

SYMPOSIUM  
PROBLEMS AND METHODS IN GLOBAL THINKING



ON KANT'S DUTY  
OF STATE ENTRANCE

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# On Kant's Duty of State Entrance

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## Introduction

**H**ardly any question in political philosophy elicits passionate discussion like the question of property rights and migration. With regard to property rights, the issue becomes even more passionate in the context of settler colonies, like South Africa. Recently, the political program of expropriation of land without compensation has led to explosion of combustible rhetoric in the public sphere in South Africa, with claims about white genocide in the country gaining currency around the world. This has prompted prominent politicians of so-called free world to make statements in support of the 'threatened' population of white South Africans. Against this background, it is important to consider to what extent we can think systematically about the justification of land acquisition in former settler colonies. How should we think about past encounters that have come to shape current ideas about property ownership in a way that enables us to imagine a better future? In considering the question, I will be more concerned with

the aspect of “how to think” and not the substance of thought *per se*. That is to say much of what I will be discussing will have to do with how to think about property rights and not exact beliefs one should hold about the concept. Given that thinking occurs through concepts, my focus will be on the way we think, use and misuse the concepts.

More specifically, however, I will attempt to attain this goal through analysis of Katrin Flikschuh’s discussion of interpretations of Kant’s account of the duty of state entrance. I will highlight her perspective on the reason appeals to Kant’s idea of state entrance in the context of encounters with nomads are unsatisfactory. To explain further her perspective, I will begin with reconstruction of her account of the nature of the state in Kant’s thought. In doing this, I aim to show that there is an interesting connection between Western philosophy and African philosophy. This is the concern in both traditions of philosophy with the question of a “usable past.” Concerns about the way to make Kant’s concepts fit for new global theorizing resonates with concerns about how to make traditional African concepts fit for modern theorizing. Thus, whereas various textual analysis of Kant’s writings give rise to divergent interpretations, attempts at reconstructing the mostly oral based African concepts lead to the same problem.

The tasks of the paper are taken up in four parts. The present introduction constitutes the first section. In the next section, I reconstruct Flikschuh’s critique of justifications of land acquisition in settler colonies. Specifically, I account for her analysis of the way Kant’s theory of property rights and the duty of state entrance is leveraged to argue about land acquisition in settler colonies. In section three, I discuss the implication of the divergent interpretation of Kant’s duty of state entrance in relation to encounters between European settlers and nomads. In the last section, I show why I find Flikschuh’s diagnosis of conceptual loss

cogent and also why I think her account of the reasons for this diagnosis must be broadened. I conclude with a reflection on the reason philosophy today should be primarily an exercise in conceptual repair, especially in the context of global normative theorizing.

### **Nomads and Kant's Duty of State Entrance**

Flikschuh contextualizes the discussion of conceptual loss by exploring the consistency of the duty of state entrance in the encounter between European settlers and nomads. Her primary focus is on grounding of the duty of state entrance and its possible application to nomads. This in effect means interrogation of the universality of the duty of state entrance. She engages in this exploration against the background observation that “current normative Kantianism largely simply tracks the shifting normative concerns of liberal global theorizing” (Flikschuh 2017, 40). With this Flikschuh aims to underscore that contemporary appeals to Kant in recent works in liberal political thinking are problematic. And the reason, she says, is that Kant cannot simply be assumed to be one who thinks just like we do today. To this end, the link between various so-called Kantian theories to Kant is tenuous because they largely have little grounding in the larger context of Kant's work. This is an interesting observation, given especially widespread efforts to deploy Kant's ideas in theorizing and resolution of complex philosophical questions in political philosophy. We find this mostly occurring in attempts to justify the necessity of the state.

The main issue Flikschuh raises about liberal normative theorizing is the question of statehood. Specifically, she considers whether Kant affirms that there is a moral necessity of state entrance. Flikschuh considers the issue of ‘moral necessity of state

entrance' to ascertain whether the state should be as central as it currently is in liberal political thinking. By this means, Flikschuh aims to critically appraise the possibility of reorienting current state-centric liberal political thought. Such reorientation would mean to shift the paradigm of liberal political thinking away from current assumption of the moral necessity of the state, thereby setting it on a more secure foundation. The reorientation she seeks implies recognition of the possible inadequacies of concepts embedded in liberal theorizing as means to capture global experiences.

