

Chapter 7

Leadership in Civic and Uncivic Relationships**§ 1. Practical Necessitation**

In order for his actions to bring about the satisfaction of his aims, a leader must both provoke tension in the follower and channel the subsequent course tension takes during accommodations of the motivational dynamic as the follower seeks to re-establish a state of mental equilibrium. It is especially important for him to be cognizant that the follower's actions are determined in an internal context of compulsion. Again, compulsion is an effect wherein a person (in this case, the follower) determines himself to do something he would otherwise not do in the absence of some external circumstance¹. A leader's action is the stimulating trigger in the follower's external circumstance and the leader's subsequent actions, along with all other attending external factors, belong to the changing accidents of the follower's external circumstance.

The hallmark quality of compulsion is *reluctance*. It is wrong to say the follower is *unwilling* because if he were actually unwilling to do something that *means* he would not do it. That which is done with keen reluctance is said to be done grudgingly. Reluctance in some degree is inherent in all situations in which a person determines to carry out a leader action because all leader actions aim at getting someone else to change his behavior in some way. This does not at all implicate any particular intensive magnitude of reluctance on the part of the follower. Reluctance has a matter of degree that can run from imperceptible to extreme. A person who does something after merely being informed of some fact of which he was unaware or had ignored is not typically said to show reluctance or to be reluctant even though he changes his behavior after being informed of the circumstance. Very minor reluctance often is attached to external circumstances people say are "a distraction," or "an annoyance," or "a new opportunity." Kant tells us,

Something is *done grudgingly* by a free being (1) insofar as there is present in him an inclination to the opposite of what he *wills* to do and (2) he nevertheless does what he *wills* as a free being. This is *actio invita*² in the moral sense. Elsewhere, to be sure, we also call *actionem invitam*³ an action done *without willing, or not done willfully*, which has the name *actio involuntaria*⁴. Here, then, is a want of will itself, i.e. the [want of a] free alternative and resolve to the action on grounds of reason, which is the proper *causa determinans*⁵; the action is done grudgingly only because of the mainsprings⁶ to the contrary that lie in the

¹ An *occurrence* (*eventus, Gegebenheit*) is a single act with its result. A *circumstance* (*Circumstanz*) is the outer connection in which an occurrence happens. An *external circumstance* is the object of a person's *concept of a situation and occurrences* with which he finds himself having to deal.

² "reluctant action"; action one takes contrary to one's own wishes or inclinations.

³ same as *actio invita*; the difference is merely grammatical.

⁴ "involuntary action"; action one would not take if any alternative choice was pragmatically feasible.

⁵ "defining reason"

⁶ *Triebfedern*: representations that serve as a condition for a *causatum* of activity

physical nature of man. Instead of this, by *actio involuntaria* we have an absence or ignorance of the moving cause to action; it therefore does not belong among free actions, and *actio invita* must never be understood in that sense. – Kant, *Metaphysik der Sitten Vigilantius*, 27: 519

If mere mentioning of a fact is a sufficient leader's action to bring about followers' actions of an intended sort, reluctance is likely to be little more than the reluctance of dealing with a change of intent and the leader can most truly be said to have merely provided guidance. As the degree of reluctance increases, circumstances in the leadership dynamic become more potentially volatile and unpredictable. In Kant's *actio involuntaria* the follower responds from grounds connected only with duties to himself (which is why Kant says this should never be called *actio invita*). He is acting solely from prudence and self-love and thinks he has *no choice* other than to take the specific action. An *actio involuntaria* is likely to provoke the follower to make mental associations detrimental to later leader-follower relationships. In proper *actio invita* the leader's action stimulates invocation of maxims grounded in reciprocal duties. There is reluctance but the feeling of *Unlust* aroused is overcome by the feeling of *Lust* associated with performing the duty. *Actio invita* is unlikely to provoke later ill-associations in the leader-follower relationship. It is correct to say tension management through leader actions is an art of reluctance sculpting.

Suppose I am preparing a lecture for one of my classes (which is something I enjoy doing) and my college's associate dean sticks his head in my office and asks me if I "have a minute." With him is a high school student and his parents. The student is interested in majoring in engineering but hasn't made up his mind whether to major in electrical engineering (my field) or mechanical engineering. He wants to ask some questions and the associate dean wants to know if I could interrupt what I'm doing and talk with our visitors. I agree to do so. Now, in point of fact I *like* talking to prospective new students and their parents and so I have no reluctance *per se* about talking with them. However, I also *dislike* being interrupted when I'm in the middle of doing something (the degree of dislike depending on what the interrupting external circumstance might be). So I am acting with reluctance when I agree even though I know I am going to enjoy the conversation and even though I know that if I claim to be too busy right at this moment the associate dean will merely find someone else to talk with them.

I have acted under compulsion, but in this case the compulsion is entirely *an inner compulsion*, i.e., something I have *moved myself* to do and do not feel *forced* to do. I like talking with young people and their parents, I do not wish to present an appearance to the visitors that might give them the idea our department doesn't care about our students, or cause them to think I am a pompous, self-important snob, etc. Their visit is, for me, a distraction but not a displeasure. This situation presents one of the mildest sorts of reluctance.

The associate dean has carried out a successful leader's action and I am a follower in this example. Quite likely, he conveyed our visitors past my neighbor's door next to mine because he anticipated that I would be willing to interrupt whatever I was doing while my friend next door is known to sometimes be not quite so willing. The point I wish to convey here is that reluctance does not equate to displeasure or hostility. It is a case of *Unlust* (because I am changing my actions from being directed at preparing a lecture to something else), but merely one of many possible accidents of *Unlust*. Equilibrium is reestablished by the counterbalancing *Lust* I associate with talking with visitors. If the associate dean had wanted to talk to me about my serving on the College Ad Hoc Committee to Second Guess the Strategic Plan, I would have been "too busy right now, sorry. Have you tried Jeff next door?" (Here *I* am attempting a leader's action with the aim of getting the associate dean to go away; he is my leader *only* when *I* choose to follow).

Human beings are self-determining beings and this is the practical meaning of freedom. All non-autonomic actions of a human being are, in the strict sense, voluntary actions but we usually reserve that characterization for external circumstances involving consciousness of reluctance. All actual voluntary actions are contingent in regard to their *homo phaenomenon* relationships to external circumstances. When the human being's self-determination is determined from a maxim of duty the compelled action is held-to-be-necessarily-binding by the person making the self-determination. This is merely to say he has *necessitated* the action; his act is in the context of the *homo noumenon* character of being human. In the example above, my self-determination called not only upon an anticipation of private satisfaction I gain from talking with students but, in addition, involved a compulsion under a categorical duty to myself (namely, "don't *be* a pompous snob"). What, then, is the nature of necessitation? Kant tells us,

All necessitation is not only pathological but also practical. Practical necessitation is not subjective, but objective, for if it were subjective it would be a *necessitatio pathologica*⁷. No other necessitation than necessitation *per motiva*⁸ is in keeping with freedom. These motives can be pragmatic and moral, the moral being drawn from the *bonitate absoluta*⁹ of free will. – Kant, *Moralphilosophie Collins*, 27: 268

The distinction between pathological necessitation (i.e., made necessary from grounds in feelings or sensations rather than from ideals or principles) and moral necessitation (made necessary from grounds in ideals or principles) goes directly to the idea of personal *liberty*. Here we may recall Locke's distinction between freedom and liberty from chapter 3: that liberty is freedom *plus* the ability to actually *do* (realize = make phenomenally actual) what one wishes to do. Nothing but

⁷ "constraining from feelings or sensations"

⁸ "from motives"

⁹ "unqualified excellence"

death can take away a human being's freedom but many things can constrain his liberty. Kant goes on to say,

The more a man can be morally forced, all the more at liberty he is; the more he is pathologically forced, though this only occurs in a comparative sense, all the less at liberty he is. It is peculiar: the more anyone can be forced in a moral sense, all the more at liberty he is. I compel a person morally through *motiva objective moventia*¹⁰, through motives of reason, along with his greatest freedom, without any impulse. Hence it takes a greater degree of freedom to be morally forced, for in that case the *arbitrium liberum*¹¹ is more powerful – it can be forced through motives and is free of [sensuous] stimuli. So the more anyone is free of stimuli all the more can he be morally necessitated. Liberty waxes with the degree of morality. – [*ibid.*, 27: 268]

Let us remind ourselves that when Kant says "morality" here, he is talking about *deontological* morality – the morality subsisting in an individual's self-constructed "moral code" in his manifold of rules. To use Piaget's words, *morality is the logic of actions*, just as logic is the morality of thinking. In many ways Kant's conclusion quoted above is the opposite of how many people view moral constraints. Santayana spoke of morality in terms of "the sad business of life." A typical priest, minister, or preacher speaks of it in terms of "obedience to the will of God." The Stoics thought of it fatalistically, as mirrored in their motto: "The Fates guide the man who wishes to be guided; the man who is unwilling to be guided they drag along." Schiller, an 18th century German poet and dramatist who misunderstood Kant's moral theory, lampooned it in verse:

The friends whom I love I gladly would serve,
But to this inclination excites me;
And so I am forced from virtue to swerve
Since my act, through affection, delights me –

The friends whom thou lov'st, thou must first seek to scorn,
For to no other way can I guide thee:
'Tis alone with disgust thou canst rightly perform
The acts to which duty would lead thee. – Schiller

In any ontology-centered misinterpretation of Kant's theory, such a rigorist interpretation is almost inevitable. However, the ontology-centered presuppositions of such a view of morality and ethics are wholly baseless and utterly lacking in objective validity insofar as a social-natural science is concerned. If I act from the ground of a *law I have made for myself*, I am constrained by no one other than myself and forced to act by no one other than myself even if I carry out my action with reluctance. It matters not one whit whether or not I also take delight in the action because anticipation of a delight *was not the reason I did it*. I exercise not only my power of free choice (freedom) but I also *acted at my own liberty* since no one else was forcing me to act and no pathological factors were part of my self-determination of appetite. To say I am self-*forced* is

¹⁰ "motives that objectively stir the senses"

¹¹ "free choice," i.e., choice that is determined or determinable independently of sensuous stimuli

to say I am self-moved – and, really, to be self-*moved* is an idea that underlies the objective idea of any particular concrete motive of principle.

