Introduction

Perhaps Schopenhauer stands alone in his criticism of Kant’s political writings as being “as if it were not the work of this great man, but the product of an ordinary common man,”¹ but the dearth of secondary literature on the topic suggests otherwise. There have been occasional books and articles on particular aspects of Kantian political theory, but the volume can hardly compare to the extensive secondary literature on the topic of his theoretical use of reason, particularly the first Critique. Allen Wood, in his introduction to the Cambridge installment of Kant’s works on Practical Philosophy lamented “the false (often grotesque) images” of Kant’s political philosophy and the philosophical community’s “neglecting of Kant’s far more extensive writings that deal with the interpretation and application of the fundamental principles.”² But even the opening sentence of Wood’s introduction serves as an example of that neglectful tendency. Wood begins his introduction with the claim that “Kant was drawn to philosophy through his interest in natural science, not through moral or political concerns.”³ This statement would confirm the belief of many that Kant’s moral philosophy, and therewith his political theory, is merely a derivative of, or is purely tangential to, his main conception of the true philosophical project. That project, according to some, is the theoretical use of reason as manifested in the first Critique. But Kant himself makes clear that the first Critique has not earned its position because it is most important, but rather because it is the

³ Wood, p. xiii.
necessary forerunner to the understanding of reason’s practical use. A similar argument is made on Descartes’ behalf by John Marshall. Marshall claims that the *Meditations* provided the sure footing upon which Descartes built a moral theory based on the notion of *genérosité* introduced in the *Passions*.\(^4\) The parallel to the current undertaking on behalf of Kantian moral and political theory can not be overlooked, given the clear influence of Descartes on Kant’s thought.

It is simply not the case that an interest in morality or political theory was lacking in Kant’s early work. Kant repeatedly refers to his early writings as work that raises issues (such as the movement of bodies) in need of critical resolution prior to a fuller discussion of their true import for human action. For Kant, natural science provides insight as to the nature of man through an examination of how man himself, and the world around him, *appears* to himself. When studying man’s nature, speculative reason is the tool that leads to knowledge of man only as an empirical object. It is the practical use of pure reason that makes “the connection of the system plain, so that the concepts which could [by pure, speculative reason] be represented only problematically…[can] be seen in their real representation.”\(^5\) This applies specifically to the concept of freedom, which “constitutes the *keystone* of the whole structure of a system of pure reason, even of speculative reason.”\(^6\) Hume’s theory of causation is certainly in the back of Kant’s mind on this point. For, while Hume does argue for a definition of causation as ‘universal juxtaposition,’ he simultaneously

\(^5\) Kant, *Critique of Practical Reason* 5:7, emphasis added. All references to Kant’s works will be taken from *The Cambridge Edition of the Works of Immanuel Kant* series, unless otherwise noted.
\(^6\) *Critique of Practical Reason*, 5:4.
claims that the psychological “projection” of the mind onto objects connects them to internal impressions that give the appearance of a “necessary connection.” Humean reason can therefore provide only this limited access to causation, and while Hume may not have worried about there being more to the story than this, Kant certainly held that Hume’s view led to a mistaken sense of causation, with the real concept rendered, for Hume, unintelligible by virtue of the impossibility of an intuition of objects. By positing the objective reality of transcendental freedom, Kant provides the means of intuiting the relationships between objects as they are and not merely as they appear. Kant therefore asserts that the whole concept of causality in speculative reason requires the objective reality of transcendental freedom in order to avoid its antinomy and the “abyss of skepticism.” The third and fourth antinomies presented in the first Critique, concerning the ‘dynamical’ concepts of freedom and God, rely on the distinction between things-as-they-appear and things-in-themselves. The conclusion reached via theoretical reason is that neither the existence of God nor freedom can be disproved and therefore the possibility of God and freedom remain, perhaps to be proven real by some other means. The ‘dynamical’ concept of freedom will be discussed in more detail in Chapter 2.

Natural science served as a means rather than an end of philosophical inquiry for Kant. Indeed, Kant claims that the point of the first Critique was to make room

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7 For a discussion of Hume’s theory of causation that dovetails nicely with the Kantian project at hand, see J.A. Robinson “Hume’s Two Definitions of ‘Cause’,” Philosophical Quarterly vol. 12, no. 47 (April 1962) pp. 162-171.

