

Democratic Transitions and the Progress of Absolutism in Kant's Political Thought

Robert S. Taylor University of California, Davis

Against several recent interpretations, I argue in this paper that Immanuel Kant's support for enlightened absolutism was a permanent feature of his political thought that fit comfortably within his larger philosophy, though he saw such rule as part of a transition to democratic self-government initiated by the absolute monarch himself. I support these contentions with (1) a detailed exegesis of Kant's essay "What is Enlightenment?" (2) an argument that Kantian republicanism requires not merely a separation of powers but also a representative democratic legislature, and (3) a demonstration that each stage of a democratic transition can potentially be in an absolute monarch's short-run self-interest. I conclude the paper by defending Kant's theory of democratization against charges of consequentialism and paternalism and by pointing out its similarity to other accounts of democratic transitions (for example, those of Samuel Huntington and Guillermo O'Donnell), suggesting a previously unnoticed opportunity for cross-fertilization between political philosophy and comparative politics.

Over the past three decades, we have witnessed an unprecedented transformation of the world's political landscape. Authoritarian governments throughout Latin America, Africa, East Asia, and the former Soviet Bloc have been replaced by democratic ones. In fact, the percentage of countries having democratic governments rose from a mere 27.3% in 1974 to 62.7% in 2002, according to Freedom House scoring (Diamond 2003, 3). This "third wave" of democratization, though it has slowed in recent years, shows no signs yet of reversing (Huntington 1991).

Scholars in comparative politics have written extensively on the causes and consequences of these democratic transitions.¹ By contrast, the political-theory community has had surprisingly little to say about this subject.² Isaac (1995) has spoken quite eloquently of the deafening silence of political theory regarding the anticommunist revolutions of 1989, but the problem is much more general than this. Contemporary political theory, particularly in its analytic-

liberal mode, has focused almost entirely on the elaboration and systematization of principles of justice, paying little if any attention to the question of implementation: how should we go about making real-world practices and institutions, imperfect as they clearly are, consistent with right? More specifically, short shrift has been given to ascertaining the claims of justice in the face of partial compliance (e.g., existing injustices, including systematic ones) and unfavorable conditions (e.g., extreme poverty or an authoritarian political culture), or to what has come to be called "nonideal theory" (Rawls 1999b, 215–16).³ Even John Rawls' political thought, which is unusually sensitive to the distinction between ideal and nonideal theory (1999b, 132, 214–20, 476), focuses nearly exclusively on the former, even in its later, more "political" incarnation.⁴

What makes this silence all the more remarkable are the frequent discussions of nonideal theory and particularly democratic transitions throughout the history of liberal political thought. John Stuart Mill

¹Contributors to this literature include Diamond (1999), Huntington (1991), Przeworski et al. (2000), and Zakaria (2003).

²See, however, the recent work of Dunn (2004).

³Two noteworthy exceptions to this claim are Cohen (2000) and Murphy (2003).

⁴The distinction plays a more central role in *The Law of Peoples* (Rawls 1999a), but the part dealing with nonideal theory spends little time on the question of transitions to "well-ordered societies," though the three guidelines for the duty of assistance discussed there do offer the beginnings of an answer (§15).

(1991), for example, infamously argued that at times a people is unfit to govern itself due to character flaws that can only be remedied by an accumulation of needed democratic virtues under an enlightened despot, whether domestic or foreign, after which collective self-rule becomes possible. Alexis de Tocqueville (2003) similarly explored the conditions under which democratic governments can be created and sustained in his celebrated *Democracy in America*.⁵

Someone familiar with Immanuel Kant largely through the writings of neo-Kantians such as Rawls might reasonably believe that, in contrast to Mill and Tocqueville, Kant wrote little on this topic, but such an inference would be mistaken: Kant wrote extensively on democratization in his essays on history and politics. Somewhat like Mill, Kant believed that the transition to a representative democracy will take place under the enlightened rule of an absolute monarch, one who will lead his people from a state of minority (i.e., the inability to think for oneself without the guidance of another) to full intellectual and political self-government. Such a monarch will discharge this task by maintaining public order, protecting civil liberties such as freedom of the press, promoting (or at least not hampering) public education, and gradually ceding legislative power to representative institutions on matters of war, taxation, etc. Finally, he will be motivated to do these things—which are wholly contrary to his long-run interests—by the exigencies of geopolitical competition: to strengthen his society for such competition and secure the financing that he needs for military campaigns, he will gradually have to enlighten and empower his own people. Though each step in this process will be in the short-run interest of the monarch, it will lead to his political disempowerment in the long run, turning him into a limited, constitutional monarch constrained by a democratic legislature.

As this synopsis suggests, Kant presented a remarkably nuanced theoretical account of how a democratic transition might take place, the richness of which has not been appreciated by previous interpreters. My paper, by detailing this account, will provide a compelling example of nonideal theorizing that is sadly missing from Rawls' neo-Kantian theory and contemporary political theory more generally, but need not be.

