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'THREE WISE MISRECOGNIZED FOOLS:
DARING KANTIAN ETHICS'

Jennifer Stewart, B.A.Hons, Calgary, 1998

A thesis submitted to the
Faculty of Graduate Studies and Research
in partial fulfillment of the
requirements for the degree of

(Master of Arts)

Carleton University
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THREE WISE MISRECOGNIZED FOOLS: DARING KANTIAN ETHICS

submitted by Jennifer K. Stewart, B.A. Hons.
In partial fulfilment of the requirements for
the degree of Master of Arts

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May 19, 2000

ABSTRACT

This work is a return to Kant's practical project mediated through post-Althusserian theorists of Ideology and the subject. I provide a reading of Kant that emphasizes his own requirement that subjects, in order to be bound by the moral Law, must recognize themselves as such. I argue that we must understand this recognition as, importantly, a *misrecognition* along the thematic of Althusser's account of the workings of subjects in and through ideology. In order to get off the ground, I argue that Kant's need for subjects to misrecognize themselves requires a reaffirmation of his otherwise disavowed realm of the empirical-pathological. Through this affirmation, my aim is to argue why Kant's imperative is still an account of what it is to *act*, and what possibilities we might be afforded for such acting within the structure of our human world.

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Introduction

I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not other acts of will. I wish to be a subject, not an object... I wish to be somebody, not nobody.

-Isaiah Berlin

This passage sounds very much like a Kantian inspired notion of freedom and autonomy. It posits self-legislation and self-determination of the will as ideals of subjectivity. Further, it asserts that falling short of this ideal amounts to failing to count as a proper subject.

This view captures our inclinations, albeit often vague, to insist on the priority of being our own centered source of action and will. As such, it sounds somewhat foolish. While this passage might ring of an inherited notion of freedom from Kant, clearly it overestimates what such a view of freedom and autonomy might practically accomplish.

Kant's practical project is to demarcating what our possibilities of freedom are, why they count as such, and what we can claim to know about their workings. This work is a return to Kant's practical project mediated through post-Althusserian theorists of Ideology and the subject. I provide a rereading of Kant that emphasizes his own requirement that subject, in order to be bound by the moral Law, must recognize themselves as such. I argue that we must understand this recognition as, importantly, a misrecognition along the thematic of Althusser's account of the workings of subjects in and through ideology. In order to get off the ground, I argue that Kant's need for subjects to misrecognize

themselves requires a reaffirmation of his otherwise disavowed realm of the empirical-pathological. Through this affirmation, my aim is to argue why Kant's imperative is still and account of what it is to act, and what possibilities we might be afforded for such acting within the structure of our human world.

The first chapter of this work will explore Kant's practical project, as it is outlined in *The Critique of Practical Reason* as well as *Foundations of the Metaphysics of Morals*. My aim will be to outline what it is about subjects, for Kant, such that subjects are positioned to be *bound* by freedom, at the same time as they are incapable of claiming to have acted as such.

My sympathies, however, do not fall squarely on the aims of Kant's practical project. My interest in Kant betrays a desire to reread and reinvent the imperative he positions as the necessary guide for our practical activities. The Kantian distinction between what is a necessary tenet for practical reasoning and what is a possible object of theoretical reason underlies the version of Kant's imperative I have in mind. Further, this distinction is at work in a body of philosophical work on which my sympathies do squarely fall, and which I might refer to as post-Althusserian theorists of ideology. These theorists, of whom I will specifically discuss Slavoj Žižek, are concerned with putting to work a notion of ideology that can account for the constitutive force of being out-of-joint with ideological apparatuses and social structures, and out-of-joint with interpellative, ritualized social practices.

Although I make enthusiastic use of Žižek's critique of the fetishistic and cynical mode of ideological relations, and his Lacanian argument for the status and site of belief, I am perhaps distanced from him and Lacan in my prospective for a Kantian project of practical reason. What I want these theorists to do for Kant is to reaffirm Kant's basic insight that we require regulative guides in our practical reasoning. What I want to address in Kant is precisely the need to reaffirm the significance of the concrete, highly structured and normative space in which we must act, as well as the affected instrument with which we must act. What I don't want, and here I may be distanced from Žižek and certainly from Lacan, is an account of authentically willed acts by virtue of affirming some underlying, unspeakable core of trauma and irrationality.

The second chapter of this thesis will be devoted to understanding a post-Althusserian notion of ideology as it relates to our possibilities as Kantian subjects. Much of my discussion will involve reference to "social practices", and that these are "ritualized", "normative", and "inscribed" with regulatory standards. When I engage in such discussion, I am not referring just to "all that social stuff" that affects and conditions us. As will become clearer, I have in mind the highly structured, historically hardened, incredibly diverse and ever mutating space of the human world. My references to "social practices" are intended to refer to the everyday negotiations of friends, family, colleagues, strangers, and the general blur of

faces and bodies that we must each maneuver around with a required extent of success. Unless noted, I will most often not be referring to grand-scale themes such as class or gender, even though I take these, carefully understood, to be intricately wound into our everyday acting. Instead, I will be more specifically be referring to how we behave on buses and elevators, how we greet and have conversations with each other, how we recognize and acknowledge each other, how we establish our living and working environments, and how, broadly speaking, these everyday activities and negotiations are guided ever so concretely by the very space in which we accomplish them.

My post-Althusserian direction is complimented and overlapped by a roughly psychoanalytic move to investigating the *reflexivity* of our negotiations of a social order justified by authority. Here I aim at a deeper understanding of the status of Kant's moral Law, and the extent to which it is vulnerable to or withstanding of the subject's particular taking in of a certain failure on the part of the social order. This discussion will take place in the third chapter.

This thesis project was inspired by the seeming impossibility of the kind of view of freedom and possibilities for self-legislation I quoted at the beginning of this introduction. I do take this view to be naive, but I do not take it to be irrelevant. It is Kant, as well as philosophers inheriting Kant, who have inspired my idea of what it might mean to authentically act in the human world. The goal of this thesis

is to say what is so important about the fact that our acting must take place there.

Given an account of what the space in which our acting must take place is like, the rereading of Kant's imperative I have in mind reflects what *challenge* to authentic acts are built into the space in which we might try to make them. Also, the rereading of Kant's imperative I have in mind reflects our hardened relationship with the shape of our space of possible acts. Kant's account of autonomous acts is an account of what it is to *authentically will*; I figure Kant's imperative as a *dare* when committing acts that count as authentically willed might require a disruption to our habitual relationship with the very space within which we act. Our (re)claiming of those disruptive or *uncanny* acts as authentically willed would be a dare, on our part, to come to terms with our authentic acts if and when they do, in fact, happen. Here is where I am perhaps removed from the more Lacanian Zizek: I hope that an underlying core of the impossible, unovercomably irrational and unspeakable does not always fundamentally guide our practical projects. If at first we must target *rationality with the irrational*, I hope that this is a reflection of the need to reshape the space in which we are acting so as to reshape what counts as the rational.

I
KANT:
AUTONOMY, RESPECT, AND THE FOOLS

This first chapter has two purposes. First, I will sketch the reasoning in *The Critique of Practical Reason* that leads Kant to a view of autonomy as respect for the moral law. This will involve answering three questions: 1) How does Kant define freedom and autonomy as ideals? 2) Why is autonomy, as an ideal, also a duty? 3) What standard or measure can we use to evaluate whether our acts were truly committed, out of respect for the moral law? Second, my discussion will introduce what I call the Thrasymachian problem, which I will broadly construe as the problem of two kinds of fools.

Freedom, Autonomy, and Will

It was Kant who identified freedom as the transcendental condition of an agent's claim to act. The sense in which freedom is a transcendental condition is that it is the condition of possibility for an agent afforded with a proper will; a will for whom practical deliberation and not causality is involved in any situation where an act is possible.

...such a will must be conceived as quite independent from the natural law of phenomena in their mutual relations, namely, the law of causality; such independence is called freedom in the strictest, that is in the transcendental sense.¹

¹ Kant, *Critique of Practical Reason*, p. 43 (hereafter referred to as "Second Critique").

To will, for Kant, is to reason practically. The independence from laws of causality to which Kant attributes will is the status of a being for whom reason can determine the will. To put it somewhat crudely, to be a being who can act in the world is to be a being who is not merely acted upon by the world. That is, agents who act have at least a kind of spontaneity of will that objects such as rocks and dirt do not have. Rocks and dirt move, if they move, only if they are *moved by* the physical world surrounding them. But lots of things, from amoeba to animals, move on their own, and even engage in behavior. Could we not take such action, in some literal sense, to count as willed?

This question is a matter of sharp distinction for Kant. To have a will is specifically to have the possibility of practically governing yourself according to principles determined only by reason. Kant wants to show that when people act, they are the kind of beings who have the possibility not only of not just having the world act upon them, but of acting according to a will governed by principles that distinguish this will from the causal order of phenomena. Kant is concerned about acting as distinguished from, say, coughing, where the former is conditioned by a will and the latter is behavior conditioned under the laws of phenomenon. "Hence the distinction between the laws of a natural system to which the will is subject, and of a natural system which is subject to a will (as far as its relation to its free actions is concerned)."²

² Second Critique, p. 62

For Kant, an agent who determines her will by reason alone is autonomous in the sense of being the source of the practical guides she follows. Through reason, she gives herself the rules of how (it is reasonable) to act. Practical rules express "... the objective necessitation of the action, and signify that if reason completely determined the will, the action would inevitably take place according to this rule."³

For Kant, however, a fundamental bifurcation of our concrete existence makes it the case that a will governed solely by reason is deeply problematized. While subjects are defined by their ability to exercise reason and pure understanding on the one hand, they are individuated from each other on the other hand in such a way that introduces a contingency that undermines their ability to exercise pure practical reason. This undermining contingency is defined, for Kant, as pathological affectivity: the sensual realm of conditioned subjectivity; pains, pleasures, impulses, etc. For Kant, this realm individuates subjects by affording them variations and inconsistencies; thus disrupting the otherwise universal sense in which subjects are members of a reasoning community. Practical rules "... are objectively and universally valid only when they hold without any contingent subjective conditions, which distinguish one rational being from one another."⁴ Since rational beings are distinguished from one another, then, something must compensate for their undermined ability to will only rules reasoned to be universally valid.

³ Second Critique, p. 32

The practical rule is always a product of reason, because it prescribes action as a means to the effect. But in the case of a being with whom reason does not of itself determine the will, this rule is an imperative, i.e., a rule characterized by "shall", which expresses the objective necessitation of the action, and signifies that if reason completely determined the will, the action would inevitable take place according to this rule.⁵

This compensation, for Kant, is the form of an *imperative*. If the sole feature of our existence was our ability to reason, and practically will ourselves accordingly, there would be no question over how to act. We would be perfectly positioned as Kantian *moral agents*, willing always and only universal objective principles promoting our free, rational self. The moral Law is the set of practical principles shaped only by reason; the moral Law is the universal will; the will that subjects would share if their practical deliberations were guided only by reason.

Now this principle of morality, on account of the universality of the legislation which makes it the formal supreme determining principle of the will, without regard to any subjective difference, is declared by the reason to be a law for all rational beings, in so far as they have a will, that is, a power to determine their causality by the conception of rules; and, therefore, so far as they are capable of acting according to principles, and consequently also according to practical a priori principles (for those alone have the necessity that reason requires in a principle).⁶

Thus, autonomy of subjects is essentially tied to their moral agency: To act, for Kant, is to be guided by self-given rules forged by reason according to the form of the moral Law.⁷ The moral will and the autonomous will are the same; moral acts, for

⁵ Second Critique, p. 33

⁶ *Ibid*, p. 32

⁷ Second Critique, p. 48

Kant, are autonomous acts: they are acts willed in indifference to the sensuous world of contingent, subjective motivations, which Kant sees as the obstacle to pure, rational freedom. Freedom is the legislation of a pure, rational will, according to reason. Freedom is not some unbounded, unconstrained pure spontaneity, in which state we are positioned to act according to the moral Law.

Kant has not set up freedom as something that we specify and go looking for, either within our psychology or out there in the world. In fact, our practical principles cannot be deduced from experience:

... whence *begins* our *knowledge* of the unconditionally practical, whether it is from freedom or from the practical law? Now it cannot begin from freedom, for of this we cannot be immediately conscious, since the first concept of it is negative; nor can we infer it from experience, for experience gives us the knowledge only of the law of phenomena, and hence of the mechanism of nature, the direct opposite of freedom. It is therefore the moral law, of which we become directly conscious, that first presents itself to us, and leads directly to the concept of freedom, inasmuch as *reason* presents it as a principle of determination not to be outweighed by any sensible conditions, nay, wholly independent of them.³ (last italic mine)

Freedom will be a property of particular acts; it will be built into the acts willed according to the principles of pure practical reason. "In fact the sole principle of morality consists in the independence from all matter of the law... this independence is freedom in the negative sense, and this self-

³ We will be inquiring further about this form of the moral Law in the last chapter.

⁴ Second Critique, p. 44-45

legislation of the pure, and therefore practical, reason is freedom in the positive sense."⁹

Autonomy is thus the legislative ability of a subject to act according to self-prescribed rules that are other than the laws of nature. We are autonomous to the extent that we use our faculty of reason to give ourselves practical rules.¹⁰

Du Kannst, denn du sollst!

Kant's positioning of practically willed reason as an imperative, a duty, reflects its status as an ideal which we *have no choice* but to take as a practical guide. That our activity is guided by the unconditional imperative to self-legislated practical rules is the condition of our activity counting as willed. For Kant, there is no choice whether or not to have a free will; *there is no other kind of will*. To authentically will is to act according to self-legislated practical reason.

...the moral law is an *imperative*, that commands categorically, because the law is unconditioned; the relation of such a will to this law is *dependence* under the name of *obligation*, which implies a *constraint* to an action, though only by reason and its objective law; and this action is called *duty*...¹¹

To explain this positioning of practical reasoning as non-negotiable, as duty, we must say more about pathological affectivity. Our pathologically affected self is the *antagonist* to freedom, since it eliminates will by having as objects the

⁹ *Ibid*, p. 49

¹⁰ But these rules must in turn live up to a standard, which I will discuss momentarily.

¹¹ Second Critique, p. 48

contingent rather than the necessary, the subjective rather than the universal, and the sensuous rather than the intelligible.

...the matter of desire (objects of inclination, whether of hope or fear) first presents itself to us; and our pathologically affected self, although it is in its maxims quite unfit for universal legislation, yet, just as if it constituted our entire self, strives to put its pretensions forward first, and to have them acknowledged as the first and original.¹²

The pathological individuates us, in all our gross particularities and brute self-interest. For Kant, all empirical, sensually determined drives are not properly *willed* since they are not willed by reason. Pathological impulses are nothing more than the brutish body bossing around the rational self. Empirically determined impulses and drives do not, for Kant, establish the same necessity, the same objective value as rationally determined principles. In the sense of willing that Kant wants, these impulsive acts do not count as such; they can only be committed in indifference to free rationality. Acts that satisfy sensuous, conditioned needs affirm a subject's place in the causal order of nature. Kant wants to reserve autonomously willed acts as acts legislated by the intelligible, rational order of reason. And yet, it is interesting to note how it seems inevitable to attribute a kind of agency to the pathologically affected self; even though Kant resists that this 'self' can properly will at all. A 'will' determined by the pathological is a *conditioned unwilling*, engaging in vulgar, arbitrary, and conflictive acts within the acting space of all other acting

¹² Second Critique, p. 94

wills. A kind of Hobbesian picture of the incompatibility of individuated wills offers itself here: a bunch of brutish sensuality competing for the right to act out every pathological whim. This image is not designed to suggest that Kant was primarily only worried about pathological self-interest. I mean it to point to Kant's worry that subjects, insofar as they are positioned in a world of sense, are disposed to behave in ways that fulfill contingent, impulsive needs and desires. Autonomous acts, on the other hand, are acts determined by reason, giving the subject the status of "...freedom and independence from the mechanism of nature, ...a being which is subject to special laws, namely, pure practical laws given by its own reason."¹³

Kant's worry that the pathologically affected self competes with reason, and is the antagonist to authentic acts, strikes the reader as representing some internal strife: pathological vs. rational competing for dominant recognition. This is a metaphysical worry about the make-up of subjects, where Kant is worried that by nature, we will be unavoidably antagonized in our ability to act according to our practical rules. "We find that our nature as sensible beings is such that the matter of desire first presents itself to us..."¹⁴ Yet Kant's way of demarcating the pathological and the rational is suggestive of distinct internal agencies: the brute, sensual body whispering in our left ear, and the pure, rational intellect whispering in our right. Kant positions pathological affectivity as opposite and antagonist to

¹³ *ibid.*, p. 108

rational intellect at the level of our ability to judge the moral worth of what we are doing. When pathological affectivity "... strives to put its pretensions forward first, and to have them acknowledged as the first and original", it sounds as though we are simply not positioned to be able to adequately judge whether or not our acts were properly willed. This is an epistemological worry about how we could possibly have a criterion for evaluating our acts. For this worry, Kant introduces the notion of respect.

Respect and the Good Will

Kant's language of pathological affectivity can suggest a bifurcation of the self that goes beyond the theoretical and metaphoric, for it sounds like "the pathological self" is an agency that gets to will just like the free rational self. But a somewhat less literal read of the above-quoted passage points to Kant's difficulty over the achievability of autonomy. Kant is trying to work out how practical reason could credibly be prioritized over the pathological. It may always be that our more corporeal desires are interfering with our ability to maintain a clear standard of treating others as ends, or of the required universalizability of our act. Ideally, if we actually only acted out of reason, this would not be a problem. But for beings who are antagonized in their ability to identify with the universal will, what ideally would come 'naturally' must now take the form of an imperative: a rule characterized by "shall".

¹¹ Ibid, p. 94

That is, since our pathology interferes with our ability to live up to the standard of morality, it is necessary, so Kant reasons, to position the standard of morality as making a demand on subjects in the form of duty.

