Post-Kantian Perfectionism.

A Study in the Political Thought of German Idealism, from Leibniz to Marx

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Abstract

This paper summarizes the major themes of my current monograph project and my recent co-edited volume on post-Kantian perfectionism. The central thesis is that Kant's critique of rational heteronomy in the Groundwork effectively ruled out certain types of perfectionist ethics and their corresponding political applications, notably the programmes of Christian Wolff and his school, which were dominant in the German territories in the mid- to late eighteenth century. Kant's critiques did not, however, preclude the emergence of a new type of perfectionism, no longer based on the state-sponsored promotion of eudaimonia or material, intellectual, and spiritual thriving, but on the advancement of freedom and the conditions for its exercise. Predicated on the idea of right, post-Kantian perfectionism focuses on maintaining and enhancing the juridical, political, and economic conditions for rightful interaction among self-defining individuals. Humboldt, Schiller, Fichte, Hegel, and the Hegelian School exemplify this new approach in different ways. Marx's problematic relation to this tradition is outlined.

Keywords: perfectionism; freedom; Kant; post-Kantians

Introduction

The object of my current research is the historical and systematic study of perfectionism, its transformations, and its political implications in the German lands, in the period 1650 to 1850. Beginning with Leibniz's notions of freedom as the exhibition and delimitation of the human capacity to set and pursue ends spontaneously in the phenomenal realm, and with Leibniz-inspired aesthetic ideas of the formative relation of self and world, the purpose is to trace the evolution and permutations of the concepts of freedom and perfection, and their intricate relations, in the works of Leibniz himself, Christian Wolff, Kant, Fichte, Schiller, Hegel, and Marx, along with other figures like Wilhelm von Humboldt. In its development through the eighteenth century, the Leibnizian heritage is bifurcated (more accurately, split along many axes, but only two are directly relevant here). On the one hand, it underlies (with important modifications) a classically perfectionist programme (Wolff), where the state acts in a tutelary manner to promote an authoritative version of *eudaimonia* or happiness

among its subjects; but on the other hand, Leibniz also offers conceptual resources for the Kantian *critique* of perfectionism, and for Kant's republican challenge to state paternalism in the name of self-determination, even when that critique is directed explicitly against Leibniz's own ethical position. The theoretical movement from Leibniz to Kant, the constitution of a specifically post-Kantian perfectionism by early Kantians, Fichte, Schiller, and Hegel; and its further application to the social question and the revolutionary politics of 1848 constitute the phases of this study. By demonstrating the transformation of political ethics in the German territories through the force of Kant's critiques, but also the abiding presence of Leibniz, the research proposes a new interpretation of idealism, and contributes to our knowledge of the emergence of modern ideas of freedom.

The central claim is that while Kant's criticism of rational heteronomy in the *Groundwork* (Kant 1964) and elsewhere delivers a decisive blow to the older perfectionism of Wolff and his school, a renewal of perfectionist ethics becomes possible, even after Kant, not as an extraneous development, but through the efforts of engaged Kantians themselves. The transition to the new form requires that the ethical and political goal to be promoted be conceived in a fundamentally different way: not as the political prescription of the good life (a view replete with paternalistic implications which Kant cogently decried), but rather as the enhancement of institutional and intersubjective conditions for the exercise of freedom itself. The objective of post-Kantian perfectionism is the progress of freedom, especially in its political and juridical dimensions. It aims to consolidate and extend the possibility of self-determination, to perfect the sphere of rights and of rightful interactions, and to eliminate obstacles to the exercise of free activity. Unlike classical perfectionism, the new approach is not predicated on any given substantive end or fixed conception of human nature, but on the conditions for rational agency. Moreover, it focuses on the irreducible plurality of modern social life, with its divergent interests and views of individual happiness, and seeks to co-ordinate such diversity consistently with the freedom of all agents. The post-Kantian perfectionist tradition has been identified in recent work, notably in an international research project which published its results in 2020 (Moggach, Mooren, Quante 2020). The intention now is to present a more systematic and integrated account of this tradition. The current report provides an outline of this ongoing work. If the reflections offered here are not yet fully substantiated, they serve as a set of tentative conclusions and a statement of central issues, with the intent to stimulate further discussion and refinement.

Context

Recent developments suggest that the history of German Idealism is ripe for reinterpretation. First, a renewed appreciation of the foundational importance of Leibniz

