

EASTERN REVIEW 2019, T. 8

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## Kant on ethics and politics

**Abstract.** Best known for his ethical works, Immanuel Kant was part of the liberal Enlightenment and addressed most of the principal political issues of his day. Several of his major works were written in the wake of the storming of the Bastille in Paris, while Europe was engaged in the French Revolutionary Wars. His rejection of revolution but endorsement of the principles for which the French revolutionaries were fighting, as well as his plea for a federation of European states that would settle disputes peacefully, reflected his engagement with the controversies raised by the Revolution. But, although he could not countenance revolution, he declared that, once a revolutionary government has succeeded in establishing itself, citizens should obey the new government, rather than try to restore the ousted authorities.

**Keywords:** Immanuel Kant, religion, ethics, politics, philosophy.

Immanuel Kant lived in revolutionary times. Some of his earlier works were devoted to issues related to morality and religion; he spelled out what he called the ‘categorical imperative’, which called for people to act only in a such a way that, if everyone did likewise, the world would be a better place. Later, as the French Revolutionary Wars got underway and Europe was shaken by revolutionary currents, Kant advised that people should be loyal to whichever government was in place, seeking neither to overthrow an existing regime nor to restore a fallen one. In his *Perpetual Peace*, he sketched a vision of a more peaceful world and argued that, as the rule of law and republican rule spread across Europe, the continent would see fewer wars.

## Early career

Kant was born on 22 April 1724 in Königsberg (now Kaliningrad) in East Prussia. Except for occasional journeys into the immediate vicinity just outside the city limits, Kant never left Königsberg during the 80 years of his life. Königsberg in the eighteenth century – unlike Kaliningrad today – was a lively, cosmopolitan city with flourishing trade and participating in the broader European cultural and intellectual trends. Kant himself was no recluse; on the contrary, he enjoyed a lively social life and had a wide social circle. In his later years, Kant was extremely regular and meticulous in his habits, unfailingly punctual; locals joked that they would set their watches by the schedule of Kant's daily walk. His parents were Pietists, advocating complete reliance on God and the renunciation of personal moral autonomy. Kant turned his back on his parents' Pietism and, in opposition to their views, came to champion moral autonomy, personal responsibility, and reliance on one's own reason in making moral decisions (Kuehn, 2001: 53–54; Jaspers, 1975; Immanuel Kant and Gregor, 1991a: 97–107).

Kant's intellectual gifts were evident already at an early age, and he was admitted to the University of Königsberg, where he excelled. In 1755 (at age 31), he was granted the right to lecture at the university as a *Privatdozent*, meaning that his salary consisted of fees for lectures. Kant proved to be a popular lecturer, offering lectures on many subjects: logic, metaphysics, ethics, jurisprudence, geography, anthropology and other subjects. In 1764, he was offered a full professorship in poetry at the University of Berlin; he declined the offer. Five years later, the University of Erlangen approached him with an offer that he assume the first chair of theoretical philosophy; he turned down this offer as well, hoping to remain in his native Königsberg. He achieved this objective the following year, when he assumed the post of professor of moral philosophy at the University of Königsberg (Kuehn, 2001: 158–159, 162–163, 188–189). He continued to present lectures across a range of subjects; thus, in addition to moral philosophy and rational theology, he also presented lectures on anthropology, logic, and mineralogy during 1770–1771 and on theoretical physics and physical geography in summer 1776.

At the time of his appointment, the 46-year-old philosopher had not yet written any of the works for which we remember him today. His chief concerns at that time were epistemology and the moral law. Indeed, by 1763, Kant had reached the conclusion that it was necessary to spell out the highest principle of morality and he was convinced that this had to be a rational principle (Siep, 2009: 78). He set to work on what became his *Critique of Pure Reason*, published in 1781.

Even before 1763, various works of the Scottish ethicist Francis Hutcheson (1694–1746) appeared in German translation (Henrich, 2009: 30, n. 1–4) and, in 1781, a German translation of David Hume's *Dialogues Concerning Natural Religion* was published. Hutcheson and Hume (1711–1776) agreed that morality

was founded on a “moral sense” – a feeling. Kant rejected this view, and interpreted moral understanding in terms of reason (Kuehn, 2001: 202) He also rejected Hutcheson’s belief that God tendered “kind affections” toward humanity and that He wished to promote the happiness of humankind and all His other creatures (Henrich, 2009: 37). Privately, Kant disclosed that he did not believe in an afterlife or in a personal God, and, in the company of his friends, would mock religious practices (Kuehn, 2001: 3). He also had no use for the doctrine of original sin, and wrote that the “doctrine of the Trinity, taken literally, has *no practical relevance at all*” (Immanuel Kant and Gregor, 1991a: 65).