Nonetheless, it is nothing else than a fact of experience that sometimes we humans act from duties we wish we did not have. Reluctance can be accompanied by distaste, by dislike, and by dissatisfaction with the conditions that grounded an obligation. Paying taxes is such an example for many Americans who see paying taxes as a citizen's duty rather than as something one does to stay out of jail. Some constraints *are* constraints bound to external circumstances and are such that one properly says he is forced to act rather than moved to act. This speaks to a distinction between two different ways of placing oneself under obligation. All Obligation limits what one is *at liberty* to do, regardless of how that limitation is determined. Kant tells us,

He who has less Obligation is freer [is more at liberty]. So far as anyone stands under obligation, so is he not at liberty; but if that obligation comes to an end he becomes at liberty. Our being at liberty therefore becomes diminished by obligation . . . Thus one is not at liberty if he has taken on benefactors.¹² Yet, comparatively, we can have more freedom in one respect than in another.

One who stands under *obligatione passiva*¹³ is less at liberty than one who stands under *obligatione activa*¹⁴. We cannot be forced to any action of magnanimity, yet for all that they are incumbent on all of us,¹⁵ hence all of us stand under *obligatione activa*. To actions of bounden duty we can be forced, and stand then under *obligatione passiva*; he who henceforth stands under *obligatione passiva* to anyone else is less free [less at liberty] than he who can oblige him [to make good on that liability]. – [*ibid.*, 27: 268-269]

This is one of the most technically dense passages of Kant's Collins' lectures on moral philosophy, and it is not too surprising that there are about as many different translations of it as there are translators. Kant held that when it was important that the meaning of one's words not drift as language changes over time, then what is to be said should be said in a "dead" language – and this is what he is doing whenever he drops into Latin. It is correct to say that Kant used Latin the way a physicist uses symbolic mathematics: to say something with extreme precision. To properly translate his idea into another language it is fundamentally crucial for the translator to explicitly adopt an epistemology-centered interpretation, and this is what your author has done here. Otherwise the translation presents the most self-contradictory nonsense, imaginable only if one assumes Kant was either an egregious blunderer or was intellectually impaired at the time.

¹² because in this case one places himself under a form of obligation called "being indebted to them"

¹³ "legal liability subject to passion or emotion"; "legal" in the context of having assumed an obligation in return for a benefit and passionate in the context of the obligation directly involving another *specific* person

¹⁴ "practical legal liability"; again "legal" in the context of having assumed an obligation but practical in the context that the obligation is assumed from inner motives of principle and not a specific relationship with another person

¹⁵ This is to be interpreted to mean "we do indeed take on such actions" and not that someone else has a legitimate right to expect us to take them on or that we all necessarily have a duty to take them on. The proper context is no more than an observation of human nature, the latter two utterly lack objective validity.

It is also crucial to be aware of the Standpoint of his remarks – and above this is the *judicial* Standpoint of Critical metaphysics. Kant is telling us that when obligations are personal – directly between two specific people – the reciprocal understanding is one where he who receives the first benefit from making an obligation is also *granting a right* to the other person, namely the right to require him to fulfill his part of the obligation. They have made a *personal contract* with each other and this is a case of *obligatione passiva*. To deliberately break such a contract is a **deontological crime** and an **unjust action**. Its commission dissolves *civic* relationship between the two people and places them back into a state-of-nature relationship with each other, i.e., an *uncivic* relationship. One is not at *deontologically moral* liberty to *unilaterally* transgress an *obligatione passiva* although every human being has, through the power of his self-determination, the *ability* to do so. There is no faster way for two people to become personal enemies.

However, this is not the only case of necessitation. Kant goes on to say,

We have *Obligaciones internas erga nosmet ipsos*¹⁶, in regard to which we are outwardly quite at liberty; anyone can do what he will with his body, and that is no concern of anyone else; but inwardly he is not at liberty, for he is constrained by the necessary and essential ends of mankind.¹⁷

All obligation is a kind of compulsion; if this compulsion is moral, then we are either forced from without, or we compel ourselves, and this is a *conditio interna*¹⁸. But it can be morally forced from without by others if another wrings from us, according to moral motives, an action we do reluctantly. If, for example, I am in debt to anyone, and he says, "If you be an honest man, you must pay me; I will not sue you, but I cannot let you off because I need it," then this is an outer moral compulsion by the choice of another. The more one can compel himself, all the more at liberty he is. The less he can be forced by others, all the more inwardly at liberty he is. We must here still distinguish between the capacity for freedom and the state of freedom. The capacity for freedom can be greater, although the state is worse. The greater the capacity my capacity-for-freedom is, and the more liberty from stimuli is, all the more at liberty is the man. If a man were not in need of self-compulsion, he would be wholly free, for his will would then be entirely good, and he might willingly do all that is good, since he would be in no need of forcing himself; but that is not the case with man. Yet one man can come nearer to it than another if, that is, the sensuous impulses, the stimuli, are stronger in the one than the other. The more one practices self-compulsion, all the more at liberty he becomes. – [*ibid.* 27: 269-270]

We can see in these words the Critical echo of Rousseau's distinction between liberty in the state-of-nature and civil liberty. Properly understood in epistemological and judicial context, this is

¹⁶ "inner legal liability to ourselves," i.e. one can make his maxim a theoretical moral law for governing himself and hold himself liable to it; we call the feeling of *Unlust* experienced when transgressing such a law by the name "guilty conscience."

¹⁷ in other words, constrained by human nature in the aspect of man as *homo noumenon*. As Aristotle would have put it, "nothing that exists by nature can go against its own nature." Traditionally, most people think that Kant is speaking here of some noble brotherhood-of-man ideal but epistemologically and from the judicial Standpoint that interpretation is nonsense even if, as your author is nearly certain, Kant thought that a proper science of morality and ethics might be able to bring such an ideal into phenomenal *Existenz*.

¹⁸ "an inner preserving" of what we might call "the qualities of one's personality."

what makes the instigation of social compacts a key and crucial factor in leadership. One might well wonder if Schiller glimpsed this when he wrote

If you want to know yourself,
Just look how others do it;
If you want to understand others,
Look into your own heart. – Schiller, *Tabulae Votivae* (1797)

§ 2. Social Compacts

Mutually assumed *reciprocal* Obligations are at the root of every social compact between two or more people. Note particularly that this requires two acts by two people (minimally) plus some sort of objective understanding between them be reached. Each person must determine himself to be under an Obligation (specified by a specific obligation and duties attached to it) and in most cases involves an exchange, or a promise of an exchange, between them: Person X agrees to do *this* and in exchange person Y agrees to do *that*. We typically do not call such a compact a contract unless the terms are very specific (in which case they are often written down). In many cases, person X, the person taking action first, is said to acquire by his action a *right* to require person Y to fulfill his part of their mutual compact. Deontologically, this is a *moral* right.

It makes a great deal of difference *how* person Y comes to determine himself to assume the Obligation as well as *whether* the obligation is to a specific person or to some theoretically understood principle encompassing some broader Object. Kant explained this in the following way:

All Obligation is either inward or outward. . . . Outward obligations are greater than inner, for they are simultaneously inward, but inner are not simultaneously outer. *Obligatio externa*¹⁹ already presupposes that the action as such stands under morality, and is therefore *interna*²⁰; for the *obligatio externa* is an obligation because the action is already one in the internal sense. For in that case the action is a duty, that makes it an inward obligation, but because I can still compel a man to this duty by my choice, it is also an *obligatio externa*. In *Obligatione externa*²¹ I have to conform my action to the choice of another, and to this I can also be forced by others. *Obligatio externa* can also be pathologically forced by another; if he does not let himself be morally compelled, he has a warrant to compel pathologically. In general, every right has a warrant to compel pathologically. – [*ibid.*, 27:270]

This last remark needs some comment. Suppose I borrow some money from you with the promise that I will pay it back with some additional money (interest) added to the total. Further suppose that the reason you agree to lend this money to me is so that you will receive this interest payment. Now suppose I refuse to pay you back. If you have made it an hypothetical duty to yourself to regard what I have done as an injury to yourself and if, furthermore, you have made it

¹⁹ "outward pledging"

²⁰ "inner"

²¹ "outward legal liability"

a categorical duty to yourself to not suffer such an injury unavenged, what will you do? The answer is fairly obvious; you will take whatever actions you judge proper for your duties to yourself in order to redress what you regard as a *wrong* done to you by me. You will, in other words, *take action to set right what you have determined to be an injustice*. In at least your own eyes, you will act as an agent of justice.