for subsequent German thought is emerging, along with a closer engagement with his eighteenth- century reception in the works of Christian Wolff, Alexander Baumgarten, and others. Secondly, the Kantian critique of Leibniz is being re-examined, especially in moral and juridical philosophy, with a view to establishing possible continuities and shifts in perfectionist ethics, despite Kant's explicit repudiation of these approaches. Thirdly, new accounts of the Hegelian School contest its older depictions as merely epigonal, and as detached from political and social realities. These new studies demonstrate a high degree of conceptual continuity between *Vormärz* Hegelians and their Enlightenment antecedents, as well as a high degree of theoretical innovation in response to mid-nineteenth century debates on the social question, or emergent forms of urban poverty and industrialisation (with attendant exacerbation of social antagonisms). These three tendencies in recent research converge in the idea of a specifically *post-Kantian perfectionism*, encompassing Fichte's political and economic programme in his *Closed Commercial State* and other writings of the 1790's, Schiller's reflections on the modern state and social relations, Hegel's conception of history, and the renewal of republicanism in the German Revolutions of 1848. The concept, calqued on Paul Franks' notion (2005) of post-Kantian scepticism, delineates new forms of perfectionist ethics and politics which, while attentive to Kant's criticisms of earlier versions, escape his strictures against teleological ethics by making freedom itself the supervening value. The concept has direct political and economic implications, and it emerges in adversarial relations with an older perfectionism which buttressed the structures of Enlightened absolutist rule. In these ways it contests widely-received ideas in the field, such as the claim of a merely attenuated modernism in German thought (Oz-Salzburger 1995), or the characterisation of German philosophy from Leibniz to Kant as marked by an impractical religious enthusiasm at odds with sober juridical thinking (Hunter 2001). In response to current defences of Enlightenment materialism (J. Israel 2002, 2006, 2011) as the harbinger of modernity, the new approach highlights the specific contributions of the German Idealists.

To review briefly each of the three recent developments underlying the current study, it should be noted that the centrality of Leibniz for the development of German philosophy is not in itself an innovative claim. The idea was proposed by Windelband (1911) and nineteenth-century German historians of thought (Zeller 1873/75, B. Erdmann 1975 [1876], J.H. Erdmann 1932 [1842], Fischer 1855), but was most energetically defended by Ernst Cassirer. In his early studies of Leibniz (Cassirer 1962 [1902]) and in this wide-ranging investigation of the Leibnizian heritage, *Freiheit und Form* (Cassirer 2001 [1917]), Cassirer contended that Leibniz is the genuine initiator of German Idealism. In recognizing the rights of free rational beings as inalienable, and repudiating irrational dependencies and subordinations, Leibniz provides the fundamental ethical impulse articulated and systematised in Kant and Kant-inspired idealisms. It is Kant, and not Leibniz's more pedestrian and orthodox interpreters such as Christian Wolff, who, despite criticisms

of the Leibnizian system, grasps the radical character of the theoretical innovations undertaken in that system. Cassirer traces the connections among philosophers from Leibniz through Kant to Hegel in metaphysics, ethics, and aesthetics, and to a lesser extent in political theory, and here in particular a gap can be filled, while the earlier conclusions can also be modified in light of later research (Widdau 2016). Recently, Paul Redding (2009) has demonstrated the Leibnizian derivation of Idealist metaphysics, and has established important continuities among many of the authors whom this current study also addresses, now with a more explicit focus on practical reason and its political implications. The perspective adopted here complements and revises earlier accounts, affording insights into Kant's 'true apology for Leibniz', and its ethical-political consequences.

Recently too, a certain convergence of Leibnizian and Kantian approaches has been examined by Christopher Johns (2013), who stresses previously under-acknowledged deontological aspects in Leibniz's thought, and directs attention to his early studies in natural law as establishing the rights of spontaneity, and the ensuing duties of subjects to refrain from hindering one other's exercise of their rational formative capacities; such deontological considerations remain operative as limiting conditions within Leibniz's teleological and consequentialist ethic. This approach opens new perspectives on the continuity of idealist thought, and invites further elaboration of its corresponding perfectionist ethic.

The second important development in recent research is a reappraisal of Kantian ethics itself. Paul Guyer (2004, 2011a) and Luca Fonnesu (2004) stress the importance of perfectionist elements that are retained in Kant's own system (cf. Cummiskey 1996), thus reconceiving the relation between teleological and deontological theories. Guyer defends the idea of a Kantian perfectionism, whose object is not the promotion of a material conception of happiness, as in Christian Wolff, but a formal property, the perfection of the quality of the will itself, or of the capacity for choice (2011a).

Guyer's position is related to, but distinct from, the stance which is defined as post-Kantian perfectionism in the current project, in that Guyer focuses on the sphere of morality, rather than right. Guyer's Kantian moral perfectionism has as its object the strengthening of the will, and the acquisition of the capacity for sustained moral autonomy. In contrast, the post-Kantian perfectionism as treated here is primarily a *juridical* perfectionism, aiming to enhance freedom or rational agency in general, and to secure the necessary conditions for its exercise, such that each individual is enabled to pursue particular conceptions of happiness, without authoritative imposition. These new theories not only displace happiness from its central role in teleological ethics, but also reconceptualize it as a facet of spontaneity: it is neither a singular or substantive end to be obligatorily enacted by the state, nor are its forms and contents fixed by ahistorical species attributes. Hence processes of self-formation and

Bildung acquire their saliency in this context. The co-ordination problem among such particular quests for happiness also requires reformulation. The Leibnizian hypothesis of a pre-established harmony of interests is inadmissible; instead, social accord is a (problematic) result to be achieved, through practical reason, lacking metaphysical guarantees. The stabilizing of this accord among subjectivities, and the commitment to 'social creation' (Maesschalck 1996), enhancing the institutional and interpersonal context for freedom and progressively eliminating obstacles to its exercise, define the perfectionist character of this approach in a fundamentally new way, reconceiving the logic and limits of state intervention, and developing distinctive accounts of rightful interaction and citizenship.