His religious scepticism was already revealed in the *Critique of Pure Reason* (1781), where we find him declaring that

[t]he concept of a Supreme Being is, in many respects, a very useful idea, but being an idea only, it is quite incapable of increasing, by itself, our knowledge with regard to what exists. It cannot even do so much as to inform us any further as to its possibility (Kant, 1929b: 251).

In conceding that the concept of a God was, in his view, “a very useful idea”, Kant betrayed a functionalist approach to religion which would reemerge in his later writings. But already in the *Critique*, he dismissed the cosmological, empirical, and ontological arguments for the existence of God, only to declare that “the Supreme Being remains, no doubt, an ideal only” (Kant, 1929b: 267; Byrne, 2007).

Hume had expressed a similar scepticism in *Dialogues*; indeed, Kant and Hume concurred that one simply could not know anything about a putative Supreme Being. But, reflecting on Hume’s supposition that scepticism was the end-point of our reflections on this matter, Kant countered that one could, all the same, think about God (Logan, 1998: 138). But, agreeing with Aquinas on this point, Kant upheld the idea that the moral law did not depend on commands from a Supreme Being; on the contrary, in his *Critique of Practical Reason* (1788), he would argue that “common human reason” was sufficient to identify which actions were good and which bad (Kant, 1929a: 283). In Kant’s view, thus, people understood the moral law quite readily, but they demanded a firmer, or perhaps more authoritative, foundation than mere reason – in effect, a divine command.

### ***Groundwork of the metaphysic of morals (1785)***

In the years preceding the French Revolution, Kant’s attention was firmly fixed on identifying the fundamental principle of morality. He conceived of his *Groundwork* as a preliminary investigation of the moral law, and proposed to derive its fundamental principle from a priori concepts alone. As such, his

concern in *Groundwork* was above all with defining and clarifying the nature of duty. Kant emphasized that right and duty are interconnected, so that one cannot have one without the other.

For Kant, it followed that, if one relativized one's morality, reducing everything to situational variables (that is to say to "situational ethics", which relies on empirical considerations), then one could, by the same virtue, claim only very relativized and situationally determined rights, again as conditioned by empirical considerations. Or again, if one chose to construe one's duties as purely subjective, then, to be completely consistent, one should construe one's rights as dependent on the purely subjective opinions others may hold concerning their own duties. Yet again, if one were to believe that the only duties one has are those specified by positive law (the position of Thrasymachus in Plato's *Republic*), then it would follow that one might claim only such rights as are granted by the statutes of the government under whose jurisdiction one happens to live. And finally, if and only if one accepts the rock-hard ethics based on Natural Law (whether in Kant's form or in some other), can one presume to postulate inalienable and unbridgeable natural rights. Hence, by endeavoring to set forth an air-tight system of natural duties, Kant laid the groundwork, at the same time, for a metaphysics (a system of a priori knowledge from concepts alone) of *rights*.

Duties, rights, and respect for the rights of others became *absolute* in Kant's system, which means that they are ends in themselves, and should never be regarded as mere means to realize some other end. For Kant, "Duty is the necessity to act out of reverence for the law" (Kant, 1948: 66). It followed, for Kant, that

An action done from duty has its moral worth, not in the purpose to be attained by it, but in the maxim according with which it is decided upon; it depends therefore, not on the realisation of the object of the action, but solely on the principle of volition in accordance with which [...] the action has been performed (Kant, 1948: 65).

In other words, the morality of an action does not depend upon the success of one's endeavor, but upon one's motivation. Thus, the only motivation which qualifies as morally worthy, is the desire to be in conformity with the moral law ("because it's the right thing to do"). This, for Kant, must be for its own sake: if one obeys the moral law in expectation of "eternal salvation", then one is acting in the expectation of payment and one's action has no moral content. Again, if one obeys the moral law to please somebody (mother, teacher, pastor, God), then again, one's action, even if helpful to others, has no moral content<sup>1</sup>.

In *Groundwork*, Kant offered three formal statements of his *categorical imperative*:

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<sup>1</sup> R.B. Pippin writes, however, that Kant did not, in fact, mean to suggest that acts not motivated purely by a sense of duty have no moral worth (Pippin, 2000: 241).

- 1<sup>st</sup> statement: “I ought never to act except in such a way that I can also will that my maxim [meaning the maxim from which my action would appear to be derived] should become a universal law” (Kant, 1948: 67).

- 2<sup>nd</sup> statement: “Act only on that maxim through which you can at the same time will that it should become a universal law” (Kant, 1948: 84).