To love God means, in this sense, to like to do His commandments; to love one's neighbor means to like to practice all duties towards him. But the command that makes this a rule cannot command us to *have* this disposition in actions conformed to duty, but only to *endeavor* after it. For a command to like to do a thing is in itself contradictory, because if we already know of ourselves what we are bound to do, and if further we are conscious of liking to do it, a command would be quite needless; and if we do it not willingly, but only out of respect for the law, a command that makes this respect the motive of our maxim would directly counteract the disposition commanded... it is not attainable by any creature, ...and therefore make(s) it necessary to found the mental disposition of one's maxims on moral obligation, not on ready inclination, but on respect...¹⁵

The logic of this passage is revealing. Kant reveals the insight that morality can provide a standard, up to which our acts must live, but morality cannot make us want to commit the acts that will position us as striving for moral status. Kant then reasons that we need a kind of further incentive - or rather, further inspiration. Something is supposed to happen such that we feel gripped by this ultimately unachievable standard of morality. We feel gripped by this standard insofar as we come to recognize ourselves as its object, and the moral law as the product of our reason for the maximization of our potential as rational beings: "... it makes us conscious of the sublimity of our own supersensible existence, and subjectively produces respect for their higher nature in men who are also conscious of

their sensible existence and of the consequent dependence of their pathologically very susceptible nature."¹⁶ Therefore importantly, this is how morality determines our will. *By submitting to duty, however much we might find it disagreeable, we are succeeding in being determined by a law other than the brute inclinations of our embodied membership in the order of the pathological. Our will is being determined by the practical principles of reason, through our respect for it. "The consciousness of a free submission of the will to the law, yet combined with an inevitable constraint put upon all inclinations, is respect for the law."*¹⁷

It should be clear that respect is not a psychologizable property here, in case Kant's language of conscious awareness suggests such a thing. Respect is not a property of an agent's consciousness or will; I do not measure up to the standard of rationality by being aware of acting out of respect. Again, I have no accessible, reliable criteria for evaluating the moral worth of my acts, according to Kant. Pathological affectivity gets in the way of both my ability to will and my ability to judge acts of willing. Respect is, so to speak, my ability to act *as though* I know more about the workings of my actions than is actually available for me to know. Therefore my psychology does not contain the fact or lack of respect; rather, respect is the name for the quality of my good will insofar as I act *as though* I

¹⁶ Second Critique, p. 104-105

¹⁷ Second Critique, p. 110

¹⁸ *ibid*, p. 101

fully posses it.¹⁸ The fascinating aspect of Kant's practical project is that it is not meaningful to ask whether or not we think the moral Law is rightly or wrongly positioned as that which must regulate our practical activity. It is not meaningful for us to question a good will *theoretically*; we will always fall short of the right metaphysical and epistemological positioning so as to theoretically figure our determination in and through the moral law. *Practically*, a good will is the necessary, non-debatable determination of our activity if our activity is going to count us as moral agents. A good will is a practical tenet that allows our activity to be shaped into the criteria establishing us as free subjects. Our acts must count as acts regulated by our respect for the moral Law in order to establish us as moral (free and autonomous) agents. Kant's autonomy/heteronomy distinction helps us understand why a good will is a will determined out of respect for the moral Law. When we act out of respect, for Kant, our acting is determined by that about us which is most essential to us as agents: our pure practical reason. Thus acting out of respect is *autonomous* acting, since respect aligns our will with the determining principle of reason, distinguishing us as agents not wholly determined within the 'causal laws of nature'. If we act out of any other principle, one that does not determine our will through reason, we fall into *heteronomy*, since our will in such a case would be determined not by the essential component of our status

¹⁸ We will be in a position to say more about this point in the next chapter.

as free beings (pure practical reason), but by some other determination like causal phenomenal laws of the pathological world. Therefore a good will is an autonomous will insofar as a good will commits acts determined by respect for the moral Law; respect for the element of our being which, when it determines our will, established us as distinct from the causal order.

The Ideal of the Moral Law as Binding

The moral law, which itself does not require a justification, proves not merely the possibility of freedom, but that it really belongs to beings who recognize this law as binding on themselves.¹⁹

To respect the moral law is to take its claim on you as legitimate; your status as a free, rational being is truly at stake. To say, for Kant, that freedom "belongs to beings who recognize the moral Law as binding on themselves" is to say that beings who make this recognition are the beings who can authentically act. But to recognize yourself is to identify the familiar; to reassert something that was already the case. Therefore we must interpret Kant as saying that subjects are *always-already* beings for whom the moral Law is binding, but that freedom only belongs to those who recognize this. Recognizing the moral Law as binding is recognizing that it was binding *all along*. To respond to the moral Law would thus consist of an "it's me!" acknowledgement; it's me who is bound by the moral Law, and have been bound all along.

¹⁹ Second Critique, p. 65

The demand of the moral Law is precisely the demand that we see it as *for us*. To genuinely interpret the demand as for us, Kant is right, I think, to say that this requires a self-recognition on our part as subjects. But shouldn't we properly interpret this recognition as, to some extent, a *mis-recognition*? It can't be that Kant would position the moral Law as an ideal whether or not we acknowledge it as such. The moral Law is a *regulative fiction* in that it serves as our ideal of practical reason when it makes a certain demand on us: the demand that we recognize ourselves as bound to it, that it is for the regulation of our activity if our activity is going to count us as moral agents. I am calling Kant's law a regulative fiction not to make an argument that it is merely a story or a rhetorical effect. I am trying to characterize *what it is about the moral Law as an ideal* that makes it an ideal of autonomy and moral agency. What I have in mind, then, is that the moral Law is the kind of ideal that affords autonomy precisely by making a demand. I am trying to point to the fact that the kind of demand it makes on us is a demand that requires a certain kind of recognition on our part.

To explain this demand of recognition on our part, and why I have suggested that it might be a misrecognition, let us compare the moral Law with other ideals that make a demand on us. The moral law is not a binding fact of the world like, say, the law of gravity²³. Gravity demands that we recognize ourselves as bound by it in a way that the moral Law cannot: gravity is

literally non-negotiable in that the world confronts me with the fact that things do not fall up, and demands that I obey this principle. I can't refuse to obey gravity; the world insists that I recognize gravity as binding on me by literally pushing me around if I try to resist. Therefore the world confronts me in such a way as to make it impossible for me to not recognize myself as bound by gravity.

The moral Law, on the other hand, is the objective *standard* for rationality: to act rationally (to promote your free, rational self) is to act out of respect for the moral Law. The demand of the moral Law is to be a certain way: to act out of respect for universal, necessary principles promoting the full rational potential of all subjects including yourself. But the world does not confront us in a way such that we *cannot fail* to recognize ourselves as bound by the moral Law. After all, Kant specifically says that we do not know about the moral Law empirically. "... whence begins our knowledge of the unconditionally practical...? Now it cannot begin from freedom, ...nor can we infer it from experience..."²¹ Kant relies, not unreasonably, on our intuitions about the primacy, or at least the desired priority, of our faculty of reason. But if the moral Law is known *a priori*, and this knowing is the recognition of ourselves as the kind of beings for whom it is binding, there has to be a strange relationship between holding up a normative

²¹ I assume that gravity can be understood as an ideal since it has instances and manifestations of some pure abstracted principle.

²² Second Critique, p. 44.

practical standard for ourselves and attributing its validity, as Kant seems to be doing, to it *already* being the standard that was in place all along.

...the practical a *priori* principles in relation to the supreme principles of freedom are at once cognitions, and have not to wait for intuitions in order to acquire significance, and that for this remarkable reason, because *they themselves produce the reality of that to which they refer (the intention of the will)...*²² (Latter italics mine)

My point is not that the moral Law could not have 'been there' the whole time. That would be a metaphysically crude interpretation of Kant. My point is rather that if the force of the moral Law is its power to confront beings who recognize themselves as bound by it, then Kant is implying subjects who will recognize themselves as *always already* subjects for whom the moral Law was binding. It seems that this 'recognition' is the initiator, not the mark of what was already the case, of our being subjects for whom the moral Law is binding. As such, we are not recognizing what was already the case so much as seeing the moral Law as for us, that it is the ideal of acts shaped by reason, and that *we ought to become* beings with a good will. This seeing of the moral Law that Kant calls recognition would be a misrecognition since we are not noticing the familiar so much as becoming the kind of agents who will take the moral Law as for them. We weren't beings bound by the moral Law before we saw it as such: our recognition of it as for us is a misrecognition of what we *always-already* were the whole time. To recognize the moral Law as binding on us, we must see ourselves as *always*

already bound by it, but in some important sense, this recognition is the making of the case that we were always already bound by it. To recognize ourselves as bound by the moral Law is to make it the case that we were always-already bound. I am calling this a *misrecognition* here in the sense that it covers over its own constitutive work. My suggestion is therefore that it is built into the ideal of the moral Law that what it does is bind us through this constitutive (mis)recognition that covers over its work on what was always already the case about us. I suggest further that when we call the moral Law a *regulative fiction*, this is what we are pointing to. As readers of Kant, we ought to be interested in how to understand this force of the moral Law; how does the moral Law *produce* the reality of that to which it refers, namely the binding recognition which counts beings, for Kant, as free. I am not so worried that this will fail for Kant as intrigued in how we can theoretically see this *misrecognition* getting off the ground. We will return to this issue starting in the next chapter.

It should be clear that I am not questioning whether the moral Law is actually a standard for autonomy; pointing to its constitutive work of binding us through recognition does not deter from its status as the standard by which we can count as autonomous. Recognizing ourselves as bound to the moral Law in a way that covers over the constitutive work of the moral Law should not sound like a slide into heteronomy. In other words,

²² *Ibid*, p. 85

it should not result from my argument that our will is actually being aligned with principles that are *not* rooted in the essential feature of our being, namely reason. The constitutive work of the recognition I am interested in is not a working that *just makes it look as though* we are aligned with principles founded in the essential core of our free being, and distinguishing us as beings determined apart from the causal order. I am calling the moral Law a regulative fiction to point to its working as the ideal of autonomy, where its status as an ideal and how it gets to regulate our activity is precisely related to the constitutive work it can do for us. I take this constitutive work not as undermining for Kant, but as an important insight into our ability to be autonomous agents.

Acting out of Respect for the Law

Say for now that we do recognize the moral Law as binding on us, and that what we are up to now is attempting to act out of duty. What can we employ as a check to see if our acts really are, in fact, living up to the standard? I have so far been discussing mostly the nature of Kant's metaphysical worry about our *ability* to act morally, given the unovercomability of pathological affectivity. But this unovercomability is also the problematizing factor of our epistemological claims to know how to judge the moral worth of our acts. We are here worried about checking to see if our acts were truly *rational*: committed out

of respect for the law and thus caused by pure reason in principle.

The places we could look to check whether our acts were truly committed out of respect and thus truly rational are all quite unpromising. Looking anywhere in the empirical conditions of our actual acting are obviously out. The body and the concrete physical space in which we are acting are all too tainted, for Kant, with the sensuous pathological. Whatever we are up to in the world, we will necessarily be acting consistently with the laws of phenomenon. Therefore there will always be an empirical explanation that gets in the way of our being able to claim some act as truly moral; there will always, as Kant warns, be an empirical story of what we otherwise want to claim as an act committed out of pure respect.

Although we have derived our earlier concept of duty from the ordinary use of our practical reason, it is by no means to be inferred that we have treated it as an empirical concept. On the contrary, if we attend to our experience of the way men act, we meet frequent and, as we must confess, justified complaints that we cannot cite a single sure example of the disposition to act from pure duty....

It is, in fact, absolutely impossible by experience to discern with complete certainty a single case in which the maxim of an action, however much it might conform to duty, rested solely on moral grounds and on the conception of one's duty.²³

After all, what makes an act rational is *by definition* being caused by respect for moral law. Kant's worry about the unovercomability of the empirical pathological also rules out confirming after we act whether or not our act was, after all, purified of corporeal ink. It could not be the case, for Kant,

that the acting subject only fully realizes afterwards that her act really was a purified act of respect. The moment of the act itself must be the moment of purification; otherwise the act simply is not a rational act. Since our acts necessarily take place empirically, the empirical fact of our acting with a body in tainted space always interferes with our claim to have acted morally, no matter when we make it. Thus a claim that our act turned out, in the end, to be morally worthy is equally problematic: it is bad enough, for Kant, that we are always rationally challenged, without suggesting that our rationality might only show up retrospectively. The problem is with our *claim* to have acted morally. It might turn out in some objective sense that we succeed in acting morally, but Kant's worry ("we must confess justified complaints that we cannot cite a single sure example of the disposition to act from pure duty") is precisely over our claim to know this.

What about the transcendental fiction itself? There must be some way, we might think, that we can use the standard to check to see if our acts really measure up. It is important to remember that after all, no act would ever count as actually, really purified of the pathological. The standard to which our acts have to live up to is itself the regulative fiction; by Kant's own standard of transcendental deduction, it cannot provide us with a check. What I mean is that the unovercomability of empirical situatedness pushes Kant into

²³ This passage is from the *Groundwork*, p. 23

having the purification of our acts take place at *the level of fiction*. The fact that what regulates our acts is itself a fiction was what sent us looking for ways to check the success of our acts in the first place. The regulative fiction is by definition totally cut off from where our acts themselves take place; this gap forecloses the possibility of our actually having the kind of knowledge about the workings of our practical deliberations *that our regulative guide demands we pretend to have*. Put another way, positioning the ideal that regulates our activities at some level *other than* the space in which we must act (not to mention the instrument with which we must act) means that our negotiation of the space in which we must act requires a kind of pretense reconciling this gap. This gap, between the corporeally tainted circumstances of our act and the pure abstractedness of our regulative guide, means that what we must do is essentially act as if we are in a position to understand moral worth, and then just hope for the best.²⁴

It should be stressed that asking Kant for a measure by which to check and see if our acts were truly rational is already to step outside of his logic. Kant should hold that respect has built into it the security of purifying our acts as much as they can be purified. Respect is itself the check; it implies the "inevitable constraint" on the pathological taintedness of our

²⁴ This is perhaps where theistic interpreters of Kant attempt to argue for the necessity of God; only God can provide the objective accounting of our acts as morally worthy, and only our faith in God makes sense of our acting as if we know the moral worth of what we are doing. Plus the immortality of the soul guarantees that eventually, we will be in a position to accomplish and judge

reasons for acting, and thus gets us as close as we are going to get to pure rationality.

Our inquiry into whether or not acts committed out of respect for the moral Law are checkable has not meant to imply, however, that we won't ever commit them. Our inquiry has been purely epistemological: we were asking if there was a criteria from which we could evaluate our acts to see if they counted as authentic acts. For Kant, that our acts are authentically willed might turn out to be the case, but it is simply not a matter we can claim to know about. That acting is to be regulated by the guiding tenets of pure practical reason is not something we can evaluate theoretically; practically we *must* take the moral Law upon ourselves.

...the notion of a pure will contains that of a causality accompanied with freedom, that is, one which is not determinable by physical laws, and consequently is not capable of any empirical intuition in proof of its reality, but, nevertheless, completely justifies its objective reality *a priori* in the pure practical law; not, indeed (as is easily seen) for the purposes of the theoretical, but of the practical use of reason... I do not desire by means of this to *understand theoretically* the nature of a being, in so far as it has a pure will.²⁵

Although Kant is worried that by nature we will be unable to act rationally (morally), it strikes me as equally if not more interesting how our nature, as Kant sees it, is both the obstacle to our success at pure willing and the constant interference in our ability to judge acts for ourselves. Put another way, empirical affectivity is both the antagonist to our pure willing

morally worthy acts. This may be what Kant had in mind, but I will not be arguing for this view here.

and the veil that covers over our access to the 'real' motivations behind our acts. The result is that judging our own activity is beyond our means; yet we are bound to act according to the principles that define practical reason.

Falling Short: The Fools

Until now, Thrasymachus has been sitting patiently waiting to make his complaint against Kant. But now, he must speak; I must speak for him: The rational ideal Kant has been talking about is not only radically cut off from our being able to check whether our acts are really living up to it, but it is also cut off from being checked *by material conditions themselves*. That is, even if it is understood that rationality and autonomy are properties of acts and not subjects themselves, there must be room to worry about the compatibility of our regulative ideal with the particulars of empirical situatedness and *how those particulars are in relations with subjects themselves*. After all, it is *within the space of concrete social contexts* that we must negotiate our acts. Within that space, there are issues of material, socio-political relations that can not, according to a position like Thrasymachus', be ignored.

To make the argument from this position, I am here drawing from the beginning of Book II of the Republic, where Glaucon and Adeimantus are making a case against Socrates' arguments so far for the advantages in being just:

²⁰ Second Critique, p. 73-74

"The various sayings suggest that there is no advantage in my being just if I'm not also thought just, while the troubles and penalties of being just are apparent. But they tell me that an unjust person, who has secured for himself a reputation for justice, lives the life of a god...I should create a façade of illusory virtue around me to deceive those who come near, but keep behind it the greedy and crafty fox of the wise Archilochus...(363b)

If we are just, our only gain is not to be punished by the gods, since we lose the profits of injustice. But if we are unjust, we get the profits of our crimes and transgressions and afterwards persuade the gods by prayer and escape without punishment...(366)

If we practice such injustice with a false façade, we'll do well at the hands of gods and humans, living and dying as we've a mind to. So, given all that has been said, Socrates, how is it possible for anyone of any power - whether of mind, wealth, body, or birth - to be willing to honor justice and not laugh aloud when he hears it praised...no one is just willingly. Through cowardice or old age or some other weakness, people do indeed object to injustice. But it's obvious that they do so only because they lack the power to do injustice, for the first of them to acquire it is the first to do as much injustice as he can. (366 b-d)²⁶

I see the above as expressing the following argument: Why would it be rational for me to act out of our respect for the moral law/Justice²⁷ when material conditions are such that to do so would conflict with how real, socially practiced rewards and punishments are embedded in contextual, socio-political relations? That is, *why should I weigh the promise of good at the level of regulative fiction over the real, practiced goods at the level of social relations?* Especially when to do so would mean my suffering, my compromise, or even my persecution at the level of social relations. Indeed, only a fool would do so. The

²⁶ from the Grube translation of *The Republic*. Adimantus is the speaker in this section, although I am calling the general objection a Thrasymachian objection since it challenges the rational worth of just acts by showing their incompatibility with material, social conditions.

