

Enlightenment and Constraints

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Abstract. Drawing on recent work in social philosophy and rational choice theory, in this paper I argue that the core thematic of Kant’s “What is Enlightenment?” is the relationship between reason and constraints. I discuss in some detail Kant’s definition of and distinction between private and public uses of reason. Most generally, I maintain that while Kant’s sense of the private use of reason is too narrowly conceived, his cosmopolitan notion of the public use of reason is far too broad. As a more robust alternative, I propose an account of constitutive constraints and characterize more fully what it means for individuals to make reflexive use of reason vis-à-vis such constraints.

Key words: constraints, Enlightenment, freedom, reason, reflexivity.

The explicit concern of Kant’s “What is Enlightenment?” is inarguably that of the power of the public use of reason. Yet there is, or so I want to claim, an even more fundamental question at issue here, namely, that of the relationship between reason and constraints. In fact, throughout “What is Enlightenment?” originally published in the 1784 edition of the *Berlinische Monatsschrift*, reason’s role in ascertaining the enabling and limiting conditions of certain kinds of constraints is crucial to Kant’s argument. Early on in the text Kant asks: “But which sort of constraint (*Einschränkung*) hinders enlightenment? And which, instead of hindering it, can in fact enhance it?” (55).¹ Kant’s well-known answer is that while tightly constraining the private use of reason enables civil order and a government’s procurement of “public ends” (56), the public use of reason must always be unconstrained, and “it alone can bring enlightenment to the human condition” (55). In pursuing this line of inquiry it is perhaps not surprising that Kant concludes his reflections by noting the way in which a “lesser degree of civil freedom” can actually ensure ever-greater degrees of “intellectual freedom” and, over time, the opportunity and capacity to “act freely” (59).

The issue Kant wrestles with here, commonly known as the paradox of choice, is that less is often times, but not always, more. In fact, to put it somewhat crudely, I think that the challenge laid out in “What is Enlightenment?” is to use reason to determine when less is more and when it is not. Or, to describe the matter in terms to be elaborated here, the critical task of enlightenment in Kant’s sense is to make reflexive use of reason to optimize constraints. With the phrase “reflexive use of reason” I mean simply the embedded and embodied capacity of human beings to make explicit and alter the conditions that enable and limit thought and action. By “optimize constraints” I mean modifying and/or creating the kinds of rules and norms that maximize human freedoms of thought and action. Of course I shall endeavor to clarify and provide examples of what is meant by

1] Translation modified, as are all subsequent citations of the English edition (1970) of Kant’s “What is Enlightenment?” cited here.

these terms in what follows. But to state my thesis briefly: the purpose of the reflexive use of reason is to get the various constraints of society right. Indeed, if the ultimate objective of enlightenment is freedom, as Kant suggests, then the proper motto of enlightenment is, “optimize constraints!”²

Now, the contemporary philosophical landscape offers several different paths for re-thinking Kant’s concerns in “What is Enlightenment?”. But two paths in particular provide a useful contrast for framing the argument to be developed here. The first, blazed by Nietzsche but extensively widened by Nietzschean-inspired “post”-modernists, is pursued in a decidedly skeptical and un-Kantian way. Here appeals to the use of reason, however conceptualized and operationalized in various historical moments, are viewed as inherently masking relations of domination and the will to power. History, politics, science, knowledge, morality – all these are construed as rationalizing processes of human subjugation in which contingent constraints of the dominant eventually harden into structures and systems that establish the un-free order of things. Consequently, in the words of Foucault, it is only in an “historical ontology of ourselves” (1984, 45) that the enlightenment’s critical engagement with constraints can be redeemed. In such a “post”-modern ontology what is sought is an “historical analysis of the limits that are imposed on us and an experiment with the possibility of going beyond them” (1984, 50).³ In place of the use of reason, this path of existential experimentation, where Nietzsche and Foucault are joined by Bataille (1985; 1993), Heidegger (1991), and Derrida (1978; 1985), seeks an *aesthetic rapport a soi* where internalized limits may be transgressed in what Foucault once cryptically described as “techniques of management” (1983, 18) of the self.