Now, my power of self-determination is the same as yours and therefore I am aware of this possible consequence of *my* action. Knowing this, if the obligation I made *to myself* in our social compact regarding this matter is *in fact* what I represented it to be to you, *there is an inherent understanding on both our parts* that you are warranted to pathologically compel me to pay my debt to you one way or another, and that if you do so no moral fault can be imputed to your actions (provided there is not in place some other general duty we *both* accept, such as the duty not to murder a fellow citizen, that your action would transgress).

What if, on the other hand, I didn't really take upon myself an obligation to repay you for the loan? We know that happens sometimes. In this case, no actual social compact was made; I merely deceived you, remaining in an *uncivic* state-of-nature relationship to you that you only discover when you find out later that I lied to you. The term for such a relationship is ***the outlaw relationship***. In a full state-of-nature relationship (that is, one in which we are not both members of some association, to which we have both assumed obligations) there is no civil law, no civic justice, and *no deontologically moral constraints on your liberty to do whatever you physically have the power to do* in reacting to what I have done to you. *Social morality has real context only in the context of a social compact, and in such a context social morality is called civic morality*. In a state-of-nature there are only deontological duties and obligations *to oneself*. If you have the physical power to do something to me, there is nothing to stop you from doing it. If you do not, there is nothing to stop me from doing whatever I choose to protect myself. The only "law" in the state-of-nature is jungle law, and this is why entering into a social contract with an association of other people benefits the members. Each person's power is *leveraged* by being allied and combined with the powers of other individuals. *A social compact is a fulcrum*.

Earlier in this treatise, it was observed that creative literature is one source of examples that serve to provide us with an apprehension of social-natural science topics. Here is one that seems appropriate for the hypothetical situation just described: In one scene in Stevenson's *Treasure Island*, pirate chieftain Long John Silver attempts to dupe the story's protagonists into a fatal surrender to the pirates. His words are,

"Now," resumed Silver, "here it is. You give us the chart to get the treasure by, and drop shooting poor seamen and stoving of their heads in while asleep. You do that, and we'll offer you a choice. Either you come aboard along of us, once the treasure is shipped, and

then I'll give you my affy-davy, upon my word of honor, to clap you somewhere safe ashore. Or if that ain't to your fancy, some of my hands being rough and having old scores on account of hazing, then you can stay here, you can. We'll divide the stores with you, man for man; and I'll give you my affy-davy, as before, to speak to the first ship I sight, and send 'em here to pick you up. Now, you'll own that's talking. Handsomer you couldn't look to get, not you. And I hope" – raising his voice – "that all hands in this here block house will overhaul my words, for what is spoke to one is spoke to all." – Robert Louis Stevenson, *Treasure Island*

Unfortunately for Silver, and fortunately for Hawkins and his friends, this deception didn't work. Young Hawkins had earlier overheard Silver tell his pirate comrades,

"Right you are," said Silver; "rough and ready. But mark you here. I'm an easy man – I'm quite the gentleman, says you; but this time it's serious. Dooty is dooty, mates. I give my vote – death. When I'm in Parlyment and riding in my coach, I don't want none of these sea-lawyers in the cabin a-coming home, unlooked for, like the devil at prayers. Wait is what I say; but when the time comes, why, let her rip!" – [*ibid.*]

Forewarned, Hawkins and the others knew better than to agree to Silver's terms. Although all novels feature caricatures (greatly simplified models) of real people, the story of *Treasure Island* still sets us a not-too-far-from-true picture of life in the state-of-nature. A social-natural science of leadership must be concerned with what people *will* do, not what they *should* do.

Let us now suppose that the obligations really are self-assumed and the compact is genuine at the time it is made. Kant goes on to tell us,

Inward legal obligations are imperfect, because we cannot be forced to them. But *obligationes externae* are perfect, since besides the inward Obligation there is a further outward constraint thereto.

The motive whereby we fulfill an obligation is either inward, and is then called duty, or outward, and is then called compulsion. If I satisfy my Obligation by my own choice, then the motive is inward and I do the act from duty. The man who fulfills an Obligation from duty, and he who does so from compulsion, have both fulfilled the Obligation, but the former acts from inward motives, and the other from outward motives. – Kant, *Moralphilosophie Collins*, 27: 270-271

It probably doesn't matter to you all that much *why* I pay you the money I owe you so long as I do, but the ground of my own self-determination *does* make an important difference. If my self-determination falls into the category of fulfilling my Obligation from duty, this means that *a part* of that ground of self-determination was *a categorical duty to myself*. If only *you* could know this, to you it would mean that there is no chance I will try to cheat you or break our agreement.

All cooperative human enterprises undertaken from the basis of a mutual agreement are based on a social compact of some sort. In the absence of one, we revert to state-of-nature relationships where, as Stevenson's words in Silver's mouth put it, "when the time comes, let her rip!" Longer term leadership relationships are much more reliable, and much easier to accomplish, under the umbrella of a social compact than without one. Again, if you and I stand in a state-of-nature

relationship, we are mutually *outlaw* to each other quite literally in the connotation that between us there exist no laws but physical ones; between us there are no such *real* objects as justice, injustice, ethics, or civic morality. If between us there is a social compact, then so far as its terms extend our relationship is *inlaw* and, deontologically, we can speak of just and unjust actions, merit and fault, *civil* ethics and *civic* morality. *Moral leadership* is possible only under a social compact and outside of the context of one has no real meaning whatsoever.

§ 3. The Judicial Object of all Duties

The power of pure Reason – the process that acts as the master controller and regulator of all non-autonomic human action – knows no objects of cognition and feels no feelings. It is absolutely regulated by the pure formula of the categorical imperative of practical Reason, namely, the formula that dictates for achieving an holistic state of equilibrium and a structure of practical universal law in the manifold of rules. How, then, does a human being know whether or not this cognitively dark and affectively cold objective is being met? What, in other words, is the judicial Object joined by the process of judgmentation with the practical Object of pure Reason? The name of this Object is simple and familiar to us all; its *Realerklärung*, on the other hand, is anything but this. It is called ***happiness***. *Critical* happiness is the judicial Object of all a human being's conceptualized duties.

Viewed from the *practical* Standpoint, the human being achieves Critical happiness when there is a balance in the opposition of the feelings of *Lust* and *Unlust* in reflective judgment. This marks the condition of equilibrium, which is the condition mandated by pure practical Reason's categorical imperative. From the judicial Standpoint, the appetites of the human being that are synthesized in the cycle of judgmentation are regulated in the synthesis of continuity in *Existenz* (through the judicial Idea) according to the ***Ideal of happiness*** (a modality function of the judicial Idea). The Ideal is: *the process of judgmentation in general realizes a disposition to act on the basis of desires with an a priori aim of achieving a robust state of satisfaction by means of the equilibration of the feelings of Lust and Unlust*. Activities of the human being are oriented to striving for total perfection (logical, aesthetical, and practical) in *Existenz* in this state.

This judicial-practical explanation sets up the Critical *Realerklärung* of happiness, viz., ***happiness is***: (1) *from the judicial Standpoint, the consciousness of a rational being of the pleasantness of life uninterruptedly accompanying his whole Dasein*; (2) *from the practical Standpoint, the expedience of the disposition of a human being to act on the basis of the matter of desire*. This is an epistemological real explanation based on functional and structural concepts of the human being, as such an explanation must be if it is to have real objective validity.

We may contrast the simplicity of this explanation with the millennia-long puzzle the question "What is happiness *per se*?" has posed to ontology-centered philosophers and to empirical science. We may recall that Aristotle was forced to abandon the question and settle for a practical discussion of what we can call the *symptoms* of happiness. It is not difficult to apprehend the many difficulties ontology-centered thinking encounters when trying to come to grips with this subjective *noumenon*. Happiness is not an object-in-physical-nature. Kant discussed the formidable and largely irresolvable issues with which ontology-centered theory is confronted by this question. Insofar as concerns an objectively valid concept of its symptom, i.e. the mark of appearances whereby we say happiness is manifested, Kant wrote,

Happiness is the gratification of all our inclinations (extensive as to its magnitude, intensive with regard to degree, as well as protensive in accordance with continuance). The practical law from the motive ground of happiness I call pragmatic (rule of prudence) . . . the [pragmatic law] is grounded on empirical principles; for other than by means of experience I can know neither which inclinations there are that would be gratified nor what the natural causes are which could bring out their gratification. – Kant, *Kritik der reinen Vernunft*, B: 834

This is a psychological and empirical description. Inclination belongs to the class of sensuous appetites and this is consistent with most people's uncritical attempts to explain what happiness means. But happiness as a thing-in-itself is not an objectively valid idea from the theoretical Standpoint because from this Standpoint

happiness is not an Ideal of reason but rather of the power of imagination, founded merely on empirical grounds, from which one anticipates in vain that he should determine an act through which the totality of an endless series of results would be achieved. – Kant, *Grundlegung zur Metaphysik der Sitten*, 4: 418-419

Although speculative understanding from the theoretical Standpoint can only grapple with the symptoms of happiness, we expect and get more from the judicial and practical Standpoints of Critical epistemology. Judicially,

The idea of happiness is not one such as man has abstracted by chance from his instincts and so derived from the animality in himself; on the contrary, it is a mere Idea of a state to which he would make the latter [his animality] adequate under merely empirical conditions (which is impossible). He sorts this out himself and indeed in different ways through his complicated understanding by imagination and the senses; yes, and what is more he amends these so often that this nature, even if it were to be totally subjugated to his choice, nevertheless could by no means undertake to determine general and firm law with this unstable concept, and so harmonize with the purpose that each arbitrarily intends for himself. But if we either reduce this to the genuine urge of nature in which our species generally agrees, or, on the other hand, raise our skill so high as an imagined purpose, yet even so what a man understands by happiness, and what is in fact his own natural purpose (not purpose of freedom), would never be attained by him; for his nature is not of the type to stop anywhere in progression and enjoyment and to be gratified. – Kant, *Kritik der Urtheilskraft*, 5: 430

This implicates the judicial Idea (the synthesis in continuity of self-*Existenz*). It furthermore points to a requirement for reflective judgments to be made touching upon the point of contact between *nous* and *psyche*. Kant wrote,

All material practical principles, regarded as such, are altogether of one and the same kind and belong under the general principle of self-love or one's own happiness.