Such paradigm shift however raises two questions. The first question has to do with the reason current orientation in liberal political thought is shaped by assumption of the centrality of statehood. Why, to say it differently, is current liberal political thinking largely informed by assumption of centrality of the state for global normative theorizing? The second question is why it is now necessary to reorient liberal political theorizing. Answers to these questions can be gleaned through consideration of her discussion of Kant's place in the oeuvre of liberal political theory. Having made recourse to Kant to construct his modern account of political theory, John Rawls brought Kant's political ideas into sharper focus for modern liberal theorists. Rawls impact, therefore, accounts in part for ascendance of the orientation that assumes the centrality of the state in liberal theorizing. Following the precedence set by Rawls, liberal political theorists generally came to assume the centrality of statehood to their normative orientation. With regard to the second question, the answer I think is in line with Flikschuh's thought is that anxieties of liberal theorists about the adequacy of their familiar concepts show that there is indeed a problem of possible conceptual loss in this context. Said differently, liberal theorists need to consider the necessity of reorienting their normative outlook because the anxiety evident in their last-standing efforts to defend the

sufficiency of their familiar concepts, such as the state, show that their orientation is now unable to capture global experiences.

Building on this last point, namely, that anxieties about the centrality of statehood in the orientation of liberal political theorists demonstrates a need for normative reorientation, Flikschuh proposes that the best place to begin searching for an answer is to understand the nature of the question about conceptual loss in liberal political thinking. By reformulating the question first posed by Kant, namely “what is orientation in thinking?” as “what is orientation in global thinking?” Flikschuh brought to attention the importance of context for judgment about conceptual loss. For her, conceiving a new normative orientation requires having clarity about what it means to talk about orientation in thinking. Recall that the background of Flikschuh’s question about reorienting global normative thinking is Kant’s discussion of the question “what is orientation in thinking?”. As such, her discussion of the context of possible conceptual loss in liberal political thinking proceeds from a Kantian background. She argues that the question concerning “how we can orient our thinking” is a recognition that “we cannot take our thinking for granted; more specifically, that we cannot assume a ready-made fit between thought and world or between world, thought and action” (Flikschuh 2017, 38). The reason we cannot take our thinking for granted is Kant’s suggestion that our access to the world is mediated by concepts. Flikschuh notes that this view is premised on the distinction Kant made between noumenon and phenomenon. As she puts it, “if our cognitive access to the world is non-immediate we need to find our point of orientation towards the world” (Flikschuh 2017, 39).

Although Kant’s ideas and thinking are characterized by pairwise distinctions, recent appropriations of Kant side-step these cumbersome terminologies in order to develop theories that are

accessible. Hence Flikschuh's claim that Kant inspired political thinking is "wholly normative" and "tracks the shifting normative concerns of liberal global theorizing." But this is not exactly the reason we should consider reorienting global normative thinking. According to Flikschuh, necessity of this task stems from the inconsistency Kant seems to exhibit about the nature of the duty of state entrance, specifically, his seeming inconsistent application of this duty in the context of the encounter with framework-external phenomena. As she puts it, "pressure for rethinking arises for Kant in much the same way as it arises in relation to current liberal thinking, namely through the unexpected intrusion of framework-external phenomenon. In Kant's case, the intrusion takes the form of European settlers' historical encounter with nomadic peoples, foremost in North America but also in Africa" (Flikschuh 2017, 40). Responding to the issue this encounter raised, specifically what European settlers can justly do to the nomads, Kant, Flikschuh notes, denies rather forcefully in his *Doctrine of Right*, that European settlers have a "right to compel nomads into a civil condition" (Flikschuh 2017, 41).

The importance of the issue here comes out clearly when we recall that Kant generally proposed that there is a general duty of state entrance. Not only is there such a duty, but it is "a coercible duty, implying that all those who come into unavoidable contact with each other can compel each other to enter into a civil condition with each other" (Flikschuh 2017, 41). Notwithstanding, Kant did not find it possible to assert in relation to nomads the applicability of this duty. Nomads, on this view, do not have a duty of state entrance and may as such not be compelled by European settlers to enter into a civil condition – a coercible universal duty Kant had earlier asserted. This is paradoxical, given the general structure of Kant's thought on the duty of state entrance as universally applicable to all and not admitting of exemptions. Is this an inconsistency in Kant's thought? Is it an inconsistency for

Kant to propose that there is a general duty of state entrance but at the state time claim that this coercible duty does not apply to nomads who European settlers are obligated not to compel to enter into a civil condition? Flikschuh conceives an answer to this question to show the necessity of reorienting global normative thinking in current liberal theorizing. Her approach is to conceive a strategy of justification that consistently allows Kant to hold this seemingly contradictory perspectives. She calls this strategy of justification recursive justification.