²⁷ Although it does not change the force of this argument, it is important to note that the moral Law and the Just are not really equivalent; for Plato, the

Thrasymachian fool regulates his behavior according to norms of rationality even when material conditions are such that his resulting acts conflict with his self-interest - which Thrasymachus would consider to be power, wealth, esteem, and comfort. This fool is a fool according to Thrasymachus because he regards the regulative fiction without question, even when material conditions conflict with it in such a way as to deny him the possibility of promoting his best interests even as they are defined by the regulative ideal itself. I am calling this fool 'the Thrasymachian fool' because the standard which makes him a fool is laid out by Thrasymachus' position. Thrasymachus' position is that material conditions count as part of the criteria of what will turn out to be rational. Thus, being regulated by some ideal standard cut off from material conditions ceases, for Thrasymachus, to be rational at all. Notice that in the above quote, Adeimantus wonders why someone wouldn't *laugh* in response to the praising of justice as a reward in and of itself. Also notice that this someone who might respond with laughter is someone of power - someone for whom material, social relations have already afforded possibilities for rational acts of some kind or another. This fool who praises justice in and of itself is so ridiculous as to claim that the space in which we must act is not relevant to the rational value of our acts, to the extent that he would define and prescribe justice as acts that result in ill-fame, ill-fortune, and ill-health. Here, the significance of

Just is derivative of THE GOOD, while for Kant the moral Law is valid in and of

laughter points to the appropriate level at which we would engage someone who asserts the value of justice independent and irrespective of what social relations are like.

Now, Kant would respond that pathologies such as wealth, power, and esteem just don't, by definition, get to count as rational pursuits. But the strength of Thrasymachus' argument does not rely on identifying self-interest as the only measure that ought to regulate our practical reasoning. Rather, its strength lies in the emphasis that our acting must at some point answer to a context of social relations; that is, a context within which material conditions are at odds with the regulative ideals we have given ourselves. Further, Thrasymachus' argument is more than a warning that unjust societies might not accommodate our just actions: It points to the real *history of subjugation within societies* that have shaped and defined subjects, through particular relations of power and materiality, into subjects who would *laugh* at the idea of prioritizing some 'pie in the sky' fiction of how they ought to act by appealing to the objective value of the form of such acts. Subjects defined in and through a real history of social relations are not, just by virtue of the objectivity of a practical standard, necessarily subjects for whom that practical standard can coherently serve as a rational ideal. The context in which they must apply this standard might be significantly at odds, and further the subjectivity of individuals in question might be at odds.

itself. This issue comes up in more detail in the third chapter.

Therefore, Thrasymachus' position is an argument against Kant's by virtue of the emphasis, by Thrasymachus, on the incompatibility between what might be objectivity defined as rational and what relations of power within social contexts set up as rational.

Yet even if Kant maintains that Thrasymachus is just privileging the wrong things as rational, there is another kind of fool that will still cause trouble for Kant. The fool discussed above is a fool by definition of the (power) relations that define the context within which he acts (foolishly). While the Thrasymachian fool is a fool despite the context within which he acts (where he could be acting rational relative to the situation), we can imagine another fool that is a fool *despite herself, because of* the context in which she must act. We can imagine someone facing a situation in which the situation does not afford any possibilities for acting according to a good will. I have in mind not just situations where any available choice of acts has some unfortunate consequence. Rather, I am thinking of situations where the agent in question who must act is not only faced with a lack of rational possibilities, but is herself too marked by her history of subjugation within a context that defies her counting as an agent with genuine possibilities for acting rationally.

There are rich literary examples of what I have in mind.²⁸ For the sake of a concrete example without controversy, however, consider the historical context of slavery in America and the Underground Railroad movement. We can imagine the case of a slave woman attempting to escape, along with her newborn baby, from her slave masters. For the sake of my example, let us imagine that the situation of this woman was particularly horrible, with extreme daily humiliation, violation, and suffering. Supposing this woman does succeed, as many did, in getting away. Let's call this woman Beth, and remember that she is black, uneducated, unmarried, and desperately poor. What would happen, what could Beth do, if her slave masters were to show up one day for the purpose of reclaiming her, and now that she has born a child, of reclaiming this child as their bonus property as well? Surely handing over one's children back into a life of slavery (that one knows first hand the horrors of) is an act that rationally undermines its intelligibility as a universalizable act. Yet what could Beth do to prevent herself being reclaimed along with her child back into slavery? The only other immediate solution would involve death: she might be able to attack and kill her aggressors, although this is doubtful. She could take her own life and/or the life of her baby. My point, however, is that this is correctly an impasse: There is nothing Beth can do; the situation *will not afford the possibility of acting*. To say that Beth has a choice at this

²⁸ Particularly, I am inspired by the character of Sethe in Toni Morrison's

time is to define her situation as something that it is not: a situation in which Beth might do something that counts her as a moral agent.

I am calling Beth a Kantian fool because she is barred from having the possibility of acting rationally in virtue of the context within which she must act. She is made a fool by Kant's own standard of what makes an act rational. It is not that Beth is here obviously too pathologically affected (with extreme fear, etc.) to purify her will; rather the point is that there are no options for acting according to duty; no act she could commit would satisfy conditions of, say, universalizability or treating others as ends in themselves. Beth's pure will is destroyed by this situation; she does not make sense in this moment as a Kantian agent, and not because of the deficiency of or weakness of her will. Rather, it is the deficiency of the situation, and the way a lifetime of these situations has degenerated Beth's ability to afford a pure will.

My purpose, then, of introducing these two fools has been to make the following challenge of Kant: Rationality is Kant's own criteria for judging and executing our acts, yet our figuring of the rational can be distorted or even foreclosed by the space in which we must act, and the way that space bears a relationship with the body with which we must act. In Beth's case, a context of slavery marks her as unfit for asserting a will contrary to her status as property. She has no available options of actions

that might her as a moral agent when faced with her slave master's claim on her. In the case of Thrasymachus, he cannot recognize himself as a subject for whom the committing of just acts should be prioritized over acts that successfully negotiate his real material and social space according to the relations of power that define it. The objectivity and independence of Kant's standard for rational acts is challenged when 1) the space in which agents must act is incompatible with Kant's formal rationality and 2) subjugation within the space in which agents act marks them as incompatible with Kant's formal rationality. How, then, would rationality make it back into the concrete level of the space in which we must act?

Conclusion

In this chapter, I have outlined the Kantian picture of autonomy and rationality. Autonomy is not something that is a property of either subjects, nor a quality or state subjects go looking for. Autonomy is a property of the acts subjects engage in; it will be built into the structure of particular acts that were authentically willed (governed by the principles subjects give themselves through reason). But the form of the moral Law does not provide us with a check for our acts; we do not know the Law empirically, and are too pathologically affected to ever claim to know we acted purely out of respect for the Law. Thus, for Kant, it is not through a criterion of evaluation for our acts that we

decide if we are free; rather, we are free if we *recognize* the moral Law as binding on ourselves.

It is this need in Kant for subjects to recognize themselves in a certain way, namely, as bound to the moral law, which requires an interrogation of what it means for Kant to say, as he does, that subjects are *already* positioned to do so. This binding recognition, the logic of which we are ready to undertake in the next chapter, has gripped the Thrasymachian fool at the expense of his ability to take in the social world around him. And, with the Kantian fool, we have seen that social relations themselves can destroy an individual's possibilities for acting morally, whether she is gripped by a recognition of herself as bound to moral agency or not.

II
ALTHUSSER, ZIZEK:
THEY PRACTICE NOT WHAT THEY KNOW

Transition and Introduction

In the previous chapter, I argued that the moral Law was, for Kant, an ideal standard to which our acts should live up. For Kant, the moral Law is positioned as something to which our acts succeed in measuring up to when our acts are purified of the space in which they take place; when our will is purified through being governed by reason. But the very space in which we must act is, for Kant, precisely the space that antagonizes our ability to act according to the ideal. The Kantian subject counts as such insofar as she negotiates acts which cannot be checked for success: the Kantian subject succeeds in acting rationally/morally given her position in some ultimately *uncheckable* space of causation of her will.

For Louis Althusser, this formula undergoes interesting changes. Regulative ideals are still standards that our acts must live up to, but they are no longer rendered from a space of the purely rational. Instead, these standards are built into the structure of the everyday. As such, these standards are checkable; the space in which we must act, for Althusser, is the space that will provide us with the standard and the check for our acts counting successfully as the acts of subjects. The check for subjects successfully living up to normative standards is the very context within which those subjects act.

And yet, for both Kant and Althusser, the pathological stronghold is always inadequate for our acts to actually measure

up to the normative standard. For Kant, this is because the fact that we must act with our body is precisely what taints our acts in the first place. We can be bound to norms of rationality, for Kant, but the status of our subjectivity is at stake *because* we must act within the concrete pathological. For Althusser, however, it is a condition of our subjectivity that we act within the concrete pathological. Whereas for Kant our subjectivity is threatened by the unovercomability of the pathological, for Althusser our subjectivity is threatened by the very distancing from the pathological Kant would want. For Althusser, our subjectivity depends on being bound into the normative space of the concrete social. The normative standards of subjectivity are given *by the grip of* concrete pathological contexts.

Setting up the Inquiry into Subjectivity

I want Althusser's picture of subjectivity to unfold like a Kantian transcendental inquiry: tracing back the conditions of possibility for subjectivity itself. His work contains a picture of subjectivity as the status of beings who recognize themselves in and through the authority of the social order. For any given subject, that subject must occupy a relative subject position or place in the world which allows that subject to interact with the world. For Althusser, a being encounters the world as already inscribed with the ritualistic practices that define subject positions. This encounter begins before some particular being exists in the world:

That an individual is always-already a subject, even before he is born, is nevertheless the plain reality, accessible to

everyone and not a paradox at all. ...Everyone knows how much and in what way an unborn child is expected...it is certain in advance that it will bear its Father's Name, and will therefore have an identity and be irreplaceable. Before its birth, the child is therefore always-already a subject, appointed as a subject in and by the specific familial ideological configuration in which it is 'expected' once it has been conceived. I hardly need add that this familial ideological configuration is, in its uniqueness, highly structured, and that it is in this implacable and more or less 'pathological' structure that the former subject-to-be will have to 'find' 'its' place, i.e. 'become' the sexual subject (boy or girl) which it already is in advance.'

The condition of subjectivity, for Althusser, is to encounter the world in such a way as to recognize yourself as always-already a subject. We are always-already subjects in our interaction with the world, since the world (social order) demands of us to interact with it in a meaningful way, and this meaningful way is by definition a way relative to the social order. That is, we are subjects insofar as we are engaged in various projects of subjectivity; involved with family/friends, occupied by jobs or studies, entertained by media and events, provoked by art and politics. The point is that the way to be involved/occupied/entertained/provoked etc., is a way that is and always makes reference to some ritualized set of normative practices. If we are going to be involved with family/friends etc., we will *by definition* be engaging in various ritualized activities.

For Althusser, to find yourself in the world with a social order of the kind that requires you to freely engage in ritualized, normative practices is to be *interpellated* into a subject position. Interpellation is the form of the demand on

¹ Althusser, "Ideology and Ideological State Apparatuses" in *Lenin and*

the part of the social order that we will know what it is to be involved/occupied/entertained/provoked; that is, we will know that we are the ones for whom these rituals are appropriate. So how does the social order make this demand of us; how do we recognize its demand as for us? As I suggested in the last chapter, a demand of recognition works by doing some kind of constitutive work such that we respond as though it was always the case that the demand is appropriate. We recognize this demand as for us if we are positioned such that we really will 'answer' this demand; we will say 'yes, that's me!'

The interpellative demand of the social order can be imagined, as Althusser says, "along the lines of the most commonplace everyday police (or other) hailing: 'Hey, you there!'...(and)the hailed individual will turn round."² Now, we might turn around when hailed in such a way by a policeman precisely because we are guilty of something. But our interest in interpellation is that individuals turn around not (only) because they are guilty, but because they recognize themselves as always already the subjects for whom the hail was addressed. To refer to the workings of interpellation as along the lines of the workings of a hail is to point to the curious conditions of possibility for the subject to recognize that it is (and was) to them that the hail was truly addressed. These conditions of possibility are that the subject is positioned so as to make this self-recognition; to know when (to know that) he is hailed.

¹ *Philosophy*, p. 176

² *Lenin and Philosophy*, p. 174.

Althusser's account of interpellation is therefore an account of the recruitment of subjects by and through the social order.² It is the ordering of social relations and socio-symbolic networks that condition the possibility of interpellation. I was, in the strictest, literal sense, born into a world where *I* was by definition involved/occupied/entertained/provoked, etc., and the condition for counting as such is the ongoing recognition of myself as the individual who *really is* by definition involved/occupied, etc., that it's *really me* who is up to this or that, and not possibly some other individual. To be recruited by the social order is "to recognize that we are subjects and that we function in the practical rituals of the most elementary everyday life (the hand-shake, the fact of calling you by your name, the fact of knowing, even if I do not know what it is, that you 'have' a name of your own, which means that you are recognized as a unique subject, etc.)"³

For Althusser, the precondition of subjectivity, that is, the possibility of occupying a place within the world which allows one to successfully move around in that world, is a world which is already inscribed with the standards for such maneuvering and negotiating. That is, in order to be a subject qua knowing how to recognize genuine possibilities for moving around and communicating (being involved/occupied/etc.), the world must confront us by inscribing the logic and standard that will govern our acts and make them successful acts of moving

² Our understanding of interpellation will be unfolding further as this chapter proceeds.

³ Lenin and Philosophy, p. 173.

around, communicating, being involved, etc, *into the space in which we must act*. To put it in a somewhat Kantian way, in order for the world to confront us in such a way that we must think true things about it (the functioning of the social order), and if we are to successfully move around and communicate, the world must already be inscribed with the standards and regulating principles that make success possible. For Kant, as he was concerned with how we can have genuine epistemological access to the world,⁵ our cognitive apparatuses must already be inscribed with the principles that make coherent experience possible. As such, the world really can serve as a tribunal to which we can test our knowledge of it, since we really do have the right kind of epistemological experience of the world. For Althusser, this logic is paralleled in the procedure of inquiring how we can have genuine subjective know-how within social and material relations of production.

This chapter will be an argument for the ideological role of misrecognition in the constitution of subjects, drawing on Althusser and Slavoj Žižek. The point will be to arrive at a position from which we have something more to say about what looked like a role for misrecognition in Kant.

The Imaginary Functioning of Ideology

...in ideology, 'men represent their real conditions of existence to themselves in an imaginary form.'

Why do men 'need' this imaginary transposition of their real conditions of existence in order to 'represent to themselves' their real conditions of existence?

⁵ Here I am obviously thinking more of Kant's work in the First Critique than in the Second, but the parallel is, I think, interesting.

...it is not their real conditions of existence, their real world, that 'men' 'represent to themselves' in ideology, but above all it is their relation to those conditions of existence which is represented to them there. It is this relation which is at the center of every ideological, i.e. imaginary, representation of the real world. ...it is the *imaginary nature of this relation* which underlies all the imaginary distortion that we can observe (if we do not want to live in its truth) in all ideology. ⁹

That ideology is the *imaginary* nature of our relation with the material world is to say that ideology is what positions us (subjects) such that our relations with the material world are *figured* in a particular way, i.e. for Althusser, the way that reproduces the material relations of production. But in *what* way, then, are our relations with the material world figured?

First, our relations with the material world are fetishized in their figuration. To say that our relations with the material world are fetishized is to say that our relations are dominated by the same logic (or illogic) at work in the exchange (and) value of commodities (commodification). Commodities are such insofar as they can be exchanged on the market, and their exchange value is assessed by market 'forces' (whatever those are and however we work out this logic). Yet we are accustomed to 'valuing' commodities (objects) insofar as something about the object *itself* is taken to be valuable. The fact that *currency* is used to exchange commodities, and thus that the market must assign a monetary value to all commodities, can obscure a clear definition of 'value' by equivocating and fetishizing value itself. Commodification is technically the attribution of value

⁹ Lenin and Philosophy, pp. 163-164.

¹⁰ R. Kukla has suggested that Althusser's use of 'imaginary' should be read in a Kantian sense of that faculty which allows things to be presented to us in a

based on exchangeability, market forces, etc., but objects are sought after in exchange when the value is seen as *inherent to the object itself*.

Slavoj Zizek has aptly discussed this fetishistic figuration. His most poignant example of the logic at work in this fetishization is the very currency whose 'value' is, resisting equivocation, indeed that of absolute value: Money, the actual bills and coins, "that commodity which renders possible the commensurability of the value of all other commodities notwithstanding their particular qualitative determination",¹ is itself the object *par excellence* of attributing value as inherent. How money *itself* could be 'valuable', because of its positioning as a measure of exchange value within a structural network that is the market, is duly obfuscated.

...the essential feature of commodity fetishism... consists of a certain misrecognition which concerns the relation between a structural network and one of its elements: what is really a structural effect, an effect of the network of relations between elements, appears as an immediate property of one of the elements, as if this property also belongs to it outside its relation with other elements.²

We treat money as if there were something in and of the bills and coins themselves which account for the value of money. Further, we *must* treat it this way: Acknowledging that money is only valuable insofar as it can be exchanged for other commodities, which themselves are only differentially valuable according to other commodities, does not change the way we must *practice* the

particular, meaningful, and coherent way. I find this suggestion compelling, and it is made use of here with recognition.

¹ Zizek, *The Sublime Object of Ideology*, p. 17.

treating of money as valuable in and of itself. It is built in to the market-governed practice of exchanging commodities with money that we must proceed as if we believed there is something about the money itself which accounts for *its* exchange value. This is perhaps best illustrated by considering the notion of 'counterfeit' money. Counterfeit money is not treated as 'real' money precisely because it cannot be granted the same exchange value as real money, insofar as 'real' money is that *irreplaceable, inherently* valuable component of the structural network that is the market. We *must treat it* as inherently valuable in order to differentiate it from counterfeit money, or any imposter currency, and yet this is only ever so with reference to the nature of the production of money (such that it bears the stamp of national authority as sanctioned currency) and its place within structural network that is the market. That money can really serve its *irreplaceable* purpose in this structural network, however, requires that we fetishize it.