My reading of Kant's nonideal political theory is, for a number of reasons, controversial. The idea that a great German liberal like Kant would defend abso-

lutism has discomfited many of his scholarly interpreters, who have responded in diverse ways.⁶ Some, such as Cavallar, see this defense as but a temporary aberration ("a short-lived love-affair . . . in the 1780's") from an otherwise consistent record of hostility towards "Enlightened Absolutism" (1993, 105). Other scholars, like Beiser, take the contrary position that "Kant betrayed the radical insights behind his critique of reason and compromised with the status quo" over his entire career (1992, 53). Even Kant's more sympathetic interpreters, such as Cronin (2003, 53) and Williams (1983, 137), regard his political ideals as at least in part the result of an unprincipled accommodation with late eighteenth-century Prussian political reality. Other elements of my reading are also controversial: Cronin (2003, 70–71) and others have denied that Kant's lifelong commitment to republicanism implies support for democratic institutions, and Rosen (1993, 127) has questioned the idea that monarchical self-interest can motivate the individual steps necessary to effect a democratic transition.

Against these interpretations, I will argue in this paper that Kant's support for enlightened absolutism was a continual feature of his political thought and fully consistent with the rest of his practical philosophy. At the same time, though, I will show that Kant believed such rule should be merely transitional, a way station on the route to the only kind of government consistent with right, *viz* a republic, by which Kant meant a representative democracy with separation of powers. A careful reading of his essay "What is Enlightenment?" within the context of his other writings indicates that while his support for enlightened absolutism was sincere, he believed that such rule was enlightened only insofar as it was ultimately *self-extinguishing*, a process made possible by the myopic self-interest of the monarch. Much like Laursen (1996), I discover subversive undercurrents beneath the relatively placid surface of this essay, but whereas Laursen finds them in Kant's vocabulary of "public" (*Publikum*) and "publicity" (*Publicität*), I find them in Kant's description of enlightened absolutism itself.

Exposing these undercurrents will require a careful reading of not only the enlightenment essay but also Kant's other writings. As we shall later see, arguments made in this essay recur in his later writ-

⁵His writings on liberal empire, which are less coherent than those of Mill, are explored by Pitts (2000) and Welch (2003).

⁶Beiser (1992, 15–18), in his magisterial study of early-modern German political thought, categorizes Kant together with Schiller, Humboldt, Jacobi, and Forster as liberals: each of them was a supporter of personal liberty, a nonpaternalistic state, and individual self-realization.

ings but in a more complete form; consequently, they shed light on the meaning of the earlier versions. This inference might seem unwarranted—Kant may have meant something entirely different by his earlier arguments, as his political beliefs and assumptions surely evolved over time as he matured as a thinker—but evidence from Kant's *Reflexionen* from the 1770s and his lectures on natural law from the winter semester of 1784 (which is contemporaneous with the publication of the enlightenment essay) indicate that Kant's mature political theory was basically in place by this time (Beiser 1992, 32–33; Cronin 2003, 53–54n). The *Rechtslehre*'s late release (in 1797) was a consequence of Kant's other intellectual commitments taking priority; the resulting work, long in the making, is almost entirely a “compilation of old lecture notes” (Kuehn 2001, 393–94, 396). Therefore, we can reasonably assume that Kant's political thought changed little between the early 1780s and late 1790s and that all his writings in this period reflect (more or less clearly and completely) the same underlying political theory.

I will proceed as follows. In the first section of my paper, I will offer a detailed exegesis of the enlightenment essay. This exegesis will raise two important questions. First, to what form of self-government are men being led, i.e., what is the nature of Kantian republicanism? Second, what would motivate an absolute monarch to undermine his own rule in this way? I will address these questions in the second and third sections of the paper, respectively. Finally, I will respond in the fourth section to two potential objections: namely, that interpreting Kant as a defender of enlightened absolutism turns him into either a consequentialist or a paternalist.

An Exegesis of “What is Enlightenment?”

Kant begins his essay by defining “enlightenment” (*Aufklärung*) as “the human being's emergence from his self-incurred minority,” where “minority” (*Unmündigkeit*) is defined as an “inability to make use of one's own understanding without direction from another” (WIE 8:35).⁷ Though our own “laziness” and

“cowardice” are the primary reasons for our minority, those who guide us (priests, doctors, officers, tax-officials) have an interest in maintaining and reinforcing it. How, then, are we to surmount such obstacles and achieve enlightenment? Kant discusses three possible paths to enlightenment, although two of them turn out to be false ones. The first path requires each individual to overcome immaturity through his own effort, but Kant argues that the “precepts and formulas” (*Satzungen und Formeln*) that weigh us down are too heavy to be removed by individual initiative alone—except for a talented few who succeed “by their own cultivation of their spirit in extricating themselves from minority.” The second path is through violent revolution against our guardians, but Kant believes that such a short cut to enlightenment will never produce “a true reform in one's way of thinking; instead, new prejudices will serve just as well as the old ones to harness the great unthinking masses” (8:36).⁸

After warning against these two false paths to enlightenment, Kant points to a third path. Unlike the first path, which counsels individualism, it recognizes that it “is more possible . . . that a public should enlighten itself” collectively; unlike the second path, which promises a quick fix, it realizes that “a public can achieve enlightenment only slowly.” To identify this path, Kant says, we must determine “what sort of restriction hinders enlightenment, and what sort does not hinder it but instead promotes it.” Contrary to the customary liberal prescription, Kant suggests that the “public use of one's reason” must be perfectly free, while the “private use of one's reason” may reasonably be subject to control—indeed, *must* be subject to control in order for the public use of reason to flourish and for enlightenment to be achieved, as we shall see (8:36–7).