### **Diagnosing Conceptual loss**

How then does Flikschuh answer this question? Her answer is that it would be wrong to assert that Kant's seeming exemption of nomads amounts to inconsistency. She shows why this is the case by considering, first, recursive justification as a view that allows Kant to consistently make the claims noted earlier about the duty of state entrance. Next, Flikschuh considers how recent liberal theorists have attempted to argue for the universal applicability of the duty of state entrance. Her goal in this regard is to show the shortcoming in their justificatory strategy, which leads them to deal inadequately with the paradox of Kant's assertion that nomads do not have a duty of state entrance. The next move she makes is to show how an alternative approach to understanding the duty of state entrance enables Kant to hold that Europeans have a duty of state entrance as opposed to so-called nomads. Although I do not want to brush aside the nuances of the argument proposed, I summarize Flikschuh's contention with regard to recursive justification as follows: we can say that Kant's strategy of justification is recursive because, "rather than advancing deductively from initially affirmed premises to the relevant conclusion entailed by them, he departs from what [Flikschuh] call a first-personally affirmed experiential premise or condition." The

point here is that Kant's approach necessitates paying attention to the necessary condition that makes a claim applicable to a thinking subject. This means paying attention to that which the individual must assume of herself to make a claim applicable. This is neither subjective desires or preferences. What must be assumed here is also not something objectively mind-independent. It is "that which I cannot but accept as valid for me given my acknowledged experiential condition" (Flikschuh 2017, 45). On this account, attributing reasons for action cannot proceed from a third-person perspective, the reason being that those for whom such reasons are postulated may not share the 'relevant experiential condition'. To this end, a subject ought to be aware of herself reflexively as having an experience in order for a set of reasons for action to apply.

Having made this argument, Flikschuh considers and rejects attempts in current liberal political theorizing to postulate unconditional, universal necessity of state entrance. Crucial to her argument here is the analysis of the duty of state entrance. Although Kant derived the necessity of this duty from his arguments about property rights, recent attempts among liberal theorists support a reading according to which the duty of state entrance issues "not from the complicated property argument, but from the seemingly more straightforward affirmation of an 'innate right to freedom' in the introduction to the *Doctrine of Right*" (Flikschuh 2017, 47). Flikschuh asserts that this approach appeals partially but insufficiently to the recursive argument that is at the core of Kant's justificatory strategy. As such, these recent attempts are unable to accommodate the seemingly paradoxical move Kant made to assert a duty of state entrance for Europeans but not for nomads. Paying close attention to what is borne out by Kantian strategy of recursive justification would be useful to understand what may be possibly inferred from Kant's duty of state entrance. For Flikschuh, "the conclusions of recursive justification may be

less general in scope than one is entitled to expect from Kant” (Flikschuh 2017, 50).

A better approach, she suggests, is to proceed by acknowledging that Kant does not derive a universal duty of state entrance from a “third-personally assigned general freedom right” (*ibid.*). She refers to a passage in the *Doctrine of Right* to establish this claim. To argue it is unfounded to infer a universal, unconditional duty of state entrance from Kant’s postulation that there is such a duty, Flikschuh turns to analysis of attempts by a number of liberal political theorists to interpret Kant’s pronouncements on what settlers from Europe may justly compel nomads to do. For instance, “in newly discovered lands, may a people undertake to settle (*accolatus*) and take possession in the neighborhood of a people that has already settled in the region, even without its consent?”.

The interpretation of Kant’s consideration of nomads and the duty of state entrance by the contemporary liberal theorist, Anna Stilz, recognizes the tension that arises for Kantian conceptual possibilities. She recognizes that “Kant’s early claim that a property right in an antecedently unowned object (including land) proceeds from an act of first acquisition”, yet, in relation to the nomads, Kant denies “that settlers’ acquisition of land that is merely *used* by shepherds and hunters is rightful” (Flikschuh 2017, 51). Kant distinguished between use and acquisition. For the latter to obtain, there is a necessity to enter into a civil condition. The mere collective use of a property may not validly constrain acquisition if a civil condition is established. The point of contention then is why Kant contends that there is no duty of state entrance for nomads and at the same time postulates that settlers do not have a right to acquire the land merely used by settlers. That is, land over which they do not have the sort of rights granted by acquisition under a civil condition.

