

A Reconciliation of Kant's Views on Revolution

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Immanuel Kant's views on revolution are notoriously paradoxical: on the one hand he appears to condemn all instances of revolution, but on the other he expresses enthusiasm for the French Revolution and other revolutionary acts. My project is to reconcile Kant's views on revolution by showing that a universal maxim can be derived from Kant's philosophy dictating when an individual is under a moral obligation to revolt. First, I show how Kant reconciles his position on the French revolution with his position on revolution in general. His answer, however, raises additional questions involving revolution in relation to his overall philosophical theory. Next, I present what is generally understood to be Kant's philosophy on revolution, and Christine Korsgaard's analysis using this traditional understanding to reconcile his seemingly contradictory views. After critiquing her position, I present my own analysis of Kant's philosophy, showing how this apparent paradox can be resolved by examining the universal maxim that I have identified.

Throughout Kant's writing his position on the permissibility of revolution seems abundantly clear, for example in *The Metaphysics of Morals*: "there is no right of sedition, much less a right of revolution...[and] it is the people's duty to endure even the most intolerable abuse of supreme authority" (MM 6:320; volume and page references are to the Berlin Academy edition). However, in *The Conflict of the Faculties*, Kant's writing suggests a very different view when he considers the French Revolution. In Part II, "An Old Question Raised Again: Is the Human Race Constantly Progressing?" he writes, "The [French] Revolution, I say... finds in the hearts of all spectators... a wishful participation which borders on enthusiasm" (CF 7:85). If Kant believed that revolution is always wrong, how can the spectators of the French Revolution,

including Kant himself, justify this feeling of enthusiasm? In the words of Korsgaard, “If revolution is wrong, how can ‘wishful participation’ in it be right” (1997, 299)? She is not alone in wondering how this specific position fits into Kant’s general philosophy. Dieter Henrich adds, “Kant was filled with enthusiasm for the French Republic and eagerly awaited all reports about a favorable course of events for it in France and Europe. [His seemingly contradictory views on revolution] are hard to reconcile” (1996, 106).

While much ink has been spilled trying to make sense of this apparent contradiction, Kant’s own solution is fairly straightforward, but has been almost entirely ignored. In his eyes, the French Revolution was not a revolution in the conventional sense because it did not involve the illegitimate seizure of power from a legitimate sovereign. Henrich argues that Kant believed Louis XVI “abdicated [his sovereignty] and simultaneously returned the Estates to the state of nature” (1996, 111). Therefore, when Louis XVI was removed from power, he was no longer a legitimate sovereign but a former ruler possessing magisterial authority over a state of nature condition. A passage from *The Metaphysics of Morals* supports Henrich’s argument (see Addendum 1). Kant writes:

A powerful ruler [Louis XVI] in our time therefore made a very serious error in judgment when, to extricate himself from the embarrassment of large state debts, he left it to the people to take this burden on itself and distribute it as it saw fit; for then the legislative authority naturally came into the people’s hands, not only with regard to the taxation of subjects but also with regard to the government, namely to prevent it from incurring new debts by extravagance of war. The consequence was that the monarch’s sovereignty wholly disappeared (it was not merely suspended) and passed to the people, to whose legislative will the belongings of every subject became subjected. (MM 6:341–42)

Kant believed that Louis XVI illegitimately abdicated his sovereignty by convoking the Estates-General in 1789, thereby making a very serious error in moral judgment. Although no longer the legitimate sovereign of France, he retained his power over the nation. Therefore, Kant’s enthusiasm for the French Revolution can be seen as enthusiasm towards the removal of an illegitimate sovereign from power.

While Kant’s position on the French Revolution clearly suffers from historical inaccuracies (see Addendum 2), it raises an even more fundamental question that must be addressed concerning revolution and this is a question that must be addressed concerning revolution and specifically, how can one reconcile portions of his

philosophy that explicitly condemn acting against one's sovereign, even if this sovereign appears to be illegitimate, with Kant's thoughts supporting revolutionary action under certain conditions? Some scholars have attempted to answer this question either through a purely historical analysis (see Addendum 3), or by focusing on Kant's status as an observer of the revolution, not a participant. This latter position, forwarded most notably by Hannah Arendt (1992, 44–51), warrants particular attention because it attempts to reconcile Kant's comments concerning revolution with an answer rooted in his philosophical theory. For Arendt, the observer is free to express his sympathy towards the cause of the revolutionaries publicly, but without breaking the law and revolting himself. Kant's enthusiasm for the French Revolution is seen as enthusiasm for the cause of the revolutionaries' actions, not as enthusiasm for the actions themselves.