But what does Kant mean by these terms? The private use of reason is that use of reason that we make

⁷References to Kant will consist of (1) abbreviations for the works from which they were drawn (unless it is obvious in context) and (2) the relevant volume and page references to the standard critical edition of Kant (1900–). The only exception made to this system will be for references to the *Critique of Pure Reason* (1998a), where the supplemental references will be to pages in the first (1781 or “A”) and second (1787 or “B”) editions of the work. What follows is a complete list of the abbreviations I will use, in alpha-

betical order by abbreviation, including the English translation used for each text: **CF** = *Contest of the Faculties* (Kant 1970, 176–90); **CPrR** = *Critique of Practical Reason* (1996, 133–272); **GMM** = *Groundwork of the Metaphysics of Morals* (1996, 37–108); **IUH** = “Idea for a universal history with a cosmopolitan purpose” (1970, 41–53); **MM** = *Metaphysics of Morals* (consisting of the *Rechtslehre* [Doctrine of Right] and the *Tugendlehre* [Doctrine of Virtue]) (1996, 353–604); **PP** = “Toward perpetual peace” (1996, 311–52); **Rel** = *Religion within the Boundaries of Mere Reason* (1998b, 31–192); **T&P** = “On the common saying: That may be correct in theory, but it is of no use in practice” (1996, 273–310); **WIE** = “An answer to the question: What is enlightenment?” (1996, 11–22); and **WOT** = “What does it mean to orient oneself in thinking?” (1998b, 1–14).

⁸I will return to Kant's hostility to political revolution below; it is a consistent feature of his practical philosophy. See, for example, T&P 8:297–305, MM 6:318–23, and Rel 6:122.

in our capacity as members of social hierarchies; it is empirical practical reason (specifically, precepts of skill) for the achievement of ends given to us by our superiors (GMM 4:415).⁹ Thus, soldiers cannot “engage openly in subtle reasoning about [the] appropriateness or utility” of the orders they receive, but must simply obey them; citizens must not argue with the tax collector over their tax bills, but must quietly discharge their obligations; and priests cannot attack church doctrine in the midst of communion, but must carry out their duties as required by their offices (WIE 8:37–8). Such obedience is required to maintain social order and to achieve important public ends, so our superiors in these hierarchies are justified in punishing us when we refuse to exercise our martial, ecclesiastical, or other skills for communal purposes.

The public use of reason, on the other hand, is that use of reason that we make in our capacity as members of learned society; the highest form of such reason is pure reason, whether theoretical or practical, which examines the foundations of science and mathematics, politics and religion. Kant says that each person may consider himself a “member of a whole commonwealth, even of the society of citizens of the world” who “in his capacity [as] a scholar . . . by his writings addresses a public in the proper sense of the word” (8:37). As literate individuals, we can step outside our roles as members of social organizations and participate in learned society, where we are free to discuss and to criticize. Thus, for example, while a soldier is not allowed to “engage openly in subtle reasoning” about his orders, he may offer his thoughts to the public regarding military matters on his own time, in print.

Kant repeatedly emphasizes that what is needed for the public use of reason to flourish and for enlightenment to be achieved is, first and foremost, *intellectual freedom*. Public reason's very existence depends on free and open inquiry, as Kant argues in *The Critique of Pure Reason*:

Reason must subject itself to critique in all its undertakings, and cannot restrict the freedom of critique through any prohibition without damaging itself and drawing upon itself a disadvantageous suspicion. . . . The very existence of reason depends upon this freedom, which has no dictatorial authority, but whose claim is never anything more than the agreement of free citizens, each of whom must be able to express his reservations, indeed even his *veto*, without holding back. (A738–39/B766–67)¹⁰

⁹Cf. Cronin (2003, 56–57) and Schmidt (1989, 288), who see private reason as being reason valid for the realm of contractual relations.

¹⁰On the relationship between public reason and free inquiry, see O'Neill (1989, 28–50).

As this passage suggests, freedom of thought requires freedom of the press, without which the former would be endangered; as Kant asks elsewhere, “how much and how correctly would we *think* if we did not think as it were in community with others to whom we *communicate* our thoughts, and who communicate theirs to us!” (WOT 8:144).