The *Lust* from the representation of a thing-in-the-world, so far as it should be a ground of determination of desire for this thing, bases itself on the *receptiveness* of the subject because it *depends on* the *Dasein* of an object; hence it belongs to the senses (feeling) and not with understanding, which expresses a reference of the representation to an *Object* according to concepts, but not to the subject according to feelings. It is therefore practical only so far as the sensation of the pleasantness that the subject expects from the actuality of the object determines appetitive power. Now *happiness* is but the consciousness of a rational being of the pleasantness of life uninterruptedly accompanying his whole *Dasein*, and the principle to make this the highest ground of the determination of choice is the principle of self-love. – Kant, *Kritik der praktischen Vernunft*, 5: 22

This last principle to which Kant here refers, namely the principle of self-love, is a developed tenet, formulated empirically by the human being, for making the *principle of happiness* the overriding subjective ground for the determination of appetites. The principle of happiness is a basic epistemological principle deriving from the first principle of formal expedience in reflective judgment of the judicial Standpoint. It states: *the disposition to act on the basis of the matter of Desires (to make an appetite from this matter) is a pure purpose of practical Reason*. The principle of happiness is the mirror in the judicial Standpoint to the categorical imperative in the practical Standpoint. All human actions are actions taken *in the particular*, whereas Reason's formula of the categorical imperative is a law for acting *in the general*. Cognitively dark and affectively cold pure Reason must, in order for appetites to be particularly determined, call upon empirical matters to fill the otherwise empty form of practical appetite. The principle for this is the principle of happiness.

In the state of nature – which here is to say in the absence of learned and acquired social tenets and maxims – the principle of self-love (as a *made* concept) becomes the guiding *speculative* principle of an individual's personal ethical code. This would not be a deontological concept of ethics but, rather, a consequentialist brand of speculative ethics. In the extreme it would appear as manifestations of simple hedonism; in a more refined form, it would become Epicureanism. The process of socialization, i.e. the experiential process in which a person comes to adopt the mores and folkways of his native culture, most often leads to the development of social ideas that provide a counterpoint against simple hedonism or Epicurean self-concern. Systematically educated socialization can lead to the development of the virtue ethics of Stoicism or many of the more common tenets of Christian, Judaic, or Islamic religious ethics. However, these merely

speculative understandings of morals are ontology-centered, their tenets are "ought to" concepts, and (like speculative consequentialist mores) give way when the human being is confronted in experience with situations and circumstances where merely conceptual ethical principles come into conflict with practical imperatives of pure Reason. Even martyrdom is but an extreme instance of individualistic self-love regardless of whatever mystical or superstitious robes a martyr might choose to dress it up in. E.g.,

But for those that fear the majesty of their Lord there are two gardens . . . planted with shady trees. . . . Each is watered by a flowing spring. . . . Each bears every kind of fruit in pairs. . . . They shall recline on couches lined with thick brocade, and within reach will hang the fruits of both gardens. . . . Therein are bashful virgins whom neither man nor jinnee will have touched before. . . . Virgins as fair as corals and rubies. . . . Shall the rewards of goodness be anything but good? Which of your Lord's blessings would you deny? – *The Koran*, 55: 50-65

And he who sat upon the throne said, "Behold, I make all things new." Also he said, "Write this, for these words are trustworthy and true." And he said to me, "It is done! I am the Alpha and the Omega, the beginning and the end. To the thirsty I will give from the fountain of the water of life without payment. He who conquers shall have this heritage, and I will be his God and he shall be my son. But as for the cowardly, the faithless, the polluted, as for murderers, fornicators, sorcerers, idolaters, and all liars, their lot shall be in the lake that burns with fire and sulphur, which is the second death." – *Revelation*, 21:5

For some people confrontations between noble-sounding but ontology-centered and transcendent speculative ideals with actual accidents of experience leads to cynicism. As Wilde wrote,

What is a cynic? A man who knows the price of everything and the value of nothing. – Oscar Wilde, *Lady Windermere's Fan*, III

Alternatively, they may lead to some other form of more fatalistic speculative philosophy, to existentialism, or to pragmatism. For these people contentment in life is unlikely to happen.

Just as is the case for practical perfection, the human being is not born with nor does he develop knowledge of an idea of happiness by which he could recognize and judge happiness *per se*. Rather, what he possesses is knowledge *a priori* by which he knows *lack* of happiness when he experiences it. The state of being happy is a state of tranquility. Kant noted,

Contentment with our entire *Existenz* is happiness; among human beings this also calls for physical causes, i.e., welfare. That happiness which is independent from physical causes is bliss. – Kant, *Reflexionen zur Metaphysik*, note 6117, 18: 460

Elsewhere he wrote that happiness is "contentment with the state of the world in which I find myself, in relationship to other things outside me." We can from this provide for the idea of tranquility the real explanation that *tranquility* is a state of mind that results from being sufficiently satisfied in relationship to one's general state of life and desiring nothing more or different in this relationship. Kant was bothered by this conclusion, as he makes clear enough

elsewhere in his *Reflexionen* (esp. refl. 6092), but perhaps this is to be expected of a man whose personal habits were so fixed and rigorous that the housewives of Königsberg used to set their clocks by when he passed by on his daily walks. Nonetheless, and as previously mentioned in chapter 3, the findings of psychologists Elaine and Arthur Aron that "happiness is the neutral gear of the nervous system" is a finding completely congruent with this Critical explanation of happiness as it is manifested in appearances by tranquil behaviors.

However, tranquil behavior does not mean *non*-behavior. Critical equilibrium subsists in stable closed cycles of activity. Indeed, Critical epistemology finds the idea that psychological equilibrium could consist of some *static* balance is wholly incorrect. People settle into little routines, repetitious habits, small little symbolic rituals, and other stable cycles of activities when manifesting behaviors most of us would typically call contented behaviors. It is no more than a frequent and common observation that one way to irritate someone is to abruptly interrupt his routine. One could say, using the Arons' metaphor of a neutral gear, that to be happy is to coast through life's experiences. Less metaphorically, Averill and More describe happiness in terms of *systems* of behavior. They wrote,

Meaningful behavior consists not of random acts, but of responses organized with respect to some goal or end. . . . To say that a system of behavior is organized with respect to a goal or end state implies principles of organization. These principles may be biological, social, or psychological, and almost always they are combinations of all three. Biological principles are genetically encoded; social principles are found in norms, symbols, and other cultural artifacts; and psychological principles are cognitive schemas or knowledge structures. Biological and social principles represent distal causes of behavior; psychological principles are the product of both biological and social determinants, as well as the unique experiences and present circumstances of the individual. . . .

The above observations on the relation of happiness to systems of behavior allow us to address five issues that have been traditional subjects of debate . . .

First, is happiness an end in itself or a characteristic of behavior pursued for other ends? . . . Our own position follows from the proposition that happiness is properly associated with properly functioning behavioral systems. People do seek happiness, but not necessarily for its own sake. From a systems point of view, happiness is a characteristic of meaningful activities well performed. . . .

Second, does happiness consist of the sum of momentary pleasures (a bottom-up approach), or do pleasures contribute to happiness only when informed by higher-order principles (a top-down approach)? From a systems perspective, this is a pseudoissue, for both bottom-up and top-down approaches are legitimate and necessary when analysis involves a hierarchy. . . . A life without its share of elementary pleasures could hardly be regarded as happy. But, conversely, to constitute happiness, responses that yield momentary pleasures must be subsumed within broader systems of behavior. . . .

Third, is happiness necessarily related to values? As described earlier, happiness is centrally related to social systems of behavior and the values embodied in those systems. But biological systems and their associated strivings also contribute to happiness, as do psychological systems. . . .

Fourth, does happiness consist of equanimity, or does it necessarily involve some conflict

and struggle? Earlier, we have distinguished happiness in the sense of eudaemonia from happiness in the sense of equanimity . . . The relation of happiness to behavioral systems helps clarify this distinction. . . . Ultimately, happiness requires compromise among competing demands, and hence cannot be equated with equanimity, which connotes a state of minimal desires. Optimal functioning, by contrast, implies an active and often conflictive engagement in the world. . . .

Finally, are there absolute standards for happiness, or is happiness relative to a person and situation? . . . From a systems perspective, happiness can be relative, but relativity does not necessarily imply subjectivity . . . Therefore, when we speak of the proper or optimal functioning of behavioral systems, we mean in relation to a person's capacities and situation, which provide an objective context for evaluating happiness. What is optimal for one person, and hence conducive to happiness, need not be optimal for another. . . .