Stilz on Flikschuh's reading attempts unsuccessfully to resolve this tension by arguing that "Kant's denial of settlers' rightful acquisition of nomadic regions indicates that he accords nomads provisional title to those regions" (*ibid.*). Pointing to the fact that "acts of acquisition must be acknowledged as rightful by all those against whom that title is raised." Flikschuh proposes that the acknowledgment "is possible only through entrance into the civil condition" (*ibid.*). The attempt by Stilz to tackle this issue is unpersuasive because, as Flikschuh rightly argued, her position is "ambivalent between an empirical and an analytic reading". Not only that, her "interpretative argument seems to [Flikschuh] to be driven by an independent concern to assign the conflicting claims of both parties equal weight" (Flikschuh 2017, 52) which is to say, "she is concerned to vindicate nomads' first-acquisition claims against the settlers without in so doing denying settlers' needs-based claims against nomads" (*ibid.*). Flikschuh finds especially wanting the fact that Stilz appeals to Kant's property argument to buttress her observation that, *prima facie*, the claim by settlers to the nomadic people's lands is illegitimate. The reason is that appeals to property rights in this context can only work if there is corollary postulation of the duty of state entrance. If "nomads do have a provisionally valid property title, they also have a duty of state entrance as a necessary condition of conclusive possession" (*ibid.*). In short, it is insufficient to claim that similarity of conventions about property among settlers and nomads constitutes the reason settlers are not at liberty to take possession of nomadic lands. Stilz fails to disentangle the seeming inconsistency entailed by Kant's treatment of nomads because she extends the concept of property rights to nomads, and, in so doing, she incorrectly attributes to them a duty of state entrance which Kant himself denies exists for nomads.

So, how then can the issue be adequately addressed? Flikschuh goes at length to argue that the encounter between nomads and

settlers constitutes in Kant's work an intrusion of framework-external phenomenon which forced him to reorient his thought. Kant can be said to have systematically worked out proposal about "a thoroughgoing system of moral-judicial law-giving that spans the earth's entire circumference, in analogy with thoroughgoing causal laws of nature" (Flikschuh 2017, 61). Notwithstanding, he was able to reorient his thought to accommodate the valid challenge posed by framework-external phenomenon. As such, it will be opposed to Kant's approach to "look for quick fixes out of the apparent conundrum which Kant's acknowledgement of nomads' non-duty creates for his initial argument regarding the moral necessity of state entrance" (*ibid.*). The attempt Kant made to resolve the challenge that arose from the intrusion of nomads into his systematic thoughts should not be seen as mere "normative afterthought that is resolvable in more or less ad hoc manner" (Flikschuh 2017, 62). The reason for this claim is that "nomads' non-duty puts universality claims regarding the morality of statehood into question" (*ibid.*).

How does Kant resolve the tension introduced in his thought by the encounter between settlers and nomadic peoples? Flikschuh's position is that Kant does not resolve the issue. As she observed, this does "not mean that, try as he might, he *fails* to resolve it" (Flikschuh 2017, 63). What Flikschuh means by asserting that Kant does not resolve the tension is "that he acknowledges the tension without trying to resolve it" (*ibid.*). Two reasons given for the view are: 1) "the generally open-ended nature of Kant's systematic theorizing" and 2) "the fact that Kant's position points towards a practical response [which is to say] we can find ways of engaging with others even where we discover that our principles (or duties) may not be theirs" (*ibid.*). Overall, this hints at the possibility of conceptual incompleteness in relation to Kant. In other words, the fact that Kant recognizes the challenge posed by intrusion into his system of a framework-external

phenomenon shows that he recognizes a possibility that the concepts upon which he relies may not hold universally and ascribed from a third-person perspective. Even if the challenge posed is not resolved, the important thing is to recognize the possible limits of universality claims. Kant's assertion of the duty of state entrance although is a valid claim does not presuppose in any way universal applicability to all through third-personally ascribed reasons. Given that my interest is not to propose a correct interpretation of the duty of state entrance in relation to Kant's treatment of nomads, I shall leave the arguments about the topic here to focus on the indirect problem I wish to consider. I shall below consider what it could mean to find that Kant's *Doctrine of Right* are interpreted in radically different ways by philosophers embedded in his tradition of philosophy, namely, Western philosophy.