It is no accident that I am using money at this point to illustrate commodity fetishism before going on to why our relation to the material, social world is figured as fetishized. To have discussed the fetishization of virtually any other commodity would already have been to discuss what it is about subjectivity as an ideological product such that our relationship *qua* subjects to the material world is fetishized. Broadly speaking, the commodities we exchange (for money) are fetishized in the sense that *we take ourselves to be the source of their*

¹ *Ibid*, p. 24

exchange value. That is, we take commodities to be valuable precisely because they are reflections of essential, personal, hardened qualities we attribute to ourselves, and that we seek out because they always reflected our already real desires.¹³ We take ourselves to desire or even need the objects we consume because their manufacturers really have successfully produced something that we always-already desired or needed, based on true facts about us. Thus we take ourselves to be the originary source of the exchange value of commodities, where commodities get their exchange value from us as consumers already having the desire for them. We fetishize these commodities insofar as the arbitrary, fragile conditions of possibility of them having 'value' at all, namely their place in reference to other commodities within the structural network that is the free market, is covered over and replaced with a story about their value that originates with our real, true desires as consumers.

The Gap 'everybody invests' commercial is a perfect example of what I am pointing at here. Specifically, Gap commercials (or any brand-name or designer marketing) are examples of what I should like to call image-as-commodity fetishization.¹⁴ The ad presents buffed and scrubbed, perfectly sized and proportioned young adults, looking appropriately apathetic, wise in their cynicism, and erotically related to what they are wearing. The ad is successful insofar as a particular *image* is associated with

¹³ I think this point holds for more than manufactured commodities: Oil, for example, is perhaps the commodity that regulates a so-called market economy in which our (ideological) surplus consumption is possible.

¹⁴ For an interesting work on the subject of commodity fetishism and image-as-commodity outside of philosophy, see journalist Naomi Klein's superbly provocative book *No Logo: Taking Aim at the Brand Bullies*.

it; which, when attached to the *vestiments* presented, *is* what accounts for the heightened exchange value of Gap clothing. The image works on me such that I take *myself* to be reflected in the image portrayed (and thus the clothing); or even better, I take *the way I was always dying to be* to be reflected. The viewer as consumer takes herself to be the source of the value of the clothing insofar as it is *really she* who is reflected in the corona of the hip people in the ad. Thus she misrecognizes the source of the value of the clothing: Gap successfully portrays clothing as the image that *she* truly, already wanted. The value of Gap clothing is *misrecognized* as originating in the consumer himself; in his always-already tastes and desires. Ask anybody why they shop at the Gap, despite the fact that Gap manufactures their clothing in developing countries and pays children unlivable wages to make them, and they will respond: "Oh, I just like the clothes, these clothes are what I like, *and I can't find stuff like this anywhere else.*" Gap clothing is taken to be irreplaceable and inherently expressive of what the consumer wants.

You begin by coming back: The always-already Subject

In the above, I discussed commodity fetishism as the first way in which our relations with the material world are figured. I said that money is itself the object *par excellence* of fetishism in the sense that we must treat it as having some special, inherent value in order to regulate the structural network in which money has its place. Further, I suggested that our consumer

relationship with virtually all commodities is fetishized when we take ourselves, both collectively (as consumers) and individually (as such and such a particular subject) to be the source of the exchange value of objects. The point I have to make now is a yet further point about the second way in which our relations with the material world are figured. This is the point that something about *subjectivity itself* is fetishized. In order to make this harder, even more central point, I must make sense of the following remark by Althusser:

the individual is interpellated as a (free) subject in order that he shall submit freely to the commandments of the Subject, i.e. in order that he shall (freely) accept his subjection, i.e. in order that he shall make the gestures and actions of his subjection 'all by himself'. There are no subjects except by and for their subjection. That is why they 'work all by themselves'.¹²

For interpellation to demand that subjects take up various ritualized practices as part of the definition of their subject positions is not for interpellation to make a 'demand' in any threatening, coercive sense. That is, interpellation is not the force that comes upon us and expresses what we must do, or else. Rather, the demand on the part of interpellation for the subject to (mis)recognize themselves: to see, in the structure of a social context, some subject position that is *for him*, and not some other subject. Interpellation hails subjects (as particular individuals and not others, for whom particular practices are appropriate) only insofar as subjects *become* that which they are hailed as, in the 'moment' of interpellation, where the interpellation works when subjects respond as if they were

¹² Lenin and Philosophy, 182.

already that which interpellation hailed them as. Interpellation demands a misrecognition that is constitutive of subjects as such and such an individual, etc.

I shall then suggest that ideology 'acts' or 'functions' in such a way that it 'recruits' subjects among the individuals (it recruits them all), or 'transforms' the individuals into subjects (it transforms them all) by that very precise operation which I have called *interpellation* or hailing, and which can be imagined along the lines of the most commonplace everyday police (or other) hailing: 'Hey, you there!'¹³

The ambiguity of interpellation is that "imagining it along the lines of the most commonplace" etc., that it, imagining interpellation as particular, reducible *moments*, can obscure the operation Althusser is trying to get at. It is true that I can experience interpellation at some particular moment; say, watching the Gap ad. I could be, if the ad is successful, interpellated by the ad if watching it is the experience of recognizing something *about me*. If I take the people in the ad to be expressing a reflection of something about me, then the ad has indeed interpellated me: it has resulted in my response as *if there were always-already something about me* that the ad just happened to express.

But what gets obscured here is the broader, necessary context by means of which interpellation ever manages to get off the ground. I began this chapter by introducing Althusser's inquiry into subjectivity as an inquiry into the conditions of possibility for the world (social order) to confront always-already subjects, insofar as social contexts are already inscribed with the standards that govern our attempts to

participate in it. Interpellation gets off the ground only because subjects were only ever subjects that must take on some social context or another, and if they are to do this successfully, subjects will *by definition* be taking on the standards that govern their negotiation of a particular social context. This will be key to my point about what it is to fetishize subjectivity: to take on the standards that govern my negotiation of a particular social context, I must (freely) accept my subjection. To freely accept subjection in and through the standards governing some social context, I must treat myself as the organizing principle of my investment in those standards. For Althusser, the governing standards are that I freely commit to them:

All the agents of production, exploitation and repression, not to speak of the 'professionals of ideology' (Marx), *must in one way or another be 'steeped' in this ideology in order to perform their tasks 'conscientiously'*¹⁴ (emphasis mine)

What is it for agents to perform their 'tasks', and 'conscientiously' at that? When I am seriously taking up the practices of being a grad student, pursuing this or that philosophical issue, etc., I am performing these tasks *conscientiously* in that the standards which govern graduate philosophical work are the standards to which I am holding myself.¹⁵ The goals of a graduate student with this or that political and social perspective are my goals, I want to produce a thesis worthy of distinction, I want multiple offers of PhD

¹⁴ Lenin and Philosophy, p. 174

¹⁵ Lenin and Philosophy, p. 133.

¹⁶ This way of making the 'conscientious' point owes regards to R. Kukla's graduate seminars.

placements with full funding to pile up on my desk, I want the recognition and praise of my esteemed professors and fellow students, etc. I perform these practices and tasks conscientiously insofar as *it would bother me* if I failed to live up to the standards that regulate these practices. I have freely engaged in the project of being a good graduate student by being *genuinely invested* in this project. My subjectivity is importantly at stake relative to these standards: what I am up to *is the active pursuit of* meeting the standards that govern graduate study. To be engaged in the project of achieving success at graduate study is to be engaged in various practices (going to classes, cultivating a thesis, etc.) and holding myself to standards governing these practices.

So *why* am I invested in this project? Why would it bother me if I failed to meet the requirements of a successful graduate student in philosophy? For Althusser, I have been successfully interpellated; that is, I recognized myself as always-already a subject for whom graduate study in philosophy was appropriate ("it's *I* who should be invested in doing graduate work in philosophy!"). I am interpellated into graduate school study not only inauguratively, but also because of who I already was (a child of middle-class educated parents, already compelled by multitudes of social issues, etc.) The "it's me!" success of interpellation requires certain preconditions of social positioning. For Althusser, my conscientious performance of tasks (whatever they are) is necessary in order to reproduce the set of social conditions that continue to successfully

interpellate subjects into being engaged in conscientious subjective projects... and so on. I must be invested in my subjective project in order to count as a subject. For Althusser, to be a subject is to be engaged in subjective projects that matter to the individual engaged in them. To be a subject is to be engaged in the overall project of successfully maneuvering in social contexts, which necessarily includes investment in various subjective projects.

Therefore, my point is that for Althusser, it seems like subjects must be fetishists in practice with regards to their subjectivity, as they are with commodities. I cannot be *invested* in the project of success at graduate school unless I am engaged in the various practices defining graduate school as if I am the source of the regulation of my investment. That is, to be committed to these standards is to take them upon myself, and to (freely) submit myself to their right to govern my activities and be the principles to which I will be measured. If this point is not clear, imagine that while my thesis defense is in progress, I announce that I have seen through the hoax of it all, that I know the faculty simply decides way ahead of time by some arbitrary measure who will be the successful graduate students, and that it is silly to proceed with the defense when I should simply be told whether or not it was decided that I would pass, and that none of the work I did really mattered after all, since any standards were only ever in place only for show. Not only would this not affect the requirements in place regulating the evaluation of my performance as a graduate student, but further if I am not freely

submitting to these standards - that is, if I do not take these standards to be regulatory *because I freely submit to them* - then I cease to count as engaged in a subjective (or an objective) project. Even if I did suspect some degree of arbitrariness in the evaluation process of my work as a graduate student, acting as if I have nothing to do with whether or not I am counted as a good graduate student would render my claim to have taken up graduate work senseless. Although the standards to which I must measure up to are in place without me, I must take them on as standards to which *I* am holding myself in order to count as successful in my subjective projects. I must be invested in my subjective projects in the sense that I see *something about me* reflected in my taking up of such projects, where that *something* will be the factor weighing my success.

On the status of 'belief'.

I will now discuss a third, final way that our relations with the material, social world are figured. I just for Althusser that I must freely accept my subjection to the standards governing my subjective projects. I now want to add that taking myself to be the original, special regulating force behind the practices that define my subjectivity *is not necessary* in order to fetishize how I understand my subjective status. This will involve inquiry about what subjects are consciously thinking about when they engage in ritualized practices. This final way that I am arguing for the figuring of our relations with the social order is not explicit in Althusser. Althusser did not concern himself with

the relationship between the ritualized practices he was theorizing about and the conscious thoughts of the subjects engaged in them.

To explain how I am here arguing for a fetishistic mode in subjective practice, let's return, for a moment, to Žižek's example of money. To say that we must treat money as some special, inherently valuable object in order to regulate the practice of currency and exchange value in the market, is *not* to say that we must try to convince ourselves that money really is special in this way. We do not have to carry around justifying ideas about what makes money special in our heads in order for our commodity exchange practices to work. Our using money does not ever require that we are simultaneously holding thoughts in our head about the special, magical power of money to be valuable. On the contrary, we do not have to be thinking anything about money at all.

When individuals use money, they know very well that there is nothing magical about it - that money, in its materiality, is simply an expression of social relations. The everyday spontaneous ideology reduces money to a simple sign giving the individual possessing it a right to a certain part of the social product. The problem is that in their social activity itself, in what they are *doing*, they are *acting* as if money, in its material reality, is the immediate embodiment of wealth as such. They are fetishists in practice, not in theory.¹⁶

Žižek is, in fact, making a very Kantian distinction between a practical, regulatory principle and an object of theoretical reason. Kant says that the moral Law is not a matter of theoretical reason, such that it would be meaningful to have beliefs/knowledge about our will or the moral Law itself. Just

as the moral Law is instead a needed, non-optional practical principle for Kant, necessary if our practical activity is going to make any sense, money as inherently valuable is a needed, non-optional regulatory principle guiding our activities in the free market. This is not to say that we have to tell ourselves myths or meta-narratives about money. As with Kant, there is nothing meaningful about claiming to know something about 'money' in and of itself. If our activity of using money as currency is going to make any sense, we require a regulatory fiction of what money is. Again, this is not a fiction guiding our *thoughts* about money - it is a fiction guiding our *activity*. Whether we know very well that money really isn't magical or not will not affect the effectivity of the practice of using money to exchange commodities. That is, it is built in to the practices surrounding money (banking, credit, loans, investing, buying, selling...) that money is treated in a particular way; namely, as if it were inherently valuable. It is the *practices* surrounding currency and capital where the 'ideas' about money as special and inherently valuable are 'found' - not in the heads of the people engaging in the practice. The people engaging in the practice do not have to believe or fail to believe anything about money whatsoever: *the practices believe for them.*¹⁷ Having to treat money in a way that positions it as the source of its value does not mean that we have to be confused. We can think whatever we want about money; each and every time we use it, we could be pondering to ourselves the extent to which we participate in this

¹⁷ Žižek, *Sublime Object of Ideology*, p. 31

façade of the market. *It is not the beliefs subjects have in their heads that regulate the practice of using money: the regulative standard is built into the practice itself.* This distinction is a Kantian distinction insofar as we are separating meaningful objects of theoretical reason from needed principles of practical reason. Reason can direct and give shape to our understanding of how to apply practical principles, but reason *qua what we are thinking about* is not the source of what is regulating and ordering our normative practical activity.

I want to make a similar point with regard to subjectivity. As with money, it will be our successful negotiation of the standards regulating the practice of subjectivity and social relations that really count and *really count us* as subjects. I have no intention of claiming that seeing through the fetishization, i.e., recognizing that I am not really the source of the regulation of the practice of my subjectivity, will change the way I must interact with and respond to subjective and intersubjective practices. Put another way, seeing through the ideological regulation of social, material practices will not change how the world confronts me with situations in which I must respond as though I am (mis)recognizing myself. Realizing that I was *not* always-already the subject I recognized through interpellation is not a special knowledge that transports me out of ideology.

The illusion is not on the side of knowledge, it is already on the side of reality itself, of what the people are doing. (...) What they do not know is that their social reality itself, their activity, is guided by an illusion, by a

¹⁷ Žižek, *Sublime Object of Ideology*, p. 34.

fetishistic inversion. What they overlook, what they misrecognize, is not the reality but the illusion which is structuring their reality, their real social activity. They know very well how things really are, but still they are doing it as if they did not know. The illusion is therefore double: it consists in overlooking the illusion which is structuring our real, effective relationship to reality. And this overlooked, the unconscious illusion is what may be called the ideological fantasy.¹⁸

Notice that Žižek's insight is an interesting inversion of the gap between Kant's ideal of practical reason and the space in which we must act.¹⁹ For Kant, pathological affectivity relegates subjects to having to act as if they understand more about the workings of practical reason than they can actually claim to know. But for Žižek, the structure of our regulatory practical principles demand not that we pretend to know more than we do, but precisely the opposite: that we pretend to know less than we do. Žižek's point is that our pretending to know less is the fundamental structural principle organizing and regulating normative social contexts. The fact that we act as if we do not know is what upholds and sustains the practical principles regulating our activity. This structure is *ideological* in that it permits a kind of distancing, a covering over of the real history and organization of social relations, by reifying and hardening our "seeing through" the ideological structure as a *liberation*, a *stepping outside of ideology* into "reality" that we know perfectly well. What is ideological here is that we *have changed nothing*: the "reality" we claim is the illusion of not participating in exactly the structure of social practices that we claim to have seen through and thus, somehow, stepped outside

¹⁸Žižek, *The Sublime Ideology of Desire*, p. 32-33

of. "What really takes place in ideology seems therefore to take place outside of it."²⁰ Our practicing becomes shaped by the very cynical distancing we claim is establishing us as *outside* of ideology, when it is our cynically shaped practicing that establishes us as ideologically regulated.

Part of the reason why knowing about the ideological nature of the regulating force of the social order does not change things is because interpellation works precisely because it gets to speak in the voice of the authority of the social order. Interpellation *works* because it calls individuals to be the very same subjects for whom social structures support. We can practice subjectivity knowing full well that nothing originary and inherent about us is reflected in those practices, but rather that the practices have constituted us as such. I could know very well that my caring about succeeding in grad school is a measure of my subjection to the standards inscribed into the space and practice of grad school itself, but still find myself keeping up with them. I am nonetheless confronted with real social relations (with my peers, my professors, my family, etc.) that demand that I keep them up. Žižek's point is *that* the fact that we keep this up *is itself* the regulating ideological principle supporting the very social order from which interpellation derives its authoritative power. Our (cynical) practicing in support of the social order has itself become infused with the very ideological principle doing the work: that really, we are outside of it.

²⁰ This point was suggested to me by R. Kukla.

Recall that for Althusser, it is not as though the misrecognition involved in becoming invested in academic philosophy is a kind that *I made some kind of mistake*. That a constitutive misrecognition was involved in my becoming invested in philosophy does not mean that really, I am better suited for something else. For Althusser, to be a subject, and to be engaged in subjective practices, just is to be interpellated by the social order. Interpellation requires, for Althusser, misrecognition. But it is not as though this misrecognition is simply an error on the part of the subject. Subjects are such in that they find themselves in particular social contexts that recruit them as subjectively bound to this or that as a condition of their existence and status within that social order. If we want to say that at this moment, I 'believe' that doing philosophy and being a graduate student matter to me, all we have said for Althusser is that I am practicing my interpellated subject position conscientiously.

But for Žižek, I do not have to 'believe' in the sense of having *conscious thoughts* about how *natural* it is for me to be engaged as a graduate student in university. I can know very well that I became invested in academic philosophy as the result of the unfolding of the particular history of my interaction with the social order. I can even think that it was wildly accidental. In short, for Žižek, I do not have to think that something *about me* is regulating my conscientious practice. Thus, I do not need my fetishization of myself as the source of

²² Lenin and Philosophy, p. 175.

the logic and regulation of my subjective practices: I can recognize that my subjection is in and through the regulation of the standards governing the practices in which I engage and am invested.