- 3<sup>rd</sup> statement: “Act on the maxim which can at the same time be made a universal law” (Kant, 1948: 98).

This may be reasonably paraphrased as follows: “Act in such a way that, if everyone were to act as you are acting, the world would be a better place”.

In chapter 2 of *Groundwork*, Kant set forth his opposition to projects of attempting to derive the moral law from examples: no contingent example is capable of serving as either a first principle or as a springboard to a first principle. If then, the moral law cannot be derived from empirical cases, it can only be grounded on “pure reason” (recall that Cicero, Aquinas, and others had equated Natural Law with Right Reason). Now, if, furthermore, all human beings are to be considered subject to the moral law, it necessarily follows that all human beings (with certain exceptions) have the capacity to judge right from wrong.

But Kant was worried lest the appeal to universality could make the moral law contingent upon *general* comprehensibility, which is to say on the *lowest* common denominator among humankind. He therefore wanted principles of morality to be derived not from “the special nature of human reason” (Kant, 1948: 76) (which might even qualify as an empirical consideration), but more abstractly from notions of rationality as such. (What would a rational person do?).

In chapter 2, Kant also spelled out a “practical imperative”: “Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end” (Kant, 1948: 91). This “practical imperative” is, in fact, derived from the categorical imperative, because if everyone treated everyone else only as a means to one’s own pleasure or profit (the position of pure “realism”), then there could be no true friendships, no bonds of trust, and no moral behavior.

Toward the end of chapter 2, Kant attacked empirical principles for the second time, and this time singled out the appeal to happiness for especial criticism. He wrote as follows:

**Empirical principles** are always unfitted to serve as a ground for moral laws... The principle of **personal happiness** is, however, the most objectionable, not merely because it is false and because its pretence that well-being always adjusts itself to well-doing is contradicted by experience; nor merely because it contributes nothing whatever towards establishing morality, since making a man happy is quite different from making him good and making him prudent or astute in seeking his advantage [is] quite different from making him virtuous; but because it bases morality on sensuous motives which rather undermine it and totally destroy its sublimity, inasmuch as the motives of virtue are put in the same class as those of vice and

we are instructed only to become better at calculation, the specific difference between virtue and vice being completely wiped out (Kant, 1948: 103).

The foregoing amounted, among other things, to a repudiation of the “realist” position spelled out by Machiavelli and Hobbes. Further, lest anyone still object that morality should best be derived from God’s will, Kant criticized this as a *heteronomous* (non-autonomous) principle.

Kant now took his argument to its logical conclusion, not merely freeing the moral law from any connection with God’s Will, but also insisting that his appeal to rationality as the ground of the moral law “is better than the theological concept which derives morality from a divine and supremely perfect will” (Kant, 1948: 104) In this way, Kant established a firm secular basis for the moral law. He added that only the postulate of the individual *autonomously* discerning and willing the moral law could succeed in laying the foundation for authentic moral action. In chapter 3 (the final chapter in *Groundwork*) Kant returned to the theme of autonomy and freedom, and developed it further.

There was yet another alternative to Kant’s effort to link morality to *a priori* principles, viz., claims registered on behalf of empirical knowledge (in particular the notion that one could build up an ethical system on the foundation of mere empirical observations). What Kant wanted to do, in the realm of ethics, was to develop a purely deductive system of ethics, which could be derived from logically defensible *a priori* principles.

Justus Möser was among the best known advocates of deducing moral principles from empirical observations. A prominent conservative, he thought that it was mistaken to try to theorize from *a priori* principles. Kant replied to Möser in *Groundwork for a Metaphysic of Morals*, writing:

Everything that is empirical is, as a contribution to the principle of morality, not only wholly unsuitable for the purpose, but [...] even highly injurious to the purity of morals...Against the slack, or indeed ignoble, attitude which seeks for the moral principle among empirical motives and laws we cannot give a warning too strongly or too often; for human reason in its weariness is fain to rest upon this pillow and in a dream of sweet illusions (which lead it to embrace a cloud in mistake for Juno) to foist into the place of morality some misbegotten mongrel patched up from limbs of very varied ancestry and looking like anything you please, only not like virtue, to him who has once beheld her in her true shape (Kant, 1948: 88–89).

Clearly, Kant had a talent for sharp polemic, even though he rarely put that talent to use.