the philosophical problem for Kant, however, appears to be not only how to express sympathy for the cause of the revolutionaries, but also how to justify their actions. The emphasis on the observer's role in the French Revolution is on the former, the latter being held by the spectators, rather than on expressing enthusiasm simply for the cause of their actions. The previously cited passage from *The Metaphysics of Morals* is further evidence for this interpretation, as he is clearly providing justification for the actions of the revolutionaries, in addition to justifying the enthusiasm of the observers. Ultimately, Kant's problem concerning revolution and his theory appears to stem from his blending of moral autonomy with political conservatism, as these positions appear to require different attitudes within an individual. For Kant, one is autonomous when he owns and takes responsibility for his actions. However, this autonomy is not measured by an individual's opportunities to initiate his enthusiasm, but by the demands of coexistent freedom and coexistent responsibility. Discussion surrounding this issue goes back as far as Gentz and Rehberg, two of Kant's students, who were also troubled by how one can reconcile Kant's positions on autonomy and human dignity, with his politically conservative position condemning revolution in general. While they were unable to arrive at a solution, they agreed that the problem could not be solved through clever, situational justifications, but required an examination of fundamental principles (Henrich 1996, 112).

The discussion of Kant and revolution begins by outlining the relevant portion of what is generally taken to be his political theory, starting with an examination of why the establishment of civil society is necessary. A right, for Kant, is anything consistent with universal external freedom.

Additionally, “there is connected with right by the principle of contradiction an authorization to coerce someone who infringes upon it” (MM 6:231). This position comes from Kant’s argument that coercing another individual is unjustified because it hinders that individual’s freedom. If, however, one is being coerced to prevent an action that would hinder freedom, then this coercion is justified. In other words, while one would not be allowed to coerce

of freedom is consistent with universal freedom and therefore is justified. It follows from this position that rights are enforceable through coercion. Kant notes, however, that in the state of nature rights are merely provisional, as there is no magisterial authority to protect these rights. The only way for an individual to ensure that his rights are protected is to coerce others into joining civil society with him, thereby establishing a procedure for adjudicating competing claims. “[One] must also be permitted to constrain everyone else with whom he comes into conflict about whether an external object is his or another’s to enter along with him into a civil constitution” (MM 6:256). Put differently, the only way that competing claims can be adjudicated justly when in the state of nature is by compelling others, by force if necessary, to join into civil society, establishing an arbitrator to settle the dispute.

What happens if civil society is not established? Consider, for example, a situation of competing claims in which these individuals exist outside of civil society. Since each individual believes that he is entitled to his claim and there is no mechanism of adjudication, if the individuals cannot come to some agreement among themselves, the dispute is eventually solved through the use of force. Korsgaard notes that there are two ways in which one can view such an action (1997, 303). A first way is that this use of unilateral force is illegitimate because the freedom of the other individual is being violated. When a moral individual recognizes that he has a right to freedom that ought to be enforced, he also recognizes that others are entitled to this same right. Using force against others violates the freedom of these individuals. Contrary to this understanding of the use of force, using force may also be viewed in a second way. Namely, force is being used to compel one individual to enter into civil society with the other. Kant believes that every individual in the state of nature has a right to compel others to join into civil society, and, likewise, all individuals are obligated to join civil society (MM 6:255–56). Put differently, “It is a duty of justice to live in political society. That is to say, others have the right to require this of you...and you, reciprocally, have the right to require membership [of them]” (Korsgaard 1997, 303).

When individuals are compelled to join into civil society, sometimes by force, theoretically laws are established in a manner that upholds and protects the rights of everyone. Specifically, "every legislator [is bound] to

a will" (TP 8:297). This hypothetical contract is fundamental to Kant's political theory, for it is not necessary that a particular law, or group of laws, actually be supported by the citizens; rather, it is necessary only that the laws *could* be supported by the citizens. "If it is *only possible* that a people could agree to [a law], it is a duty to consider the law just, even if the people is at present in such a situation or frame of mind that, if consulted about it, it would probably refuse its consent" (TP 8:297).