8 Critique of Practical Reason, 5:3.
for human freedom by freeing “my thorny and hard ground for general cultivation.”

The *Critique of Practical Reason* and the *Metaphysics of Morals* both reflect Kant’s belief that the first *Critique*, focused on the speculative use of reason and the restricted applications therein, was the foundation for the moral theory. By proving the Ideas of Reason to be a priori objects of experience rather than “a magic lantern of chimeras,” Kant states that “the path to wisdom, if it is to be assured and not impassible or misleading, must for us human beings unavoidably pass through science.” The concern for what man ‘ought’ to do is the driving force not only at the end of his philosophical life, but also at its beginning. Given that the duties and abilities of man are the common denominator in Kant’s work, the key to understanding his political writings lies in understanding the relation of politics to morality.

An understanding of the necessary interconnectedness of Kant’s moral and political theory begins with an examination of the duties particular to man. The use of theoretical reason provides insight into the nature of man so that practical reason may derive principles based on those a priori concepts. Kant says that a complete account of the duties specific to human agents “belongs to the system of science, not to the system of critique” and the principle upon which that classification is based is given in the *Groundwork*. The complete account of duties is given in *The Metaphysics of Morals*, divided into the ‘duties of right’ and the ‘duties of virtue’. As

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9 Letter to Marcus Herz [79] from *Philosophical Correspondence: 1759-1799* ed. By Arnaulf Zweig; see also *Critique of Practical Reason* 5:89-90.
10 *Critique of Practical Reason*, 5:141.
11 *Critique of Practical Reason*, 5:8.
Mary Gregor points out, “a number of words and phrases used metaphorically throughout [Kant’s] practical and even his theoretical writings are here assigned their literal meanings.” Perhaps most importantly, freedom in the transcendental sense is taken not merely as possible, but as a real and necessary object, and its power to affect human beings as both a noumenal and an empirical object provides the systemization of moral duties. When this freedom is considered to be directed externally, as man is affected by objects in the world, the duties are juridical. When man exercises his freedom of choice in regard to the internal determining ground of action as he is effected by his will, then he is generating moral duties. This will be explored in chapters 4 and 5 as part of the presentation of the necessity of civil society to the cultivation of virtue.

In Kant’s introduction to the *Metaphysics of Morals*, he provides justification for the division between the ‘Doctrine of Right’ (regarding only external action) and the ‘Doctrine of Virtue’ (regarding the internal determining grounds of action) by means of a comparison to the ontological project:

Teachers of ontology similarly begin with the concepts of *something* and *nothing*, without being aware that these are already members of a division for which the concept divided is missing. This concept can be only that of an object in general.13

For Kant, the concept being divided, in general, is human freedom. And the object in general, that human freedom points to, is *humanity* itself. The act of free choice consists in the lawgiving of the will. According to Kant, lawgiving for human agents

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12 Mary Gregor, translator’s note on the *Metaphysics of Morals*, p. 359.
consists of both an objective necessity (i.e., a duty) and an incentive for abiding. The division of the lawgiving between internal and external is made on the basis of incentives accompanying the given duty. Chapter 6 discusses the conditions under which external coercion is not only permissible, but mandatory to protect the rights of the individual. If the incentive is strictly respect for the duty itself, then the law is one of ethics. When the incentive to obey the law is based on an external inducement such as inclination or aversion, then the law does not contain the ground of morality.\(^\text{14}\)

The categorical imperative is the law that both commands and induces one to act. It is the formulation of the moral law that is directly accessible to human agents. But, it commands only to the extent to which it corresponds to an object. The object is the human agent himself, who upon reflection, is an object that has both a noumenal and phenomenal aspect. As Kant says,

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\text{I shall cognize myself as an intelligence, though on the other side as a being belonging to the world of sense, as nevertheless subject to the law of the world of understanding, that is, of reason, which contains in the idea of freedom the law of the world of understanding, and thus cognize myself as subject to the autonomy of the will; consequently the laws of the world of understanding must be regarded as imperatives for me, and actions in conformity with these as duties.}\(^\text{15}\)
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But this dual membership creates conflicts between inclinations based on the empirical perceptions of ourselves and other objects. It is a struggle, perhaps never ending, for one to appear as he is. Rational beings who do not hold this dual

\(^{14}\) Kant does allow that respect for duty is an ever-present and sufficient condition for action, see 6:220n.

