
Alessandro Ferrara’s *The Force of the Example* is structured around a familiar metatheoretical problem: what kind of consideration, if any, can justify or validate controversial political decisions? Appeals to convention, custom, and tradition won’t do; they too quickly surrender the prerogative to criticize and evaluate what already exists. But neither, Ferrara thinks, can such decisions be governed by universal principles derived from the requirements of human reason as such: under simultaneous pressure from the linguistic turn in philosophy and from the intensified awareness of cultural diversity produced by globalization, this sort of foundationalism has lost much of its appeal. Luckily, Ferrara proposes, there is a third way of understanding validity, which rests neither on the brute force of what is, nor on the binding force of rules given in advance, but on the orienting and inspiring “force of what is as it should be or the force of the example” (2–3). In the first two chapters of the book, Ferrara fleshes out his conception of this third kind of validity by way of a distinctive interpretation of the idea of reflective judgment in Kant’s third *Critique*, in conversation with Hannah Arendt and others. Seven subsequent chapters deploy this idea to address a series of issues, some theoretical (the requirements of “public reason,” the distinctiveness of republicanism); some ethical (the nature of radical evil); and some political (how to justify and enforce human rights; the significance of European identity; the meaning of religious neutrality).
As this list of topics should suggest, The Force of the Example covers a great deal of ground, to which a short review cannot do full justice. Throughout, Ferrara gracefully integrates textual interpretation, philosophical reconstruction, and reflection on contemporary political life; and while Ferrara’s topics are familiar, he cuts into them from satisfyingly unfamiliar angles. Ferrara’s turn to Kant’s Critique of Judgment is a good example. Rejecting the historicization of the Kantian sensus communis pursued by twentieth-century phenomenologists and hermeneuticists, Ferrara also resists Kant’s own dominant strategy of “naturalizing” the sensus communis—that is, of grounding the intersubjective validity of aesthetic judgments in a claim about the universality, among human beings, of a certain cognitive apparatus (28). Instead, drawing instead on a different theme in Kant’s own writing, Ferrara proposes that we reconceive the pleasure that occasions an aesthetic judgment with the feeling of the “promotion of life” (the phrase translates Kant’s Beförderung des Lebens); or, more precisely, with the feeling that a human life is flourishing or being fulfilled (31). Because this idea of a flourishing human life is “precultural, yet non-natural,” Ferrara argues (32), it can underwrite a conception of validity that is neither context-bound nor automatic in its universality, in the manner of a deduction.

This is an intriguing and provocative idea, and Ferrara’s exposition and application of it are extremely stimulating, even if the book inevitably raises questions that it does not fully resolve. To begin with the most technical point: it is not always clear how the idea of a flourishing human life is supposed to function in Ferrara’s conceptualization of exemplary validity. At times, this idea is evidently meant to characterize the subjective experience occasioned by the encounter with an aesthetic
object (or with an exemplary human action): the feeling of the promotion of life is, in these contexts, parallel to the experience of the free play of the imagination and the understanding in the “official” Kantian account of aesthetic pleasure (31). At other times, however, the idea of a flourishing human life seems to characterize the object that occasions a reflective judgment, as when Ferrara refers to the exemplary deeds of such actors as Achilles, Saint Francis, and Jesus as outstanding instances of a fulfilling or authentic self-relation (61). Yet these senses of Ferrara’s basic idea may not map cleanly onto each other: more needs to be said to persuade us that these and only these objects would produce this and only this sort of pleasurable experience—and, more deeply, that the subjective feeling of the “promotion” of (one’s own) life is really parallel to the objective exemplification of (another’s) “flourishing” life. When Kant himself uses the phrase “Beförderung des Lebens” in §23 of the Critique of Judgment, after all, he appears to refer not to anything like the fulfillment of a human life taken as a whole, but simply to the immediately gratifying liveliness involved in the cognitive play triggered by an experience of beauty (but not by an experience of sublimity). Thus, despite Ferrara’s insistence that the sense of human flourishing on which judgment rests is non-conceptual, I worry that, in his effort to spell out the necessary dimensions of any flourishing human life—“coherence, vitality, depth, and maturity” (32)—Ferrara may fall back into the framework of determinant judgment that, in his turn to Kant, he had meant to escape.