We therefore conclude this chapter with one final observation. Is happiness the ultimate good, as so often claimed? Our conception of happiness in terms of the proper or optimal functioning of behavioral systems would seem to imply a positive answer. What could be better than optimal functioning? Optimal functioning is a theoretical ideal that can seldom be realized in practice; and even if the ideal could be realized, optimizing one function would still entail sacrifices in others. Even theoretically, then, happiness can never be complete, except for fleeting moments before balance must be restored. – Averill & More, "Happiness"

The points Averill and More make, as well as the Arons' metaphor of a neutral gear, have congruence with the principles of mental physics.²² These principles endorse systems paradigms for conducting research in psychology and sociology. To establish systematically organized patterns of behavior is, in everyday language, "to settle into a groove" (or, as dour people might put it, "a rut"; one man's groove is another's rut). If the nature of experience made it pragmatically possible, one would have to say that the pursuit of happiness leads to people "settling into their grooves," i.e. manifesting the mood of tranquility that is the hallmark characteristic in concepts of empirical appearances regarded as effects of the *Dasein* of individual happiness.

This does, however, present one consequence for leadership that many people might find more than a little unpalatable. The purpose of every leader action is to *provoke* change in behavior. In this context, it has to be said that *a leader's action is aimed at producing a perception of lack of happiness* by the follower. That a "greater happiness for all concerned" or some "greater good" might lie beyond such a dislocation of the follower's tranquility is irrelevant at the point of application of the leader's action. The leader's *immediate* aim is not the happiness of the follower but, rather, *his unhappiness*. Seen this way, there is nothing marvelous in your author's previous statement that every leader action is fraught with risk *for the leader*. For a successful dynamic of leadership to occur, a disturbance of equilibrium must first be provoked and then guided in such a manner that a reequilibration is later established for *both* follower and leader. It can then, with a

²² But, too, Critical theory says meaningful activities well performed are characteristic of happiness rather than, as Averill and More wrote, the other way around. The word "optimal" used in "optimal functioning" means nothing without a standard of optimality; Averill and More do not have one.

large degree of truth, be said that: a follower can appreciate a leader, or at least a leader's actions, only *ex post facto*. Skillful leadership can truthfully be called the art of mutual provocation. This is a natural antagonism between leader and follower and is a pragmatic reason why social compacts are important for realizing successful leadership.

§ 4. Social Compacts and the Power of a Person

At first glance provocation and alliance seem to be contradictory relationships. Yet successful leadership is a real synthesis of these seeming poles of human relationship. The 2LAR of this synthesis has the Quality of subcontrarity. Critical *subcontrarity* is the synthesis of a union of two contraries. It is an opposition (in German, *Widerstreit*) regarded as an agreement (*Einstimmung*). Subcontrarity can thus be regarded as the idea of a conditional agreement in which the condition is a sufficient ground for negating the contradiction. In Quantity leadership is a synthesis of *integration*: the form of composition of many parts into one whole. In Relation leadership is a synthesis of *transitive Relation*: the form of connection in which the concept of connection is simultaneously the concept of an internal Relation (the form of connection in a representation in which the connections have no reference to anything other than the object which is being represented in the connection) and an external Relation (the form of connection among objects in which is represented something not contained in the representation of any of these objects by themselves). In Modality leadership is a *synthesis of determination*, i.e. the synthetic attribution to a thing of one of two characteristic that are in opposition with each other. Mathematically,

$$\text{leadership} = \{\text{integration, subcontrarity, transitive Relation, the determination}\}.$$

These four 2LAR functions are what were called functions of *transcendental topic* by Kant in *Critique of Pure Reason*. Composition in this dynamic (Quantity and Quality) is not difficult to apprehend as an idea and is well described as *the cooperative actions of leaders and followers* (bearing in mind that who is a leader and who is a follower at any particular moment in time is fluid and changing in the overall leadership phenomenon). The Quality of subcontrarity subsists in the cooperation and the Quantity of integration subsists in the unity of their divers actions. The functions of connection (Relation and Modality), which constitute the manifold of organization for the composition of leadership, are less straightforward. We can see that leadership involves a synthesis and balancing of contraries (Quality) and a unification of diversities (Quantity). By what functions of connection is this possible? Leadership is a human dynamic and we must seek out the common ground for the form of connection (Relation) and the matter of this *nexus* (Modality). The first we find in the transitive Relation of the powers of the persons, the second in

the determination of a social compact. Understanding this makes the *Realdefinition* of leadership.

§ 4.1 The Power of a Person and Transitive Relation

The **power of a person** (*Personfähigkeit*) means *the organization of the capacities of a person for realizing or attempting to realize (make actual) the objects of his appetites*. This concept is represented in 2LAR form as

Quantity: the person's physical power, which subsists in the physical capacities of his body;

Quality: the person's intellectual power, which subsists in his knowledge, intelligence, and judgment;

Relation: the person's tangible power, which subsists in his stock of acquired goods (e.g., personal possessions and capital); and

Modality: the person's persuasive power, which subsists in his ability to sufficiently communicate his thoughts and ideas to other persons.

The individual's private pursuit of happiness is made possible by the power of his person alone. The headings given above classify this power in terms of combination of abilities: form-of-the-matter (physical); matter-of-the-matter (intellectual); form-of-the-form (tangible); and matter-of-the-form (persuasive). The first two headings speak to the *composition* of the power, the latter two to *nexus* between the power of an individual and his environment, in which he encounters circumstances involving the powers of other individuals as well as physical circumstances (weather, food sources, etc.) that affect the well-being of his person.

That each person is *at natural liberty* to employ these elements of his personal power in whatever manner he chooses is so obvious this point likely requires no discussion. A person who assumes no mutual obligations between himself and any other lives in a pure state of nature, in which the only *laws* limiting his actions are those he imposes upon himself, or which are imposed upon him by physical laws constraining the extent and nature of his physical power, or by the laws of mental physics that determine intellectual limitations of the degree of his knowledge, intelligence, and judgment. The composition of his personal power sets and delimits his capacity for the acquisition of those factors that collectively make up the *nexus* of his personal power (his tangible power and his persuasive power). Physical and intellectual power are *constitutive*, tangible and persuasive power are *constituted* by the actions of the person as his own agent in the pursuit of his own personal happiness.

Some people call these factors of personal power the *properties by natural right* of a human being but to do so is an ontological error that arises from misunderstanding of the real explanation of the idea of *possession*. To begin to see this, reflect for a moment upon the significance of the

following lines written by Sandburg:

"Get off this estate."
 "Why?"
 "Because it is mine."
 "Where did you get it?"
 "From my father."
 "Where did he get it?"
 "From his father."
 "And where did he get it?"
 "He fought for it."
 "Well, I'll fight you for it." – Carl Sandburg, *The People, Yes*, 37

Suppose now they did fight and that the trespasser killed the property holder and took possession of the estate. There would be nothing *unnatural* in this. It, or something very much like it, has happened uncounted times in human history. By killing the property holder the trespasser not only takes possession of that person's tangible power (the estate) but even deprives him of his physical and intellectual power by ending his life. If the two of them were alone at this meeting, there would be nothing in nature whatsoever to prevent their violent conflict save the *joint choice of the two of them together to not engage in it*. Each is at *natural* liberty to attack or not attack, or to defend or not to defend. *Property right* has *no* objectively valid meaning when regarded ontologically because property right is not a thing-in-nature (*Sache*) but, rather, is a *social convention*. All social conventions, however, go by the board when one person chooses to resort to raw physical force – the ultimate *natural* argument – as his means of pursuing happiness. This is what Rousseau was getting at when, re-quoting him here, he wrote,

The strongest is never strong enough to be always the master, unless he transforms strength into right and obedience into duty. . . . Force is a physical power, and I fail to see what moral effect it can have. To yield to force is an act of necessity, not of will – at most, an act of prudence. In what sense can it be a duty?

Suppose for a moment that this so-called "right" [the "right of the strongest"] exists. I maintain the sole result is a mass of inexplicable nonsense. For, if force creates right, the effect changes with the cause: every force that is greater than the first succeeds to its right. As soon as it is possible to disobey with impunity, disobedience is legitimate . . . But what kind of right is that which perishes when force fails? If we must obey perforce, there is no need to obey because we ought; and if we are not forced to obey, we are under no obligation to do so. Clearly, the word "right" adds nothing to force: in this connection it means absolutely nothing.

Obey the powers that be. If this means yield to force, it is a good precept, but superfluous . . . A brigand surprises me at the edge of a wood: must I not merely surrender my purse on compulsion; but, even if I could withhold it, am I in conscience bound to give it up? For certainly the pistol he holds is also a power.

Let us then admit that force does not create right, and that we are obliged to obey only legitimate powers. In that case, my original question recurs. – Rousseau, *The Social Contract*, I, 3

The underlying natural law at work here is the natural freedom of self-determination inherent

in every human being and which Kant called the primordial and only *natural* right. Rousseau recognized that this natural law extends all the way down to the smallest and most natural human associations. He wrote,

The most ancient of all societies, and the only one that is natural, is the family: and even so the child remains attached to the father only so long as they need him for their preservation. The children, released from the obedience they owed to the father, and the father, released from the care he owed his children, return equally to independence. If they remain united, they continue so no longer naturally but voluntarily; and the family itself is then maintained only by convention.