## Wrestling with the French Revolution

*Groundwork* and the *Critique of Practical Reason* were Kant's last major writings before the outbreak of the French Revolution in 1789. But even before the outbreak of the Revolution, Kant, who was profoundly influenced by Rousseau's writings<sup>2</sup>, was writing about the subject of revolution. In his 1783 essay, "What is Enlightenment?", he had warned that one could not expect a revolution to engender "true reform" in people's thinking and, thus, one could not expect results as positive as what could come from gradual reform (Williams, 2003: 22). The French Revolution, which led to the outbreak of continent-wide war in 1792, was the major event in Kant's life and gave him occasion to write extensively on political subjects. During the period of the constitutional monarchy (1789–1792), Kant's comments about the French Revolution were largely positive; indeed, the French constitutions of 1791 and 1793 included principles consonant with Kant's philosophy, most notably in calling for progress in public enlightenment, i.e., education (Burg, 1974: 56–57); but he became highly critical of the revolutionaries during the Reign of Terror (1793–1794) and, in 1798, assessed that "the activity of the Committee of Public Safety in the phase of the revolutionary dictatorship under [Maximilien] Robespierre [w]as unjust" (Burg, 1974: 20). By contrast, Kant had a positive view of the bourgeois republic of 1795–1799, with its limited suffrage. Although he recoiled at the violent excesses of the French Revolution and was outraged by the execution of King Louis XVI, which he considered completely unnecessary and an offense to law, even putting social cohesion at risk, Kant remained sympathetic to the ideals of the Revolution. This sympathy caused him to revise his assessment of Great Britain, once the British went to war against Revolutionary France. Before 1789, he had held a high opinion of the British constitution and even thought it could offer a model for the development of a republican system within the framework of a limited government. But he now reversed his view of Old Albion and concluded that Britain's Glorious Revolution of 1688 had failed to achieve the goals for which Locke, Sidney, and others had been fighting. He also detected traces of both absolutism and corruption in the British system, and faulted it for nontransparency (Henrich, 1993: 108; Ellis, 2005: 24–25, 36, 122–123). In his *Conflict of the Faculties*, although addressing primarily religious matters, Kant boldly declared his sympathy for the principles of the revolution and confessed that his emotional response to the events unfolding in France "border[ed] closely on enthusiasm" (Kant, 1998: 153, 159). Kant's last public utterance concerning developments connected with the French Revolution was a commentary on the Egyptian campaign of Napoleon Bonaparte in 1798/1799, which confirmed his (continued)

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<sup>2</sup> There was only one picture on the wall in Kant's house – a portrait of Rousseau.

partiality for France. He made no comment about Napoleon's assumption of power in November 1799; by then his mental and physical strength was in decline (Burg, 1974: 20).

In *Religion within the Boundaries of Mere Reason* (1793; 2<sup>nd</sup> edition, 1794), he revived his functionalist approach to religion, advancing the proposition that religion could contribute to human progress and, more controversially, calling for an "ethical commonwealth" in which Christian religions would overcome their differences and draw steadily closer to a moral understanding founded on reason (Kant, 1998: 108–112). As he expressed himself here, Christianity had placed people "under a slavish yoke of faith" from which people were just beginning to escape; "freedom of thought" was his clarion call (Kant, 1998: 180–181). In this work, Kant rejected both the idea of state control of religion (the Hobb'sian solution) and religious toleration (Bodin's solution); he felt that bare toleration would allow outright superstitions and corrupt religious and moral perspectives to flourish. His alternative – the ethical commonwealth – would have no enforcement capacity but would promote shared ethical principles. He intended the commonwealth to overcome the "ethical state of nature" in which he believed people were living, with no recognized ecclesiastical authority to adjudicate and resolve moral and religious disputes (Lilla, 1998: 423, 425, 427; Kant, 1998: 106–109). This unique solution may be viewed as the ethical counterpart to the political federation of states he would shortly outline in *Perpetual Peace*.

*Religion within the Boundaries of Mere Reason*, with its reference to the "slavish yoke of [Christian] faith", enraged the King of Prussia, Friedrich Wilhelm II (1744–1797; reigned 1786–1797). (His uncle and predecessor, Friedrich II, had been an advocate of religious toleration, but Friedrich Wilhelm II did not believe in toleration and apparently did not subscribe to Kant's notion of an ethical commonwealth either.) The King ordered his minister of education and religious affairs, Johann Cristoph Woellner, to write to Kant to extract a promise that he would not write again on religion: this was tantamount to a Royal command. Kant reluctantly agreed, writing in reply that he would never again write on religious matters "as Your Majesty's most loyal subject". When the King passed away in 1797, Kant resumed writing on religion, explaining that the phrase "as Your Majesty's most loyal subject" had served to limit the promise to the lifetime of King Friedrich Wilhelm II (Kant, 2011: 9–19).