The second necessity is *education*. In both this work and “Idea for a Universal History,” Kant treats education as something that a public creates for itself, “if only it is left its freedom” (WIE 8:36). As he puts it in the latter essay, while “the world's present rulers have no money to spare for public educational institutions or indeed for anything which concerns the world's best interests (for everything has already been calculated out in advance for the next war), they will nonetheless find that it is to their own advantage . . . not to hinder their citizens' private efforts in this direction, however weak and slow they may be” (IUH 8:28).¹¹ However, in *The Contest of the Faculties*, published 15 years later, Kant suggests a much more positive educational role for political rulers. He says there that “the education of young people in intellectual and moral culture” cannot hope to succeed “unless it is designed on the considered plan and intention of the highest authority in the state, then set in motion and constantly maintained in uniform operation thereafter.” Kant admits, however, that such administration can be expected from political rulers “only . . . through their negative wisdom in furthering their own ends,” a theme to which I will return below (CF 7:92–93).¹²

Intellectual freedom and education are necessary but not sufficient for enlightenment; in addition, Kant argues, *civil unfreedom* is required, a finding he admits is “paradoxical.” By civil unfreedom, he appears to mean the restrictions on the private use of reason previously discussed along with the political means to enforce them—specifically, a “well-disciplined and numerous army ready to guarantee public peace” as

¹¹Kant may have in mind here Frederick the Great's ill-funded 1763 attempt to create a universal primary education system in Prussia.

¹²It has been suggested that *The Contest of the Faculties* is more hostile to absolutism than earlier works, which if true might call into question my claim in the introduction that Kant's political theory changed hardly at all between the early 1780s and late 1790s. Kant is certainly more openly critical of *unenlightened* absolutism in this work than in previous ones (e.g., 7:80). However, the work is in other respects entirely consistent with his earlier political writings, especially regarding the impermissibility of revolution, the necessity of top-down reform by an enlightened ruler, and the desirability of mass education and enlightenment (7:86n, 87–88, 89–91, 92–93).

well as an enlightened absolute monarch to govern (WIE 8:41). Kant is not clear about why civil freedom would set up “insurmountable barriers” to intellectual freedom and therefore enlightenment, but his reasons are not difficult to discern. The intellectual freedom that Kant endorses is a wide-ranging one, embracing art, science, religion, and even legislation, but the critical public culture that this freedom makes possible is by its very nature subversive, leading its participants to question and criticize the “precepts and formulas” that buttress the authority of doctors, priests, and officers of the law. Without an enlightened absolute monarch at the head of a “well-disciplined and numerous army,” such criticism might threaten the very public order that facilitates the long and laborious exploration of ideas needed for enlightenment; it might even provoke a popular uprising that would harness an insufficiently enlightened public with “new prejudices” as pernicious as the old ones they replaced (8:36).

A republic, by contrast, would be incapable of providing this kind of external discipline. Its natural responsiveness to the preferences and passions of its semi-enlightened citizenry would lead it to censor ideas that its citizens found threatening or offensive and to respond inadequately to outbreaks of lawlessness. This is why Kant argues that an enlightened absolute monarch “can say what a free state may not dare to say: *Argue as much as you will and about what you will; only obey!*” (8:41) Just as our interlocutors in learned society provide a guidance that differs in kind from that offered by our guardians, so the enlightened monarch imposes a constraint that differs in kind from that imposed by unenlightened rulers, who offer nothing but “personal despotism and . . . avaricious or tyrannical oppression” (8:36).

As I just indicated, however, a tension exists between argument and obedience, a tension that motivates Kant to endorse enlightened absolutism but that promises to grow with time. As a people grow increasingly enlightened, their hostility to established authority and its ideological supports will grow as well: the “precepts and formulas” formerly offered by their guardians will seem increasingly hollow and inadequate, and they will begin to question the legitimacy of rule that is not subject to the same mature public reason that governs the world of ideas. Kant indeed recognizes this dialectical tension and hints at a resolution in the last sentences of his essay:

A greater degree of civil freedom seems advantageous to a people’s freedom of *spirit* and nevertheless puts up insurmountable barriers to it; a lesser degree of the former, on the other hand, provides a space for the latter

to expand to its full capacity. Thus when nature has unwrapped, from under this hard shell [*harten Hülle*], the seed [*Keim*] for which she cares most tenderly, namely the propensity and calling to *think* freely, the latter gradually works back upon the mentality of the people (which thereby gradually becomes capable of *freedom* in acting) and eventually even upon the principles of *government*, which finds it profitable to itself to treat the human being, *who is now more than a machine*, in keeping with his dignity. (8:41–42)