### **Differences in Interpretation and the Idea of a Useable Past**

As we have seen, Flikschuh does not agree with attempts by liberal theorists to think it is self-evident that the state should be central to liberal political theorizing. Through consideration of Kant's attempt to deal with the conundrum posed by encounters between European settlers and nomadic people, Flikschuh inferred insights that are useful in reorienting liberal theorists' approach to global normative thinking. Regardless of the general validity of her arguments, the striking point for me is the very fact of divergence of interpretation of an important text in the Western tradition of philosophy by philosophers embedded in that tradition. Without merely saying that it is in the nature of philosophers and political theorists to disagree about almost everything, is there something deeper we can point to in this regard? In what follows, I shall argue that there is indeed something significant we ought to note, which might in some ways add to the overall cogency of Flikschuh's

project. I will explicate this point by drawing on discussions about what I will refer to as usable past. The general point is that the divergence of interpretation of this important text in Western philosophy establishes a linkage between Western philosophy and non-Western traditions of philosophy, such as African philosophy. I shall begin with clarification of what I mean by usable past and then move on to analysis of the sense in which the concern it raises manifests in both Western and African philosophy, thus linking the two traditions of philosophy in some ways. Let me turn then to the first issue, namely, explication of the idea of usable past.

Richard Rorty provides a lucid discussion of what I am here referring to as usable past in his book *Achieving Our Country*. This book which first was given as the William E. Massey Sr. Lectures in the History of American Civilization in 1997 at Harvard University, recently became a top-selling book due to a poignant perspective it was flimsily assumed to provide on the root cause of the rise of authoritarianism in America. The book is however more than a statement on the possibility of an authoritarian figure emerging in an otherwise established democracy. Its general importance has to do with the reflection it provides on the relevance of the past, especially the past he calls the Old Left, for political and social imagination. One of Rorty's observations, which conveys this thought succinctly is his postulation that "those who hope to persuade a nation to exert itself need to remind their country of what it can take pride in as well as what it should be ashamed of" (Rorty 1997, 3). Insisting that artists and intellectuals are bearers of the responsibility for this story-telling, Rorty points out that, as laborers in the vineyard of the mind, their task is to "create images of, and to tell stories about, the national past" (*ibid.*, 4). This is a suggestion that intellectuals and artists should create inspiring stories from the resources their nation's past offers. The idea of a usable past, in line with this thought, could be said to refer to efforts at interpreting a people's tradition or aspects of their

tradition in the interest of responding adequately to anxieties of the present.

The idea of usable past points to the specific sense in which the past matters for human societies. To see how this is the case, it will be useful to be able to say exactly what it is about the past that matters in the sense imagined in this idea of a usable past. What, in other words, is the object of cognition in the idea of usable past? Straightforwardly, it is the past as the sum of human experience in a given context that is the object of cognition. As Rorty noted, “stories about what a nation has been and should try to be are not attempts at accurate representation, but rather attempts to forge a moral identity” (Rorty 1997, 13). The proposition of the idea of usable past is that representation of the meaning of an ideal life worth striving after emerges through conscious but careful use of human experiences encoded in artefacts preserving them – all forms of public memory symbols, rituals, great works of literature and the likes. For the ‘use’ implied here to occur and guarantee realization of the aspirations of the idea of usable past, creativity of a rather special kind is required. Given that what is at stake pertains to the use of imagination, the special form of creativity required would be a conceptual form of creativity – which is to say, a particular approach to using ideas provided by past experiences to fashion new ways of imagining reality that can inspire people to become better version of themselves.

Concerns about what I am attempting to capture with the notion of usable past can be found in the works of many philosophers from diverse backgrounds or traditions. Kwame Anthony Appiah points to the nature of this concern in the African context in his observation that “the relation of African writers to the African past is a web of delicate ambiguities. If they have learned neither to despise it nor to try to ignore it ... they have still to learn how to assimilate and transcend it” (Appiah 1992, 76).

What is underscored here is that creative use of the past holds a special significance in African writers' attempts to imagine who they could become. Barry Hallen and Bogumil Jewsiewicki have both discussed the perennial relevance of concerns about usable past in African studies (Hallen 1997; Jewsiewicki 1989). Essential to their analysis is awareness that attempts at constructing a usable past is difficult in African context due to historical circumstances. Confronted with a denigrated past, the study of Africa has tended to manifest anxieties about the possibility of the task proposed by usable past. For, mention of the past, invokes humiliation. Thus, rather than seek to reimagine the self through refashioning of the past, it is assumed that transcending the past in the interest of re-inventing the self from the scratch is a more formidable goal.

My interest is not to consider the best approach to the past or even to construct a theory about how to 'use' the past in the sense implied by the notion of usable past. I am interested more in establishing how concerns about usable past links philosophical traditions and how recognition of this possibility might help illuminate Flikschuh's attempt at reorienting current global normative thinking. Recently, Jay L. Garfield and Bryan W. Van Norden were in the news within and beyond the philosophy community around the world for their essay on how Western philosophy departments are structured. Titled "If Philosophy Won't Diversify, Let's Call it What it Really Is" (Garfield & Van Norden 2016) and written with persuasive elegance, the essay was virally shared on various online platforms by both protagonists and antagonists of current canon of philosophy education. The main point at issue in the essay is to emphasize why it is problematic that philosophy departments reserve a rather exaggerated pride of place for Western philosophy in their curriculum.