\(^{15}\) Groundwork, 4:454.
membership, such as “finite holy beings,” are not subject to rebellious inclinations to act from incentives other than duty.16 According to Kant, a morally good action must be done “from principles, not as a means, but as an end.”17 But “virtue entails, not just morally good actions, but at the same time a great possibility of the opposite, and thus incorporates an inner struggle.”18 This belies a tension, according to the Kantian doctrine of human nature, between principles and inclinations. Human beings have the ability to act in accordance with their will insofar as they are conscious “of the capacity to master one’s inclinations when they rebel against the law.”19 Thus, the actions of holy beings are truly moral while human actions can, at their highest, be only virtuous.

The categorical imperative serves, at minimum, a limiting function on what maxims we can adopt, based fundamentally on the selection of an appropriate end. The categorical imperative’s first and most well-known formulation (‘act only in accordance with that maxim through which you can at the same time will that it become universal law’) imposes a universality, or a priori criterion on action. A universality criterion must not be confused with a requirement of universalizability; the latter being a quantitative consideration. Kant clearly establishes the criterion for universality as the presence of an a priori objectively valid concept or object. Merely asking ‘Could the aggregate of people act in such a way?’ may establish ‘universalizability,’ but it is not the proper test for the validity of a maxim, as will be

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16 Metaphysics of Morals, 6:383.
19 Ibid.
discussed in chapter 3. Instead, it must be asked, ‘Is this maxim premised on, or aimed at, an end that everyone should have?’

If we take Kant at his word that the epistemological and ontological projects of the first Critique are the basis for the overall moral project, we can understand the tension within the categorical imperative that leads to the specific human duties. Man must select ends in theoretical terms and select corresponding actions in practical terms. In a later work, Kant makes explicit his belief that what is right in theory also works in practice, so the key to that harmonizing of principles lies in the identification of theoretical ends that are also duties: namely, ends that it can be a universal law for everyone to have. Kant identifies those ends as “one’s own perfection and the happiness of others.” These ends provide a guide to virtuous action because they prevent humans from using either themselves or others as mere means. Kant does not allow a human to set his own happiness before him as an objective end. Instead, humanity itself is the object of every virtuous action. In Chapters 4 and 7, I discuss the role of humanity in forming ends in more detail.

The Doctrine of Right, the part of Kant’s moral theory that deals with politics directly, focuses on maxims that preserve and enhance the external use of freedom that is part and parcel of humanity as an object of action. The crucial difference between the duties of right and the duties of virtue lies in the motivating force that is permitted to influence action. Kant acknowledges that no one can be compelled to set a particular end for himself. Virtuous actions depend on man setting the dignity of

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20 Metaphysics of Morals, 6:385.
humanity as his end, but virtue is a private matter. The public actions of humans, their interactions with one another, are dependent upon maxims that preserve the exercise of the freedom that humanity guarantees. Duties of right, therefore, are duties that one can be required to act upon. That one must respect the freedom of another, to the degree that it does not unduly infringe upon his own, is a duty that is enforceable upon me. The operative concept is that of a right of freedom that Kant derives from the concept of humanity in general. Duties of right apply exclusively to human agents because right requires both a ‘moral personality’ whereby one can consider oneself a self-legislating member of a kingdom of ends, as well as the empirical representation of self to carry out the duties imposed. Non-rational animals, and those who have foregone their moral personality (Kant uses serfs as an example) do not have, and are not bound by rights. The right of freedom therefore creates a reciprocity of obligation between human agents. This reciprocity of obligation brings “the possibility of a fully reciprocal use of coercion”\textsuperscript{21} as a synthetic a priori concept. According to Kant, coercion that prevents a hindrance to freedom “is consistent with freedom in accordance with universal laws.”\textsuperscript{22}