This rich, somewhat obscure passage needs to be carefully unwrapped itself; I believe it holds the key to Kant’s theory of enlightened absolutism. Attend first to the botanical imagery. Kant describes civil unfreedom (i.e., enlightened but militarily powerful absolute monarchy limiting the private use of reason) as a “hard shell” that safeguards our “propensity and calling to *think* freely,” which he describes as a “seed” in need of development. This shell, hard but capacious, “provides a space” for the seed to grow and mature; this space is intellectual freedom, and the maturation of the seed is the steady process of enlightenment that culminates in our intellectual majority. A germinating seed soon presses against its shell, however, and the pressure gradually builds; this pressure is symbolic of the tension between argument and obedience that I discussed above. This tension is resolved when the seed is “unwrapped” by “nature”: the shell, weakened by time and weather, is slowly penetrated and disintegrated by the germinating seed, which no longer needs its protection. The metaphor is most complex—and subversive—at precisely this point. If the shell is indeed civil unfreedom, then its penetration and disintegration suggests that an enlightened people attains not merely freedom in thinking but also “freedom in acting,” i.e., it assumes responsibility for its own governance. Intellectual self-government, which is facilitated by a critical public culture flourishing under the protection of an enlightened absolute monarch, becomes a prelude to and preparation for *political* self-government. Nature (which is itself used as a metaphor for providence [*Vorsehung*] in Kant’s other writings, notably “Perpetual Peace” [8:360–63]) makes this transition possible, but the details are difficult to infer from the metaphor itself: a shell may passively submit to disintegration by a germinating seed, but why would an absolute monarch allow himself to be displaced by his enlightened subjects, who are now able to govern themselves? In fact, why would he ever allow, much less encourage, his own subjects to grow into such a threat to begin with? Kant suggests in the above passage that a government may find the adoption of political principles more consistent with human dignity “profitable

to itself"; in other words, self-interest may motivate an absolute monarch's early support for enlightenment and his eventual acquiescence in representative institutions, a possibility to which I will return below.

Additional support for my reading of this botanical imagery is provided by Kant himself in a strikingly similar passage in his 1793 book *Religion within the Boundaries of Mere Reason*, in which he uses gestation imagery to describe "the continuous development of the pure religion of reason [*reinen Vernunftreligion*] out of its present still indispensable shell [*Hülle*]" of historical faith:

The integuments [*Hüllen*] within which the embryo is first formed into a human being must be laid aside if the latter is to see the light of day. The leading-string of holy tradition, with its appendages, its statutes and observances, which in its time did good service, become bit by bit dispensable, yea, finally, when a human being enters upon his adolescence, turn into a fetter. (Rel 6:121, 135)

Historical faiths, which divide men from one another with their different holy texts and statutes, can only lay claim to being true faiths by serving as a "vehicle" for the pure religion of reason, which is a moral religion, i.e., a religion of "good life-conduct," not of ritual observance (6:123, 170–1). This moral religion will gradually displace the ecclesiastical elements of the historical faiths, including not merely "statutes and observances" but even religious hierarchy itself: "the degrading distinction between *laity* and *clergy* ceases, and equality springs from true freedom, yet without anarchy, for each obeys the law (*not* the statutory one) which he has prescribed for himself . . ." (6:122). This vision of co-legislation of the moral law by a priesthood of all believers has subversive implications for religion *and* politics.

Let us return to the last sentences of the enlightenment essay excerpted above. Attend now to the mechanistic imagery at the close of the passage. Hans Reiss suggests that this is an allusion to Julien Offray de la Mettrie's materialistic doctrine in *L'Homme Machine* (Kant 1970, 274n7).¹³ It may also though be a reference to another use of mechanistic imagery in the essay, which is in the midst of Kant's discussion of the *private* use of reason. He says there that a social hierarchy serving public ends (e.g., the military, the church, etc.) is like a "mechanism" and that when an individual serves in such a hierarchy he acts as "part

of the machine" (WIE 8:37). Therefore, to say that man is "*now more than a machine*" is to say that an enlightened man is capable of service in institutions other than social hierarchies and is capable of reason beyond the limited, functional private reason proper to such hierarchies, which is exemplified by "precepts and formulas, those mechanical instruments of a rational use, or rather misuse, of his natural endowments" (8:36). In other words, man's capacity for a *public* use of reason marks him out as a potential participant not only in the cosmopolitan society of men of letters but also in the critical political culture of a self-governing people. To deny this potential, as Kant in his work "Perpetual Peace" accuses the cynical "political moralist" of doing, involves "throwing human beings into one class with other living machines" (PP 8:378). To affirm it, on the other hand, is to acknowledge man's aptitude for an active, republican citizenship, which is the ultimate way in which enlightenment "eventually even [works back] upon the principles of *government*."

Kantian Republicanism

What is the nature of the republicanism Kant gestures toward in the concluding sentences of his enlightenment essay? I suggested in the introduction that Kantian republicanism requires a representative democracy with separation of powers, but this claim is not uncontroversial. Cronin (2003, 70–71) and Kersting (1993, 25–28), for example, argue that a separation of powers between the legislative and executive branches is sufficient for Kantian republicanism.¹⁴ This reading of Kant is a reasonable one, as the relevant passages can be interpreted in a variety of ways, yet I will argue that a separation of powers is necessary but not sufficient for Kantian republicanism by offering a different reading of these passages and others. I will then argue that a Kantian republic must have a representative legislature chosen by a restricted electorate of "active" citizens, a point that Kant makes throughout his political writings but most clearly in the *Rechtslehre*. I will also show that the resulting mixed constitution, while plausibly characterized as a democratic one, differs in important ways from our own mass democracies, especially with respect to

¹³Even nonmaterialistic doctrines can turn man into a machine, however, as Kant indicates in the second *Critique* when he compares Leibnizian freedom to that of a "turnspit [*Bratenwender*]" (CPrR 5:97).