By contrast, there is a well-established second route that does not entail a skeptical point of departure from Kant. Instead, it seeks to provide a positive account of the conditions needed to realize the project of enlightenment in a fundamentally Kantian way. In fact, this approach, developed most prominently by Rawls (1971; 1999) and Habermas (1991), aims to reconstruct the emergence of an actually existing “public sphere” and defend a normative account of the use of reason in such a sphere. With their demands that individuals detach themselves from the social milieu, substantive identities, and historical experiences that shape them, the contemporary heirs to Kant’s formulation of the public use of reason aim to create the necessary conditions for democratic inclusion. Hence for neo-Kantians such as Rawls and Habermas, rational deliberation constitutes the normative medium of the public use of reason, while social abstraction remains the precondition for the empirical realization of such reasoning in actual public space.

In my discussion here I should like to consider the relationship between reason and constraints from a somewhat different angle. Rather than draw on the current work in neo-Kantian philosophy or pursue strong “post”-modern critiques of that line of thinking,

2] For a related treatment of Kant, see Brandom 1979.

3] For a critical analysis of Foucault’s account of power and agency, see especially Habermas 1987; 1989.

I shall introduce recent work in social philosophy and rational choice theory to outline an account of constitutive constraints, and then connect that account to the reflexive use of reason aimed at constraint optimization. The overarching purpose of pursuing such a discussion is two-fold. On the one hand, I want to clarify and characterize more fully the constitutive nature and function of constraints in Kant's thinking. On the other hand, I want to propose an orientation toward those constraints that is neither over-determined by relations of power nor under-determined by abstract appeals to what Kant calls a "public of world-readers" (55). On my account, enlightened agents are best understood as highly reflexive constraint-optimizers who are no more reducible to effects of power than they are inflatable to free-floating members of a world public. Along with a gain in conceptual clarity, the virtue of such an account is that it engages Kant's thinking about enlightenment in a way that does not require a theoretical description or empirical realization of "the public."

Consequently it must be emphasized at the outset that the goal here is not to rehabilitate a neo-Kantian account of the public use of reason. Nor, however, is it my intention to contribute to the general skepticism that clouds the prospect of the use of public reason in contemporary life.⁴ Rather, my principle aim is to give more precise definition to a conception of constraints that is implicit but under-developed in Kant's text, and then to characterize what it means to adopt a reflexive orientation toward those constraints. My argument, in sum, is that it is not publicity but rather an account of reflexivity that is decisive for scrutinizing the relationship between reason and constraints. Indeed, as I hope to show, the "public" use of reason in Kant's sense is best understood as a distinctly reflexive use of reason.

Let me begin, then, with a brief summary of Kant's attempt to distinguish sharply between private and public uses of reason. Two examples offered in "What is Enlightenment?," although not altogether analogous, as we shall see, are particularly illustrative of the importance of the relationship between reason and constraints in Kant's thinking here. The first is that of the private use of reason deployed by a military officer. As a member of a military organization, such an individual finds himself situated in a rigidly constrained matrix of chain-of-command type rules and codes of conduct. In this context, as Kant argues, "it would be very harmful if an officer receiving an order from his superiors were to quibble openly, while on duty, about the appropriateness or usefulness of the order in question. He must simply obey" (56).

Yet the private use of reason is crucial not simply to maintain obedience and order. Its use is also essential because it is precisely in the ongoing acceptance of and adherence to the shared constraints (rules and codes) of a military's organizational scheme that certain individuals can be defined and count as officers. For being an officer consists in thinking and acting (i.e., taking and executing orders) in strict accordance with the jointly shared

4] But for two insightful discussions of the deficits of current theories of public reason, see especially Fraser 1997 and, more recently, Hrubec 2008.

rules and codes that define and make possible a military organization. In the absence of such constraints, it is not only difficult to see how an individual could be considered an officer but also how a military could exist at all. It is precisely shared enabling constraints (rules and conduct codes) that, at least at one basic level, *constitute* a military.