Not wanting to repeat endless arguments whether the practice is justified, the authors simply focused on articulating the necessity

of doing the logical thing, which is to correctly name philosophy departments, namely, as departments of Western philosophy. Responses to the view expressed in the essay were varied and passionate, indicating that the authors had touched a nerve. They had their fingers on the right spot. Decolonization movements such as “*Why is my Curriculum White?*” in the UK and “*Rhodes Must Fall?*” in South Africa brought to light the nature of the anxieties invoked when current imagination of philosophy is questioned. Although analysis of these anxieties is not my goal, it is worth observing the deep involvement and commitment shown in these debates. It is ordinarily not the case that people show deep personal involvement or commitment when issues that do not matter to them personally are discussed. Thus, the question to ask is why it matters personally to many whether Western philosophy is privileged in the canon of philosophy education. The answer to this question is apt to reveal the link I seek to establish between Western and other traditions of philosophy.

It may be best to answer the question through the chink provided by Odera Oruka. In his analysis of Kwasi Wiredu’s idea of cultural universals, Oruka observed that attention must be paid to cultural fundamentals because they matter “in assessing the possibility of a success or failure in philosophical dialogue” (Odera Oruka 1990, 32). By cultural fundamental he means “a concept, a style of language, a method of work or a psychological expectation that helps to mark one culture from another” (*ibid.*). For Oruka, we all come into philosophical dialogue with our different perspectives. This in itself is not a problem. The challenge is to determine what will make dialogue in such circumstance possible. As he put it, “in philosophy, different perspectives can have dialogue only if each of the promoters of one perspective appreciates and respects the seriousness of the perspective of a different person or group. But then we shall need to have a referee to conduct and judge the dialogue” (*ibid.*, 36). He proposes that

history has played this role of a judge. The problem, however, is that “many have been reading history wrongly or biasedly ... to find a justification for their perspective and special position. That position can be of a conviction that one is a master or servant” (ibid.). What then should we do with this more or less compromised umpire? Oruka suggests that we ought to use history to create new history. For him, doing so would be the way to ensure emergence of a fair, unbiased umpire in the philosophical dialogue of mankind. In this comment, we find the reason I turn to Oruka to find an answer to the question posed earlier, namely, why it matters personally to many people the fate of current imagination of philosophy. The reason debates about current imagination of philosophy matters in a personal way to many is because it unsettles how people read history, the past. And so, with this observation, we return to the issue of usable past.

Concerns about usable past links Western philosophy to other traditions of philosophy because it is what drives progress in philosophical reflection. While the African philosopher, for instance, is absorbed in attempting to transform a denigrated past into a usable past, it can be said that the Western philosopher is engrossed in finding a way to transform the baggage of her predominantly written corpus into a usable past in light of current global realities. These realities can be summed up as realization that global normative theorizing must contend with issues that cannot be captured adequately or exhaustively through the lenses of Western ways of imagining reality. More is required. Having established how usable past links Western and other traditions of philosophy, let me now turn to discussion of why this is a more profound way to evaluate disagreements about how to interpret an important text, such as Kant's work on the duty of state entrance. This provides the background to consider further why Flikschuh is apt to propose a reorientation of global normative theorizing, especially in the context of liberal political theory.

I think it is more profound to evaluate disagreements about interpretation as reflection of efforts at constructing a usable past. The significance of the disagreements cannot be limited to simply claiming that it is in the nature of philosophers to disagree. It does not also capture the core of what is at stake to claim that the significance of disagreements about interpretation consists in the sheer joy of winning an argument or clarifying concepts or arguments. Surely, investment in painstaking analysis of a text should be propelled by something more than the joy of winning an argument. Besides, who is the judge? Certainly, clarifying concepts and arguments are by-products of contestations about interpretation. But, given the cogency of the assumption that people must at least share a basic intelligibility of a concept for there to be any reasonable disagreement about it, it is reasonable to suppose that we aim at more than merely stipulating the meaning of a concept in disagreements about interpretation of a text or theory. We want to know the meaning more consistent to the text or theory, but also, we want to consider in light of this more consistent meaning how we ought to orient ourselves in present circumstances. This means part of what we aim to do is to determine how we can fashion the text or theory into a usable past. That is, how to create a new story from the text to adequately capture reality in our current experience. What is the relationship between this discussion and Flikschuh's arguments about the necessity of reorientation in normative global theorizing?