Kant was of a mixed mind about his decision to comply with the King's orders; but consistent with the principles he defended in his writings, he considered himself duty-bound to obey the King's orders, and noted that, although one was morally bound to tell the truth, it did not follow that one had to tell the whole truth in the public sphere. In the meantime, Kant's influential essay, *Perpetual Peace* was published in 1795, and in 1797–1798, Kant published his final and definitive statement on ethics, his *Metaphysics of Morals*. Then, in 1798, Kant brought together three shorter pieces of his, publishing them under the title, *The Conflict*



*of the Faculties*. The main focus of the work was the differing perspectives and methodologies of the faculties of philosophy and theology. In the course of this work, as if to spite the deceased monarch, Kant suggested that the Bible contained “mistakes” (Kant, 2011: 121), expressed skepticism concerning the allegedly divine inspiration of the Bible (Kant, 2011: 77), and referred to Christianity merely as “the most adequate religion” (Kant, 2011: 61). Yet, insofar as this “most adequate” religion could help to induce people to behave morally, Kant urged the government to promote the Bible as a “great means for establishing and administering civil order and peace” (Kant, 2011: 119). But, by this point, Kant was declining physically and he retired from the university. In 1803 he fell seriously ill for the first time, and on 12 February 1804 he passed away, a few months before his 80<sup>th</sup> birthday and just over two months before Napoleon Bonaparte would crown himself Emperor of the French.

Kant greeted both the American Revolution and the French Revolution, believing that both of them held the promise of bringing forth systems founded on the rule of law and committed to the common good. But in spite of his sympathy for the French Revolution, bordering on “enthusiasm”, Kant was deeply conflicted about it. He considered revolution illegal, by definition. Already in his essay, “On the Proverb, That May be True in Theory, But [it] Is of No Practical Use” (published in 1793, after the French Revolutionary Wars had broken out), Kant declared that

all resistance to the supreme legislative power, all incitement of subjects actively to express discontent, all revolt that breaks forth into rebellion, is the highest and most punishable crime in a commonwealth, for it destroys its foundation. And this prohibition is **absolute**, so that even if that power or its agent, the nation’s leader, may have broken the original contract, thereby forfeiting in the subject’s eyes the right to be legislator, since he has authorized the government to proceed in a thoroughly brutal (tyrannical) fashion, the citizen is nonetheless not to resist him in any way whatsoever. This is because under an already existing civil constitution the people no longer have the right to judge and to determine how the constitution should be administered (Kant, 1983: 79).

Put differently, Kant believed that the doctrine of popular sovereignty popularized by John Locke among others involved self-contradiction, since sovereignty – in his view – could not be located both in the government and in the people, and, in any event, there was no such thing as a “people” except insofar as they were united under a sovereign government (Flikschuh, 2008: 376–377, 382). But there was another problem with revolution in general, viz., that revolutions typically led, in the short run, to situations of interregnum, which returned citizens to the state of nature. Furthermore, he feared that, in the absence of the changes in people’s attitudes which he believed revolutions were ill equipped to promote, they were likely to end with governments which would be worse than what people had before (Flikschuh, 2008: 418).

*Perpetual Peace* was published in 1795, the same year in which the Peace of Basel brought an end to the first phase of the wars unleashed by the Revolution. Written during the worst fighting across Europe since the Thirty Years War of 1618–1948, the tract may therefore be understood as Kant’s response to the French Revolutionary War. In that treatise, Kant laid down the principle of non-interference in the government or constitution of any state, except in cases of civil war, together with a corollary prohibiting partition (Ellis, 2005: 75). Given that this came in the wake of the first (1772) and second (1793) partitions of Poland, with Poland about to be wiped off the map by the third partition (of 1795), Kant’s reference to the impermissibility of partition would have had a concrete reference for his contemporary readers. He also declared his opposition, in the same work, to “piracy, enslavement, colonial oppression, and subversion of a foreign people” (Ellis, 2005: 95). But it was the war engulfing all of Europe which was most on Kant’s mind. He hoped, to be sure, that war would prove to be

the means by which nature drives nations to make initially imperfect attempts, but finally, after many devastations, upheavals and even complete inner exhaustion of their powers, to take the step which reason could have suggested to them even without so many sad experiences – that of abandoning a lawless state of savagery and entering a federation of peoples in which every state, even the smallest, could expect to derive its security and rights not from its own power or its own legal judgement, but solely from this great federation...and the law-governed decisions of a united will (Ellis 2005: 47).