The third relevant development in the field is the reconsideration of the Hegelian School in the political and social struggles culminating in the Revolutions of 1848. The current research arises from a long-standing dissatisfaction with accounts of the Left Hegelians as merely epigonal, and as detached from political and social realities. This was a view originally propounded by Karl Marx, in his efforts to distance himself from his former comrades, but it was also widespread among conservative circles, dating back to the intense polemics of the 1830's and 1840's (see Moggach 2003, ch. 3 and 4), and finding forceful expression among disillusioned liberals like Rudolf Haym (1857). Against such views, which retained prominence in the literature until the 1980's, the idea of a specifically post-Kantian perfectionism was initially proposed in order to describe Hegelian responses to mid-nineteenth century debates on the social question, or emergent forms of urban poverty, industrialisation, and contestation, and to the renewal of republicanism in the German context of 1848. This more recent research has demonstrated that the Left Hegelians carried forward the Enlightenment programme of critique of irrational social, political, and religious institutions, while also innovating in their attention to the exacerbation of social antagonisms typical of the new economic relationships of capitalist production (Moggach 2006, 2011a and c). The divergence and possible irreconcilability of interests produced by this new configuration rendered the problem of social harmony both more urgent and more fraught. The relentless critique and constant renewal both of political institutions and of subjective self-awareness become central issues, and demarcate the Hegelian School's contribution to the longer post-Kantian perfectionist tradition. Simultaneously with work on Fichte's political and economic programme in his *Closed Commercial State* (Moggach 2009), and on Schiller' republicanism (Moggach 2008), this analysis provided the key to identifying the more encompassing approach as post-Kantian perfectionism.

Outline of the Research

1. Leibniz.

Leibniz is the originator of German Idealism, both because he provides the essential conceptual tools for its subsequent elaboration, and because his own reflections in political philosophy pose a challenge for succeeding thinkers. Can the conceptual base be separated from its systematic development, and do these concepts point in new directions for ethical and juridical theory? Leibniz's own definition of the relation of freedom and justice remains paradigmatic for German Idealism, but only when these concepts are rethought and restructured. The continuity in the history of idealism contains ruptures and theoretical crises. From his earliest work, Leibniz derives juridical obligations among subjects from the three principles of Roman law, re-interpreted in light of his emerging philosophy: *neminem laedere, suum cuique tribuere, honeste (pie) vivere* [to harm no one, to give to each what is due, to live honestly/piously] (Leibniz 1667; Johns 2013).

The first principle of harming no one implies the obligation to exercise one's own freedom while refraining from hindering the freedom of others. While this principle is justified teleologically as a necessary condition for maximal perfection, namely that the greatest possible diversity of perspectives be maintained undistorted, it also implies certain deontological limits on rightful interaction among subjects: the assertion of my freedom must be compatible with the assertion of yours, through mutual self-limitation. In his subsequent work, Leibniz defines this freedom as spontaneity, or self-initiated activity (Gueroult 1934). But if the idea of the monad and its spontaneous unfolding emerge relatively belatedly in his work, the notion of subjective activity as inwardly caused and as motivated by an idea of the good, and not merely as a necessitated response to external stimuli, had already preoccupied Leibniz in his student days. In his university correspondence with his professor Jakob Thomasius (Leibniz 1993), he had sought to rescue a viable doctrine of teleological activity from Hobbesian mechanistic materialism, arguing that the error of Hobbes was to overgeneralize mechanical causality. It is necessary rather to restrict it to its appropriate domain, the field of interaction among objects, but not to efface the realm of initiating teleological action that follows other rules, derived from subjective ideas of an attainable good. Hence Leibniz characteristically seeks to admit modern natural science while retaining and reintegrating valuable elements of classical Greek thought. In its further development, the teleological realm is shown to be that of spontaneous action, not (as in ordinary discourse) in the sense of unplanned or unreflective deeds, but as a technical term, referring to the capacity of subjects to be the self-initiating cause of change in themselves and in the phenomenal world, to express a unique perspective and to enact an individual law of development which confers dynamic unity on the subject (later designated monad) (Johns 2013, Rutherford and Cover 2005). Such self-directing subjects

are not merely determined by external causes, as Enlightenment materialism holds, but they creatively deploy and integrate these causes in their own teleological projects and actions. This conceptualisation permits a reconstruction of the first natural law principle as the right of spontaneity or free goal-setting activity and constant self-directed change (Johns 2013).

The second natural law principle, to contribute to the happiness and perfection of all, is a requirement of distributive justice. Various systems of distribution of honours and property are empirically permissible, subject to twofold constraints: that of the first principle, of respecting the right of spontaneity of their members; and that of the requirement of perfection, the contribution of these systems to overall welfare. The third principle, to progress in the love and knowledge of God, enjoins individuals to realise the best possible world, not as fatuous optimism but as a rigorous moral mission, striving for higher levels of perfection, or the manifestation of all implicit properties in a harmonious whole (Schneider 1967, Bodéus 1996). These three principles remain operative throughout Leibniz's corpus, but possible divergences in their original and later formulations must be examined, with special reference to the development of the concept of spontaneity in Leibniz's thought, and in respect to Leibniz's own views of the role of the state. Further, two meanings of perfection, and their respective applications, must be distinguished in Leibniz's works: first, as qualitative, the full realization of implicit potential, an idea of Aristotelian provenance; and secondly, as quantitative, the unity of unity and multiplicity, along with the related political problem of synthesizing the multiple that is taken up again by later Idealists (Antognazza 2009; Cesa 2000; Cover/O'Leary 1999; Grua 1953, 1956; Horn 1994; Jolly 1995; Nachtomy 2007; Neumann 2013; Racionero 1994; Rutherford 2008). These ideas of perfection, together with the three Leibnizian juridical principles, and the transformations of concepts of spontaneity, provide the basic conceptual framework for the study