¹⁴Kersting has argued elsewhere, though, that Kantian republicanism does require representative democracy: see Kersting (1992a, 152, 161; 1992b, 361). Moreover, the cited passage from *Wohlfgeordnete Freiheit* (1993) shows that this sufficiency condition does little to guarantee conformity between resulting legislation and the general will.

the nature of the executive and the extent of the franchise.¹⁵

Cronin and Kersting ground their argument on a distinction Kant makes in “Perpetual Peace” between two ways of categorizing states: the first is “according to the different persons who have supreme power within a state,” which Kant labels the “form of sovereignty” (*Form der Beherrschung*, also translatable as “form of mastery or control”); the second is “according to the way a people is governed by its head of state, whoever this may be,” which Kant calls the “form of government” (*Form der Regierung*).¹⁶ Sovereignty (thus defined) can take three subforms: *autocracy*, *aristocracy*, and *democracy* (the power of prince, nobility, and people, respectively); government, on the other hand, can take two subforms: *republicanism* (“the separation of the executive power (the government) from the legislative power”) and *despotism* (“the high-handed management of the state by laws that the regent has himself given”) (PP 8:352).¹⁷ The separation of powers is clearly a necessary condition for republicanism here, perhaps even the primary one. The stronger claim that it is a sufficient condition hinges on the relative indifference Kant shows to the form of sovereignty—except for democracy as it was practiced by the “ancient republics” (such as Athens), which Kant considers necessarily despotic because it combines executive and legislative functions in a single assembly of all citizens (8:351–53, 378). If we set aside this one exception, though, Kant does seem to believe that any form of sovereignty can in principle be consistent with republican government. If this is so, then how can it be true (as I claim) that a Kantian republic requires representative democracy?

We should note that Kant denotes sovereignty here with assorted German words/phrases (“supreme power” [*oberste Staatsgewalt*], “sovereignty” [*Beherrschung*], “sovereign power” [*Herrschergewalt*], etc.), none of which indicate whether he is speaking of the executive power, the legislative power, or both. Moreover, the entire discussion following the original

taxonomy of forms of state is about who should have executive power (*ausführenden/exekutive Gewalt*), i.e., control the government (*Regierung*). This strongly suggests that the distinction between the form of sovereignty and the form of government is in reality a distinction between who controls the executive and how the executive exercises its authority. This interpretation receives support from both within the essay and outside it. First, in the paragraph immediately preceding the one containing the forms of state, Kant says that “the consent of the citizens of a [republican] state is required in order to decide whether there shall be war or not (*and it cannot be otherwise in this constitution*)” (8:350; emphasis added). What kind of consent is he picturing? In the *Rechtslehre* he puts it more precisely: republican citizens “must therefore give their free assent, through their representatives, not only to waging war in general but also to each particular declaration of war” (MM 6:345–46). Kant is indicating here that republicanism *requires* a representative democratic legislature to approve military action *inter alia*. Consequently, Kant’s relative indifference to the form of sovereignty is an indifference to the form of the executive, not of the legislature. Second, nowhere in the discussion of forms of state in “Perpetual Peace” does Kant use the German word *Souverän* (“sovereign”), which he later uses as a technical term for a sovereign legislature in the *Rechtslehre*; he therefore leaves unspecified the identity of the “supreme power” (MM 6:313).¹⁸ Finally, Kant says in the *Rechtslehre*, during a discussion of the executive, that “a government [*Regierung*] that was also legislative would have to be called despotic” (6:316). Once again, this sentence emphasizes that despotism and republicanism are attributes of the executive: does the executive, regardless of who controls it, arrogate to itself legislative authority? In summary, what Kant is saying in this passage of “Perpetual Peace” is that any variety of executive (apart from an Athenian-style assembly) can in principle be consistent with republicanism; this leaves open the question of whether the same can be said for the form of the legislature.¹⁹

¹⁵Other scholars have also argued that Kantian republicanism involves these two criteria (representative democracy and separation of powers), including Cavallar (1993, 120), Williams (1983, 216; 2003, Chapter 6), and Rosen (1993, 33–39). With the partial exception of Williams, however, these authors do not make their case with a detailed textual analysis of Kant’s political writings; I will do so in this section.

¹⁶This distinction (suitably generalized) has long been a staple of Western political thought: see, for example, Aristotle (1984, 94–96 [1278b–1279b]).

¹⁷Cf. Jean-Jacques Rousseau (1997, 67n, 82–99 [Book II, Chapter 6; Book III, Chapters 1–6]).

¹⁸Gregor points out in a footnote here, though, that Kant is not very consistent in his use of *Souverän* and introduces “such a variety of terms that it is not always clear which of the three authorities [i.e., the executive, legislature, or judiciary] is under discussion” (Kant 1996, 457).