In his *Idea for a Universal History with a Cosmopolitan Purpose* (1784), he had nurtured a dual concern – to identify what might be called a “perfect civil constitution” and to urge that states enter into a federation which could assure the security of all – a dual concern which likewise animated Kant’s *Perpetual Peace*. In this latter work, he explicitly endorsed *republican* government as the only form of government compatible with the moral law (Kant 1991: 101). Kant’s notion of *republican* government is easily confused with representative government. What Kant had in mind by the term was that the will of the people should be sovereign but, he insisted, not only a representative government but also a monarchy could be republican, provided that the monarch allowed a public sphere to function in which the public could express its opinions and voice its concerns and provided that the system was characterized by the rule of law. Kant laid especial stress on the duty of rulers to respect the rights of their subjects and to promote their welfare. In the second edition of the work (released in 1796), Kant added a chapter stressing that it was in the state’s own interest to assure freedom of speech and press to philosophers (Ellis, 2005: 108, 110). The reason for this is that Kant believed that it was precisely the philosophers who were reflecting the most seriously about the problems of the age as well as about prospective solutions.

Hobbes' *Leviathan* had recently been published in German translation, and interest in the English philosopher's views, in the German-speaking world, was high. Kant had read Hobbes and considered the Englishman's arguments dangerous. Among other things, Hobbes thought that a sovereign was above the law and thought the international political order to be of secondary importance for the maintenance of order within any given state. Kant, by contrast, insisted that a republican political order was likely to be less conducive to belligerence and placed great stress on achieving peace in the international political order (Williams, 2003).

The first step, then, was to construct a well-ordered state in which the laws and institutions of state moderate, neutralize, or even eliminate most of the destructive potential of people's selfish orientation (Kant 1991b: 112). Kant did not expect people to agree to a republican constitution out of good will; on the contrary, he warned that people had a natural propensity to evil (Kant, 1998: 52–53). But the need to counter the self-seeking of other selfish individuals and groups would be – he thought – quite enough to motivate people to agree to a set of laws which would assure some measure of fairness toward all. What is practical, thus, is what is fair and, even from self-seeking motives, it is possible to realize that all are best served by a state having “an internal constitution organised in accordance with pure principles of right” (Kant, 1983: 123). Once such a state would be set up, it would actually serve, Kant suggested, to raise the level of morality among the people living under its jurisdiction (Kant, 1983: 113). This, Kant pointed out elsewhere, should be embraced as a conscious task, so that the level of morality and sociability could be steadily raised from one generation to the next (Munzel, 2003: 43–44). Thus, morality should serve as the yardstick by which to measure the health of a state. On this point, Kant urged explicitly that “the well-being of a state” cannot be reduced to the welfare and happiness of the citizens. On the contrary, Kant noted, “By the well-being of a state is understood, instead, that condition in which its constitution conforms most fully to principles of Right” (Kant, 1991a: 129). Kant also argued that the inclusion of the citizens in deliberations about public policy would provide an assurance that war would be a rare event since – he was convinced – people would be loath to willingly agree to endure the hardships of war (Kersting, 2009: 255).

The next step, for Kant, was for states “to arrive at a lawful settlement of their differences by forming something analogous to a universal state” (Kant, 1983: 123). But, he cautioned in another work, a unified world state under a single ruler might prove to be inimical to human freedom and, thus, it would be safer and preferable for nations to agree to a “state of nations” (*Völkerstaat*), in which the distinct cultures, along with the constituent states themselves, would be preserved (Byrd and Hruschka, 2010: 198–199). Kant specifically cautioned against trying to erect a world state, believing that the project, if successful, would risk creating “the most terrible despotism” (Byrd, Hruschka, 2010: 197). At the same time, he also warned that too

loose a grouping, such as in what he called a *Völkerbund* (a league of nations), being oriented only to collaboration and mutual consultation, would not serve the purpose of assuring peace as effectively as a *Völkerstaat*.

The *Völkerstaat* which Kant envisioned would, he hoped, establish certain provisional laws and rights – which he linked to his principles of cosmopolitan right, summarized in laws of hospitality. These “laws” should include the right of individuals to visit all parts of the world, the right of travellers not to be treated with hostility by citizens of other countries, the right to engage in public reason, the right to engage in commerce, and the right to be treated fairly in contracts (Brown, 2006: 667–670). Insofar as these are rights, they impose certain duties on others, duties which are, in fact, reciprocal and constitute, thus, the foundation for a notion of cosmopolitan or universal rights. It comes as no surprise, then, that one scholar has suggested that Kant’s concept of cosmopolitan right and the laws of hospitality can be seen as foreshadowing the human rights embodied in the Universal Declaration of Human Rights issued by the United Nations in 1948 (Brown, 2006: 665).

