingdale (New York: Vintage, 1968), cited in Critchley, *Continental Philosophy*, 83.

³⁷ Bernard Haisch, *The God Theory* (Weiser Books: New York, 2009), chap 5.

³⁸ Pierre-Simon Laplace, "A Philosophical Essay on Probabilities," (1819; reprint, New York: Dover Publications, 1951), 4; Cited in Rupert Sheldrake, *The Science Delusion* (Great Britain: Coronet, 2012), 16.

³⁹ David Deutsche, *The Beginning of Infinity* (New York: Penguin Group, 2012), 290–1.

⁴⁰ Max Tegmark and John Archibald Wheeler, "The 100 Years of Quantum Mysteries," *Scientific American* 284:2 (2001), 71.

⁴¹ Deutsche, *The Beginning of Infinity*, 290–1.

⁴² *Ibid.*, 291.

⁴³ Amit Goswami, *The Self-Aware Universe* (New York: Penguin Group, 1995), 115.

⁴⁴ *Ibid.*

⁴⁵ Pierre-Simon Laplace, "A Philosophical Essay on Probabilities," (Dover, New York: 1819, reprinted 1951), 4, cited in Rupert Sheldrake, *The Science Delusion* (Great Britain: Coronet, 2012), 16.

⁴⁶ This phenomenon, called zero-point fluctuation, is a consequence of Heisenberg's uncertainty principle, which is a critical property of quantum systems, and which holds that there is a fundamental limit to the accuracy of information that can be determined with regard to subatomic particles: the more precisely its position is known, the less precisely its momentum can be determined, and vice versa.

⁴⁷ Haisch, *The God Theory*, chap 6.

⁴⁸ *Ibid.*

⁴⁹ Karl Popper and John Eccles, *The Self and Its Brain* (Springer-Verlag: New York, 1977), 5; Cited in Sheldrake, *Science Delusion*, 60.

⁵⁰ Tegmark and Wheeler, *Ibid.*

⁵¹ Rachel Courtland, "Quantum States Last Longer in Birds' Eyes," *New Scientist*, 209:2796 (2011), 1. Ker Than, "Dwarf Planet Feels Quantum Gravity," *New Scientist*, 217:2901 (2013), 12.

⁵² Vlatko Vedral, Professor of Physics, Oxford University, "Living in a Quantum World," *Scientific American*, 304:6 (2011), 39–40.

⁵³ For more information on this point, I would direct the curious to Ervin Làzlo, *Systems Philosopher and Integral Theorist*:

This makes sense because living systems exhibit highly and until recently inexplicably coherent behavior. Their cells and organs

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resonate in phase, and the entire living organism seems to obey one encompassing "macroscopic wave-function." In other words, instead of functioning like a bunch of cells and chemicals each doing their own thing unaware of each other, all the biochemical and bioelectric dance in superb coordination acts like a giant wave which moves and flows as one, despite the many individual droplets that are within it. This means that your body is not just a biochemical system: it's also a macroscopic quantum system.

Ervin Làzlò, "Why Your Brain is a Quantum Computer," *The Huffington Post*, March 8, 2011.

⁵⁴ Sheldrake, *The Science Delusion*, 54.