If this is a real problem, it is nevertheless no sign of carelessness. Instead, it is the symptom of a tension internal to one aspect, though not the whole, of Ferrara’s project: the effort to make the idea of reflective judgment do the work of the philosophical justification of ethically and politically controversial norms and courses of action. This
tension is most acutely visible in Ferrara’s chapter on “Exemplarity and Human Rights,” which seeks to show how “the judgment paradigm can be of help in justifying the universal cogency of those human rights that constitute the deepest core of the normative notion of humanity” (137). Here, Ferrara transposes the idea of fulfillment or flourishing up from the register of a single human life to the register of humanity as a whole: the best way to justify human rights, he proposes, is to argue that “an ideal identity of humanity that includes human rights is capable of bringing humanity to a fulfillment more complete than other ethical ideals that do not comprise human rights, relativize, or deny them explicitly” (138). Whatever one may think of the prospects of such an argument—which, as Ferrara says, “cannot proceed from axiomatically posited principles, but must proceed immanently, by way of deconstructing each conception of the good that calls or allows for the violation of human rights” (138)—what I find most telling about this move is not only how far it has taken us from the subjective experience of the “furtherance” of one’s own life in the encounter with an exemplary object, but also that it abandons the distinctive singularity of Kantian aesthetic judgments, which are not characteristically comparative, but simply express a subject’s response to this object, whatever it may be, in all its specificity. Perhaps the justification of human rights does demand comparative judgments between different views of the flourishing of humanity as a whole, just as Ferrara describes; but this tension and its symptoms suggest to me that what Ferrara calls the “judgment paradigm” may not be able to meet this demand without distorting itself in the process.

Still, this does not mean that Ferrara’s approach has nothing to offer: far from it. Recall that, for Kant, the third Critique was not meant to prescribe courses of action, any
more than the first critique had been, but rather to identify forms of judgment whose exercise would provide an intersubjectively valid indication, though not a proof, of the hospitality of the world of natural causality to the purposiveness of free human action. It was thus less closely tied to the second than to the third question around which Kant once framed his critical project: not “what should I do,” but “what may I hope?” So although Ferrara does sometimes try to leverage the ideas of judgment and exemplarity to answer questions of the former sort—that is, questions of practical justification familiar to political philosophers—his applications of these ideas more often have a different kind of force. In one chapter, for instance, Ferrara proposes that we understand the concept of “radical evil” not as the name of some timeless category of unspeakably bad acts, but as a way of characterizing “us at our worst,” and therefore as a “symbolic horizon” that is ineliminable and which also “moves with us” (95). This argument is only obliquely related to immediately practical controversies, but it bears significantly on the larger question of what sort of world we might expect even justified or valid courses of action to produce. Likewise, in a striking chapter on the meaning of the “idea of Europe” (164), Ferrara develops a virtuosically anti-chauvinistic interpretation of a phrase from the Preamble to the Constitutional Treaty of the European Union, which identifies Europe as a “special area of human hope” (166). While this phrase might be read as an assertion of the objective superiority of “the version of the human that has found embodiment in the history and in the cultural and religious traditions of Europe,” Ferrara instead treats the phrase as a call to Europeans like himself to appropriate their own specific political history in ways that would best serve to make Europe into an exemplar or a prefiguration (but not a monopolist) of the possibility of “cosmopolitan governance” (183). In these
and many other moments, Ferrara’s philosophical work doesn’t pretend to cut through political knots: instead, it models a self-understanding and a sensibility that might make it possible for people, philosophers or not, to inhabit and address political controversies more productively and less presumptuously. In this subtle shift of orientation lies the most compelling force of the example.

Patchen Markell

The University of Chicago