Kant was, in fact, a cautious optimist. In spite of his concern about “self-seeking energies” and about human selfishness generally, he believed that humanity was improving not only culturally and in terms of scientific knowledge but also in relation to moral principles (Kant, 1983: 112; 2011: 157, 159, 165, 167). Indeed, in his view, the goal of history should be understood in terms of the improvement in humankind’s capacity for good – in a word, in terms of humankind’s moral improvement; at the same time, progress in morality entailed progress in the understanding of right (*Recht*), and here he was convinced that the French Revolution marked a watershed in the realization of human freedom and in the evolution of systems based on the concept of right (Burg, 1974: 37, 62, 65, 67). Accordingly, even while recognizing the imperialistic or irredentist ambitions which drive states, leaving no nation entirely secure (Kant, 1983: 91–92), he was convinced that humanity’s growing wisdom would serve it well at such point as practical considerations dictated the creation of a federation of independent states. Cautious to the end, he readily admitted that “*perpetual peace*, the ultimate goal of the whole Right of Nations, is indeed an unachievable Idea.” But, in the same breath, he insisted nonetheless that “the political principles directed toward perpetual peace, of entering into such an alliance of states, which serve for continual *approximation* to it, are not unachievable” (Kant, 1991a: 156).

### *The Metaphysics of Morals (1797)*

Kant was still wrestling with the themes of revolution, political legitimacy, war, and freedom as he sat down to write what has been called his “most important political work” (Ellis, 2005: 6). Like many of his philosophical

forebears, Kant saw that political theory has a natural and organic connection with moral theory and that, to offer any normative propositions concerning politics, one had to develop them on the foundation of a comprehensive moral theory. This is precisely what he set out to do in *The Metaphysics of Morals*. As he noted there, he believed that people had a duty to strive to improve themselves, even to aspire to “natural perfection”; insofar as this required that people be able to set rational ends for their actions, this entailed at the same time that people had an “innate right to freedom” (Wood, 1999: 140, 323; Kant, 1998: 80). Accordingly, the purpose of the state was to maximize people’s freedom, but people’s happiness, as such, insofar as it is to some extent subjective, could not be a legitimate object of government. At the same time, however, he identified freedom with the moral law; to be free is to be free to live morally; there is no such thing as freedom to be immoral (Kant, 1948: 52).

He also expanded his scope to subsume the political. He argued, for example, that the laws of the state (positive laws) may not infringe upon people’s natural rights, including the right of first possession of land. But he further underlined the connection between positive laws and Natural Law, by arguing that the validity of the former depends upon its conformity with the latter. One of the most controversial passages of *The Metaphysics of Morals* occurs in the chapter devoted to “Public Right”. Here, he argued that:

The head of a state has only rights against his subjects and no duties (**that he can be coerced to fulfil**). Moreover, even if the organ of the head of a state, the **ruler**, proceeds contrary to law, for example, if he goes against the law of equality in assigning the burdens of the state in matters of taxation, recruiting and so forth, subjects may indeed oppose this injustice by **complaints (gravamina)** but not by resistance (Kant, 1948: 130)<sup>3</sup>.

The key qualifier in the foregoing passage is “that he can be coerced to fulfil”. After all, Kant had already stressed that positive law *cannot* infringe upon natural rights. The reason that there is no right of resistance, for Kant, is that he did not recognize any notion of popular sovereignty. Rousseau had assumed a basic human innocence (albeit corrupted by conditions of inequality) in his defence of popular sovereignty. But Kant was not prepared to assume human innocence. On the contrary, like most other liberals, he took human shortcomings as a given, warning, at one point, “...of men’s maxim of violence and of their malevolent tendency to attack one another before external legislation endowed with power appears” (Kant, 1948: 123).

The difficulty, for Kant, was that, insofar as he viewed sovereignty in *functional* terms, i.e., as being in charge, he could not allow that anyone might judge the state except the state itself, since if there were some higher judge, then

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<sup>3</sup> First emphasis mine, others Kant’s.