The relationship between my suggestion that contestations about interpretation of a text should be seen as efforts to realizing a usable past and Flikschuh's conception of the need for reorientation of global normative theorizing is the necessity of taking seriously the dangers of uncritical conceptual universalization. Just like other projects of fashioning a usable past, Flikschuh's arguments aiming to reorient global normative theorizing amounts in the end to an attempt to adequately address

the problem of uncritical universalization of concepts. By showing the sense the challenge of conceptual loss arises for liberal theorizing, especially in relation to appeals to Kantian concepts, Flikschuh is pointing to the necessity of refashioning the past in the interest of dealing adequately with the damaging consequences of uncritically attributing or extending one's familiar concepts universally.

Her proposal, as I understand it, is unlike that of Wittgenstein who famously suggested “whereof one cannot speak, thereof one must be silent.” Flikschuh's argument instead is that we should be circumspect in speaking about phenomena our concepts can only adequately capture. Not only should we not do that, but we should be aware of the inadequacy of familiar concepts. By not speaking about phenomena our familiar concepts cannot adequately capture, we contribute positively to the task of stemming the scourge of cognitive damages that arise from uncritical universalization of familiar concepts. Rather than remain silent in the event we encounter phenomena which our familiar concepts can only inadequately capture, we ought to recognize this as an opportunity to utilize with appreciation learning opportunities offered by other traditions of philosophy. In light of this, I will show below why it is plausible to claim uncritical attribution of universality to one's familiar concepts can lead to conceptual damage, a situation that could create deficiencies in cognition and might never go away.

### **Conceptual Loss, Conceptual Damage and Global Normative Theorizing**

Kwasi Wiredu considers colonized mentality as the problem that arises when the conceptual categories of one tradition of thought is superimposed on another. Colonized mentality in his

view is the internalization of superimposed categories of thought. It is a condition of the mind that, although is reversible, entails the hard work of conceptual decolonization. Wiredu takes the task of conceptual decolonization to be the urgent task African philosophers must engage (Wiredu 2009, 10). The imperative to construct a usable past in interest of reorienting global normative thinking, rephrased here as conceptual repair, makes Wiredu's suggestion about the necessity of conceptual decolonization a task for every philosopher. The reason is that philosophers, given their interest in asking fundamental questions, are in a very good position to lead the struggle for a form of theory formation that is well considered. A cursory look at one or more cases of experiences of conceptual damage is apt to illuminate further the cogency of Flikschuh's diagnosis of conceptual loss in current liberal theorizing.

For global normative theorizing, it is important to take the project of conceptual repair seriously because it is the means to tackle problems arising from uncritical universalization of concepts. Current global normative theorizing happens in a post-imperialist world. In such a context, it is important to engage in conceptual repair as part of global normative theorizing because imperialism, especially in the form of direct colonization, was at core a conceptual project. In societies that experienced colonization, it is manifest today that colonial project was essentially an effort to remake colonized spaces in light of Western conceptual habits.

The experience in Africa demonstrates this point. Here, manifestation of colonization as a project of conceptual realignment is evident in three domains of social and political life. With regard to marriage, Africa was re-engineered to shift from polygamy to monogamy. For legal imagination, conceptual shift mainly occurred in terms of moving from governance by means of

custom to governance by rule of law. Finally, conceptual shift in the religious sphere entailed moving the imagination of Africans from emphasis on so-called polytheistic beliefs to steadfast embrace of ruthless monotheism. All these shifts culminated in entrenchment of a political organization firmly anchored on the concept of the state. The problem, however, is that conceptual shift of this sort creates intractable cognitive disorientation. With regard to political imagination, the issue is that the state that emerged from conceptual shifts instigated by colonization lacks a coherent normative basis (Okeja 2020). Against this background, I contend that the cogency of Flikschuh's diagnosis of conceptual loss in normative theorizing is recognition of a need to reorient concepts where they lack normative force. Reorientation here would involve conceptual repair in the sense of learning from anterior contexts what the self-awareness of their experiential uniqueness might mean for validity of a norm or principle.