As participants in both the intelligible and empirical realms, the principles for the preservation and exercise of inner freedom must also instruct us as to the principles for the external use and promotion of freedom. The concept of an innate right\textsuperscript{23} provides that guidance by recognizing that each human agent is, by virtue of

\begin{itemize}
\item \textsuperscript{21}Metaphysics of Morals, 6:232.
\item \textsuperscript{22}Metaphysics of Morals, 6:231.
\item \textsuperscript{23}Metaphysics of Morals, 6:237.
\end{itemize}
his humanity, endowed with freedom. The concept of right is laid atop the duties of virtue as the means by which every man has the coercive power to determine empirical objects as necessary to his adopted ends and appropriate them as such. Kant enumerates three such objects of choice:

1. a (corporeal) thing external to me;
2. another’s choice to perform a specific deed;
3. another’s status in relation to me.24

This means that an agent has the ability to control an external thing (such as a house), to compel another’s freely chosen deed (such as making good on a promise), and to claim another person as his own (such as a child). But this ability is not unbounded. It is still conditioned by the consideration of the maximum compatibility of the fullest amount of freedom for all. It is the subject of coercion.

It may be argued that Kant, through the authorization of external coercion for securing individual rights, established a means by which man can structure political life, but that the necessity that one should have such an arrangement is not at all clear. Thus, unlike other political theorists, Kant is not viewed as giving man socio-political requirements. However, from his writings as well as his lectures, we know that he rejects the Rousseauian view of the state of nature as giving life a segregated simplicity. In his lectures, he states:

In the state of nature we have inner laws, but there is no public law or authority there...so this rule [enter into the state of an external rectitude] signifies: Enter into that state in which his right can be determined by everyone.25

24 Metaphysics of Morals, 6:247.
This indicates the compulsory nature of Kant’s political theory. If we should enter into ‘the state of external rectitude,’ then such a state is possible. But it is a state of civil society with public law and authority, in contrast with the state of nature. So, we must promulgate laws and authority such that the innate right of freedom is recognized and protected. This is the subject matter of Chapter 7, which presents the fundamental principles of society in more detail. The duties of virtue serve as the basis of the duties of right in that we must use external freedom to both perfect ourselves and to promote the happiness of others. Again, these are the two primary moral obligations and we cannot act in accordance with those obligations except in an environment where humanity is treated as an end in itself, worthy of respect. The state of nature has no such publicly accepted principle. Therefore, civil society is not a matter of happenstance, and it is not meritorious; it is mandatory. Kant’s political theory is therefore an essential component of his moral theory, representing external actions that must be undertaken if human beings—given their dual membership in both the noumenal and phenomenal realms—are to be virtuous.

I begin this extended examination of the Kantian necessity of civil society by presenting the fundamental concept of Kantian moral theory that entails the participation of rational human agents in civil society. That concept, reciprocity, is at work from the beginning of Kant’s writing, including the pre-Critical works, although it has gained most attention by commentators in the context of the *Groundwork*, the second *Critique*, and *Perpetual Peace*. Therefore, I will expend much effort in chapters 3 and 4 discussing the structure and content of Kantian morality, in order to
make the ‘reciprocity thesis’ clear in both its practical and meta-ethical applications. Chapters 5 and 6 attempt to show that what is right in theory also works in practice, by explaining how reciprocity is at work in the *Doctrine of Right* and Kant’s explicit authorization of political coercion. An comparison with traditional Natural Law theorists will highlight the relevant points of departure for Kantian theory. Chapter 7 explores the key elements of a properly ordered society, according to Kant, and the direct link to the fundamentals of Kantian morality. And thus I will conclude that the basis of Kant’s political theory is neither accessory nor subordinate to his overall moral project. When viewed in its rightful sense, it is clear that Kant’s contribution to the debate on the proper foundation and ordering of civil society is an extension of his other works, and it is the intended consequence of his earliest endeavors in natural science, particularly reciprocal motion. His political theory will therefore be revealed as an insightful and unique synthesis of traditional, competing views, deserving of the appreciation and examination enjoyed by other aspects of his thought.