Kant's position here implies that there is something more important than whether or not citizens are content with their government. He

continues:

What is made decisive here is not the happiness that a subject means to it, which is the supreme principle for which all maxims have to fit with a commonwealth must succeed and which is in itself by no other means. (TP 8:298)

enter into civil society, but this obligation does not specifically derive from the citizens' desire for happiness. He adds:

The power within a state that gives effect to the law is also unopposable, and there exists no rightful commonwealth that can hold its own without a force of this kind that puts down all internal resistance, since each resistance would take place in conformity with a maxim that, made universal, would annihilate any civil constitution and eradicate the condition in which alone people can be in possession of rights generally. From this it follows that any resistance to the supreme legislative power, any incitement to have the subjects' dissatisfaction become active, any insurrection that breaks out in rebellion, is the highest and most punishable crime within a commonwealth, because it destroys the foundation. And this prohibition is *unconditional*, so that even if that power or its agent, the head of state, has gone so far as to violate the original contract and has thereby, according to the subjects' concept forfeited the right to be legislator inasmuch as he has empowered the government to proceed quite violently (tyrannically), a subject is still not permitted any resistance by way of counteracting force. (TP 8:299–300)

While Kant notes that individual legislators can make errors in judgment about whether or not a particular law is prudent, a sovereign, however, “[cannot err] when he asks himself whether the law also harmonizes with the principle of right; for there he has the idea of the original contract at hand as an infallible standard, and indeed has it *a priori*” (TP 8:299).

Kant’s position is not that laws in a state are unable to be changed, but rather the legitimate mechanism for change is internal, coming from the legislators themselves, not the citizens—at least not through the use of coercive force. The method available for citizens to incite change in the policies of the government is through non-coercive means, through speech and writing for example. “Although the constitution may contain grave defects and gross errors and may need to be gradually improved in important respects, still, as such, it is absolutely unpermitted and culpable to oppose it” (Korsgaard 1997, 308). Kant continues, “The people too [has] its inalienable rights against the head of state, although these cannot be coercive rights” (TP 8:303). While the constitution and laws produced by the government may not fill each citizen with undying happiness and pleasure, the citizens are required to respect the established laws because they are the manifestation of the general will. Korsgaard adds, “If [the government] represents the general will, whatever it says is the voice of the general will. To revolt, where that means to oppose the decisions of the government, is therefore to oppose the general will” (1997, 311). According to how Kant’s system is usually understood, the only way a revolution would be legitimate is if it were consistent with the general will, namely if the government chose to reform itself.

My project, however, is not to defend this position, but to see how it should be understood when considering Kant’s enthusiasm towards the French Revolution, as well as the passages in his work that appear to support revolutionary action in general. In addressing this issue, Korsgaard considers the fundamental importance of virtue in Kant’s moral and political theory, and its relationship to revolution. Her argument begins by looking at the internal duties virtue imposes. “Duties of virtue are concerned with our motives and attitudes. They arise from the command that we should not only do certain things, but do them for moral reasons” (1997, 316). All of an individual’s actions are directed towards some end goal, and this end is seen as being good (Gr 4:427). Thus, to act in a certain manner towards some end goal is to act to bring about a particular good. “In the moral case...we may simply see our action as expressing respect for humanity as an end in itself. Because morally good actions...are purposive, Kant argues that the cultivation of virtue is

achieved through the adoption of morally obligatory ends" (Korsgaard 1997, 316), and the virtue of justice is possessed by the individual who makes the rights of humanity his end (MM 6:390).

When addressing Kant and revolution, we are left to wonder how a virtuous individual might be viewed if he revolted against the government. Korsgaard writes:

It is by no means obvious that a person who makes the rights of humanity his end would never, under any circumstances, oppose the extant government. If this is correct, nothing in Kant's theory absolutely commits him to the view that a good person would *never* revolt. Nor, I believe, is this what he himself thought. (1997, 317)

When considering rights, she understands that while the state has the right to punish a revolutionary, an individual never has the right to revolt. Additionally, in *The Metaphysics of Morals*, Kant distinguishes between cases when an individual is simply acting unjustly and when a mockery of justice is being made. He writes:

Of all the atrocities involved in overthrowing a state by rebellion, the *assassination* of the monarch is not itself the worst, for we can still think of the people as doing it from fear that if he remained alive he could marshal his forces and inflict on them the punishment they deserve, so that their killing him would not be an enactment of punitive justice but merely a dictate of self-preservation. It is the formal *execution* of a monarch that strikes horror in a soul filled with the idea of human rights. (MM 6:321n)

Korsgaard adds, "Revolutionaries who formally execute a monarch perform an unjust act while dressed in the robes and wigs of justice; in so doing, they seem not just to ignore justice, but to mock it" (1997, 318).