But how, for Žižek, can there be this leftover of "knowing very well but..."? What is the logic of our enduring practicing despite our claims to see through the structure of our regulative fictions? The logic of our cynical practicing requires that we do not situate belief in *some private, internal conviction at the root of our subjectivity*. We do not - *and this is the condition of social reality* - behave in such and such a way because we believe. Rather, we believe because we behave in such and such a way. This logic has already been articulated, as Žižek takes care to say, by Pascal: "According to Pascal, the interiority of our reasoning is determined by the external, nonsensical 'machine' -...'the automaton which leads the mind unconsciously [sans le savoir] with it'..."²¹

To make this point clear, consider pulling up to a red traffic light in the dead of night. There are no cars in sight, and yet you stop, and you sit there waiting for the light to change green. It may not even cross your mind that you could very well proceed through the red light. Your obedience to the law on such an occasion is strictly exemplary of the necessary operation of the law. For the law to function normally (as non-transgressable), it cannot be subject to our ongoing interrogation. Our judgment must tell us that we should obey the

law because it is good and just (if we go through the red light, soon everyone will, and sooner or later ordered traffic will diminish into chaos...). In other words, we must behave (and indeed, we find ourselves behaving) as though we believe that the Law is True in the sense of unconditional, and not just necessary (in order to regulate traffic).

...the dependence of the Law on its process of enunciation or, to use a concept developed by Laclau and Mouffe, its radically contingent character - must be repressed into the unconscious, through the ideological, imaginary experience of the 'meaning' of the Law, of its foundation in Justice, Truth... What is 'repressed' then, is... the fact that *its authority is without truth*. The necessary structural illusion which drives people to believe that truth can be found in laws describes precisely the mechanism of transference: transference is this supposition of a Truth, of a Meaning behind the stupid, traumatic, inconsistent fact of the Law. In other words, 'transference' names the vicious circle of belief: the reasons why we should believe are persuasive only to those who already believe.²²

In order for the Law to do what it is suppose to do, namely, regulate our behavior by demanding our free submission to it, its contingency must be overlooked, disregarded, *repressed*. We must 'forget' that the Law is completely fragile, completely questionable, and completely subject to our interrogation of it. You didn't have to remind yourself to stop at the red light; you just did. The point that your practice of stopping at red lights is 'unconscious' takes on a literal sense in this way: You do not have to *consciously* remind yourself to stop and stay stopped at the red light. You already, unconsciously, *act as though you believe* in the Truth behind red lights. That this truth exists only in and through your practicing as if this truth existed

²² Žižek, *Sublime Object of Ideology*, p. 36-37. We will say more about this in the next chapter.

self-sufficiently and unconditionally is the very condition of the Law.

I want to argue that this interpellative gap, this failure on the part of the subject to take interpellation too seriously, is part of *the condition of* subjectivity. This 'unconscious belief' (the fact that we are doing the very thing we proclaim to not take seriously) functions as *a condition of* interpellation. For Althusser, it was always through some authority that interpellation got its force - interpellation always spoke in the voice of the authority of the social order. It was no accident that it is a policeman who hails you in Althusser's example, a perfect iconic figure of the authority of social order and the rule of Law. I have been suggesting, however, that the condition of interpellation's force is our acting *as though* the social order really does have an authority through which interpellation can speak, when *really* we 'believe' that this authority is not binding on our free, inner space of conscious thought. That we act (at least in the sense of coordinating our bodies) as though it were the case that the social order really has authority *makes it the case that* the social order really has the authority to subjugate us to it. Our acting as though we believe is the condition of our ritualized practices having the authority to provide the standards from which we must freely subjugate ourselves in order to count as good subjects. Žižek's point is the following: to say that the stupid, traumatic, inconsistent fact of the Law is repressed into the unconscious is to say that

²² Žižek, *Sublime Object of Ideology*, p. 37-39.

a belief in the Law as True is regulating our attempts to act.
 This belief is not found in our inner space of conscious thought; rather, it is found *out there*, in our practicing of the Law and Truth. Again, we can see this same logic echoed back in Pascal:

Leave rational argumentation and submit yourself simply to ideological ritual, stupefy yourself by repeating the meaningless gestures, act as if you already believe, and the belief will come by itself.²³

For Pascal, engaging in the practices that imply your belief will actually produce the belief for you. In other words, *don't worry* if you know very well you don't *really* believe something always-already about you is reflected in the rituals that you actively engage in. You never had to believe it in the first place. Further, as Žižek suggests, it is precisely your lack of conscious belief, and even your conscious *disbelief*, that, provided you still engage in the necessarily practices, upholds the authority of the ideological practices of consumerism, fetishized individualism, global capitalism, the rule of Law, etc.

The Lacanian Fool

I have not meant to suggest that the ideological structure of the social order is such that only practices that support its ongoing authority are possible. Similarly, I am not suggesting that genuine resistance is not possible. On the contrary, insisting that resistance (not to ideology 'itself', but to certain practices) is always possible. This crucial feature of ideology (that possibilities for resistance are a structural feature of

ideological practices) is a problem for Althusser. In the last chapter, I problematized Kant's view of the moral Law as necessarily eliciting our recognition of it as binding on ourselves with the counter-examples of what I called two kinds of fools. Recall that the Thrasymachian fool was a fool by blinding himself to the real constitution of social relations through power, and the Kantian fool was a fool by finding herself within social relations that do not allow any possibilities of acting rationally. Here, I should like to introduce the *Lacanian* fool:

...somebody who believes in his immediate identity with himself; somebody who is not capable of a dialectically mediated distance towards himself, like a King who thinks he is a king, who takes being-a-king as his immediate property and not as a symbolic mandate imposed on him by a network of intersubjective relations of which he is a part."²⁴

What is Lacanian about this particular fool? For Lacan, the social order is the unconscious regulation of our attempts to act in the world, but it (the social order as interpellative hailing) is not *fully* constitutive of subjects as it is for Althusser. Somewhat crudely, the Lacanian subject is caught between needing the authority of the social order to affirm his existence yet failing to have the affirmation of his existence ever show up except as outside himself; decentered from the space of anything 'in himself'.²⁵ He who resolves this conflict by affirming the reality of his subject position within social relations as the product of something independently True of himself, something 'in him more than himself', is the fool who blinds himself to his subjective constitution *in this gap*. The Lacanian fool clings to

²⁴ Žižek, *Sublime Object of Ideology*, p. 39

²⁵ Žižek, *Sublime Object of Ideology*, p. 46.

a subjectivity that has no possibilities for stepping outside of the mode of the fetish.

Our worry in Althusser, then, is precisely that he sets up subjectivity as necessarily fetishized; if we don't take ourselves to always-already be that which we are interpellated as, we fail to count as subjects. I have been making a case, however, for why being a good subject can just as easily be conditioned by a so-called lack of interpellative grip; a falling short of taking the authority of the social order seriously. This oversteps Althusser's interpellative arena, but it reaffirms his basic insight that belief is structurally built into practices. This falling short becomes the ideological support for the Truth of subjectivity as *cynically distanced* from the social order.

Ideology is not a dreamlike illusion that we build to escape insupportable reality; in its basic dimension it is a fantasy-construction which serves as a support for our 'reality' itself: an 'illusion' which structures our effective, real social relations and thereby masks some insupportable, real, impossible kernel. The function of Ideology is not to offer us a point of escape from our reality but to offer us the social reality itself as an escape from some traumatic, real kernel.²⁶

If we take ourselves to be distanced from or somehow removed from what we are in fact practicing, by "knowing very well that...", we fetishize our own supposed distancing from it. This cynical mode of going about our daily activities is a misrecognition of the leftover, lack of interpellative grip as stemming from *something special and irreplaceable about us* such that we are above the

²⁶ We will say more about this 'external' showing up of the subject's affirmed existence in the next chapter.

²⁷ Žižek, *Sublime Object of Ideology*, p. 45

ideological illusion of recognizing ourselves as always-already in the social practices that demarcate our subjective positions. We reify and harden some resistant self that *really is* reflected in our cynical distancing from ideology. Put another way, we fetishize our resistance to fetishization. And in doing so, we uphold the very social order to which we are supposedly resisting by *failing* to practice our so-called resistance to its authority. We misrecognize "knowing very well that..." as True subjectivity, rather than seeing it as the condition of the social order. Here it is easy to see how cynical distancing from the authority of the social *is the authority* from which the Truth is produced: *the Truth of our subjectivity* (as really a special resistant self) comes to depend on the very social order we have supposedly seen through. And as such, the social order is guaranteed to remain firmly in place. The authority of the social order, as supported by our unconscious believing in it and fetishized cynicism, is the condition of the Truth of subjectivity. After all, it is the established social order with the authority to interpellate beings into the kind of subjects *who take themselves to see through it*. The practiced cynicism of subjects is yet *another practice made possible by the social order.*²⁷

When sitting at the red light in the dead of night, why do we *feel so awkward* when we realize that nothing is stopping us from going through the light? If we don't go through, but rather sit there, it will be because we reify the law as True and Just (our act will somehow lead to the disintegration of orderly

²⁷ This point is very clearly taken up by R. Kukia in "Talking Back:

traffic, etc.)). Or, it will be because we are somehow satisfied *just knowing very well* we could go through. Ideology makes an ass out of us by keeping us there, idle and alone, at the red light, by making us feel good about it.

The Condition of Kant's Misrecognition

I have argued for an understanding of fetishization as constitutive of the good subject in two possible ways. First, according to Althusser, the subject misrecognizes himself as the *origin* of the regulation of the practices he engages in that define his subject position. Here, an individual is interpellated by the social order in that the individual finds himself confronted by a social world that demands he freely accept the standards regulating the social context in which he has a part, whatever that may be. To freely accept his subjection in this way is, for Althusser, the demand of interpellation. Interpellation demands the subject take himself to be always already that which he is in and through the network of social relations; interpellation demands that the subject practice conscientiously. This is a misrecognition regulated by a fetishistic logic, since it demands that subjects take themselves to be the hardened source of what is regulating their conscientious practicing.

I argued along with Žižek, however, that good subjects need only be fetishists *in practice*. That is, subjects, in order to count as good subjects (upholding the authority of the social

order), need only practice as if they took themselves to be regulating the logic of their subjective practices. While cynicism actually looks undermining to Althusser, I argued that cynicism is yet another subject position interpellated by the authority of the social, where subjects take something special and inherent about them to be regulating their 'seeing through it all'. Here, subjects misrecognize their interpellated cynicism as stemming from something defining them outside of ideological practices. They fetishize this special resistant self as a reified, hardened identity outside of ideological social relations, covering over its real constitution in and through ideology.

What I have argued for in this chapter, then, is the extent to which something like the binding recognition Kant needs *does* happen. A kind of binding recognition happens when subjects are confronted, or find themselves in, a human world that is already inscribed with the standards and regulating norms guiding their attempts to act within this human world.

But is the kind of binding recognition we have discussed in this chapter the kind Kant would want? It can't be quite what Kant had in mind, since here it is precisely the contingent pathological that is positioned to interpellate us, and not the abstracted ideal form of the moral Law. When the contingent pathological interpellates us on the Žižekian account I have argued for, it demands the fetishized practice of our subject positions. It demands that we practice as if we are the source of the regulation of our practicing, but this pretense covers

over the fetishistic work of interpellation. Therefore the account of misrecognition I have given in this chapter is a fetishized misrecognition; it demands that we pretend to know less than we do about the workings of the regulation of our practical activity.

For Kant, the moral Law interpellates us to act as if we know more about the working of the regulation of our activity than we are positioned to know. What the moral Law does as an ideal is provide the regulation for our practical activity by doing some constitutive work on us. The constitutive work of the moral Law is to bind us into recognition of ourselves as the beings for which the moral Law is an ideal of autonomy. But here, the moral Law is the reflection of establishing ourselves as the origin of the regulation of our practical activity. Taking on the moral Law means taking on being the source of the regulation of our practical activity. The moral Law, for Kant, is suppose to be what binds us into being the origin of what regulates our practical activity. I will discuss this in more detail in the next chapter.

An Althusserian or Zizekian account suggests that the misrecognition Kant needs in order for subjects to be free subjects requires a concrete space of social relations, shaped by ideals of ritualized interactions and agented conduct. The subject with possibilities for free, authentic acts is the subject who freely accepts his subjection in and through some real human context, where this context has binding, regulating standards built in. An Althusserian or Zizekian account suggests

that in order for interpellation to get off the ground, we must encounter a human world that demands of us the activities which will allow us to be successful in our negotiations of that world.

How, then, can we understand the Kantian imperative for subjects to be their own source of regulation for their practical activity? For Kant, the demand of the moral Law is an unconditional demand to duty governed by reason. To what extent is our present human world a world inscribed with standards that interpellate subjects to be subjects bound by reason? Here is where our fools once again come in: The Thrasymachian fool will have to blind himself to the lack of reason as a guiding ideal of many social contexts in which he finds himself. The Kantian fool will be only too embedded in a context of degenerative subjugation in which possibilities for free acts are excluded by the regulating norms of that context. The Lacanian fool negates his possibilities for authentic acts by fetishizing his identity within socio-symbolic relations. Our cynical subject is, in fact, a version of the Lacanian fool: the cynical subject reifies and hardens her claim to be distanced from ideological social relations as her true, inherent self, and positions this real self outside of ideology. She takes her resistant self *not* to be regulated by a social network upholding the very authority of what she claims to be distanced from.

In the next chapter, I propose to undertake a discussion of the possibilities Kant's practical project has for functioning as a standard for authentic acts. This will require subjects who take on Kant's Law in some way, and manage to avoid being any of

the fools I have described. The space in which possibilities for authentic acts emerge should be, then, a space distanced from the mode of the fetish in social relations. That is, it will be a space in which subjects freely accept their subjection, and become invested in subjective projects, but *interrogate* their subjection. This interrogation itself can be, I will argue, the act that measures up to the Kantian standard.

III THEORIZING THE GAP: THE AUTHENTIC ACT AS UNCANNY

The New LAW in Kant

It was Kant who theorized freedom as the property of an adequately *subjectified* act: Kant supposes that there is an act only insofar as it is accomplished via the purified will (a will surmounting pathological motivations) of a subject. Thus acts are necessarily subject-ed; not subjective in the sense of particular or internal to some individual, but in that they acquire a contentful determination as authentically willed by presupposing their agent (the subject qua purified will). The moral Law, for Kant, is the name for the standard by which our acts must be governed. Acts measure up to the Law when they are committed out of respect for the law, but the *content* of the moral Law is always dependent on the agent at the level of an act. That is, the moral Law has the peculiar status of being concretely indeterminate yet regulatively constant and binding. It has no positive content independent of the subjects who take it upon themselves to (re)invent the principles and maxims guiding their practical activity. The Law, as Kant conceives it, is an empty form, a promise of content that the subject must dutifully respect, yet always doubt to have actively lived out.

Deleuze has suggested that until Kant, the conception of the Law was classical, owing its best expression to Plato. For Plato, the law is based on and justified by the supreme principle of the Good. We need laws since knowledge of the Good eludes us; laws are our best stand-in for the fact that we haven't yet

figured out the nature of the Good. Was Thrasymachus's objection not precisely that we can get this so wrong as to make approximation of the Good via the practice of laws *unreasonable*, since laws are vulnerable to relations of power and material conditions? Wasn't Thrasymachus's main insight that Socrates was surely to fail in his attempts at tracing back the social laws of justice to the Good? Deleuze suggests that this classical conception of law as justified by the Good was fully inverted by Kant, where "...the law is no longer regarded as dependent on the Good, but on the contrary, the Good itself is made to depend on the law."¹ As Deleuze says, we may now, for the first time, speak of 'THE LAW' (as self-sufficiently valid), and consider that Kant has formulated a truly *modern* conception of it: "The Copernican revolution in Kant's *Critique of Pure Reason* consisted in viewing the objects of knowledge as revolving around the subject; but the *Critique of Practical Reason*, where the Good is conceived as revolving around the Law, is perhaps even more revolutionary."² Kant sees the moral Law as the transcendental condition for the freedom of agents; in order for subjects to have the possibility of autonomy and agency, there must be a *pure form* shaping those principles subjects will generate to guide their practical activities. THE LAW is this pure form, but notice that it is necessarily contentless; *that* is what makes it a condition for the possibility of agented freedom, since it provides the unconditioned authority to be taken up in respect by subjects and applied to concrete situations. THE LAW becomes

¹ Gilles Deleuze, *Coldness and Cruelty*, p. 82.

contentful only when it is subjectified, only when it is taken up by subjects as the pure form of a practical guide. For Kant, such a successful taking up will of course be the Good Will - good in Kant's sense because it is a will to respect the Law, not in Plato's sense of good by *founding* the righteousness of practical laws - "The good will is not good because of what it effects or accomplishes or because of its competence to achieve some intended end; it is good only because of its willing (i.e., it is good in itself)."³

This necessarily empty form, THE LAW as such, is thus by definition unspecific and elusive. THE LAW does not afford a good will by providing content, but rather it is the empty form of an imperative to such a will, the imperative to a will determined by reason alone. The imperative, *Du Kannst, denn du sollst!*, is the only form by which THE LAW shows up. Again following Deleuze, this demanding imperative without content creates an inescapably *culpable* dimension for the subject:

Clearly THE LAW, as defined by its pure form, without substance or object of any determination whatsoever, is such that no one knows nor can know what it is. It operates without making itself known. It defines a realm of transgression where one is already guilty, and where one oversteps the bounds without knowing what they are, as in the case of Oedipus. Even guilt and punishment do not tell us what the law is, but leave it in a state of indeterminacy equaled only by the extreme specificity of the punishment.⁴

³ Coldness and Cruelty, p.83.

⁴ Kant, *Foundation of the Metaphysics of Morals*, p. 10. Recall from our discussion in the first chapter that Kant assumes a 'will' is by definition purified of pathological motivations, since only reason (as not belonging to the causal order of nature) properly wills at all. Also recall that despite Kant's definition of will, he failed to avoid using language that granted a kind of agency at least to the interference of pathological affectivity.