– in his view – that higher judge would be the sovereign state, rather than the state itself. Accordingly, rebellion would result in “abolishing the entire legal constitution” (Kant, 1948: 131) which has value in assuring the “negative freedom” of the citizens of the state (Riley, 1973: 453). But, inevitably, the subjects will draw conclusions about what the sovereign is doing and will conclude – and rightly so – that they have some duties to respond in some way to unjust commands. Therefore, following Richard Hooker on this point, Kant made a provision for passive resistance, in what he called a “limited constitution”, but he insisted that “no active resistance...is permitted” (Kant, 1991a: 133) which is to say, no rebellion and no revolution. But Kant was writing this text even as the French Revolution was unfurling the banner of “Liberté, Egalité, Fraternité”, and he did *not* want to end up advocating monarchical restoration. Kant therefore immediately provided the following qualification:

once a revolution has succeeded and a new constitution has been established, the lack of legitimacy with which it began and has been implemented cannot release the subjects from the obligation to comply with the new order of things as good citizens, and they cannot refuse honest obedience to the authority that now has the power (Kant, 1991a: 133).

As for the legitimate jurisdiction of the state, Kant emphasized that the state existed for the good of the entire society, from which he concluded: first, that the government had every right to tax the rich (whether via tax on property or a tax on commerce) in order to use the funds to support vital social services, including providing for the sustenance of the indigent (Kant, 1991a: 136); and second, that the government does *not* have the right to prescribe specific religious beliefs or religious rituals to the society or to favor one religion (in practice, one Christian denomination) over others.

Kant was, as already noted, highly conflicted about revolution as a means to advance human civilization. The best route to expanding the political participation of citizens, building a representative government on republican foundations, was – he thought – for an absolute monarch to launch a gradual transition, reforming the system step by step. In the short run, he favoured intellectual freedom and the expansion of public education, combined with a measure of civil unfreedom. In this way, enlightened absolutism could provide a secure environment in which a people could grow and mature intellectually and culturally (Taylor, 2006: 557, 559–560).

Once again, he employed the categorical imperative (Kant, 1948: 51), and delineated the duties respectively of citizens and rulers. Citizens, aside from their duty to obey the law and restrict themselves at the most to passive disobedience, also had a further duty, *viz.*, to the extent that they perceived injustice or corruption in the country, they were obliged, said Kant, to bring their information to the attention of the authorities in a public forum and to share their perspectives (Ellis,

2005: 145). The ruler's duties included the protection of the lives and property of the country's inhabitants, respect for the law, and protection of the lawful (and moral) freedom of the people. In addition, Kant argued that the government was

authorized to constrain the wealthy to provide the means of sustenance to those who are unable to provide for even their most necessary natural needs. The wealthy have acquired an obligation to the commonwealth, since they owe their existence to [...] its protection and care (Kant, 1948: 136).

Finally, insofar as a government in which executive and legislative functions are not separate may only be characterized as despotic, an enlightened monarch had a duty to maintain the separation of these functions, thus the independence of the judiciary. At the same time, viewing the state as the guarantee of people's security and freedom, Kant was careful to defend its prerogatives and therefore was prepared to legitimate the government's interference in meetings of private associations and in other domains sometimes thought to belong strictly to the private sphere (Ellis, 2005: 17).

### Kant's importance

With his defense of individual rights, the rule of law, personal freedom, and the separation of powers, Kant is unmistakably part of the liberal tradition and a key figure in the liberal Enlightenment (Rosen, 1996: 116; Flikschuh, 2000: 2)<sup>4</sup>. He advocated the spread of democratic republics throughout the world, and predicted that republican democracy (i.e., respecting the principles of rule of law, individual rights, toleration, and some measure of equality) would eventually be the only legitimate political system. He asserted the importance of individual duty and individual rights. He stressed the centrality of freedom. He sympathized with both the American and the French revolutionaries, despite his philosophical misgivings about revolution as such.

Kant rejected Hobbes' authoritarian view of sovereignty and Hobbes' endeavor to trace the civil compact to nothing more than the fear of violent death. Kant also differed from Rousseau in his interpretation of notions of communal, or "general", will. Among Kant's legacies was his contribution to shaping the doctrine of the *Rechtsstaat* (nomocracy), a state governed by law, and his achievement in revivifying the Natural Law tradition, albeit in a transformed variant.

In sum, Kant's importance may be summarized in four points. First, Kant laid out an ethical system derived from *a priori* principles and summarized by

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<sup>4</sup> As noted by various writers, including: Rosen, 1993: 116; Flikschuh, 2000: 2.

a single overarching imperative – the categorical imperative. Second he argued that liberal policies must be built on the foundation of a strict ethical system, and that there could be no freedom to be immoral. Third, he argued that it was possible for people to improve (morally) and that the state could play a constructive role in this improvement, among other things by fostering conditions conducive to the promotion of “sociability under laws” (Munzel, 2003: 67). And fourth, he made a strong argument that it was possible to build up a network of international organisations and international law, and that this, in combination with the promotion of liberal politics could move the planet *in the direction of* perpetual peace, with steadily less violence and warfare.

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