Adopted from one of Kant's positions in the *Groundwork*, Korsgaard's argument from virtue is based on the position that, since individuals cannot will evil maxims to be universal laws, a person who acts wrongly is not rejecting the moral law entirely. Instead, that individual is making himself an exception to the rule.

If we now attend to ourselves in any transgression of a duty, we find that we do not really will that our maxim should become a universal law, since that is impossible for us, but that the opposite of our maxim should instead remain a universal law, only we take the liberty of making an *exception* to it for ourselves (and just this once) to the advantage of our inclination. (Gr 4:424)

Kant refers to the condition of the virtuous individual as a *dismal state of affairs* when his government is not simply ignoring what justice requires, but mocks it by operating unjustly under the guise that the state can never be unjust. Korsgaard continues, “The person with the virtue of justice...unable to turn to the actual laws for their enforcement...has nowhere else to turn. She may come own protection...[taking] the law into her own hands” (1997, 319).

By revolting, the virtuous person has made a difficult choice, as he knows that the foundation of the protection of humanity’s rights is contained within the structure of civil society. Korsgaard concludes that there are two things that set this decision to revolt apart from most of the decisions made inside Kant’s ethical system. First, we cannot apply Kant’s universalizability test to this decision, for the decision as to when it is necessary to revolt is a decision of pure judgment. “There is no criterion for deciding when imperfection [of justice] has become perversion [of justice], when things have gone too far... Morality cannot tell you when to leave the moral law behind;... in making this kind of decision, you are entirely on your own” (1997, 320). Second, moral luck plays a role in the justification of the revolutionary act. While this issue will be mentioned only briefly, it is important to consider how it affects responsibility. Kant appears to distinguish whether or not the revolutionary is justified in his actions based, to an extent, on whether or not the revolution was successful. Korsgaard writes:

Success makes the revolutionary, legally, the new voice of the general will, and, morally, one who has promoted the cause of justice on earth. In his own eyes and the eyes of the spectators this [success] will justify him [and his actions]... Failure, on the other hand, means that he has destroyed justice for nothing, that he is guilty of murder and treason, an assailant of the general will, and the enemy of everyone. Revolution may be justified, but only if you win. (1997, 320)

When these two considerations are coupled together, we get a sense of how it may be possible to justify the revolution of a virtuous individual in the Kantian system.

In summation, Korsgaard begins by accepting Kant’s initial position that a subject never has the right to resist the sovereign, and that the sovereign always has the legitimate authority to punish subjects for acts against the state. She believes that although individuals do not have a right to rebel, they may sometimes be morally justified in rebelling, if the revolution succeeds. If the revolution fails, however, then the revolutionaries are morally

responsible for the deaths and societal instability that they caused.

This type of ex post facto justification of revolution, however, appears curious when considering Kant's moral theory, for the success or failure of any action would not provide a moral justification for the initial action. Additionally, a fundamental principle of Kant's moral theory is the importance of universalizing moral actions. While an individual himself must ultimately decide whether or not to revolt, there is an added component of morality for Kant that is rooted in universalizability. Examining this component of morality is essential to this discussion, for it would ultimately show when one would be morally justified in acting against the sovereign. Therefore, the weakness of Korsgaard's argument is that she fails to identify this second part of the solution concerning when an individual is justified in revolting, or, in the stronger sense, morally obligated to revolt (see Addendum 4).