⁵ Coldness and Cruelty, pp.82-83

Deleuze's insight on this matter is provoking. In the last two chapters, I argued that a constitutive misrecognition is required for subjects to be bound by the moral Law in the way Kant wants. That is, subjects become subjects for whom the moral Law is binding by finding themselves having to negotiate a concrete human world already inscribed with the regulative standard Kant wants. Finding themselves in that shaped, normative world is how subjects become the subjects for whom the moral Law would be binding. To call this a 'constitutive misrecognition' is to point to the 'it's me!' ("I'm the individual for whom this provokes my investment!") response to the normative human world, which is not the affirmation of what was already the case, but rather the constitutive becoming of the case (free subjection). It is the normative human world that prompts the subject's particular negotiation of it; successful negotiation requires that subjects to some extent take on the governing norms and ideals as their own.

The Ill-fated Internalization View

At this point, though, it might be easy to claim that subjects are committed to the moral Law, for Kant, if they have introduced the moral imperative into their rational economy, 'brought it in' and fixed it firmly in place as a constant psychological regulatory reminder. In short, it might be tempting to suggest that what it means for subjects to recognize themselves as bound to the moral Law is for subjects to 'internalize' it as the regulating voice of their practical activity. On this view, our

subjection to the universal moral Law just is its successful introduction into our regulatory economy as a constant reminder to respect our duty. The pure form of the Law is thus given content by subjects who give the otherwise unspoken moral imperative a voice as their regulative guide.

But as it stands, this view misses something, which is perhaps made clear by noticing that subjects cannot just give a regulatory voice to the moral Law. THE LAW, remember, does not show up in any contentful way unless the subject in some way makes up for the fact that the uncontentful, pure form of THE LAW, as such, will never make itself known. To make up for the failure of THE LAW to show up is not, I want to argue, to 'internalize' it.

To explain what I am getting at, let's return to the subject stopped at the red light in the previous chapter. The fact that she remains stopped could be justified by actual physical constraints, such as other traffic with the right of way. But in the dead of night, any such constraint is duly absent. What would otherwise be the condition of external social relations (traffic) at the intersection is simply not there. If the subject still acts *as though* the necessary concrete relations justifying her sitting at the red light are still somehow constraining *even in their absence*, then she has effectively *made up* for this absence. Further, I might remain stopped at the red light yet be thinking to myself that I know perfectly well there is no reason to remain stopped, but that I am satisfied just knowing I see through the ideology of the Truth of the Law. The

reader will remember our reasoning that effectively, though, I am behaving as though I do believe in the Truth of the Law. As such, *something believes in the place of my conscious self*, something regulates the conscious activity of my cynical distancing while keeping up the very practices maintaining the authority of the social order. As we saw in the last chapter, this 'something' is properly *unconscious* belief. The point is that here, the unconscious is situated 'out there'; it refers to the status of concrete social relations in external states of affairs. While I am sitting at the light, I don't have to be reminding myself that I ought to remain stopped at the red light, because otherwise I risk the dissolution of orderly traffic etc, etc. On the contrary, I can be thinking whatever I want to, even that I don't think there are any reasons to remain stopped. *That I stop anyway, without having to think about it, is the condition of possibility* for my inner space of wandering 'free' thoughts. In this sense, my automatic stopping is properly unconscious, in the sense of *allowing me to consciously* be thinking about how I know very well there is no good reason to be stopped. This unconscious showing up of the non-transgressable Law shapes my conscious thought; it provides a background against which my conscious cynical distancing is possible. My cynicism is paradoxically the very compensation for the failure of the concrete situation to afford justification to my normal response of stopping. My cynicism becomes a stand-in for the occasions on which external, concrete imperatives (stop at red lights!) have

no reason to be enforced, *excusing me from the responsibility to act.*

So upon noticing the lack of traffic, and avoiding the pacification of cynicism, why don't I, at this point, go ahead through the light? Well, quite likely this thought will produce nagging anxiety and a feeling of awkwardness. It might seem like I can't quite will myself to do it. Shall we say that my nagging, awkward feeling is thus yet another compensation for "when the external law fails to appear"⁵, this time as the 'inner' voice of my conscientious commitment to an unconditional Law? This 'inner voice', then, which shows up as these unpleasant punishing feelings, certainly sounds like the showing up of an inner Law.⁶ It is crucial, however, to understand in what sense we are speaking about that which is 'inner' and unconscious. My nervous, awkward feelings at the thought of just going ahead through the red light are not *themselves* the unconscious, inner showing up of the law. The idea here is that my sweaty reaction at the thought of transgression is the interruption of my active conscious feeling of satisfaction "just knowing very well that...", etc., or of otherwise being distracted from the situation at hand. The unconscious Law is always on the 'outside', so to speak, as the concrete social situations that I have learnt so well how to appropriately maneuver within. Recall that it is the fact that I just stop automatically that allowed me to be having distracted conscious thoughts of cynicism. My

⁵ Žižek, *The Ticklish Subject*, p. 279. I am here following Žižek's suggestion that "this loss (of external power) is internalized in the guise of the 'voice of conscience', the internalization which gives birth to the internal space itself.

distracted conscious thoughts do not even have to be cynical: I could be just completely distracted, say thinking about that spot in my thesis which needs polishing up, that professor who bugs me, what I want for dinner, etc. The point is that it seems to be habitually built into my body to stop at red lights, allowing me to be thinking about virtually anything I want. Cynicism might be more interesting since I am actively (or, perhaps better, reactively) refusing to entertain the thought of *actually* acting and going through the intersection. Once these distracted (reactive or no) thoughts are intruded upon by the thought of actually going through the light, I react to a situation which is suddenly *uncanny*; I am not sure what to do, I do not know my way around here.⁷ What was otherwise the smooth operation of unconscious Law (my stopping at red lights *habitually*) is disrupted by my realization that in this particular situation before me, the justification for my normal habitual reaction is duly absent.

But how does this become a problem for Kant? After all, this traffic situation is exactly the kind of hypothetical imperative that gives Kant lots of wriggle room. The demand of Kant's imperative has room for conditional variables such as the lack of traffic. What is actually interesting about our late night traffic scene is that arguably, a good Kantian subject with respect for the moral Law *should proceed through the intersection*: the roads are deserted; it would be a

⁷ Here we think of the insidious Jimmy Cricket.

⁸ The situation is one of un-at-homeness - I will be saying more about the uncanny in my upcoming Freud discussion.

demonstration of taking upon oneself the responsibility to (re)invent and reasonably apply practical maxims according to hypothetical imperatives. So our cynical subject stopped at the red light thus seems to be *doubly* unfree: her body is acting as though she has respect for the Law, but the body is precisely what doesn't count, for Kant, in establishing us as subjects with a Good Will. Further, recall that my earlier discussion argued that such effective obedience, while making room for a conscious (cynical) lack of commitment to the Law, still amounted to one's physical body remaining stopped at the light. And now, as we have seen, cynicism may, for all purposes, be supposed as the excuse to not act when faced with situations that call for a responsible re-assessment of the status of justified constraints.

So why, precisely, have I said that Kant's Law works not by internalization? The good Kantian subject might very well proceed through the red light, and the idle Kantian subject is paralyzed by an intrusion into the justification of her habitual activities. The failed Kantian subject remains stopped by compensating (with cynicism) for the lack of determinate, justifying conditions (other traffic). The failed Kantian subject is a version of the kind of Thrasymachian counterexample to the adequacy of material, social conditions for promoting Kant's moral imperative: Given the predomination of an ideology of cynicism to one's socio-political (lack of) activities, the failed Kantian subject is just too ideologically degenerate to count as a Kantian subject. Here, cynical distancing permits an effective surplus commitment to the Law; a failure to

distinguish between the Law as necessary and the Law as Truth. The degenerate tragedy is of course that the Law as Truth (never transgressable!) is, for the most part, how we are ideologically encouraged to regard the Law.³

What remains, as we saw in our discussion of Deleuze, is that the purely formal structure of THE LAW, "...valid by virtue of its form alone, the content remaining entirely undetermined"⁴, is still a lost, deferred voice of authority. There is no subject of enunciation of the moral Law; and it would be meaningless to ask for one, since, again, *that is how* the moral Law functions as a condition for the possibility of agency: its lack of concrete, immanent legislation allows it to be taken up and autonomously assumed by the subject.⁵ The paradox of Kant's moral Law is precisely that if we take it up as the needed authority to ground our practical activity, we set the conditions for the unknowable transgression of the Law that would make us guilty without knowing, like Oedipus. How else is it that we, as Nietzsche has investigated, are the kind of beings who have so often produced for ourselves a so-called inner space of free conscious thought *shaped by a punishing inner voice of conscience*? How else do we get subjects who are regulated in their practical activities, in

³ Consider that there are laws that require cyclers to wear helmets. This is especially curious when ample clinical evidence suggests that helmets are only a benefit against objects aimed at and striking the head. This is opposed to the role of helmets in the case of a fall: here, the most serious damage to the brain is incurred by its being shaken around, disrupted and reverberated inside the skull. Far less serious is a gash or scrape to the head, which the helmets will prevent, but in so doing produce the kind of reverberation to the brain that is far more serious. Therefore my point is that instead of encouraging a state where individuals are given the responsibility to take it upon themselves to decide which safety measures are reasonable and appropriate, our practice is to legislate black and white practical principles, which are not reasonably universalizable.

⁴ *Coldness and Cruelty*, p. 84

⁵ see Žižek, "Kant and Sade: The Ideal Couple", p. 4

their subjective practices, by the unconscious, inscribed Law of the social order as support for a conscious space of illusory transgression of that very social order? Or, how do we explain part of the conditions of possibility for the conclusion of the last chapter, namely that cynicism is the fetishized practice of subjectivity sustaining the authority of the social order?

Examining cynicism has prepared us for the point that the effective space of the inner law as voice of conscience is made possible by a vanishing external Law; the vanishing Truth of normative constraint. The cynical subject claims to ironically distance herself from the authority of the Law, but in such a way that she effectively overconforms to it when justification for the Law fails to appear. Kant's moral Law perhaps too easily becomes the lost foundation of our ethical activity, such that we compensate for its traumatic loss in the guise of the voice of conscience. *And this voice of conscience was the paralyzing force for the idle Kantian subject.* Hypothetical imperatives should very well have room for conditional variables (such as the presence/absence of traffic) to ease the exertion that we demand of ourselves. But the imperative of the moral Law should, *especially in its absence*, be somewhat unbearable in its unconditionality. The point I am trying to make is that if we interpret Kant as calling for the 'internalization' of the Law, we miss this very reflexive turn by means of *the subject emerges precisely when this power, this call to duty for respect of the Law, does not appear unless the subject creates an inner space for it to show up.* The subject can only 'internalize' something

that begins by showing up 'externally'; say as the legislated commands of a state. Kant's Law, this pure form of undetermined practical objects of the will, *begins* by showing up in the regulative economy of the subject. This 'inner' showing up of the Law is thus *not* an internalization of the moral Law; it is rather *the space made possible by the loss of a contentful Law*; the space that accounts for the failure of the Law to be determinate *and the fact that this is traumatic for the subject*. This trauma, this out-of-jointness or guilt, as Deleuze named it, is constitutive of the subject *who creates, for himself, a punishing regulatory economy*. What I have been arguing for, then, is the inability of the internalization view of Kant's Law to account for its particular taking up by subjects, prompted by the out-of-jointness of its failure to show up. This particular taking up by the subject is constitutive of an inner regulatory space.

There are two levels that we are interested in here. First, we have already discussed the level at which external, concrete relations are such that practices have the form of thought (they believe in my place), and while I can claim these practices as containing beliefs that I 'own', I don't consciously have to be thinking of them, and thus an engageable space of conscious thought is available. This level of practices that have the form of thought was, of course, explored in the last chapter. Let me remind the reader of this logic with the great Zizekian example of canned laughter:

After some supposedly funny or witty remark, you can hear the laughter and applause included in the soundtrack of the

show itself... why this laughter? The first possible answer - that it serves to remind us when to laugh - is interesting enough, because it implies the paradox that laughter is a matter of duty and not of some spontaneous feeling; but this answer is not sufficient because we do not usually laugh. The only sufficient answer would be that the Other - embodied in the television set - is relieving us of our duty to laugh - is laughing instead of us. So even if, tired from a hard day's stupid work, all evening we did nothing but gaze drowsily into the television screen, we can say afterwards that objectively, through the medium of the other, we had a really good time. ¹¹

Deeply linked to the location of belief in practices is the other level in which we are presently interested. This is the level at which a *regulatory economy is produced in the subject*. That is, the level at which subjects are regulated in their practical activity by a force that operates precisely by (and this is one of our recurring themes) concealing its nature; the force that permits cynicism as misrecognized transgression, and the force that seems to require (this is another of our recurring themes) a fundamental fetishization as to its origins.¹² I have been arguing that this regulatory economy is not equivalent to the 'internalization' of the Law; for what we are dealing with is the traumatic injunction facing the subject to make up for a Law that has never appeared. To think that the Law has appeared would be to attribute Truth rather than necessity to the social order, to legislative canons, and to ritualized social practices. This traumatic injunction, through which the voice of conscience is produced, has an interesting history of productive subjectivity. I think it can point to how subjects with a regulatory economy are produced. We had better make sense of what it means to say,

¹¹ Žižek, *The Sublime Object of Ideology*, p. 35.

¹² I have used 'force' and 'level' here in a way that should not suggest self-sufficient power nor tiered topology.

as I have been so far suggesting, that subjects create for themselves an conscience that is effectively a built in regulatory economy: it regulates subjects in some *automatic* sense. I have distinguished this from the level of practices with the form of thought since practices are the active living out of subjects; subjects practice their ritualized social relations by being regulated according to what is built into the practices themselves. But here, we are asking about the creation of a space for conscience, a space that seemingly *builds into subjects themselves* a regulatory economy to supervise their practical negotiations.

Before we continue with the investigation the regulatory economy that can seemingly be built into subjects themselves, notice that I have been careful to *not* claim that this traumatic injunction is the inevitable fraud of Kant's Law. To foreshadow, this claim would require making Kant's moral imperative equivalent to the Superego - and this claim is precisely what will be called into question later in this chapter.

Conscience and the Will to Will

Our introduction of the notion of the inner voice of conscience is, as mentioned, meant to resound with the notion of a birth of internal space that Nietzsche so aptly discusses. One of Nietzsche's great problems was how to break with the vicious cycle of self-punishing, self-mortifying denial of Life. For Nietzsche, the birth of an inner space of conscience is the self-

reflexive turning within of a will that does not have the power within concrete social relations to assert itself in the world.

All instincts that do not discharge themselves outwardly turn inward - this is what I call the *internalization* of man. The entire inner world, originally as thin as if it were stretched between two membranes, expanded and extended itself, acquired depth, breadth, and height, in the same measure as outward discharge was *inhibited*. Those fearful bulwarks with which the political organization protected itself against the old instincts of freedom - punishments belong among these bulwarks - brought about that all those instincts of wild, free, prowling man turned backward *against man himself*. Hostility, cruelty, joy in persecuting, in attacking, in change, in destruction - all this turned against the possessors of such instincts: *that is the origin of the "bad conscience."* ¹¹

The bad conscience is the result of a failure of real, material conditions to allow an outwardly directed will to power. That is, bad conscience is the failure of social relations to provide subjects with the chance for active participation in the entrenchment of perspectives. Here we are close to the Kantian fool exemplified by Beth: for Beth, it was impossible, because of the real structure of social relations and her real history of subjugation within that structure, to have any possibilities for acts that were not fundamentally reactive in Nietzsche's sense. Beth was not free to act in a way that established her as a being with the right to negotiate the human world on any extent of her own terms. Notice that Beth's position within social relations is not a result of anything like interpellation or her free subjection. She is not free to be a being up to the shaping of the world except as is strictly dictated by the standards according to which she is (as slave, uneducated, poor, black, woman) degenerate. A Nietzschean take on this (forcibly) lived

out degeneration and lack of a right to be shaping to world results in the reactive turning within of what should (according to an aesthetic argument for human flourishing) be an active outward force. For Nietzsche, internalization is the name for a turning back of this kind of force on itself, directed destructively at itself where it cannot be directed outward.

"...this delight in *imposing a form upon oneself* as a hard, recalcitrant, suffering material and in burning a will, a critique, a contradiction, a contempt, a No into it, this uncanny, dreadfully joyous labor of a soul voluntarily at odds with itself..." ¹⁴ (italics mine). Building in contradiction and contempt, a No, is the creative form of *ressentiment*, the self-undermining will to power, action as fundamental reaction. "It is in this sense that bad conscience takes over the job of *ressentiment*." ¹⁵ For Nietzsche, *ressentiment* is the response to power relations that entrench a particular self-definition that is not on one's own terms. *Ressentiment* responds to the inability to be described except through a relation with an Other that is more powerful, and to which you are submissive. Here, it is tempting to mention the popular, recurring description of Canadian as 'not-American': "Americans are the big, powerful other, but they're stupid, loud, abrasive, ignorant, mean, but we're *not* like that! That's what makes us Canadians!"

Of course, the point of *ressentiment* as an undermining will to power is that it inevitably fails to describe on its own

¹⁴ Nietzsche, *On The Genealogy of Morals*, p. 84-85.

¹⁵ *The Genealogy of Morals*, p. 87.

¹⁶ Deleuze, *Nietzsche & Philosophy*, p. 128

terms; *ressentiment's* stance on the world is fundamentally reactive. The Christian inversion of good (powerful, willful) and bad (weak, inept) into good (meek, humble, submissive) and evil (powerful, willful) required an incredible metaphysical mythology of the nature of the self: The valuing of humility and submissiveness over privilege and assertiveness requires a shift in the criteria for evaluating expression and will of the self:¹⁵ the actions of a person are not as real as some inner, metaphysical entity we can identify over time and after death. A gap is introduced into the notion of will itself, where suddenly what the true self wills requires the *holding back* of certain acts. This allows a division between intention and action; our actions are not always the measure of our intentions, or our intentions can fail to represent themselves in our action. But it is our *intention* that matters in this picture; it is the evaluation of the inner realm that matters. For Nietzsche then, the birth of the inner realm of conscience as voice of the intention of our 'true' self is established, overriding the valuation of action for itself and will for itself and replacing them with guilt and self-punishment.