2. *Wolff and the Leibnizian School.*

The political thought of Christian Wolff and its complex relation to Leibniz is next examined, through a study of Wolff's Latin and German works in natural law, and with reference to his metaphysics (Wolff 1723, 1969 [1754], 1971 [1721], 1988 [1758]). To what extent do the three Leibnizian natural law principles retain their status among his eighteenth-century adherents? (Heinekamp 1986 is especially helpful in tracing which Leibnizian texts were being propagated and consulted at this time). Wolff develops a perfectionist ethic as the basis for an interventionist enlightened absolutism (Wolff 1988 [1758], Schneewind 1998, Grapotte/ Prunea-Bretonnet 2011, Stolzenberg and Rudolph 2007, Corr 1975). Its specific feature is that it expressly combines Leibnizian spontaneity with Newtonian inertia: subjective spontaneity exists, but it requires exogenous force to activate and direct it to its goal of perfection. Wolff appeals to reforming monarchs to propagate this optimal development. Rights are held in the state of nature, which

is characterized not by the perpetual threat of Hobbesian conflict but by stagnation, torpor, confusion, and imperfection. Such natural rights are considered as titles renounceable (and indeed, as titles which must be renounced) in favour of the perfection of self and society that is only possible once the state of nature is left behind, and the enabling political institutions created (Klippel 1976, 1998; Dreitzel 1992; Haakonssen 2006). Wolff thus makes the first Leibnizian juridical principle of freedom conditional on the second, the institutional network through which spontaneity can be motivated and directed to its goal, the third-principle idea of progress. In this respect, Wolff's thought has marked affinities with the political economy of cameralism, an alternative to mercantilism pursued (as is increasingly being acknowledged: Reinert/Daastol 1997) by various European states in the absence of colonies as sources of raw materials and as markets. In such conditions, perfection means developing the endogenous productive forces, local resources, skilled labour, and commercial links (Tribe 1988). Wolff views the state as the agency of historical progress, though Kant will denounce this paternalistic proto-welfare state as despotic, since it aims to make its people happy rather than free, and thus violates spontaneity rather than promoting it (Kant 1970a). The present research project examines Wolff's Latin and German works on natural law, state, and economy, in conjunction with his reformulation of Leibnizian metaphysics, and also investigates political and juridical elements in the reception of both Leibniz and Wolff in the eighteenth century, particular in Alexander Baumgarten (1739, 1740, 1760; cf. Achenwall 1763).

Kant's critiques deal a decisive but not terminal blow to this school. The Wolffian heritage, dominant in German lands through the mid-eighteenth century (Biller 2004, Schweiger 2001 a and b, Stipperger 1984), is displaced but not extirpated by the Kantian critiques of the 1780's: it is modified in being taken up, in part, by the Historical School of Law from the 1790's onward (De Pascale 1994). Rejecting French Revolutionary rationalism and activism, this school modifies Wolff in conceiving of natural law as merely descriptive of empirical communities' adaptations to their environments, without prescribing any perfectionist imperatives; and it justifies juridical inequality (including even the persistence of serfdom) on grounds of historical continuity and a putative original contract establishing a fixed hierarchy of landed proprietors and labourers. (Svarez 1960). With the rare exception of later Wolffians like the fascinating figure of Karl von Dalberg (1793, Beaulieu-Marconnay1879, Leroux 1932a), whose work will also be discussed, Leibniz's second natural law principle loses for the Historical School of Law the normativity and the reforming zeal that it still retained in Wolff (Hegel 2009, Beiser 2011). The Historical School remains a polemical target for both Fichte and Hegel, who grasp history in a different register, as the progressive conquest of freedom, rather than as the constant re-enactment of an inviolable contract between rulers and ruled. Marx too continues this line (Marx 1927 [1842]). This component of the research, depicting one line of succession from Leibniz, is intended to demonstrate clearly the characteristics of the position against which initially Kant defines his own ethical-political project, and to

point to its subsequent fate as a bastion of conservatism, despite its earlier reforming intentions.