While the standard presentation of Kant focuses on the bulk of his writing that suggest revolution is always wrong, ignored are the passages in his work that clearly imply that some forms of revolution are acceptable at certain times. In this discussion, it will be shown that the following universal maxim for revolution exists in Kant's writings: *Individuals may use force to remove a sovereign from power when it is necessary to do so; and such action is necessary when individuals living under that sovereign are not citizens, but subjects reduced to or kept in a condition that mimics the state of nature solely due to the physical power possessed by that sovereign.*

Kant's distinction between the state of nature and civil society on the one hand, and between civil society and the civil state on the other, is central to his view that revolutionary action is sometimes justified, or even obligatory. He defines the state of nature as being a situation "where there is no court that could judge [a dispute] with rightful force" (PP 8:346). Civil society, on the other hand, "a rightful condition, under an authority giving laws publicly" (MM 6:255), is contrasted with the state of nature. The civil state, not to be confused with civil society, is the set of public institutions that seek to uphold and maintain civil society. Kant explains, "A state of nature is not opposed to a social but to a civil condition, since there can certainly be society in a state of nature, but no *civil* society (which secures what is mine or yours by public laws)" (MM 6:242). What distinguishes civil society from the state of nature is that unilateral force is prohibited and that just institutions which secure the rights of individuals exist. Unilateral coercion occurs when a coercer uses force to ensure that the dispute is settled in his favor. When a mugger says,

“Your money or your life,” this is an example of unilateral coercion, and such coercion is unjustified in the Kantian system. The use of unilateral coercion clearly distinguishes the state of nature from civil society, for by using unilateral coercion the coercer is denying the rights of the coerced individual. Reciprocal coercion, on the other hand, exists when a coercer is coercing another individual in a manner that respects the rights of both. Going back to our example of the mugger, if the individual being mugged pulls out a gun in order to coerce the mugger, albeit by force, into appearing before a designated magistrate so that the claim may be adjudicated by a lawful, tribunal power, then this action is justified because it is consistent with the coexistent freedom of both individuals (TP 8:292–93). Coexistent freedom is a situation of distributive justice, specifically: “that relation of human beings among one another that contains the conditions under which everyone is able to enjoy his rights, and the formal condition under which this is possible in accordance with the idea of a will giving laws for everyone” (MM 6:305–6). According to Kant, all individuals have an obligation to live in a condition where their rights are recognized and respected, and therefore individuals must leave the state of nature and enter into civil society.

In his writing, Kant does not spend a great deal of time on the transition from the state of nature to civil society, noting primarily that individuals are simply under an obligation to make this transition. He does note that this transition centers around individual property rights, for all rights are ultimately property rights—one who is autonomous owns and imputes to himself his own actions (Gr 4:433). Concerning property in the state of nature, Kant notes:

By being the first to take possession he originally acquires a definite piece of land and resists with right anyone else who would prevent him from making private use of it. Yet since he is in a state of nature, he cannot do so by legal proceedings because there does not exist any public law in this state. (MM 6:250)

Law in the state of nature is referred to as *private law* (MM 6:242), but this private law amounts to nothing more than the principle of might making right. If you pick a bushel of apples and I come and take those apples from you, claiming that you picked them from my tree, there is no way to settle this dispute other than by using physical force, for there is no magistrate who has the power to adjudicate. In Kant’s eyes, solving a dispute in this manner is contrary to the moral law and incompatible with the dignity of man (Gr 4:435), so we need to join together into civil society to settle the dispute properly.

According to Kant, civil society is a situation of distributive justice, in which the mutual rights of all parties involved are recognized and respected. Concerning the state of nature, civil society, and the civil state, Kant continues:

A condition that is not rightful, that is, a condition in which there is no distributive justice, is called a state of nature. What is opposed to a state of nature is not...a condition that is *social* and that could be called an artificial condition, but rather the *civil* condition, that of a society subject to distributive justice. For in the state of nature, too, there can be societies compatible with rights...but no law, "You ought to enter this condition," holds *a priori* for these societies, whereas it can be said of a *rightful* condition that all human beings who could (even involuntarily) come into relations of rights with one another *ought* to enter this condition. (MM 6:306)

Transitioning between the state of nature and civil society is an agreement made between the two claimants: they agree to settle current and future disputes in a manner that respects both of their rights—they appoint a designated magistrate, establish rules that this magistrate will use to arbitrate disputes, and agree on a system of punishment to be implemented if and when an individual breaks the agreed upon rules. Kant views revolution as always being *prima facie* wrong because revolution often entails an individual using force to violate this original agreement, and breaking promises is always morally wrong (e.g., Gr 4:422). By joining into civil society together, the two claimants have stated to each other that they will abide by the agreed upon rules now and in the future, and this promise is categorically binding.