¹⁹A skeptical reader might point to §51 of the *Rechtslehre* to prove otherwise, as it appears to be parallel in structure to the passage in “Perpetual Peace” and is quite explicitly about the legislative sovereign (*Souverän*), but it in fact reinforces my interpretation. First, Kant makes a key distinction in §51 that he does not make in “Perpetual Peace” between an *autocrat* and a *monarch* (the

As the above passage on war approval indicates, however, Kant is hardly indifferent to the form of the legislature: he supports a representative democratic legislature with power over war, taxation, and even the executive branch itself, however it is constituted—or so I will argue. Kant lays out his views regarding the legislative branch most clearly in the *Rechtslehre*. He says there that “sovereignty” (*Souveränität*) resides in the “person of the legislator” and moreover that “legislative authority can belong only to the united will of the people” (6:313). The “active” citizens of a republic are described as those with an “equal right to vote within this constitution” and “the right to manage the state itself . . . [to] organize it or to cooperate for introducing certain laws” (6:314–15). Does this mean that Kant, like Rousseau, was an advocate of direct democracy? Not at all. Kant goes on to say that citizens are “represented by [their] deputies (in parliament)” and “act through their delegates (deputies),” i.e., their political agency is expressed by voting for and otherwise trying to influence their legislative representatives (6:319, 341). As noted above, the legislature can grant or withhold war-making powers from the executive; it also has power of the purse: “the people taxes itself, since the only way of proceeding in accordance with principles of right in this matter is for taxes to be levied by those deputized by the people” (6:325). Finally, and most radically (given his political context), Kant gives the legislature the right to “take the ruler’s [executive’s] authority away from him, depose him, or reform his administration. But it cannot *punish* him (and the saying common in England, that the king, i.e., the supreme executive authority, can do no wrong, means no more than this)” (6:317; cf. Riley [1983, 106–107]). Given his experience with the Prussian censors, such an assertion may strike the reader as quite bold, bordering on reckless, but Kant does rule out punishment of the monarch (no doubt with Louis XVI in mind), and he later stresses that the people can only “legally *resist* the executive authority and its representatives (the minister) by means of its representatives (in parliament)”

former is the sovereign legislator, while the latter merely represents him); this difference between the two texts is explained (on my interpretation) by the fact that Kant was simply not talking about the legislator in the latter, which made the distinction superfluous. Second, Kant comes to an entirely different conclusion in §51 than in “Perpetual Peace” about which form of sovereignty is most conducive to despotism: in the former, it is autocracy, whereas in the latter, it is democracy. Again, this difference can be readily explained by the fact that Kant is talking about the legislator in the former text and the executive in the latter one. See MM 6:338–39.

(6:322).²⁰ Kant’s motto, as always, is reform not revolution.²¹

The mixed republican constitution that Kant envisions can reasonably be characterized as a representative democracy, but two caveats are required. First, as noted above, Kant leaves open the nature of the executive, but he expresses a clear preference for monarchy, as a king is in a better position to plan and institute the reforms required to bring a constitution into conformity with republican principles—a position we might have expected Kant to take, given his support for enlightened absolutism (PP 8:353).²² Centralized administration might also be advantageous in establishing clear lines of authority and responsibility for the execution of laws; the dangers that are commonly associated with such a concentration of authority would be counterbalanced by the legislature’s power to depose, reform, or otherwise constrain the executive. This being said, Kant offers no reason

²⁰On censorship of religious and political writings under Frederick the Great and his immediate successor, Frederick William II, see Cavallar (1993, 112–14, 117–18) as well as Beiser (1992, 48–53). Kant’s relationship with Frederick the Great’s minister of state and head of ecclesiastical affairs, the liberal K. A. F. von Zedlitz, was extremely close, but he ran into problems with von Zedlitz’s reactionary successor, J. C. Wöllner. Kant was censured for his religious writings and threatened with “unpleasant measures for [his] continued obstinacy”; he consequently promised to write no further on religious matters, a promise he kept until the death of Frederick William II in 1797. For more details, see Kuehn (2001, 378–82, 404).

²¹On Kant’s reformism, see Williams (2003, 183–88). Kant’s support for representative democracy is occasionally called into question by reference to his essay “Theory and Practice” (esp. 8:294–97). Kant says there that in a rightful constitution each citizen is a “colegislator,” that laws are to be endorsed by “those delegated to do so as representatives of the people,” etc.; in short, he develops a representative democratic system that seems identical to the one developed in the *Rechtslehre*. In contrast to the latter work, however, Kant goes on to say that “it is by no means necessary” that this system “be presupposed as a fact. . . . It is instead *only an idea* of reason. . . .” Is this treatment of representative democracy as a merely hypothetical constraint on the will of the legislator consistent with what Kant says in the *Rechtslehre*? Yes, because Kant is speaking in “Theory and Practice” about citizens (or rather their representatives) voting on the “basic law” or “original contract,” not on regular legislation. This consent to the original contract is indeed entirely hypothetical, though it does impose moral constraints on the behavior of legislators and (more importantly for our purposes) does point the way toward a true republic, where the general will is made legislatively sovereign through representative democracy: as Kant says a bit later in the essay, the power of the people via their legislators to veto or approve war (which I discussed above) “necessarily presupposes the realization of that idea of the original contract” (8:311).