3. Kant's Critique.

This analysis contains three sections. In the first, the critique of perfectionism, and Kant's criticisms of Wolffian paternalism as a variant of perfectionist ethics, are analyzed from formulations in the *Groundwork of the Metaphysics of Morals*, the *Critique of Practical Reason,* and related texts (Anderson 1923, Bärthlein 1988, Busch 1979, Garber and Longuenesse 2008). The central move here is Kant's repudiation of perfectionism as a form of rational heteronomy (Kant 1964, 108-11). The empirical heteronomy represented by Hobbes or French Enlightenment materialists is based on gratifying sensuous impulses. In contrast, rationally heteronomous accounts like those of Leibniz and Wolff (following Plato and Aristotle) operate at the level of intelligible and not sensual goods. Their objective is to promote an order of metaphysical, moral, or social perfection as a given (and thus heteronomous) external end with which the moral will is obligated to comply. Moral actions are validated by their contribution to the overall perfection of the self and of the socio-political, or even the cosmic, order. In the *Groundwork*'s contrasting account of individual autonomy, Kant repudiates both forms of heteronomy, or determination of the will by an other. He maintains that the will in acting morally does not determine itself teleologically in respect to external goods, whether sensual or intelligible, but rather deontologically, through inner self-legislation and the prescription of unconditionally valid rules (Kant 1964, 108). The genuine moral question for Kant concerns the maxim or initiating principle of actions, its universalizability and its conformity to the moral law, whereas the consequences of an act are always bound up with empirical contingencies, and cannot provide a firm grounding for morality. Moral imperatives are categorical, and never hypothetical; they bind absolutely, and not conditionally, as though dependent on the desirability of some end (Allison 1990). While early proponents of the system debated the stringency, applicability, and implications of Kantian autonomy, they broadly concurred that Kant's critique of rational heteronomy in the *Groundwork* was decisive. If perfectionist ethics were to be revived, it would require a new basis, not in happiness, pleasure, or intellectual thriving, but in the conditions of agency of the rational will itself, in the various aspects of its practical use.

The other foundational idea provided by the *Groundwork* is the inviolability of the person, the injunction never to treat rational beings as merely means, but always as ends in themselves (Kant 1964, 98). The recognition of the intrinsic dignity of the person as an agent of the moral law, or of the self-determining status of individual human beings, imposes constraints on legitimate interactions among subjects. In the *Groundwork*, this injunction remains a formal requirement for any possible interpersonal interaction; the different fields of application, virtue and right, and their

respective requirements, had not yet been worked out, and Kant spent another twelve years codifying the *Metaphysics of Morals,* which finally appeared in 1797 (Kant 1991). His early disciples grasped this question of dignity as a political as well as a moral issue (Schneewind 1998), posing the problem of the permissibility of coercion of a rational being, and that of the appropriate limits and ends of state intervention. This consideration of persons as ends in themselves is inseparable from the exercise of practical freedom as the ability to abstract from motives of sensibility, and thus to possess the capacity for moral action, or negative freedom, as Kant defines it in the *Critique of Practical Reason*. The stress in the early receptions of this idea was on the juridical regulation of intersubjective relations among such agents. Kant himself was to reflect long on the issue, leaving time for his disciples to develop their own solutions; but the critique of rational heteronomy and the idea of end-in-oneself establish the framework within which post-Kantian perfectionism initially evolves.

The next fundamental step in the establishment of German Idealism, and the second section of the Kant research, consists in Kant's critique of the Leibnizian concept of spontaneity and its reformulation in *the Critique of Practical Reason* (Kant 1956). Kant describes his own work as a true apology for Leibniz, salvaging what is most vital in it (Kant *GS 8*; Allison 2012, Cassirer 2001 [1917]). (e.g. vs. Horn 1994, who links Leibniz and Hegel, but sees Kant as a deviation and impoverishment of the tradition). As Cassirer demonstrates, it is Kant who grasps most clearly the normative implications of the idea of spontaneous freedom. He retains it as a description of pure practical reason, while simultaneously conceiving this idea in a way distinct from Leibniz. Kantian spontaneity is linked to freedom, not because it externalises a unique content, as the Leibnizian monad does, but because the will is not bound to any foreign cause (Allison 1990; Henrich 1963, 2003). Kant (1956) refers to this capacity precisely as negative liberty, the will's ability to abstract from external causes or to admit them selectively, according to rational criteria. Spontaneity is the capacity for free goal-setting, and is the condition for an order of right, as the sphere of compatible external actions, established through mutual limitation among juridical subjects. Here Kant effects a second modification of Leibniz, in the idea of mutual causality or reciprocity, an intermonadic causality which opens onto a doctrine of intersubjectivity among Kant's followers (Moggach 2000). The Kantian distinction of pure and empirical practical reason, freedom and happiness, and the delineation of the sphere of rightful interaction, are elaborated in the *Metaphysics of Morals*. Hernández Marcos (1995) has exhibited at least certain elements of juridical perfectionism in Kant's own work of the 1790's, though a demonstration of post-Kantian perfectionism does not require that Kant himself be recruited among its advocates: it requires only that he makes it theoretically possible. It is the Leibnizian first natural law principle of spontaneity, suitable reconceived, that underlies Kant's critique of the old perfectionism, and the burgeoning of the new, guided by Kantian principles (Reath/ Timmermann 2010).