Although revolution is always *prima facie* wrong, it is not wrong to revolt against a civil state when it has failed to create or maintain a condition of civil society, and it is here that I depart significantly from Korsgaard's position. Focusing on analysis surrounding Kant's comments that we must regard all governments as being legitimate, she argues that the civil state is necessarily a condition of civil society. While it is true that Kant usually assumes that the civil state maintains a condition of civil society, nowhere does he assume that the civil state is sufficient for civil society. In fact, Kant clearly explains the difference between civil society and the civil state, and how a state is able to exist without civil society (MM 6:242). The civil state, the magisterial authority that arbitrates disputes, is a necessary but insufficient condition for civil society. The sufficient condition is how the judicial procedures of the civil society are established and maintained. If the magisterial authority continually and unjustly sides with a particular party, or if that authority uses force to

compel individuals into submitting to a condition where the rights of all are not fully realized, then that condition is not one of civil society.

Examining Kant's comments on oppressive regimes, it can be understood why he does not equate the civil state to civil society, and how an unjustified magisterial authority is able to exist outside of a condition of coexistent freedom. Kant explains that the citizens living in states appearing to be tyrannical and oppressive in nature are nevertheless required not to resist their government (TP 8:299–300). Korsgaard's explanation is that Kant is suggesting "we should take it for granted that the existing governments are legitimate representatives of the general will of the people who are ruled by them, as if they originated in social contracts" (1997, 307). This claim, however, is not entirely supported by all of Kant's writings. While he writes in *The Metaphysics of Morals* that "the presently existing legislative authority ought to be obeyed, regardless of its origin," closely following this comment he adds:

Even the constitution [of the civil state] cannot contain any article that would make it possible for there to be some authority in a state to resist the supreme command in case he should violate the law of the constitution, and so to limit him. For, someone who is to limit the authority in a state must have even more power than he whom he limits, or at least as much power as he has... In that case, however, the supreme commander in a state is not the supreme commander; instead, it is the one who can resist him, and this is self-contradictory. (MM 6:319)

The argument Kant makes here is not what Korsgaard suggests, but rather that which designates the chief magistrate in a civil state is simply the individual who possesses the final say. Kant then assumes that those individuals appealing to the magistrate have entered into civil society together; thus, it would make no sense if the individual who is supposed to make the final decision could be overruled by another individual. If it were true that the designated magistrate was not the ultimate authority, then the claimants would simply appeal to this other individual or authority, and not to the designated magistrate. The relationship between the civil state and civil society, as well as the relationship between the civil state and the claimants, cannot be ignored when investigating Kant's understanding of the civil state. If the institutions the civil state has established to settle disputes do not respect the rights of both claimants, in other words if the condition is not one of coexistent freedom (see Addendum 5), then the two claimants still must enter into civil society but must search for, or create, another civil state to arbitrate the dispute.

When revolution involves an individual attempting to disrupt or destroy civil society, it is always wrong, but not all revolution is of this nature. In some cases, revolution involves an individual attempting to disrupt a civil state that is preventing the establishment of a condition of coexistent freedom. A notable example is when the populace attempts to remove an illegitimate monarch from power. Kant suggests that we cannot find fault with this action in certain situations; he writes:

The *dethronement* of a monarch can still be thought of as if he had *voluntarily* laid aside the crown and abdicated his authority, giving it back to the people, or as if, without any attack on the highest person, he had relinquished his authority and been reduced to the rank of a private person. (MM 6:320n–21n)

This passage establishes that Kant believes there are legitimate instances under which a monarch may be removed from power, and thus revolutionary action can be permitted. In this example, removing a monarch from power is on par with that monarch voluntarily relinquishing his authority, as if he had no legitimate authority to begin with. Since Kant tells us that a sovereign is never justified in abandoning his power and returning individuals to the state of nature, we must view this voluntary abdication as taking place within a state of nature condition. If this passage were not understood in this way, then Kant would be suggesting that we should view this act of dethronement as being legitimate by using analysis which would ultimately show it to be illegitimate, since the sovereign cannot voluntarily abdicate the throne. This explanation makes no sense. However, if this condition somehow mimicked the state of nature, then the act of dethroning the monarch was not illegitimate since that individual had no legitimate authority to rule. In other words, taking action against the monarch, an act we would normally view as being revolutionary, is legitimate under Kant's theory if the monarch is ruling over a condition that mimics the state of nature.