This common liberty results from the nature of man. His first law is to provide for his own preservation, his first cares are those which he owes to himself; and, as soon as he reaches years of discretion, he is the sole judge of the proper means of maintaining himself, and consequently becomes his own master. – [*ibid.*, I, 2]

However, even calling the power of self-determination a natural *right* is not ontologically correct in the strict sense because to dignify this natural power by the word "right" likewise implies an agreed-to *convention*. Kant did recognize this. He wrote,

Freedom (independence from being constrained by another's choice), so far as it can coexist with the freedom of every other man according to a universal law, is the only primordial right belonging to every man by virtue of his humanity. – Kant, *Die Metaphysik der Sitten*, 6: 237

The convention required to legitimately call freedom (the power of self-determination) a *right* is presented here in the phrase "so far as it can coexist with the freedom of every other man according to a universal law." "To coexist" here means: *my* freedom is my *right* only if *your* freedom is at the same time *your* right. But *we must both* accept this as a convention or the words are empty of real meaning. And *that* is the universal law to which Kant refers – not a natural law but a social law you and I and everyone else *agree to accept* in such a way that we all take upon ourselves an obligation to observe and obey this as a limitation in our own exercises of our individual powers of self-determination. This is the strict and deontological *Realerklärung* of the idea of a primordial *right* of self-determination, and the social convention is what gives rise to those constraints that distinguish between *civil liberty* and *natural liberty*. Without the agreed-to convention, self-determination is the primordial *power* of a human being but not a *primordial right* of a human being.

The necessitation of fixing this convention (by those who *do* make fixing it a necessity) is grounded in a pragmatic maxim of understanding that can perhaps be most clearly captured by phrasing it as, "If you and I are going to get along peacefully, you must not try to rule my life and I must not try to rule yours." This is nothing more and nothing less than a *term* (i.e. a conventional agreement) for the making of a social compact as a kind of peace treaty between us.

Thus, even the idea of a primordial *right* of freedom involves a minimal social compact and, like all social compacts, the *condition for making the compact* is grounded in practical imperatives of *duty to oneself*.

If this is true of the "primordial right" of freedom, can it be less true of any other kind of right? It should be clear that it cannot be so with any objectively valid meaning. The social meaning of the general idea of "rights" has *real* meaning only in the context of convention, and in this context we say that a person "possesses the right as a civil liberty." But this brings into play the question of what real meaning there is to the idea of "property" in the context of possession. Like the idea of "rights," the idea of "property" has no objectively valid *Realerklärung* except a *deontological Realerklärung*. If I wish to claim that "my personal power *is mine*," and you wish to claim your personal power *is yours*, we must properly understand the *Realerklärung* of "property" in general with objective validity (i.e., understand its *real* meaning).

For this real understanding, we turn again to Kant. He wrote,

That is *rightfully mine* . . . with which I am so linked that another's use of it without my consent would injure me. The subjective condition of any possible use in general is possession.

But something external would be mine only if I may assume it be possible that I could be injured by another's use of it even though I am not in possession of it. – [*ibid.*, 6: 245]

By "possession" Kant here means immediate physical possession of it in person right now. You are not in physical possession of your car when it is parked in the parking lot and you are inside the store buying groceries. If another person were to drive away in it, would everyone agree a wrong was done to you when you were not physically injured? Theft is a reduction in one's tangible power effected by force; but is what a repossession man does theft? Physical possession alone is not enough to provide real meaning for the idea of a *right* of possession. We must have, in addition, an idea of a second kind of possession, namely *intelligible* possession.

But what is this? Under what condition can I *rightfully expect* that when I am injured in this way *you will agree* a wrong has been done? In a state of nature I can have no such expectation. What grounds *proprietaryship* of one's tangible power? Deontologically, this ground is, again, a social convention. Kant went on to write,

The nominal explanation [of what is externally mine] . . . would be: that [which is] outside me is externally mine [when it is such] that to interfere with my any use of it would be an encumbrance to me (be prejudicial to my freedom that can coexist with the freedom of everyone according to universal law). But the material explanation . . . runs thus: that is externally mine which to disturb my any use of it would be an encumbrance *even though I am not in possession of it* (not holding the object) . . .

For this very reason, one justly should say not: a right of possession of this or that object, but rather, possession of it *merely rightfully*; for the right is already an intellectual

possession of an object; possession of a possession would be a nonsense expression . . .

The idea of merely rightful possession is no empirical concept . . . and yet it has practical reality, i.e., it must be applicable to objects of experience . . . The idea of right lies merely in reason, cannot immediately be applied to objects of experience and to the idea of empirical *possession* in general . . . but must be applied to a pure idea of understanding *possession* in general[.] – [*ibid.*, 6: 248-253]

These considerations of "right," "property," and "possession" are part of the general context of the idea of proprietorship of one's personal power. To say one's tangible power is *his* power when the objects of tangible power are external to the person presupposes an objectively valid understanding of what proprietorship means and the grounds by which possession of something can be imputed as a right of the person said to be the proprietor of the object.

This deontological understanding of the real explanation of external property (stock of tangible goods) runs contrary to the way in which almost all people think of what "my property" means. This is not surprising because a person's tangible power provides implements for his means of fulfilling a great many of the duties-to-himself that a person makes for himself, as well as for meeting duties of obligation the person assumes in regard to the usually small number of other people with whom he forms close personal bonds of family, friendship and affection. It is usually presumed, and is often quite true, that the more tangible power a person practically holds in his physical possession the better able he is to fulfill those duties which lie closest to his personality. The acquisition and expansion of tangible power is, therefore, a powerful motive in most of the individual's intercourse with the greater number of people he encounters in the commerce of life. This, indeed, is the basis for social-natural *economics*. In his seminal work, *An Inquiry Into the Nature and Causes of the Wealth of Nations*, which originated the modern science of economics, Adam Smith wrote,

When the stock [of tangible goods] which a man possesses is no more than sufficient to maintain him for a few days or a few weeks, he seldom thinks of deriving any revenue from it. He consumes it as sparingly as he can and endeavors by his labor to acquire something which can supply its place before it is consumed altogether. His revenue is, in this case, derived from his labor only. This is the state of the greater part of the laboring poor in all countries.

But when he possesses stock sufficient to maintain him for months or years, he naturally endeavors to derive a revenue from the greater part of it; reserving only so much for his immediate consumption as may maintain him till this revenue begins to come in. His whole stock, therefore, is distinguished into two parts. The part which, he expects, is to afford him this revenue is called his capital. The other is that which supplies his immediate consumption; and which consists either, first, in that portion of his whole stock which was originally reserved for this purpose; or, secondly, in his revenue, from whatever source derived, as it gradually comes in; or, thirdly, in such things as had been purchased by either of these in former years, and which are not yet entirely consumed; such as a stock of clothes, household furniture, and the like. In one, or other, or all of these articles consists the stock which men commonly reserve for their own immediate consumption. – Adam Smith, *The Wealth of Nations*, 2, I

In this excerpt Smith implicitly states the *Realerklärung* of "capitalism" as that word would be understood by a *social-natural* science of economics. Modern day economic theory has lost touch with the real meaning of this term as it has lost touch with its social atom, the individual human being. *The Wealth of Nations* was and is, from its first to its last page, the originating treatise of a social-natural science of economics. This its impoverished present day heir cannot claim to be. Under Smith's explanation, a ten-year-old paperboy who deposits 25 cents per week in a savings account at a bank is as much a capitalist as the richest investment banker. The sole economic difference between them is in the extensive magnitude of their respective tangible powers.

Smith's distinction of consumption stock and capital stock can and should be viewed in a very broad context. By doing so, one is able to view many human interrelationships from the paradigm of a social-natural economics model and to understand various experiences of human intercourse with this model. One can "derive a revenue" (produce an income of tangible goods) by many means. Of these, typical employment in the form of a job is one example but burglary and armed robbery are equally examples. In civil society powerful social mores and folkways draw a strong *conventional* difference between them, but in a strict state of nature there is no real distinction whatsoever because all ideas of proprietorship, when objectively and deontologically valid, are ideas of convention. A very great number of all instances of the leadership dynamic involve *generalized economic transactions* of one kind or another.

To say this will be regarded by some as mere metaphor or analogy and accordingly held in low regard. To so regard it overlooks the mental physics of reflective judgment because the *cognitive effect* of the principle of formal expedience is to find through abstraction that which is conceptualized as common in divers objects, and by doing so develop genera under which particulars stand as species. Indeed, science itself is possible only because of this subjective principle of judgmentation; immediate sensational appearance carries in it *no* presentation of any general order in the universe. General principles and deep understanding are the products of reflection. Something like this is often stressed by the classical Eastern philosophers. Some Japanese authors, e.g. 17th century samurai and martial arts teacher Miyamoto Musashi, use the word *Heihō* to mean "deep understanding of the way to do anything." Musashi wrote,

I wish to put down in writing for the first time that which I have been disciplining myself in for a number of years, and to which path of *Heihō* I have given the name *Niten Ichiryū*.²³ . . . After passing the age of thirty, I reflected on the road I had been traveling . . . After that I tried to attain a deeper understanding, and as a result of disciplining myself day in and day out, at about the age of fifty, I came face-to-face with the true path of *Heihō*. Since then I have passed the time without needing any particular path to follow. Having become enlightened to the principles of *Heihō*, I apply it to various arts and skills, and have no need

²³ "Two Heavens-as-One School"

of any teacher or master. – Miyamoto Musashi, *The Book of Five Rings*

Lao Tzu counsels us,

See simplicity in the complicated. Achieve greatness in little things. – *Tao Te Ching*, 63

From Confucius we have,

A man is worthy of being a teacher who gets to know what is new by keeping fresh in his mind what he is already familiar with. – Confucius, *The Analects*, II, 11

Leadership occurs whenever individuals conjointly employ their persuasive power to affect in one way or another their stocks of tangible power. *Civic* leadership involves a mutual cooperation that each person participating thinks will, in one way or another, benefit everyone's situation. *Uncivic* (outlaw or state of nature) relationships often involve one party seeking to gain in tangible power at the expense of another's. Coercion at gunpoint is an example of the latter, whereas commercial relationships in a society, understood in the generalized context above, are intended by all parties participating to effect the former regardless of the sort of objects of tangible power that might be involved in the particular case.