The third section of the Kant research further emphasizes the distinctiveness of post-Kantian perfectionism as operative in the sphere of right (Ripstein 2009, Römpp 2006). This is the arena where the free goal-setting of each individual in its external aspect is acknowledged and harmonised, where the standards guiding individuals in the choice of their particular ends, or happiness, can be worked out, without political prescription of these choices. The Kantian account of rightful interaction restores the first Leibnizian juridical principle to its role as grounding and circumscribing the permissible range of second-principle distributive justice provisions in a society. Kant thus reverses the Wolffian prioritizing of the second principle. The third principle, as the kingdom of ends or individual and collective self-cultivation, is now effectively depoliticised, and isolated from the solicitation of the Wolffian state. The triplicity of Kantian practical reason emerges in its *Metaphysics of Moral*s formulation: happiness, right, and virtue, happiness being the domain of empirical practical reason, and right and virtue sharing the terrain of pure practical reason, with distinctive differences in coercibility and in motivation. Political constraint is limited by first-principle considerations of freedom. The state may not rightfully determine what is to count as happiness for its subjects. The political order requires only that the pursuit of these individual ends may not impede the equal freedom of others, and thus it effects a solution to the co-ordination problem by guaranteeing a protected juridical space to all. It would be erroneous to conclude, however, as did Kant's follower Wilhelm von Humboldt (Humboldt 1903 [1792], Lartillot 2015, Tintemann/Trabant 2012, Schui 2013), that on Kantian grounds the scope of state activity must be limited to the strictest minimum. For Kant himself, and for Fichte who explicitly takes up the argument, the bounds of legitimate intervention are broader: in Kant, on empirical grounds, because in the context of international rivalries, some prudential concessions to the happiness of subjects are advisable (Kaufmann 1999, Flikschuh 2000), though such measures are strictly ancillary to the order of right, and not, as in Wolff, foundational for the state; in Fichte, on transcendental grounds, because the state has a duty to secure the possession of fundamental right to each of its members, through relevant adjustments in the sphere of distributive justice. For Kant, the juridical sphere is integrated into a broader space of virtuous actions, where rational subjects together pursue moral ends, progressively securing a closer accord between the external world and the requirements of reason, as Leibniz's third principle enjoins. In highlighting Kant's German context, with its conceptual continuities and ruptures, the intent is not to minimize other influences on him (Rousseau, Hume, etc. [Velkley 1989]) or the world-shattering effects of the French Revolution, but rather to trace the persistent tensions between freedom and perfection as the aim of state action which characterized the eighteenth-century German debates, and to specify Kant's vital role in these contentions (Ellis 2012; Hoffmann 2001; Höffe 1999, 2006; Kühl 1990; Schmucker 1961).

4. Early Kantian Debates.

If the force of Kant's *Groundwork* critiques is instantly apparent, his own complete system of juridical relations emerges only belatedly, in 1797. The immediate effect of Kant's criticisms, especially in the crucial interval between 1785 and 1797, is not to eradicate perfectionism but to transpose it to a new register, the perfection of autonomy itself and the conditions of its exercise. [The simultaneous transmutation of the Wolffian School into the Historical School of Law has already been noted]. The full implications of Kant's position for ethics and politics are only gradually realised in these encounters (Sedgwick 2000, Gardner/Grist 2015). This component of the research examines how Kant's evocative but incomplete statements of his political position after 1785 gave rise to numerous debates among Kantians on the appropriate basis and limits of state action. In reconstructing these debates (Hufeland 1785, 1790; Reinhold 1790-92; Humboldt 1903 [1792]; Rohls 2004), the aim is to show how they originate from Kant's critiques of Leibniz and Wolff, but also how they initiate a new type of perfectionist thinking immune to Kant's strictures against rational heteronomy. Of special interest is the combination of Leibnizian and Kantian ideas in these texts of the late 1780's and 1790's. In response to the Kantian interrogation of the permissibility of coercion of a rational being, Hufeland justifies legitimate political constraint through its contribution to systemic perfection. His position draws criticism from other Kantians such as Reinhold, and from Kant himself. Similarly, Wilhelm von Humboldt's important early formulation of the limits of state action derives from its sources in Kantian anti-paternalism and in a modified Leibnizian monadology admitting interaction (Moggach 2021, Leroux 1932b, Beiser 2011, Fiorillo 1996, 2012); his defence of a minimalist state is a possible but not a necessary consequence of Kantian premises, as Fichte in turn demonstrates. Anticipating John Stuart Mill, Humboldt defends a robust monadic pluralism as most compatible with the self-perfection of individuals and of society, but does so from his Kantian insight into the inviolability of the person as end-in-oneself.

5. Schiller.

Schiller develops a specifically Leibnizian sense of perfection as the unity of unity and multiplicity. His contribution to the tradition of post-Kantian perfectionism lies in his political application of this dialectic (Schiller 1967 [1795]). He defends an order of spontaneous beauty (with expressly republican implications), emergent in freedom, against attempts at authoritatively imposed perfection, which he identifies both among Wolffians and in the cataclysmic events of the French Revolution. In addressing the problems of the incipient modern division of labour and the prospects for political community, he recognizes the fragmentation of social solidarity, the constriction and monotony of the modern labour process, and the shrinkage of horizons and relationships typical of the new social order; yet he also upholds its historic necessity as a cumulative contribution to general welfare and happiness. He defends variety

against uniformity, while distinguishing historically progressive from regressive types of diversity, such as the irrational distinctions of rights and privileges characteristic of the *Ancien régime* and feudalism. Schiller further insists on processes of aesthetic self-formation and determinability, which make possible a mutual adjustment of interests, and a salutary coalescence of limited horizons, as a potentially achievable practical outcome, rather than as a metaphysical presupposition, thus exemplifying post-Kantian perfectionism in its priority of practical reason (Beiser 2005a, Moggach 2008).