While Kant does believe that revolution is always wrong when it entails an act contrary to the unconditional duty of preserving civil society, this position is predicated on the would be revolutionary having already fulfilled the fundamental unconditional duty—entering into civil society. It would be contrary to his philosophy for any individual to have an obligation to maintain civil society if he is not currently a part of it. In this situation, the individual still remains in a state of nature condition, even if others around him have been able to enter into civil society and have developed civil state institutions. This individual has an unconditional duty to leave this state of

nature condition and enter into civil society. The distinction here between preserving civil society and preserving the civil state is critical. A requirement to preserve a civil state when it has failed to preserve or establish civil society is dehumanizing, for these individuals would be compelled to maintain a condition that is inconsistent with their own dignity as human beings.

A revolutionary is not part of civil society if that individual is in a condition where the ruler uses his power to prevent that individual's freedom. In other words, an illegitimate ruler is one who uses force to inhibit the preconditions of provisional willingness to enter into civil society from being met. It is only by entering into civil society that one's dignity is fully realized, and this dignity is a prerequisite for the discussion found in the remainder of Kant's political theory. Ultimately, the question whether or not one is in a condition where he is obligated to revolt is not based on how bad this condition is; that is, on the quality of life of the individuals living in that condition. Rather, the only test is whether this situation of coexistent freedom exists. Kant believes that while individuals may never do anything to remove themselves from this civil condition, they have an obligation to resist the institutions of a civil state when the de facto holders of power in that civil state have either returned them to the state of nature, or kept them in a state of nature condition.

This point, however, should not be understood as justifying any individual who disagrees with his government in taking action against it, claiming that he has been returned to a condition that mimics the state of nature. The standard for Kant is whether a condition of coexistent freedom can persist in the case of the individual who feels wronged after losing in arbitration. Just because this individual may believe he has been wronged by the decision, simply holding this belief does not mean that the system as a whole is one in which coexistent freedom is not maintained. Even if this individual is right and he was the victim of an incorrect ruling, rebellion is still not justified. To determine whether or not a civil state is maintaining a condition of coexistent freedom one must examine the institutions as a whole, for even the most just institutions produce incorrect decisions now and again. Put differently, one individual's belief that a particular policy is unjust does not

accountable for these actions. Second, by ruling against him and holding him responsible for his actions, the state also demonstrates that it respects his autonomy and humanity—only an autonomous being can be held responsible for its actions. Additionally, if this individual is held responsible by being punished, this punishment further demonstrates that the individual is being respected by the state. Gary Herbert explains:

One protects the humanity of a miscreant, and thereby his freedom and his rights, by acknowledging his (the miscreant's) responsibility, that is, by punishing him for his transgressions of the law... We must assume the moves of the miscreant were those of a fully rational being. Anything less would justify our removing the miscreant as one would an irritant, much as one removes ants, rodents, etc., who have made pests of themselves. (1995, 68)

Kant's understanding of the historical circumstances surrounding Prussia during the rule of Frederick the Great, pre-revolutionary France, and colonial America, reinforces this interpretation of his position on revolution. Although Frederick was an absolute ruler, he is seen by Kant as being legitimate because he acted as "only the highest servant of the state," and therefore was the "trustee of *the right of human beings*" (PP 8:352–53, 353n). Kant's historical understanding of the Prussian civil state is that no citizen, including Frederick, received preferential treatment. Thus, every citizen was able to enjoy his rights and public peace was guaranteed (E 8:41). Contrary to Frederick's Prussia, Kant viewed the situation of pre-revolutionary France and America in a much different light. Not only were these states failing to protect the individuals living under them from "being laid to waste by men or wild and predatory beasts" (MM 6:345), thereby not guaranteeing a condition in which individuals were able to fully realize their rights, but also all individuals were not equal under the law. These civil states were using their power to prevent individuals under their control from obtaining a condition of coexistent freedom. Put differently, the condition for individuals living under these ministerial authorities mimicked the state of nature.