That it is the normal behavior in human societies to prefer the civic rather than the outlaw relationship is due to nothing less and nothing more than individuals' common recognition that social cooperation better serves their individual duties to self in regard to their external situations. As un-altruistic as this strikes many people, it is nonetheless the psychological ground for Rousseau's formulating principle,

I suppose men to have reached the point at which the obstacles in the way of their preservation in the state of nature show [the obstacles'] power of resistance to be greater than the resources at the disposal of each individual for his preservation in that state. That primitive condition can subsist no longer; and the human race would perish unless it changed its manner of existence. – Rousseau, *The Social Contract*, I, 6

The difficulties and risks in the societal manner of *Existenz* arise from conflicts in the personal aims of the individuals whose interactions comprise the social intercourse within it. These conflicts take seed and grow from lack of mutual agreement concerning what conventions of property are to be observed (along with attendant conventions of civil liberties that attach to them). In large measure, individual persuasive power relies upon these conventions. Where this fails, a person is thrown back upon his intrinsic physical and intellectual personal power.

Any person of sufficient determination and the physical and intellectual power to accomplish his aim can deprive any other person of all or some of his tangible power and can refuse to be swayed by that person's persuasive power. Where no deontologically valid principles of rights, properties, and possessions are commonly understood and in play, there we find the strict state of

nature in which every person must fend for himself and where the only duties and obligations are those each individual makes to himself for himself. In such a state of nature there is no objectively valid meaning for the idea of "justice" and the only law is jungle law. The *matter* of the *nexus* of a *civil* state is a social compact because, as shown above, all *rights* are objects of convention alone, and this is the essential social context for real persuasive power.

§ 4.2 The Determination of a Social Compact

There are two ways by which cooperative human actions can be initiated. One of them is when a leader's action tricks or deceives the follower into doing something the leader wants him to do while withholding from him the real reason or purpose the leader has for the aim of his action. We might give this the somewhat oxymoronic name of "unilateral cooperation" because, while he is cooperating with the aims of the leader, the follower's action is determined (by the follower) for purposes and aims wholly independent of those which prompted the leader's initiating action. Many common examples of this that are likely to first come to mind can correctly be called *malignant manipulation* because the leader's aim is contradictory (and not merely contrary) to the aim of the follower. The vocational activities of a con artist fall into this classification. However, it is not the case that a leader's action is always a malignant manipulation. Themistocles conned his fellow Athenians into investing their silver in the building of a navy, but he did so to save the Athenian people from annihilation at the hands of the Persians. His was a deceptive manipulation but not a malignant one. Plutarch tells us,

And when others were of the opinion that the battle of Marathon would be an end to the war, Themistocles thought that it was but the beginning of far greater conflicts, and for these, to the benefit of all Greece, he kept himself in continual readiness, and his city also in proper training, foreseeing from far before what would happen.

And, first of all, the Athenians being accustomed to dividing amongst themselves the revenue proceeding from the silver mines at Laurium, he was the only man who dared propose to the people that this distribution should cease, and that with the money ships should be built to make war against the Æginetans . . . Themistocles thus was more easily able to persuade them, avoiding all mention of danger from Darius or the Persians, who were at a very great distance, and their coming very uncertain, and at that time not much to be feared . . .

. . . These measures he carried out in the assembly . . . and whether or no he hereby injured the purity and true balance of government may be a question for the philosophers, but that the deliverance of Greece came at that time from the sea, and that these galleys restored Athens again after it was destroyed . . . Xerxes himself would be sufficient evidence, who, though his land-forces were still entire, after his defeat at sea, fled away, and thought himself no longer able to encounter the Greeks – Plutarch, *The Lives of the Noble Grecians and Romans*

The other way by which cooperative human actions can be initiated is by first establishing a social compact among the people involved in the actions. Here the individual aims of the parties

in the association are not necessarily (or even likely) to be identical, but they are mutually compatible so far as the compact extends. The association is a common means by which each serves his own best interests. The ideas of representative democracy and of a republic provide us with illustrations of this, but even an ordinary commercial employer-employee relationship falls into this classification, as, indeed, does the basis of even a family.

These two classifications in their pure forms are but two poles of the cooperative relationship. There can be, and there are, examples where deception and compact are mingled together. For example, an employer might not and often does not reveal all that he has in mind for the employer-employee relationship, and an employee might not and often does not reveal all that he has in mind for it. There can be contradictory, and not merely contrary, aims held by the parties involved. This is frequently the case in many business undertakings. Adam Smith wrote,

What are the common wages of labor depends everywhere upon the contract usually made between those two parties, whose interests are by no means the same. The workmen desire to get as much, the masters to give as little as possible. The former are disposed to combine in order to raise, the latter in order to lower the wages of labor.

It is not, however, difficult to foresee which of the two parties must, upon all ordinary circumstances, have the advantage in the dispute, and force the other into compliance with their terms. The masters, being fewer in number, can combine much more easily; and the law, besides, authorizes, or at least does not prohibit, their combinations, while it prohibits those of the workmen. We have no acts of parliament against combining to lower the price of work; but many against combining to raise it. In all such disputes the masters can hold out much longer. [The masters] . . . could generally live a year or two upon the stocks which they have already acquired. Many workmen could not subsist a week, few could subsist a month, and scarce any a year without employment. In the long run the workman may be as necessary to his master as his master is to him; but the necessity is not so immediate. – Adam Smith, *The Wealth of Nations*, I

More will be said about the implications resident in Smith's observation in the next chapter. For present purposes, the two points I wish to emphasize are: (1) that compacts might not be to the full liking of any of the parties involved but that the making of one requires no more than mutual consent to the terms and conditions of the compact; and (2) that later *unilaterally* imposed changes in the compact's terms (such as those being sought by Smith's "combinations") endanger continuation of the association.

This treatise will not have much to say in regard to con artist leader's actions; this is not a training manual for how to bamboozle the unwary. Suffice it to say where no real social compact exists the relationship between the parties is such that no deontological concepts of civic morality, ethics, or justice apply, and that the relationship is the state of nature relationship where the only law is the law of the jungle pitting one person's power against another's. We call this the *outlaw* relationship. Furthermore, when a social compact does exist and one party deliberately breaks its terms, the relationship changes from a civic relationship to what we call the *criminal*

relationship. Here the criminal is he who broke the terms of the contract because in making a real social compact the agreeing parties each *necessarily* assume mutual obligations and reciprocal duties. If they do not, the compact is unreal and the actions of making it fall into the class of malignant manipulation. Deontologically, any deed contrary to duty is called a *transgression*. An *unintentional* transgression is a *fault*. An *intentional* transgression is a *crime*. These are the objectively valid and deontological real explanations of the moral terms transgression, fault, and crime. In the state of nature there are no faults or crimes because there is no social compact.

From the context of a social compact we also obtain an important deontological *Realerklärung*. It follows from another: *Unjust* is anything that breaches or contradicts the condition of a social contract. *Justice* is the prevention and negating of that which is unjust. These give us the deontological and practical *Realerklärung* of "unjust" and that of "justice." The idea of justice has real objective validity *only* within the context of a social compact. Outside this context the concept of justice has no real meaning. In the state of nature there is no such thing as justice.²⁴

We can see that there is a great deal of importance riding on this idea of a social compact and so we will have to treat this idea in considerable detail within this treatise. From this treatment will come the deontological *Realerklärung* of *moral leadership*. There are, however, some very key Critical questions and issues concerning the *Realerklärung* of the idea of a social contract itself, and these, too, must be addressed. To give just one example, one well known problem and issue that has plagued social contract theory from its beginning is the question of what is meant by the idea of "the will of the sovereign." This was *not* adequately addressed by Rousseau or by Kant, and it has been the weak point at which critics of social contract theory focus their attacks upon it. We will later see the practical and deontologically valid *Realerklärung* of this idea.

There is little incentive to enter into that discussion unless we have first discussed the practical benefit of a social compact in some more of its particulars. Perhaps you, my dear reader, have already gained some apprehension and appreciation of its importance from what has been covered thus far. Rousseau wrote,

The passage from the state of nature to the civil state produces a very remarkable change in man, by substituting justice for instinct in his conduct, and giving his actions the morality they had formerly lacked. Then only, when the voice of duty takes the place of physical impulses and the right of appetite, does man, who so far had considered only himself, find that he is forced to act on different principles, and to consult his reason before listening to his inclinations. Although in this state he deprives himself of some of the advantages which he got from nature, he gains in return others so great, his faculties are so

²⁴ The idea of a *justice system* is deontologically independent of the idea of a *legal system*. The purpose of any legal system is to codify the terms of a society's social contract in order to *serve* justice. However, there can be, and are, unjust laws, and breaking an unjust law is not a crime because the making of an unjust law is itself either a deontological fault or it is a deontological crime committed against the society as a whole.

stimulated and developed, his ideas so extended, his feelings so ennobled, and his soul so uplifted that . . . he would be bound to bless continually the happy moment that took him from [the state of nature] forever, and, instead of a stupid and unimaginative animal, made him an intelligent being and a man.