6. Fichte

In examining Fichte from the perspective of post-Kantian perfectionism, it becomes clear that he takes the promotion of freedom rather than happiness as the legitimate end of political action, even when his own concrete prescriptions appear to undermine this objective. Fichte further revises the concept of spontaneity, especially in his *System der Sittlenlehre* (Fichte 1977 [1798]; cf. 1966 [1796]) where he equates it with labour as the transformation of the sense-world under the command of an idea. The political system which he proposes in his *Geschlossene Handelsstaat* (Fichte 1988 [1800]) is a more elaborated application of this idea, together with attention to the conditions (epistemic, material, and intersubjective) necessary for the effective transposition of subjective intentions into objective results (Hoffmann 2014, James 2011). With spontaneity re-interpreted as *effective* agency, the three Leibnizian juridical principles continue to structure the field of Fichtean practical reason. The inviolability of the first principle sets stringent limits on the second. Only a political-economic system which guarantees to all the right to live decently from one's own labour can be considered just. Fichte's political interventionism, despite its intrusiveness, is fundamentally distinct from that of Wolff because of the underlying justification that it offers for political measures as means of guaranteeing independence and self-sufficiency to its members. The political programmes of Fichte and Humboldt appear as alternative Kantianisms, sharing common sources in ideas of spontaneity and the primacy of freedom, and points of divergence in the understanding of the practical implications of the first principle (Moggach 2009, Nakhimovsky 2011). The repressive features of Fichte's account must be traced to their origins in the theory of intersubjectivity that emerges from the initial formulation of the *Wissenschaftslehre* (Fichte 1965) of 1794 (Verweyen 1975, 102-23, 143-50; D'Alfonso et al., 2017; Wood 2016). Yet the primacy and universality of freedom remain the overriding goal of Fichte's theoretical exertions.

7. Hegel.

History for German idealism is the expression of practical reason, as the process of gradually bringing about the accord of subject and object. This account of Hegel stresses this fundamental distinction from Romanticism (Moggach 2011b, Reid 2014; cf. Frank 1989, 1995, 1997; Jaeschke/Holzhey 1990; Jaeschke 1999), which, from the

premise of the disjunction between thought and being that it shares with Idealism, concludes rather that ironic freedom consists in recognizing and revelling in this disunity, rather than effecting a closer correspondence between its moments. Through the concept of *Wirklichkeit* or the effective causal power of reason, Hegelian Idealism takes the disparity of subjectivity and objectivity as a historical task to be resolved.

Hegel's conception of history can be viewed as the realisation of the third Leibnizian principle, as the history of freedom, and equally as the unfolding of the first principle of spontaneity. Of particular interest here are Hegel's polemics, in the *Philosophy of Right* and in lectures on *Rechtsphilosophie* (Avineri 2002, Baur and Russon 1997, Ilting 1973, Losurdo 2004), with the Historical School of Law, the vestigial and politically retrograde Wolffianism against which Hegel defends the rights of reason and critique. By analyzing the 'free and infinite personality' as the typical figure of modern freedom (Hegel 2009 §260), and distinguishing it from older figures like the beautiful individual of the Greek *polis*, it can be shown that the concept of spontaneity, combined with related notions of formativity or world-shaping, and reflection or critical self-awareness, inform Hegel's account of the historical process (Deligiorgi 2006, D' Hondt 1988).

Hegel's *Philosophy of Right* has been recently described as a theodicy, demonstrating that modern institutions are not mere limitations, but legitimate conditions for the exercise of freedom (Neuhouser 2016; cf. Schülein 2020; Collins 1995; Pippin 1989, 2008; Pippin and Höffe 2004). The rationality of the real in Hegel, however, does not preclude a critical engagement with its developmental tendencies. Three forms of irrationality continue to haunt the public realm: first, the defects of 'positivity', or the survival of historical institutions no longer able to satisfy the evolving demands of reason (precisely those such as serfdom, fetishized by the Historical School of Law). Secondly, an emergent sense of liberalism, embedded in market freedoms and capital accumulation, entails a systematic misconstrual or narrowing down of the emancipatory possibilities of the modern world. Through a neglect of the general good which had been central to earlier republicanisms (cf. Patten 1999), society in the new mercantile vision is conceived as a mere array of particular interests, giving rise to the culture of diremption or fragmentation (also decried by Schiller), which is at odds with the free and infinite personality. The requisite oversight and steering of the market toward common purposes, rather than anarchic laissez-faire, are undertaken not in a Wolffian spirit of promoting happiness, but in a Kantian spirit of realising the higher aspirations of rational freedom for all. Thirdly, the persistent and intractable problem of poverty and exclusion that emerges from the dynamics of civil society itself (Harris 1983; cf. Ruda 2011) is a question which Hegel identifies as centrally important for future rational progress, but which he leaves unresolved. It is this issue which animates the early reflections of Eduard Gans and Hegel's later adherents, much as Kant's *Groundwork* had set the agenda for subsequent juridical debates. This recognition of the unsettled social

question suggests a historicised 'ought' in Hegel, not as a timeless duty of the kind to which he objected in Kant, but as concrete social diagnosis, placing him in closer proximity to his leftist followers, and marks his place as the preeminent historian among post-Kantian perfectionists (Ritter 1984, Menke 2018, K. Thompson 2019). The expansion of the space for autonomous action, and the appropriate institutional setting for it, come to the fore as pressing issues (Quante 2004; Yeomans 2012, 2015.)