Looking at the conceptual adjustments that occurred in Africa due to colonial project of uncritically extending, or as Wiredu puts it, superimposing Western concepts and ideals, it is necessary that global normative theorizing recognizes the damaging consequences involved in this experience. Wiredu considers the nature of the conceptual damage implicated in the experience by conceiving it as entrenchment of colonial mentality. Entrenchment of this form of mentality creates issues that defy almost all imaginative solutions or even comprehension. It is for this reason that political, social and economic problems in places where such mentality manifests become more or less intractable. The intractability of the problems in such a context arises because of cognitive disorientation. That is to say, confusion about the orientation in thinking that is appropriate to one's experiential self-awareness. One knows that one has an experience of reality but then one is unable to conceive norms and principles that can offer adequate orientation to reality in light of that experience. But,

without an orientation apposite to the situation, attempts at resolution of problems that arise for the mentally colonized within the framework of an externally conceived solution leads to even worse disaster. Relatedly, attempts to offer up bit and pieces of tradition also fail because the past cannot be captured. This situation is like living in limbo *vis à vis* practical agency.

This is the reason politics in Africa, for example, is not even a work in progress but a disastrous confusion. As Ifeanyi Menkiti rightly argued, normative instability breeds political disorder (Menkiti 1999). In the social sphere, Africa has yet to find the right path. The visions offered by various isms quickly turn to chimera precisely because they are hardly conceived in line with an orientation to thinking that is appropriate to the context. African personality, Negritude, Ujamaa, Harambee and other versions of African socialism for the same reason fizzled away even before the propagators left the stage. They were conceived for a situation in which conceptual damage through adjustment confined practical agency to a limbo. Recent efforts to recast old arguments through the idea of Afropolitanism has low chances to succeed because the concept does not rest on much that is accurate about an orientation to thinking that is adequate. All these examples aim to emphasize one thing, namely, that it is a collective challenge for all contributors to global normative theorizing, regardless of background, to be attentive to the conceptual damage caused by uncritical universalization concepts. This point should not be understood as an endorsement of relativism. Although I am not as bothered by issues of relativism as someone whose familiar concepts have been the assumed standard of rationality, I think it is enough that relativism has been shown to be untenable due to a simple internal argument. As it has been argued, if it is true then its claims are also relative. That self-defeating angle to relativism suffices to take it off the table forever. The major issue, however, is to ensure that one does not smuggle through the backdoor one's

familiar concepts as ideals in global normative theorizing in the interest of forefending relativism. I had claimed that Flikschuh's grounds for diagnosis of conceptual loss needs to be expanded to make clear the cogency of her project. The broadening of scope I offer here is to say that, thinking beyond Kant, there exist formidable ground to argue for circumspection on the part of liberal theorists who readily assume that familiar liberal concepts are adequate to capture global experiences. I have just shown above that this was neither true in the largest conceptual adjustment project in modern history nor is it the case in current attempts to deal with the project's legacies.

### **Conclusion**

The goal I have pursued so far relates to the diagnosis of conceptual loss Flikschuh makes in relation to Kant's conception of the duty of state entrance. I argued that Flikschuh is correct to assert that there is a sense in which it could be said that liberal political theorizing is facing a challenge of conceptual loss. Although I did not aim in the paper to determine the best way to resolve the seeming inconsistency of Kant's treatment of the duty of state entrance, I drew inspiration from the competing interpretation of Kant's take on this duty to ask what the divergence of interpretation of a vital text or theory in a tradition of philosophy could mean. I proposed that we can understand what is at stake by framing the contestation as attempts to construct a usable past in the tradition of philosophy. I argued that striving for a construction of a usable past manifests as a preoccupation in both Western and African philosophy, hence the link between both traditions of philosophy. I proposed that global normative theorizing is better served if attention is directed at recognizing the imperative of conceptual repair. Liberal normative

theorizing, I pointed out, needs to reorient itself to not assume the adequacy of its familiar concepts to capture global experiences.

One question to ask is whether this suggestion means that liberal political theorizing has nothing to contribute? This is not my point. My argument, stated elsewhere, is that “the West has become provincialized, hence, its grand narratives about universal philosophical theories, which are all too often parochial, have lost their magic. In global philosophy, it is offered another opportunity to reimagine itself as an equal partner in dialogue without any supercilious pretensions” (Okeja 2017, 9). This means what liberal theorizing can offer in global normative theorizing has to come from a standpoint that does not uncritically assume universality of its familiar concepts. It has to come from a background that takes seriously the importance and collective nature of the task of conceptual repair. That way, normative global theorizing will creatively tackle the problems it created for itself due to its lack of reflexivity about the problem of orientation in thinking at the same time it attempts to capture global experiences. This seems to be the shape of any acceptable global normative theory in my view.

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