Let us draw up the whole account in terms easily commensurable. What man loses by the social contract is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty and the proprietorship of all he possesses. If we are to avoid mistake in weighing one against the other, we must clearly distinguish natural liberty, which is bounded only by the strength of the individual, from civil liberty, which is bounded by the general will; and [distinguish] possession, which is merely the effect of force or right of first occupier, from property, which can be founded only on a positive rule. – Rousseau, *The Social Contract*, I, 8

Rousseau wrote and intended his theory as political science only. Kant took a broader view of it but, handicapped by his epistemologically incorrect idea of an *a priori* "moral law within me," was unable to bring his theory to closure. As we have already discussed, every person constructs for himself his own private moral code through the structuring of his practical manifold of rules. An immediate consequence of this is that the idea of some one, single, all-embracing social contract is a mere ideal of theory. We therefore must not waste our efforts on "the one universal social contract" – for the Object of this ideal is a *noumenon* well beyond the horizon of possible experience – but, practically, devote them to understanding the general character of the idea of social compacts and social contracts. *This is as much as to say that social compacts and contracts are social-natural objects.* As they are, without exception, agreed-upon *conventions*, this means our exploration must be predicated upon human nature and upon the social and psychological conditions for civil cooperation. Leadership is a social dynamic and *sustainable* leadership has no context outside that of a specific *community*, which is the name I give to *all* cooperative human associations formed by mutual *consent* of all the parties involved.

The ground and first condition for the determination of any social compact subsists in the fact of human nature that mutual obligations and reciprocal duties are predicated from individuals' duties to themselves (categorical and hypothetical Relations of duty). The mutual obligation is the product of a mental synthesis and is correctly regarded as an hypothetical obligation held-to-be a categorical obligation. It is hypothetical because the person entering into a social compact regards the obligation as being owed to an abstraction, namely not to either himself alone or to the other parties associated by the compact but, rather, *to the union of their joint Enterprise*. It is categorical because, once made, the obligation is held-to-be without qualification – there are no "ifs, ands, or buts" that condition it. However, as an idea in the individual's manifold of *concepts*, the imperative of obligation is and can never be more than a *theoretically* categorical imperative. If the obligation comes into conflict with *practical* hypothetical imperatives – self-made moral laws – in the individual's practical manifold of *rules*, the theoretical will give way to the practical

if no *practical* accommodation is found for resolving the conflict.

This is possible only if such an accommodation can be reached by the individual in a manner conforming to the formula of his *practical* categorical imperative of pure practical Reason. The accommodation itself is then nothing else than an individual's act of *changing his own moral code*. Because the individual's private moral code is the product of his lifetime of experience, the difficulties in making such an alteration should be easily apprehensible. People do not change their private moral codes for light or transitory reasons. It is far easier to accommodate the manifold of concepts than to accommodate the manifold of rules at the level of the practical hypothetical imperatives. In *Critique of Practical Reason* Kant wrote,

One need only dissect the judgment that men pass on the lawfulness of their acts: thus would one always find that, whatever inclination may say between times, their reason, incorruptible and though itself self-contained, always holds the maxim of the will in an act up to pure will; i.e., to itself inasmuch as it regards itself as practical *a priori*. Now this principle of morality, just because of the universality of the legislation that makes it the formal supreme ground of determination of will regardless of any subjective differences, reason accounts at the same time to a law for all rational beings so far as they generally have a will, i.e. a capacity to determine their own causality through the representation of rules, hence so far as they are capable of acts according to fundamental principles; consequently also according to practical principles *a priori* (for these alone have that necessity reason demands for fundamental principles). – Kant, *Kritik der praktischen Vernunft*, 5: 32

Ontology-centered habits of thinking, especially those skewed with an unhealthy dose of Platonism, can make it easy to misunderstand what Kant is saying here. The "maxim of the will in an act" to which he refers is a theoretical maxim – a denizen of the manifold of concepts. The "pure will" to which he refers are the practical tenets of the manifold of rules bound and regulated by the practical categorical imperative and its unconditional demand for practically perfect equilibrium. He speaks of "this principle of morality" in the context that, for the judging person, morality subsists in the structure of the manifold of rules. The "legislation" of this manifold is "universal" only in the context that the practical laws represented in the manifold of rules represent the most perfect and universally applicable practical tenets the person has thus far in his life been able to construct out of experience. This universality has nothing whatsoever to do with other people or with outer objects in Nature; Reason *knows* no concepts of objects in Nature and *feels* no feelings of affectivity. But Reason does regulate the process of thinking and the construction of the manifold of concepts and the *practical universality* of the person's manifold of rules *will require him* to hold-it-to-be-true that moral *concepts* in his manifold of concepts are therefore objectively universal, i.e. that his private moral code *ought to necessarily be* the moral code of every other person.

To put this more simply, a person dissatisfied or malcontented in his relationships with others

in the association *is motivated to judge himself to be in the right and judge others to be in the wrong* when issues of duty appear (to him) to come into conflict between persons. Furthermore, he will judge his theoretical position to be *morally justified* by his innate natural right, i.e. through his power of self-determination, as a free and rational being. He will, therefore, determine his own actions from no other standard than his own standard of practical perfection, and he will impute this same natural law of self-determination to other men. If he thinks you have broken a social compact between yourself and him, his motivational dynamic will bias him to think that *you* are acting immorally and that *you* are the one who is in the wrong. In this, it will make all the difference that matters to the relationship whether he thinks you are merely *at fault* or are guilty of a *criminal* transgression. He can forgive the first but not the second and may seek retribution.

At the same time, the natural bias of *your own* motivational dynamic will motivate you to think that just the opposite situation is true – that *you* are right and *he* is wrong. A Critical observer standing by and watching the dynamic taking place between the two of you will be able to see the situation in a wholly different light – namely that you are both right *and* both wrong (presuming, that is, he thinks that the leader's action provoking the conflict²⁵ was *not* intended by the leader to be a breach of the social compact; in that case he will judge in favor of the other person). He will see in this dynamic all the ingredients sufficient to lead to a complete breakdown of the social compact and for the reversion by the morally offended person to a state of nature relationship with the other person. If the aggrieved person makes that self-determination, he will not necessarily publicize that fact.

It is not necessarily the case that a situation such as this must inevitably produce a complete breakdown of the social compact. Both parties involved have an opportunity to head this off. But one or the other *must* take effective leader's action to prevent it because the natural course of the motivational dynamic is going to bias both people towards the breakdown if neither of them understand the mental physics of the dynamic that has been put into play and there is no third party moderator skilled enough – through his persuasive power – to help them reach this understanding. Again, practical duties to oneself *always* trump theoretical tenets of reciprocal duty. That a breakdown of the social compact *can* be avoided is due to nothing else than the fact that when both people involved have made (for themselves) real determinations of mutual obligation, then both people will also be biased to try to satisfy the obligation *if* they can find a way to resolve the conflict in a manner satisfactory to both persons' duties to themselves.

²⁵ The person whose action stimulates a change in behavior by another person is always the person taking the leader's action. The identity of the leader may change in the next few minutes, but at the moment of stimulation the stimulator acted as the leader.

Most people – probably almost everyone – take it for granted that the mores and folkways of their own political community are more or less reliable guarantees that social compacts in the many particular mini-communities people form among themselves will mirror those of the greater social compact that binds a culture together. This optimism is wholly unwarranted. In the first place, despite the many commonalities present in cultural mores and folkways, the greater social contract is itself usually not as commonly understood as people assume. Things said to "go without saying" usually in fact do not. The prices paid for this understandable but false presupposition include the breakdown of mini-communities like commercial enterprises, churches, universities and colleges, and even governments. Historian Arnold Toynbee famously wrote that civilizations *fall from within*. Although Toynbee's thesis has been disputed by some historians, smaller scale evidence of this is found *in great abundance* by studying the collapse of many once-healthy business organizations. Toynbee wrote that

the principal and essential challenge [to the members of a failing society] was a human challenge arising out of their relationship to the society to which they were affiliated. This challenge is implicit in the relation itself, which begins with a differentiation and culminates in a secession. The differentiation takes place within the body of the antecedent civilization, when that civilization begins to lose its creative power through which, in its period of growth, it had at one time inspired a voluntary allegiance in the hearts of the people below its surface or beyond its borders. When this happens, the ailing civilization pays the penalty for its failing vitality by being disintegrated into a dominant minority, which rules with increasing oppressiveness but no longer leads, and a proletariat (internal and external) which responds to this challenge by becoming conscious that it has a soul of its own and by making up its mind to save its soul alive. The dominant minority's will to repress evokes in the proletariat a will to secede; and a conflict between these two wills continues while the declining civilization verges towards its fall until, when it is *in articulo mortis*²⁶, the proletariat at length breaks free from what was once its spiritual home but which has now become a prison-house and finally a City of Destruction. – Arnold Toynbee, *A Study of History*, II, v

We will call this group of disaffected people *a Toynbee proletariat*. Because of the mental physics factors discussed above, the emergence and unchecked growth of a Toynbee proletariat within any community is ultimately fatal to the continuation of that community. Regardless of how historians view Toynbee's thesis in regard to ancient and modern civilizations, the social-natural dynamic he describes above is found in many organizations at all levels of social scale. The logical conclusion following from this could not be more clear: In the determination of any social compact, the first concern of the parties must be clarity in its terms and conditions and the extent to which mutual obligations are to apply to the community being formed.

The great question, though, is: How can this practically be accomplished? Right behind this question comes another: How can the compact be maintained over the long run? We begin to take

²⁶ "at the point of death"

up these issues in our next chapter.

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