When living in a condition like pre-revolutionary France and America, an individual has a moral obligation to enter into civil society, using force if it is necessary to do so. That individual, however, must decide when the condition he is living in has reached this point. As Kant focused his attention on Europe and America during the 18th century, he saw individuals, while being controlled by rulers, in conditions that mimicked the state of nature. Likewise, often when we look at civil states in our world today, we see a ruler controlling individuals merely due to the power that he possesses. A great

mistake we make is to call the controlling individual, or individuals, *sovereign*, and call the other individuals *citizens*. By examining situations where individuals exercise the law of might makes right inside of a state of nature scenario, we can understand how one is obligated to take revolutionary actions under Kant's philosophical theory. For Kant, one type of revolution is taking action against an illegitimate civil state, or the individuals who possess illegitimate magisterial authority. Although revolution is wrong when its intent is to violate the promises made upon entering society, it is justified and even obligatory when undertaken as an action to reestablish the general will and a condition of coexistent freedom. Kant's enthusiasm for revolution can be explained by the universal maxim that has been identified in this examination, as individuals are under an unconditional duty to leave the state of nature and enter into civil society, and this duty may be realized using force, if necessary, against those executing the law of might making right.

ADDENDA

1. To my knowledge, Heiner Bielefeldt (1997) is alone in drawing the connection between this passage (MM 6:341–42) and Kant's reconciliation of his enthusiasm for the French Revolution with his view of revolution in general. It is surprising that his observation, even though it is presented as an aside in a section that discusses the transition from civil society to a liberal republic, has received little to no attention in the literature surrounding the large discussion of Kant and the French Revolution.

2. This position appears to suffer from a lack of proper knowledge of the events surrounding the French Revolution, and Kant would have had to have been very ill-informed to believe such a position. For example, the King of France no more abdicated the throne when he convened the Estates-General in 1789 than when he convened them in 1614, the last time the Estates-General had met before 1789. Under the unwritten, precedent-based French constitution, the King's power to call the Estates, and their right to advise him, was anciently recognized. Thus, convening the Estates in 1789 would not have actually created the situation that Kant believes it would have created. The historical problem of abdication is one of many problems that this account seems to face.

3. It has been suggested that any of Kant's statements in

can be explained by a purely historical analysis. In other

philosophy. Of these arguments, the majority focus on the influence of the Prussian censor on Kant's philosophical writings, since the majority of Kant's writings in support of revolution can be found in his correspondence. While this type of argument might provide the easiest explanation, it comes up short for obvious reasons. Although Kant's correspondence does contain the majority of these writings, as noted these sentiments are supported by sections in Kant's philosophical text itself, and those arguing for a purely historical explanation cannot find a solution themselves for how to make sense of these comments when they appear in Kant's philosophical writings unaccompanied by his own explanation. Further, Kant suggests that in one's scholarly writings, including his own, a scholar speaks freely in his own name (E 8:38). Along these same lines, there is a commonsense argument that opposes the position suggesting that this problem can be solved by examining historical facts alone. Since the seemingly contradictory writings are found in Kant's philosophical text, there is no justification for simply ignoring a portion of these writings

enthusiasm for revolution in a number of places throughout his philosophical writings and, unless we are to conclude that Kant simply ignored his philosophical doctrine when making these comments, an explanation rooted in his philosophy is necessary.

4. Korsgaard does suggest that identifying such a universal maxim is impossible since there is no criterion for determining when an individual believes that an imperfection of justice has become a perversion of justice (this argument was cited in a previous passage). Her argument, however, misses the point when identifying Kant's universal maxim for when revolution is morally obligated, for this maxim does not determine when an individual feels it necessary to revolt. Rather, this Kantian maxim would identify the point which an individual is obligated to revolt, whether an individual's condition has reached this point or not is still ultimately a decision that must be made by the individual.

5. When looking for historical examples of a situation of non-coexistent freedom, one of the best examples comes from the United States before the abolition of slavery. It is fairly uncontroversial to say that slaves during this period, individuals who had no rights against white Americans, were not part of civil society, at least when looking at the civil society in which disputes were arbitrated by the existing civil state and its institutions. It can also be understood how Kant would have seen the condition of the American people during the colonial days as falling into the same

category. While the quality of life for the colonials far exceeded what the slaves experienced, the colonials were in a similar condition in regards to the existing British civil state and its institutions.

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