Kant's example of the clergyman should be similarly construed. The clergy, too, finds himself in a context rather narrowly defined and yet enabled by a jointly shared set of constraints – though those constraints are perhaps better thought of as associational beliefs and norms rather than rules and codes, as in the case of the military. In the course of his daily labors, the clergyman is bound by the enabling constraints that define and make possible his position and the religious group to which he belongs. Accordingly for Kant, he must make private use of reason in his work. For what it means to count as a clergy within a particular religious association is primarily to represent and disseminate the established beliefs and norms that define that association. In the presence of his congregation, therefore, the clergyman is, as Kant says, obliged to say: “Our church teaches this or that, and these are the arguments it uses” (56). In other words, for Kant the narrow task of the clergy *qua* clergy, like that of the officer *qua* officer, is to embody and express the defining-enabling constraints of the association, and not to make explicit or call into question those constraints from within the narrow confines of what Kant characterizes as the “purely private” space of a “domestic gathering” (57).

In his account of the private use of reason in military and religious contexts Kant has thus identified the way in which less can indeed be more – the way, that is to say, that certain sorts of constraints define and enable the existence of societal organizations and associations. Yet Kant also realizes that while necessary, such a use of reason *vis-à-vis* enabling constraints is not sufficient in an enlightened society. For while individuals must accept and adhere to the constraints of the various organizations and associations in which they are embedded – as rule- and code-followers or belief- and norm-applicators – they nevertheless require a standpoint from which to address emergent situations when less is *not* more. What is needed, in other words, is an orientation from which to *criticize* constraints when they become sub-optimal and no longer enable in ways that they could, should or were designed to do. In his discussion of the clergy Kant stresses the need to allow for such a critical orientation when he insists that “it is absolutely impermissible to agree, even for a single lifetime, to a permanent religious constitution which no one might publicly question” (58). Now for Kant, as we know, such “public questioning” must be dis-embedded from societal constraints, wherein only the “private” use of reason is allowed. Indeed, Kant formulates the genuinely “public” (*öffentliche*) use of reason precisely as a “free” or an unconstrained way in which individuals may orient themselves toward and gain critical purchase on various organizational or associational constraints. In making public use of their reason, officers and clergy are thought to be able to socially unbind themselves and enter into a “real public” (57) as “men of learning” (56), “scholars” (57) and “world-citizens” (56) limited only by a “rational respect for personal value and for the duty of all men to think for themselves” (55). Thus, the officers and clergy shed their “private”

identities and speak in their “own person” (56) as “scholar[s] addressing the real public” (57) regarding “the errors in military service” or the “better arrangement of religious and ecclesiastical affairs” (56). In short, when more is or has become less, Kant proposes the public use of reason.

There are four inter-related issues raised by Kant’s distinction between the uses of reason and sense of constraints that I should like to consider here. To begin with, it must be pointed out that Kant’s use of the term “private use” (*Privatgebrauch*) is conceptually confusing. Clearly what he means – and what all of his examples illustrate – is something decidedly *un-private*. Military organizations and religious associations – as well as bureaucracies and the various venues of civil society inhabited by Kant’s other example of tax-paying citizens – are *social* sites. By “social sites” what is meant here is simply those collective locations or contexts where the actions, beliefs, attitudes and identities of individuals are in various ways interlocking and interdependent – where, that is to say, a sense of “we” creates “plural subjects,” to borrow Margaret Gilbert’s (1989) useful conception. Military organizations and religious associations are plural subject phenomena insofar as they are comprised of individuals whose individual mental states *necessarily* include the shared consciousness of a unity and commitment to undertake joint actions *with others*. The conceptual point to be clarified is that individual officers and clergy don’t merely make “private” use of reason in the respective contexts of their daily work; rather, they count as officers and clergy precisely because they must individually reason in ways that reflexively adopt and incorporate the constraints shared by *other individuals* who exist within their organizational or associational “we.” Hence the “private” use of reason in Kant’s sense is really one of the *reflexive* uses of reason vis-à-vis societal constraints – I shall return to this point below.

Second, in “What is Enlightenment?” societal constraints have, as we have seen, a distinct function to which Kant alludes but does not adequately develop. Specifically, the function of such constraints is to define and enable: that is, they create and maintain the possibility of certain shared ways of thinking and acting. In other words, societal constraints are *constitutive* constraints. Unlike hard constraints (such as that of gravity or technical limits such as those that once limited film-making to silent movies), constitutive constraints are those soft bounds that both constitute and are intentionally constituted by certain plural subject entities.⁵

The definition of constitutive constraints I want to articulate here may also be understood by way of John Searle’s distinction between regulative and constitutive rules.⁶ In his work on the construction of social reality, Searle (1995) argues that:

5] In an extended discussion of Durkheim and Gilbert, I have sought to explain how constraints – understood as “social facts” – can be both objectively given to and subjectively made by human actors. See Lewandowski 2002.