But what can we make of Nietzsche's language of instincts, of a thwarted first nature enslaved to power relations and the triumph of the weak over the strong? It is interesting that his aesthetic analysis of this second nature of subjects, these subjects who engage in their practices conscientiously, leads to the positing of a lost first nature; reified and celebrated as

¹⁵ My explanation of this metaphysical shift owes whatever clarity it possesses

the True constitution of "wild, free, prowling man". What is simultaneously a great insight in Nietzsche provokes a particular reading of his nostalgia for a lost first nature. What reoccurs in Nietzsche is the primacy of the will to will; what Nietzsche disdains perhaps above all is the nihilism of a lacking will, the gesture to counteract all instincts that assert life, the hatred of life. Here he famously draws the distinction between 'willing nothing' or 'not willing at all' and willing *Nothing itself*. A nihilistic gesture towards the renunciation of life, "an aversion to life, a rebellion against the most fundamental presuppositions of life; but it is and remains a *will!*... man would rather will *nothingness* than *not will*." ¹⁷ It might do for now, then, to read Nietzsche's nostalgia for a thwarted first nature as the emphasis on the fundamentality of will to will; the impossibility of not willing. Our lost first nature becomes the mythic state of pure will, an aesthetic picture of pure will to life.

Having it show up as lost, however, is a move that relegates this ideal mythic state into a position where it fails to show up for us as any kind of regulative ideal. Compare this with Kant's ideal mythic state, which is positioned not as fallen away from us in the past, but a-temporally just beyond our reach, stuck as we are in the empirical contingent. On the other hand, having our ideal mythic state make its appearance in the past is perhaps a move that emphasizes the impact of our history of pathological affectivity. It is, after all, pathological affectivity in the form of our history of subjugation within particular social modes

to R. Kukla's lectures on Nietzsche during winter session of the 1998-99 year.

and relations that has positioned us, for Nietzsche, as fallen from our ideal mythic state. This emphasis on the history of our real affectivity does not show up for Kant as it does for Nietzsche to make sense of our falling short of the ideal.

Nietzsche Judges the Failed Kantian Subject

From Nietzsche's emphasis on the will to will, we can return to our idle Kantian subject and our failed Kantian subject. Nietzsche would undoubtedly share Kant's perspective of disdain for the cynical subject: the cynical subject's reflexive turn by which the chance to assert will to power, to entrench a perspective of reason and responsibility with an act, is instead withdrawn inward into idleness. The idle, paralyzed Kantian subject, however, is perhaps more interesting here: we have a subject whose conscience supplements the Truth of the Law when justification for the Law has failed to show up, and the subject responds with inhibiting anxiety. For Nietzsche, this completely paralyzed subject might be more infuriating than the cynical subject. The cynical subject, say in refusing to cease purchasing Gap clothing, insists on its irreplaceability and inherent quality of individual expression over its exploitation of third world labor. This committed consumer, when we push her, puts a kind of *ressentiment* to work in distancing herself from the powerful other of exploitative capitalism by asserting her need to express individuality (not noticing that they are complementary). Yet worse, surely for Nietzsche, is the subject

¹⁷ *Genealogy of Morals*, p. 163

who is numbed by the intrusion of the thought of a reasonably justified act of transgression into his free, inner space of thought. This subject experiences an incapability to act, a numbing of his will to power. He passes up the will to acting out in the world a challenge to the powerful Other that is not a retreat into self-reflexive bad conscience.

There is more to the Lacanian Fool

So why, as Nietzsche wants to know, would we pass up such an opportunity to 'stick it to' the big, powerful other who gets to define us on its terms? The answer, supplementing more than challenging Nietzsche's insight, is that the Other does not always define us in terms that we don't like. *If fact, it will be our self-definition in and through the Other sustaining the ideal to which we strive that ensures our traumatic idleness when presented with possibilities for transgression.* We must understand what this ideal is, and how it is related to a regulatory economy with the power to paralyze us.

Recall from the previous chapter that it was the other of established norms and standards governing graduate school practices to which I had to freely commit myself in order to count as engaged in the subjective project of being a graduate student. There is always some sense where becoming invested in a subjective project, responding with "it's me who cares about this!", requires that subjects (freely) accept a definition of themselves as bound to the normative structure of the very subjective project they are becoming involved in. In order to be

invested in any subjective project, it is at some point necessary to freely accept your definition through the other. To be a subject engaged in anything is to be (freely) subjected to some kind(s) of normative standards.

Here is where we think of the Lacanian fool: we are fools if we fetishize our definition in and through the socio-symbolic network as stemming *from us*, independent of the structure of the normative social network. The point here is not so much that I would be a fool to claim to be a graduate student when I am not enrolled in a graduate program at some acknowledged degree-granting institution. Rather, the point is that I am a fool if I take *what I am up to* when I am being-a-student as my immediate property, my acting out of inherent qualities, and not as a symbolic mandate imposed on me by a network of intersubjective relations of which I am a part.¹⁸ To be a Lacanian fool is thus to fail to notice that my place within intersubjective relations (student, etc) could only get off the ground if I freely accepted the structure of the socio-symbolic network as having the right to shape a place for me, where my taking up of that place requires my recognition of the normative standards governing my acting out from that place. Further, it is not as though my recognition of these governing normative standards takes place at the level of actually noticing a set of rules and applying them to memory for reference in the regulation of my activities. As a graduate student, I did not have to memorize things like a) don't bribe your professors b) wear clothes to school c) use

the washroom labeled 'WOMEN' and d) the history of my favorite pair of socks is not relevant to Kant's transcendental deduction. My success at negotiating gendered washrooms and making adequately relevant contributions to philosophical discussions was a reflection of having the right know-how required for not being taken as a creepy moron. That is, I recognize that using the women's washroom when possible, and maintaining the thematic shape of a philosophical discussion are among the accomplishments that will count me as a respectful, attentive, and focused individual. These are things that I want to be and am engaged in the project of being counted as, even if it is the all-powerful gendered norms and conversation/classroom etiquette that have the right and socio-symbolic status to shape me as such.

What is bothering the Lacanian fool, after all, is precisely that his being-a-subject only ever *shows up* on the outside, so to speak; as built into the acting out of his subjective projects.¹⁹ That is, the Lacanian fool is incapable of a dialectically mediated distance towards himself qua an individual up to the project of acting out from a position defined in and through the socio-symbolic order. I have been calling this 'acting out from a subject position' a project because I take it that we must understand being-a-subject precisely as something individuals are

¹⁹ I am using something close to Žižek's phrasing of the same point in *Sublime Object of Ideology*, p. 46.

²⁰ Here, it is impossible to forget a certain young graduate student in a seminar class I attended, which thematically was very close to this thesis. This student had been telling the class how he had developed a reputation in his dormitory for being very familiar with lots of cool, interesting places on the internet, which apparently provoked the interest and respect of his fellow residents. He had become so sure of himself socially as a result that he told us with dismay of how returning home to his native town back west had been unsettling and un-at-homey without access to his most laboured-upon computer, which bore the marks, maps, and links to his secure social identity.

always unfinished at. I might 'finish' being a graduate student in that I complete the requirements, but I could never claim to finish the general hermeneutical project of taking up where things left off; of being positioned as a result to face this new direction, etc., or of going back and examining from a new position my experience as a graduate student in philosophy.

'Finishing' some particular subjective project never means that I actually shaped myself into the ideal as defined through the normative interpellative structure, that I *became identical with* the pure Form of graduatestudentness. What I am getting at is the insight by which we can identify the Lacanian fool. It would be perverse of me to claim to have actually succeeded in occupying the position of a graduate student in philosophy in accord with the normative ideal of such a subject position. Although it is the practices I take up and invest in that count me as such and such a subject, the normativity of practices *come to generate regulative fictions of their own*. If we recognize anything about the normative practices of, say, gender, we ought to recognize that while gender is powerfully normative, and powerfully interpellative, it is simultaneously impossibly ambiguous and ultimately unresolvable.²⁰ The Lacanian fool is precisely the one who makes up for his necessary falling short of the regulative fictions behind normativity with a perverse

²⁰ Judith Butler's book *Excitable Speech* contains a discussion of homophobia in the military where precisely this kind of impossibility comes up: she undermines the sense of the American military's declaration that homosexuals would not be barred from military service as long as they refrained from 'homosexual acts'; the definition of which included the self-declaration of homosexuality. It cannot be as though what we are doing when we are 'doing' homosexuality, masculinity, etc., although when we do it we are normatively regulated, we are always doing something that we can 'point to' and straightforwardly identify.

insistence that his subject position is grounded in some metaphysical fact about his being, and not an ideal positioned beyond his reach. The Lacanian fool makes up for this gap by fetishizing himself as the regulation of his subjectivity.

Where the I(deal) shows up

I have been arguing that taking up a subjective project requires that we accept, at least to some extent, not being defined strictly on our own terms. To be engaged in a subjective project is to be regulated by the standards built in to what you are up to when you are pursuing being-a-subject. But what is now interesting about this point is the insight provided by our analysis of the Lacanian fool: since we are governed by regulative fictions when we are invested in subjective projects, we never properly 'finish' in the sense of perfectly conform to those projects. Rather, they stretch and mold into each other as we make our way through the human world. The Lacanian fool tries to make up for this unfinishable and unattainable self-containedness of subjectivity by fetishizing his relationship with the socio-symbolic network: by insisting that he *really shows up in the real of his being*; by insisting that he qua his identity shaped through the socio-symbolic network shows up *in-and-of himself*, as built into his immanent properties.

It is Freud, we can say, who offers a reading of the trauma of this out-of-joint subject who resorts to Lacanian self-foolery. What happens, how do we react, when the very de-centered nature of our subjective project, *really does show up*?

Thus we will say a few things about Freud's paper 'The Uncanny', and Lacan's paper "The Mirror Stage as Formative of the Function of the I." I want to show where these two works overlap, and how this overlap is related to our Lacanian fool.

The passage I am interested in specifically in Freud is not actually contained in the body of the text. Rather, it is a footnote Freud makes to an event of his own experience:

I was sitting alone in my wagon-lit compartment when a more than usually violent jolt of the train swung back the door of the adjoining washing-cabinet, and an elderly gentleman in a dressing-gown and a traveling cap came in. I assumed that in leaving the washing-cabinet, which lay between the two compartments, he had taken the wrong direction and come into my compartment by mistake. Jumping up with the intention of putting him right, I at once realized to my dismay that the intruder was nothing but my own reflection in the looking-glass on the open door. I can still recollect that I thoroughly disliked his appearance. ²¹

That this little event is uncanny has something to do with Freud's failure to recognize his own image in the mirror, and that his failure included a dislike for this unrecognized reflection. What I want to say about this passage follows from our basic insights in the last chapter. If to say that I am interpellated is to say that I (mis)recognize in already structured, already existing material social relations some way of being a subject such that "I'm the individual for whom this way of being is binding!", then it follows that where I 'saw' or recognized myself is a place where possibilities for subjectivity are already inserted into the structure of the socio-symbolic network. In a sense, 'I' am already there; I have recognized the place where I must invest a subjectivity as the place where 'I'

²¹ "The Uncanny" in *Art and Literature*, p. 371.

have already showed up. Where 'it' (my constitutive misrecognition) was, there I (my lived out subjectivity) shall be. Where I saw myself reflected in real social relations is where I must invest my conscientiousness practicing.

So what makes Freud's little apparition, which we can understand as failed recognition in some strict sense, uncanny? Freud classifies "the effect of meeting one's own image unbidden and unexpected"²² as belonging to the theme of the 'double':

For the 'double' was originally an insurance against the destruction of the ego, an 'energetic denial of the power of death'... and probably the 'immortal' soul was the first 'double' of the body ...sprung from the soil of unbounded self-love, from the primary narcissism which dominates the mind of the child and of primitive man.

The idea of the 'double' does not necessarily disappear with the passing of primary narcissism, for it can receive fresh meaning from the later stages of the ego's development. A special agency is slowly formed there, which is able to stand over against the rest of the ego, which has the function of observing and criticizing the self and of exercising a censorship within the mind, and which we become aware of as our 'conscience'... The fact that an agency of this kind exists, which is able to treat the rest of the ego like an object - the fact, that is, that man is capable of self-observation - renders it possible to invest the old idea of a 'double' with a new meaning...

When all is said and done, the quality of uncanniness can only come from the fact of the 'double' being a creation dating back to a very early mental stage, long since surmounted...²³

What is uncanny, then, about the apparition of a creation from our 'early mental stage' is the fact that it was supposed to be surmounted, overcome - that is, *actively forgotten*. If we are permitted to read Freud's apparition in the bathroom door as the showing up of *something familiar which has been repressed*²⁴, we

²² *ibid*, p. 371.

²³ *Art and Literature*, p. 356 - 358.

²⁴ The uncanny as "something familiar which has been repressed" or "something that ought to have remained secret and hidden but has come to light" occurs several times in Freud's text; see pp. 345, 363, 364, 368, 370, and 372.

can explain why he didn't recognize it as his own image. A failed recognition is to be understood as the failure to remember something that should be, in fact, perfectly familiar. So what is it about the "unbidden and unexpected" showing up of Freud's own mirror image that causes him to fail to recognize it as properly familiar? Most occasions of observing our reflection in the mirror are, indeed, the result of our intentional wish to view it there. Freud's occasion of encountering his image was indeed the more rare occasion of having it *afford itself* a means by which to show up unannounced, so to speak. Failing to recognize it as his own image was, at least in part, Freud's failure to notice that he was looking at the reproduction of his own will-able body. A mirror image is our gazing at 'what we look like' from a third person perspective. When we gaze at a mirror, in some significant sense, we assume a third person perspective gazing back at ourselves as we appear in the mirror. What was uncanny about Freud's experience was that for a moment, his mirror image assumed the third person perspective *gazing back* at him. For a second or two, Freud's image afforded itself a "special agency", which had "the function of observing the self" in looking back at him.

So what is 'secretly familiar' about this brief showing up of something that looks back at you, and why was it supposed to have been 'surmounted'? In "The Mirror Stage..."²⁵, Lacan (playfully) suggests that at the positing of a kind of 'first' scene, where we (as infants) come across our reflection in the

²⁵ "The Mirror Stage as Formative of the I", as it appears in *Ecrits*.

mirror for the first time, is the scene that describes the constitution of the ego.²⁶ That is, the scene of recognizing ourselves from the third person perspective, as we do when we look into a mirror, is the scene that represents the fundamental, constitutive 'first moment' of being a subject in the world.

This jubilant assumption of his specular image by the child at the infant stage, still sunk in his motor incapacity and nursing dependence, would seem to exhibit in an exemplary situation the symbolic matrix in which the *I* is precipitated in a primordial form, before it is objectified in the dialectic of identification with the other, and before language restores to it, in the universal, its function as subject.

This form would have to be called the Ideal-I, if we wished to incorporate it into our usual register, in the sense that it will also be the source of secondary identifications, under which term I would place the functions of libidinal normalization. But the important point is that this form situates the agency of the ego, before its social determination, in a fictional direction, which will always remain irreducible for the individual alone, or rather, which will only rejoin the coming-into-being (*le devenir*) of the subject asymptotically, whatever the success of the dialectical synthesis by which he must resolve as *I* his discordance with his own reality.²⁷

This 'first' take on the self occurs through the mediation of a third-personal perspective through the mirror. It is through some external medium that we are able to have a take of the self as it shows up concretely. Of course, the sense in which the self shows up; that is, formed, self-contained, and *identifiable* (that's me!) is necessarily an external showing up; a showing up that requires the mediation of both a third person perspective and a medium through which we can occupy such a perspective if we are to have such a take on the *I*. Lacan's point is that to say this *I* in the mirror is the Ideal-I (the ego ideal) is to say

²⁶ My understanding of Lacan's position in "The Mirror Stage" owes acknowledgement to R. Kukla's political science graduate seminar class, winter

that this Ideal-I, the one that shows up 'out there', is the *I* that sets the standard to which we are striving in our subjective projects. My earlier discussions of subjects who are by definition always *engaged in* their subjective projects is now understood as the very subjects for whom any take on themselves, any concrete showing up of themselves qua that self-contained, unified, recognizable (that's me!) is necessarily a showing up 'out there', de-centered from the flesh and bones of actual beings. Of course, and as I have been arguing, this necessary mediator is only symbolically understood as a mirror, and concretely understood as the structured space of material social relations in which we use our flesh and bones to act out in.

Thus, Freud had an uncanny experience in that this self-contained, recognizable *I* showed up and looked back at him when it was suppose to remain the forgotten secret of the criteria for his existence as a subject, and at which he could look. Its 'return' is understood as a kind of slip, a trace that is suppose to remain unacknowledged, covered over, surmounted. This surmounting is an active, necessary forgetting; the repression of the gap between the regulative fictions of our activities and acting out in the social relations which those fictions govern. What looked back at Freud was ideal in the sense that it was the ongoing project(ion) of Freud's socio-symbolically structured existence, which he will never finish. This ideal gets its status as such by the fact that it can only be represented, it can only show up 'out there', mediated by a third person

perspective, in the space of regulative fictions to which we will never live up.

The Lacanian fool is perhaps best described, then, as the individual who is incapable of noticing any differentiation between his reflection and the organic mass on his side of the looking glass. For the Lacanian fool, what he sees just is the showing up of what is 'in him'.

The Regulative I-deal

The big, powerful Other of the socio-symbolic network is the very location of the *I* qua the ideal fiction regulating our subjective projects. In addition to being at odds with Kant's picture of our out-of-reach ideal, Nietzsche's nostalgia for a lost first nature of pure will as lost is also the opposite of our Freudian picture of the ideal established in and through subjection to the social order. For Lacan, the nostalgic loss of a first nature becomes some mythic primordial state of an unformed bundle of 'pure' drives and desires. There is no will here, in this primordial pre-subject - no unified, directed sense of being able to disclose the human world so that a will may be executed in that world.

For Kant, our antagonized ability to act is also not the result of some lost state of pure will. Rather, it is the result

²⁷ Lacan, from *Ecrits*, p. 2.

of our failed state of pure will; *our compromising of what it is to will.*

As a model of the compromising, failed Kantian subject, I have been presenting the picture of an impotent-ized subject; a subject idleized by a self-imposed failure to act when it is reasonably justified to do so. I suggested two versions of this subject: first, the cynical subject who justifies her failure to act with satisfaction that while effectively she obeys, consciously she has distanced herself cynically from the authority of the social order. Second, we observed the failed subject who was seized by the showing up of some roughly 'inner' showing up of the Law as True when she noticed an occasion on which the Law as True (non-transgressable) failed to be justified in real material relations.