8. The Hegelian School.

Some of the figures of the School have received close attention in previous work (Moggach 2003, 2006, 2011a), but now what is required is a more systematic analysis and placement of their thought in the 1830's and 1840's from the perspective of post-Kantian perfectionism. This analysis demonstrates, first, the defining role assumed in the School by adherents of more exigent Kantianism (especially Bruno Bauer, in his accounts of the infinite self-consciousness and its historic mission, but also Arnold Ruge in his aesthetic studies and his republican politics (Breckman 1998, Rojek 2020]); secondly, the co-presence of pre- and post-Kantian ethical positions in D.F. Strauss, Ludwig Feuerbach, and the early Marx, representing a more naturalistic or 'heteronomous' position than Bauer's; and third, the sharp disagreements of both these currents with anti-perfectionists like Max Stirner. The intense mutual polemics and internal divisions among members of the School are elucidated with reference to the types of perfectionist arguments they deploy. The analysis of the historical process, notably of the French Revolution and its impact on the German states, and the corresponding strategies of emancipation, are shown to be rooted in perfectionist concerns, variously understood. Further, the recognition of the social question and the new forms of urban poverty linked to incipient capitalism poses new challenges and tasks for a politics of social creation, and requires rethinking of particular interests, their conflict, and possible composition. The task of synthesizing the multiple, that had equally been at the heart of Schiller's political project, becomes both more pressing and more arduous by the 1840's, when social interests are seen to be intrinsically conflictual.

9. Marx.

This component of the research focuses on three aspects of the Marxian corpus. First, it seeks to demonstrate that Marx's early theory of labour and alienation originate from idealist concepts of spontaneity and formativity (Moggach 2013). Estranged labour is essentially heteronomous, in that the ends of the labour process are imposed by an alien subjectivity and are not self-originating. This constraint violates the spontaneity of active subjects, reducing them to instruments of another's will, rather than acknowledging them as ends in themselves. Secondly, Marx's early ideas of socialism and emancipation (and subsequent revisions of these views) also reprise aspects of

Kantian autonomy and heteronomy. Alienated labour and its capitalist wage form are an assault on the freedom of the workers, and not only on their prospects for material satisfaction or happiness. Otherwise, the resolution of the problem would be a question of the redistribution of consumption goods, but not necessarily a change in the direction of the productive apparatus itself. The constriction of the first-principle right of freedom (though Marx eschews such juridical language) cannot be redressed by second-principle redistributive compensations, but only by the reconstruction of the productive apparatus itself, such that the primacy and universality of freedom attain recognition and force. In these two respects Marx remains consistent with the programme of German Idealism and its post-Kantian perfectionist ethic. Thirdly, however, Marx's theory of history and emancipation, recently described as a self-actualization account (Leopold 2007), exemplifies a specific variant of post-Kantian perfectionism, which, like Feuerbach's, contains a strong admixture of pre-Kantian elements (Brudney 1998; McCarthy 1992; Quante 2006, 2009; M. Thompson 2015; Stedman Jones 2002, 2016; Wood 2014). Among the theoretical and practical consequences of this blending of heterogeneous elements in Marx's work is the absence of a notion of right and rightful interaction, which is fundamental in other sources, but which is here absorbed in a collectivist idea of species-being. Correspondingly, the co-ordination problem, central too to other sources, is neglected, or projected into a pre-established harmony of post-capitalist interests. This defect proves ominous for the subsequent development and application of Marxist thought. In related moves, the concept of labour is divested of its idealist foundations and of the intrinsic connection with freedom that it retains in Marx himself, and is increasingly assimilated in official Marxisms to naturalistic and scientistic models. It is the idealist impulses in Marx that contain a genuine emancipatory potential.

Conclusion

The research is an attempt to retrieve, document, and systematize a tradition of post-Kantian perfectionism in political thought which includes some of the most prominent of modern philosophers, but whose significance and originality as a tradition have until recently not been clearly identified. It offers new perspectives on the history of German Idealism, both highlighting its conceptual continuities and shifts from Leibniz onwards, and analyzing its specific ethical and juridical innovations. Such reflections are of contemporary relevance for questions of citizenship, rights, and the scope of state intervention: broadly Kantian positions are compatible with a wide range of economic regulation as a condition for free agency, rather than as paternalistic coercion, and they invite reconsideration of the theoretical basis of the welfare state as enabling active freedom, rather than as dispensing happiness to passive subjects. The wider intent is to examine the diagnosis of modernity in German

idealism since Leibniz, in order to identify both its emancipatory possibilities and its intrinsic tensions. If much remains tentative in the outline offered here, its fuller articulation is ongoing, building on recent developments in the field and synthesizing them, it is hoped, in a manner which honours the foundational work of Ernst Cassirer.

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