6] A related but much earlier discussion of this distinction already appears in Rawls 1955.

Some rules regulate antecedently existing activities. For example, the rule “drive on the right-hand side of the road” regulates driving; but driving can exist prior to the existence of that rule. However, some rules do not merely regulate, they also create the very possibility of certain activities. Thus the rules of chess do not regulate an antecedently existing activity... Rather, the rules of chess create the very possibility of playing chess. The rules are *constitutive* of chess in the sense that playing chess is constituted in part by acting in accord with the rules. (27-28)

What I have been calling “societal constraints” (or what in Kant’s examples might more accurately be designated organizational and associational constraints) are constitutive in much the same way that Searle’s constitutive rules are: in both cases such constituting limits do not merely regulate but also create what counts as playing chess or being an officer or clergy. Indeed, as we have seen, what Kant misleadingly calls the “private” use of reason can exist only within a system of shared constitutive constraints.

Third, the existence and ongoing maintenance of constitutive constraints takes place in contested fields of thought and action, and thus the so-called private *use* of reason is much more sociologically complex than Kant’s account suggests. Put simply, where societal constraints are present, less is almost always more for some, and not for others.⁷ Or, to put the point in Searlean terms: while the constitutive rules of chess can be said to be equally enabling and constraining for all players, the same cannot be said for the constitutive constraints of societal organizations and associations. In fact, while constitutive societal constraints are by definition jointly shared, they can and often do function in profoundly stratifying ways to create what Pierre Bourdieu (1977) calls a “habitus.”⁸ That is to say that such constraints characteristically engender positions of privilege among some of those who share them, as well as conditions of exclusion for many of those outside of them. In the constitutive constraints of many military organizations and religious associations throughout the world, for example, women simply cannot count as officers or clergy.

Moreover, those individuals who are able to achieve positions of ascendancy within exclusionary military organizations and religious associations do so at least in part because of their more or less successful attempts to navigate and gain control over the various material and symbolic goods available within those constraints. Indeed, among other factors, becoming an officer or clergy involves acquiring a feel for maneuvering within and out-maneuvering others in struggles for power within particular organizational and associational constraints. It is precisely in this way that, for example, the sense of “we” of a

7] Numerous everyday examples spring to mind. To elaborate just one: it is a safe bet that most international airline travelers would prefer one pre-determined gourmet meal to the prevailing in-flight choice between chicken and vegetable pasta. But if I am member of a vegan culture and the pre-selected meal is, say, steak au poivre, then clearly less is not more for me in this case.

8] Specifically, Bourdieu defines habitus as “the durably installed generative principle of regulated improvisations” (1977, 78). I have elsewhere discussed the relative strengths and weaknesses of Bourdieu’s account of habitus and theory of practice (Lewandowski 2000).

military organization constituted largely by hierarchical command chains often becomes so stratified that the officers' sense of "we" does not include the men they command.

Finally, Kant appears to over-reach in his characterization of the "public" use of reason as a kind of cosmopolitanism outside of *all* constitutive constraints. To return for a moment to the example of the military officer alluded to above: imagine that such an officer wanted to address the problem of stratification within his military organization. As already noted, while some degree of organizational stratification may be necessary for the functioning of a military, too much stratification is clearly sub-optimal, and threatens the kind of plural subjecthood required for the successful execution of operations in the field. On Kant's account, an officer who sensed that existing constraints no longer sufficiently enabled is enjoined to adopt an orientation entirely outside of the constitutive constraints that define him as an officer or member of a nation-state and speak simply as a "man of learning" to a "world public."