Why have I considered these particular subjects to count as failed Kantian subjects? I argued that the kind of (mis)recognition Kant advocates as necessary for subjects to see themselves as bound to the moral Law requires a human world where the standard to which our acts must measure up is already inscribed into that world, already inserted into the rituals and practices governing our execution of acting out in the human world of normatively organized social contexts. The antagonist to our successfully acting is thus not so much the body itself as the discrepancy between an ideal of actions governed by reason and the materiality of a social world of power, exploitation, and degeneracy. This discrepancy was noticed in my account of the Thrasymachian and Kantian fools.

But my Lacanian fool plus the failed and idle Kantian subjects suggested the need to investigate the level at which the subject becomes incapable of transgression by his own hand; where a regulatory economy is produced in the subject by the subject through a fetishization of the mandate made possible for him by the authority of the social order. The subject creates for himself an inner space of conscience, which ensures he does not transgresses THE LAW (the authority of the social order).

It is at this point when some suggest the tragedy of Kant. This interjection is that Kant's Law, unbearable in its unconditionality, is the name for precisely this creation by the subject of an internal space with the power and authority to punish subjects. In short, this view suggests that Kant's Law is reducible to the superego; that Ideal ego which, through the authority borrowed from the social order, watches us from the very place we identify I. This view of Kant's Law is not without support. We could say that Freud caught his I watching him, and resented not the way I looked, but rather its unauthorized concrete showing up: "I can still recollect that I thoroughly disliked his *appearance*."

But if this is how we describe Freud's uncanny event, then notice that the unauthorized showing up of the I is equivalent to the 'inner' showing up of conscience. I would surely, in some sense, punish myself if I failed to do well as a graduate student, since I have taken the standards governing being a good graduate student as standards by which I will measure myself. In fact, I have punished myself for certain failures along the way with

guilt and self-directed anger. But these feelings were the result of having freely accepted and invested in the project of studying philosophy at University. I qua the standard in which I saw myself reflected and freely accepted as *my standard* is by definition a self-punishing standard if it is not lived up to. To say that I am guided by a regulative ideal that defines what I am up to as such and such a subject is to say that I will feel bad when I significantly fail to live up to that standard. To some extent, even when for all intents and purposes I succeed at living up to the standard, there is always *some* feeling of falling short, of failing in some way, and of wondering when someone will notice. The point is that my conscientious investment is always accompanied by a kind of permanent backfire of always failing, to some extent, to live up to the standard I have accepted for myself.

But in what sense does the *I* of my conscientious subjective practicing actively engage in a kind of censorship of my actions, where its status as a regulatory economy reaches the level of actually inhibiting my body? We have already seen the subject breaking out in a cold sweat at the thought of going through a red light. This punishing reflexivity of the turning within is a kind of *trick of the watching I*, in response to the failure of external social conditions to be such that the big Other's terms of your definition are justified or challengeable. The unconditional demand of THE LAW, as Kant so aptly notes, is not the kind of demand that can demand your enjoyment of it. "Respect is so far from being a feeling of pleasure that we only

reluctantly give way to it as regards a man. We try to find out something that may lighten the burden of it, some fault to compensate us for the humiliation which such an example causes."²⁸

The watching *I* is, of course, the name for the reflexive turn by which subjects create for themselves a self-monitor for the occasions on which the big other fails to show up to justify its terms. That is, the superego shows up on precisely those occasions where suddenly the justification for our acceptance of *I*'s definition (which is always, in some sense, not on our terms) retreats. The way the superego shows up is as the setting of our own terms through *ressentiment*. Here, we create for ourselves a self-monitoring mechanism that functions not through unconditional demand, but through the trick of forced choice: the cynic *enjoys* her obedience because it allows her conscious ironic distancing. Her trick is to claim that in her inner space of thought, she *is* transgressing, and *that* is where it matters. The Lacanian fool covers over the real conditions of historical social relations which have positioned him as such and such a subject by reifying and hardening his subject position as stemming from something inherent and natural in him. His trick is to position *himself* as the regulating principle of his acts, which just happens to accord with his interpellated subject position upholding the authority of the social order. When he acts, he obeys by definition, yet he claims his activity stems from the special place of the quality of his being.

²⁸ Second Critique, p. 98

But the paralyzed subject is a bit more tricky. This subject is caught in a kind of short circuit of the superego's gaze. Here, our idle Kantian subject suspects that nothing is watching, and *that seems to be the paralyzing force*. In our earlier discussion of this subject, I hinted that we ought to interpret her situation as uncanny in the direct sense of unfamiliar; her habitual responses are not justified, and the subject recognizes this, making the situation unfamiliar to her usual repertoire of day to day negotiations. I presented this subject as stuck at a red light, but we can just as easily imagine her dismissing an offensive utterance without acknowledgment or response, failing to question her knowingly unethical consumer practices, or any such failure to take herself as the kind of being with the responsibility and duty to interrogate and actively subject her practices to a standard that she can set the terms for. Her trick is to claim that no one is watching, therefore it doesn't matter how she acts. Her anxiety becomes the symptom of her pretence that she is not under scrutiny, thus the THE LAW has become that which she habitually obeys without reflection. Her watching *I* is the *I* absolved of the responsibility to act; her trick of *ressentiment* is to set terms that prescribe *habitual reaction*, as opposed to active willing.

I have presented the empty form of Kant's new version of THE LAW as the regulative ideal that subjects are bound to if they recognize themselves as beings who have a responsibility and a duty to act. That acting is a responsibility and a duty

necessarily reflects the status of the social order: it is herein that subjects require a disclosable human world where reason matters, where the rational is the ethical, and nothing is unconditional. The empty, unknowable form of the THE LAW is the name for the will to will; that which binds subjects into beings who count as such and such a subject insofar as they act.

Conclusion

As it always is with Kant, our conclusion is that we have simultaneously championed and undermined what was Kantian about the aims of this philosophical work. I have reasserted Kant's practical project as expressing what it means to act as a subject. The authentic act, that is, the act willed from the perspective of my ongoing project as such and such a subject, requires a regulative ideal of what it is that I am up to and what it is that I am striving to establish and promote through my particular acts. That I am the kind of being capable of such acting requires that I am a subject; it is required that I have constitutively misrecognized, through the structure of social relations, where it is that I want to be. This place of my subject position is the context supporting the possibility for acting out conscientious investments. Kant's practical project must be possible through a human world capable of binding subjects into (mis)recognition. This misrecognition is constitutive of the freedom that belongs to subjects; the freedom to be determined by their self-legislated interrogation of the standards governing acting out their conscientious investment.

What must fall away in Kant is the unconditional obedience of subjects as needed compensation for necessarily failing to live up to the standard of being presupposed at some pure level of the will. As I suggested in the first chapter, Kant's own language of the agent body obfuscates our understanding of some

pure space of will that is dislocated from the body. It is with the body that we must act, and it is often the readiness of our body to act that can surprise us. Žizek has suggested that what is traumatic about Kant's moral Law is not that we necessarily fail to properly act or count as rational, moral beings. The trauma of recognizing ourselves as being bound by the duty to act is "... not the fact that the true act in which noumenal and phenomenal dimensions coincide is forever out of our reach; the true trauma lies in the opposite awareness that there are acts, that they do occur, and that we have to come to terms with them."¹ It is often our body that can surprise us by acting out the most intensely pathological will that is simultaneously the most authentic act we can recognize ourselves as committing. I often wonder if it is actually our bodies that act, and our skills of reason that follow them up with the explanation of why what we did was the most authentically willed act imaginable. Žizek's point is precisely that we are often "unpleasantly surprised" by crazy acts we find ourselves committing, and that we then must come to terms with. Žizek's suggestion is compelling if we recall my discussion of the "watchful I" or superego in the last chapter. I discussed how for the failed Kantian subject, the idle Kantian subject, and the Lacanian fool, the I became the reflexive monitoring that performed a kind of trick that allowed the subject to absolve himself of the responsibility to act. Žizek comments that the kind of authentic

¹ Žizek, *The Ticklish Subject*, p. 375.

act he is interested in is often the structure of the 'heroic' act: "somebody who, for a long time, has led an opportunistic life of maneuvering and compromises, all of a sudden, inexplicably to himself, resolves to stand firm, cost what it may..."². But to make a stronger tie with my earlier arguments, we may imagine the authentic act as the act willed when the *I* is *not watching* - when if only for a moment, we forget that the structure of social relations is not True but vulnerable, we forget that the Law is not non-transgressable but rather interrogatable, and we forget that our reflection 'out there' is not set or determinate but fragile, shatterable, and, able to change before we can recognize it.

This real possibility for authentic acts is the only consolation to our fools: they are misrecognized as wise by the Kant who insists on obedience, unconditionality, and a pure will at the level of the act. If we accept Kant's insistence that the empirical pathological forecloses our ability to judge the authenticity of our activities, then we have nothing to offer our fools by way of help or insight. The Thrasymachian fool seems moral, the Kantian fool simply irrational, and the Lacanian fool a bit zealous perhaps, but we must applaud his categorical flawlessness.

I have been arguing, however, for a rereading of above all, Kant's *imperative*, such that we do have something to offer our fools. To the Thrasymachian fool, we say: Fool! Look around

² *The Ticklish Subject*, p. 376.

you, the human world in and through which you are a part demands your interrogation of it; the human world demands that you disclose it so that you can negotiate it rationally.

To the Kantian fool, we say: It is our duty to provide you with a human world that established you as the kind of being with possibilities to act, and to act rationally in that world. If the human world discloses itself as void of these possibilities, despite your will, then we have all failed.

To the Lacanian fool, we say: You! You are the most foolish of them all, since you do not recognize what you fundamentally are. You actively deny your transcendent status as a free being by (re)actively absolving yourself of the responsibility for any authenticity whatsoever. Your degeneracy offends us the most, since your claim to the entrenchment of the norms and standards governing social relations does not permit active interrogation. Your *I* is more fragile than you can imagine, yet you cling to its power to assert you as an inherently propertied being in a way that we can properly engage only by laughing at you.

What we have done, then, is situated Kant's project not as an ordering you to obey, but as ordering you to *dare*. Acting authentically has become a kind of dare, since, as we know from engaging our three fools, we must 1) interrogate the human world and disclose within it the unguaranteed possibilities for rationality, 2) actively shape our human world so as not to set

up relations that define certain subjects as denied of rationality and 3) resist the mode of the fetish in our regulation and interpretation of subjective projects. The imperative is not "you can act because you must", but rather "dare to allow yourself to act".

Subjects who recognize themselves as free recognize their responsibility to dare themselves to act authentically. This may require that subjects, sometimes, act first, and reason later - it is the governing standard of reason that can say, after the fact, why your act was authentic, and why your daring to will it was always already governed by reason. This intervention into the post-willing of your act *is itself the act which lives up to Kant's standard*: it establishes you as a subject governed by reason, who is unfoolish enough to know that *binding self-recognition* only happens retroactively. My closing prospective suggestion is that daring ourselves to act will, in our retrospective interventions into the reasons and context within which we acted, generate provocative new self-recognitions. Subjects can only recognize where they have been and what they already did, not what I am or where I will be.

At his most Lacanian moments, Žižek might suggest that our actions are always regulated by the eruption of some unarticulatable leftover kernel, our constitutive lack of being identical with the ideal *I* we pursue as our ongoing project. This kernel can sound as though it is always the source of unovercomable trauma and irrationality at the root of what we

claim as authentic acts. Although it is likely Lacan's position, I am not convinced that Žižek is completely bound to it.

Whatever the case may be, I have meant to retain enough of what is Kantian so as to affirm that whatever irrational eruptions occur, they occur because of the tension between how social relations are set up and how we would like to set up ideals of rationality. Kant never said building the Kingdom of Ends was going to be easy, but I would like it to function as what we are roughly aiming for. Examining the irrational and claiming our eruptions is suppose to help us figure out what has to happen in order to create a human world in which we aren't compromised by, barred from, or mostly surprised by acts that establish us as Kantian subjects.

Bibliography and Works Cited

- Adorno, Theodor W. "Messages in a Bottle" in *Mapping Ideology*, ed. Slavoj Zizek, (New York and London: Verso, 1994).
- Allison, Henry E. *Kant's Theory of Freedom* (Cambridge University Press, 1990).
- Althusser, Louis. "Ideology and Ideological State Apparatuses", in *Lenin and Philosophy*, tr. Ben Brewster, (New York and London: Monthly Review Press, 1971), pp. 127-186.
- Babbitt, Susan. *Impossible Dreams: Rationality, Integrity, and Moral Imagination* (Boulder: Westview Press, 1996).
- Butler, Judith. *Bodies That Matter: On The Discursive Limits of Sex* (New York: Routledge, 1993).
- *The Psychic Life of Power: Theories in Subjection* (Stanford: Stanford University Press, 1997).
 - *Excitable Speech: A Politics of the Performative* (New York: Routledge, 1997).
- Bourdieu, Pierre. "Structures, Habitus, Practices" in *Rethinking the Subject: An Anthology of Contemporary European Social Thought*, ed. James D. Faubion, (Boulder, San Francisco and Oxford: Westview Press, 1995), pp. 31-45.
- Davidson, Arnold I. "Archaeology, Genealogy, Ethics" in *Foucault: A Critical Reader*, ed. David Couzens Hoy, (Oxford: Basil Blackwell, 1986), pp. 221-224.
- Deleuze, Gilles. *Coldness and Cruelty* (New York: Zone, 1991).
- *Nietzsche & Philosophy* (New York: Columbia University Press).
 - "Foldings, or the Inside of Thought (Subjectivation)" in *Critique and Power*, ed. Michael Kelly, (Cambridge MA and London: MIT Press, 1994), pp. 315-346.
- Derrida, Jacques. "Freud and the Scene of Writing" in *Writing and Difference*, tr. Alan Bass, (Chicago: University of Chicago Press, 1978), pp. 196-231.
- *Specters of Marx* (New York and London: Routledge, 1994).
- Foucault, Michel. *The Foucault Reader*, ed. Paul Rabinow, (New York: Pantheon Books, 1984).
- *Ethics: Subjectivity and Truth*, ed. Paul Rabinow, (New York: The New Press, 1997).
 - "Critical Theory/Intellectual History" in *Critique and Power*, ed. Michael Kelly, (Cambridge MA and London: MIT Press, 1994), pp. 109-138.
 - "Two Lectures" in *Critique and Power*, ed. Michael Kelly, (Cambridge MA and London: MIT Press, 1994), pp. 17-46.
- Freud, Sigmund. "The Uncanny" in *The Penguin Freud Library*, vo. 14: *Art & Literature*, tr. James Strachey, (Penguin Group, 1990), pp. 339-376.
- *Beyond the Pleasure Principle*, tr. James Strachey (New York and London: W. W. Norton & Company, 1961).
 - *The Ego and the Id*, tr. James Strachey (New York and London: W. W. Norton & Company, 1960).
- Genova, Judith. *Wittgenstein: A Way of Seeing* (New York and London: Routledge, 1995).

- Hacking, Ian. "Making up People" in *Reconstructing Individualism: Autonomy, Individuality, and the Self in Western Thought*, ed. T. C. Heller, M. Sosna, D. E. Wellbery (Stanford: Stanford University Press, 1986), pp. 221-236.
- Jameson, Fredric. "Postmodernism and the Market" in *Mapping Ideology*, ed. Slavoj Zizek, (New York and London: Verso, 1994), pp. 278-295.
- Kant, Immanuel. *Foundations of the Metaphysics of Morals*, tr. Lewis White Beck, (New York: Macmillan Publishing Company, 1990)
 - *Critique of Practical Reason*, tr. T. K. Abbott, (New York: Prometheus Books, 1996)
- Lacan, Jacques. "The Mirror-Stage as Formative of the I" tr. Alan Sheridan in *Écrits: A Selection*, W.W. Norton & Co., New York, 1977
 - "Kant with Sade" from *Écrits*, tr. J.B. Swenson Jr. in *OCTOBER* 51, MIT Press, Winter 1989
- Morrison, Toni. *Beloved* (New York: Plume, 1987).
- Nietzsche, Frederick. *On the Genealogy of Morals*, tr. Walter Kaufmann, (New York: Vintage, 1989).
- Pêcheux, Michel. "The Mechanism of Ideological (Mis)recognition" in *Mapping Ideology*, ed. Slavoj Zizek, (London and New York: Verso 1994), pp. 141-151.
- Plato. *The Republic*, tr. Allan Bloom (Basic Books, 1991).
- Sade, Marquis de. *Philosophy in the Bedroom*, tr. Richard Seaver and Austryn Wainhouse, (New York: Grove Press, 1965).
- Scheman, Naomi. *Engenderings: Constructions of Knowledge, Authority, and Privilege* (New York and London: Routledge, 1993).
- Sloterdijk, Peter. *Critique of Cynical Reason*, tr. Michael Eldred, (Minneapolis, London: University of Minnesota Press, 1987).
- Zizek, Slavoj. *The Sublime Object of Ideology* (London and New York: Verso, 1989).
 - *Tarrying with the Negative: Kant, Hegel, and the Critique of Ideology* (Durham: Duke University Press, 1993).
 - *Looking Awry: An Introduction to Jacques Lacan Through Popular Culture* (Cambridge MA and London: MIT Press, 1998).
 - *The Ticklish Subject: The Absent Centre of Political Ontology* (London and New York: Verso, 1999).
 - "You May!" in *London Review of Books Online* vol 21, No 6 | cover date 18 March 1999 (www.lrb.co.uk/v21/n06/zize2106.htm)
 - "Attempts to Escape the Logic of Capitalism" in *London Review of Books Online* vol 21, no 21 | cover date 28 October 1999 (www.lrb.co.uk/v21/n21/zize2121.htm)
 - "Kant and Sade: The Ideal Couple" in *Lacanian Ink* vol 13 13, Fall, pp 12-25. (www.lacan.com/lacinkXIII2.htm)