Yet while it is obvious that an officer should be free to reason in a way other than what Kant mistakenly calls "private," appealing to a specifically "public" use of reason is unwarranted. Indeed, it is difficult to see how – or why – a military officer would shed the many layers of his social skin, as it were, and address something like a "world-public." The point to be made is not that officers cannot or should not reason from a perspective other than that of members of a particular branch of the military or specific nation-state. Rather, what must be admitted is that their rational dialog and critique will inevitably be informed by the constitutive constraints that create the conditions of possibility of their identities, roles and experiences as actual "men of learning." That is to say that officers are officers; clergy are clergy. And their "publics" are what the social has made them out to be, as Kant himself ambiguously acknowledges when he says that an officer cannot be banned from submitting his judgments about errors in the military to "his public" (*seinem Publikum*) (my emphasis, 56).⁹

Of course officers are not only officers, and clergy are not only clergy. Inasmuch as they are also enlightened agents, they are all reflexive participants *and* observers in the various organizations, associations and diverse life-worlds they inhabit. But it is precisely for this reason that distinctly "private" and "public" uses of reason find no place in such agents' ways of reasoning. The choice enlightenment presents is not between making private or public use of reason, but rather among various reflexive uses of reason vis-à-vis shared constraints, as I shall try to make explicit below.

In short, the reflexive relationship between reason and constraints is not adequately elaborated in "What is Enlightenment?" The sources of this shortcoming should by now be apparent: Kant misleadingly speaks of a "private" use of reason, places too heavy an emphasis on the definition of and distinction between the private and public uses of rea-

9] To complicate matters further: what constitutes a military man's "public" is not at all obvious. For example, in his study of WWII American and German soldiers, Shils (1951) demonstrates that it is primarily the constitutive constraints of small groups that define and enable the "we" of an effective military.

son, and does not sufficiently characterize the constitutive nature of societal constraints. Nevertheless, in “What is Enlightenment?” Kant does rightly emphasize the importance of scrutinizing constitutive constraints. Yet it is not in transcending such constraints in the name of publicity but rather in the reflexive use of reason vis-à-vis constraints that Kant’s claims about enlightenment are best understood.

In the previous portions of this paper I have thus sought to clarify the constitutive nature of such constraints, and to highlight some of the ways in which constitutive constraints are enabling and limiting. In the remainder of my discussion I should like to say a bit more about what is meant by the term “reflexivity.”¹⁰ As I understand and use it, the term reflexivity characterizes the relationship between reason and constraints implied in both of Kant’s uses of reason. The use of reason is reflexive to the extent that it seeks to optimize constitutive constraints at various moments and in various ways. Such reflexivity can be paradigmatically found in one of three forms: choice of constraints; interrogation of constraints; and the creation of new constraints.

In its most basic form, a reflexive orientation towards constraints can be found in the everyday exercise of rational choice. As we have seen, in one fundamental sense officers and clergy are simply those who have elected to adhere to one set of shared constraints rather than another. Of course it hardly needs to be said that human actors’ choices, and the paths available to realize those choices, are never unlimited. As Jon Elster argues, all human choices are the result of two successive filtering devices:

The first is defined by the set of structural constraints which cuts down the set of abstractly possible courses of action and reduces it to a vastly smaller subset of feasible actions. The second filtering process is the mechanism that singles out which member of the feasible set shall be realized. (1984, 113)

Or, to put the argument in the terms used here, while all everyday rational choices vis-à-vis constitutive constraints are pre-filtered by “structural constraints,” there is nevertheless a kind of cognitive feedback mechanism that monitors and informs which of the available constitutive constraints is to be adopted at various times and in various contexts. On my account, that mechanism is reflexivity. In this way reflexivity complicates any simple or straightforward causal assumption about how the pre-filtering effect of structural constraints might determine individual choice of constitutive constraints. Initially, structural pre-constraints merely reduce the relative range of possible choices human actors may reflexively opt to pursue. Indeed, despite the structural pre-constraints that have narrowed their options, rational actors can and do reflexively orient (and continuously re-orient) themselves towards the constitutive constraints that remain open to them as they seek to realize their changing preferences and goals in diverse contexts. Thus, for example, while poverty may be a rather severe structural pre-constraint on an individual’s feasible set of constitutive constraints, it is not causally determining of a single human

¹⁰] My discussion of reflexivity here is in part informed by Bogdan 2000 and Bourdieu & Wacquant 1992. But see also Lewandowski 2000.

choice, future course of action, or expression of values: a poor man's choice of religion or armed service is not in any necessary way a mere expression of his economic limitations.¹¹

Additionally, and to paraphrase Elster (2000), along with the everyday reflexive choice of constraints comes a distinct kind of interrogative reflexivity within constraints. Kant, as I have argued, mischaracterizes these two reflexive uses of rational choice as distinctly private and public, or, even more problematically, as the difference between being a "cog in a machine" (56) or a cosmopolitan member of the "world at large" (57). Pace Kant, however, it is not a question of mechanistic obedience or a view from nowhere. Instead, in interrogative reflexivity, agents can and do scrutinize their constitutive constraints in the course of their existence as socially embedded reasoners. For as elective rational participants in the constitutive constraints that define their actions and identities, they are also always already observers. At certain times and in certain places, such participant-observer reflexivity takes mental note – or actively minds – the sub-optimal nature and effects of a given set of constitutive constraints.¹² While at other times and in other places the reflexive use of reason thematizes and makes explicit those sub-optimal elements for others to see.

In both cases, however, it is as participants in and observers of existing constitutive constraints that agents adopt an interrogative stance and communicate their rational critiques to other individuals. As we know, this latter use of reflexivity is what Kant calls the public use of reason. Yet my argument here is that in such cases what is entailed is not the use of reason outside of constitutive constraints but rather the reflexive use of reason with regard to such constraints. Indeed, when less is not more, it is interrogative reflexivity that calls into question sub-optimal bounds. It is precisely in this way that reflexive participant-observer critiques of sub-optimal constraints can and do lead to the transformation of existing constraints. Critical discussions about military hierarchies, for example, can foster related conversations about the larger function and purpose of such organizations (and perhaps war in general), or of the military's sub-optimal use of labor in its exclusion of women, ban on homosexuals, and so on. In sum, optimizing the organizational constraints of a military or the associational constraints of a religious order is inevitably dependent upon the extent to which individuals make reflexive use of reason vis-à-vis such constraints.

Now to be sure, constitutive constraints are not simply rationally chosen or interrogated. There are also unique periods and contexts of human thought and action when entirely new sets of constitutive constraints must be fashioned. In fact, in the present

11] Nor is a limit on his monetary resources causally determining of his everyday choice of something even as basic as transportation. A poor man in Detroit with only two US dollars in his pocket may not be able to afford a taxi and might therefore appear to be structurally pre-constrained to travel by public transportation to meet a friend. But that outcome is not pre-determined in any singular way. One can imagine that if this man is in relatively good health he may reasonably opt to keep the money to buy food or clothing and walk to his destination.

12] See Bogdan 2000.

context one needs look no farther than the revolutions and transitions to post-socialism undergone in the preceding decades in Central Europe to see this kind of creative reflexivity at work. For while it might rightly be said that revolutions aim to destroy existing constitutive constraints, successful transitions typically demand the creation of new societal constraints.

Indeed, creating democratic institutions and market economies, however complex and contested, is at its core a constitutive constraint-making endeavor or series of endeavors.¹³ The goal of such a highly innovative undertaking is to create what Elster (2000) calls an “optimal tightness of bounds”: markets and democracies must be constrained enough to enable efficiency and fairness, yet loose enough to ensure a maximum amount of liberty and innovation. In creating market-based democracies, the reflexive use of reason aims to design and engender conditions in which continued reflexive orientations towards constitutive constraints are possible.

Let me conclude with a brief summary of my position. Kant’s “What is Enlightenment?” stands as an attempt to consider the relationship between reason and constraints, and, moreover, as an argument about how such a relationship should be construed in an enlightened society. Ultimately, as we have seen, Kant’s characterization of the relationship between reason and constraints depends upon a core distinction between “private” and “public” uses of reason. But as I have argued, such a distinction is both misleading and unwarranted. On my account, both uses of reason outlined in “What is Enlightenment?” should be understood as entailing reflexive orientations vis-à-vis constitutive constraints: where “private” reason entails reflexive choice of and provisional adherence to constitutive constraints, “public” reason involves the reflexive choice within constraints to adopt an interrogative stance when those constraints become sub-optimal. In this way my position shares with Kant the central insight that when less is not more, taking up a critical orientation with regard to societal constraints is imperative for enlightenment. Yet such a critical participant-observer orientation, I have maintained, cannot be located in the ether of cosmopolitanism. On the contrary, it is in the reflexive use of reason vis-à-vis constitutive constraints – and not in the public use of reason beyond such constraints – that enlightenment resides.

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¹³] As evident in Elster et al. 1998.

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