²²Kant also notes that an absolute monarch is “stronger . . . in relation to external enemies” than other kinds of executive, i.e., absolutism offers military advantages under dangerous international conditions (PP 8:373).

why, once a republic has been achieved, the monarchy could not be made elective or even transformed into a limited-term president, indirectly or perhaps directly elected by the people.²³

Second, Kant believes that the vote should be limited to “active” (rather than “passive”) citizens. He defines an active citizen as one who is “independent,” i.e., capable of “acting from his own choice” and therefore not dependent “upon the will of others” (MM 6:314–15). By this definition he apparently intends to exclude from the franchise whoever is personally dependent upon others for his “preservation in existence (his being fed and protected),” whether through employment or familial dependency (e.g., wives and children) (T&P 8:295–96).²⁴ Although he does not discuss his reasons for restricting the franchise in this way, he seems to believe that passive citizens would be unduly influenced by those upon whom they are dependent; allowing them to vote would therefore undermine the integrity of republican governance by effectively giving multiple votes to employers, husbands, and fathers—though a secret ballot could surely reduce this kind of influence.²⁵ From our own perspective, such restrictions on voting may seem reactionary. In fairness, however, we should note that Kant also says that the “natural laws of freedom and . . . equality” require that “anyone can work his way up from this passive condition to an active one,” i.e., anyone who can escape personal dependency (by becoming an independent artisan, yeoman farmer, etc.) is entitled to the franchise (MM 6:315).²⁶ No individuals are permanently excluded from the franchise except women, an exception that is deeply puzzling on Kant’s own terms. Why, for example, would an independently wealthy widow, free from all personal dependence (both economic and familial), not have had a rightful claim to the franchise for the

reasons just given? The only answer seems to be the prejudice against women that Kant unfortunately shared with his contemporaries, one that has no basis whatsoever in his critical philosophy.²⁷

The Problem of Motivation

We have seen in the previous two sections that, according to Kant, an absolute monarch is best placed to lead his society to intellectual enlightenment and republican government, i.e., a representative democracy with a separation of powers. Given that absolute monarchy is despotic by definition (though it might govern in a republican spirit), the move to republican government must involve the creation and gradual empowerment of a popular legislative assembly, one that will accumulate powers over taxation, war, and even the monarch himself (cf. Williams [1983, 176, 217]). The monarch has a moral duty to facilitate this transition to intellectual and political self-government, as Kant says clearly in the *Rechtslehre*:

The spirit of the original contract (*anima pacti originarii*) involves an obligation on the part of the constituting authority to make the kind of government suited to the idea of the original contract. Accordingly, even if this cannot be done all at once, it is under an obligation to change the kind of government gradually and continually so that it harmonizes in its effect with the only constitution that accords with right, that of a pure republic. . . . Any true republic is and can only be a system representing the people, in order to protect its rights in its name, by all the citizens united and acting through their delegates (deputies). (6:340–41)²⁸

Moreover, the monarch is authorized to guide this transition by a *lex permissiva*: he may defer the institution of a government fully consistent with right “until the people gradually becomes susceptible to the influence of the mere idea of the authority of law . . . and thus is found fit to legislate for itself”; such a delay must be allowed “lest implementing [self-rule] pre-

²³On the possibility of an elected executive in Kant’s scheme, see Williams (1983, 176).

²⁴Kant includes civil servants among the active citizenry, despite the fact that they are in an employment relationship with the state. Rosen (1993, 38) finds this exception arbitrary, but employees of an impersonal bureaucracy with civil-service protections might not be “personally dependent” upon anyone. Of course, Prussian civil servants in Kant’s time *were* personally dependent on an absolute monarch, but such an exception might still be justifiable in a *Rechtsstaat*.

²⁵Rosen (1993, 38–39) concurs in this interpretation.

²⁶This is consistent with Kant’s general hostility to any form of hereditary privilege: “every member of a commonwealth must be allowed to attain any level of rank within it (that can belong to a subject) to which his talent, his industry and his luck can take him” (T&P 8:292). On this point, see Kersting (1993, 381–83).

²⁷In “Theory and Practice,” Kant says that the status of being a woman or a child is a “natural” reason for denial of the franchise, but he does not elaborate (8:295). His attitude toward women is strangely conflicted: at times he can be comically hostile (as in his portrayal of the sexually voracious woman in the appendix of the *Rechtslehre*), but at other times he can be surprisingly egalitarian in his attitude (as in his analysis of marriage in the *Rechtslehre*, where he says that “the relation of partners in a marriage is a relation of *equality* of possession, equality in their possession of each other as persons . . . and also equality in their possession of material goods”). See MM 6:278, 359–60, as well as Herman (1993a).

²⁸On the moral duty of a monarch to promote republicanism and govern in its spirit, see Kersting (1993, 430).

maturely counteract its very purpose," as discussed above (PP 8:347–48, 372–73).²⁹

Even if absolute monarchs were uniquely situated, authorized, and morally obligated to make this transition occur, however, what *material* incentive would they have to do so?³⁰ Why would they create an enlightened populace (by allowing intellectual freedom and perhaps even promoting public education) that would seek to undermine their rule and limit their power? As Kant suggests hopefully at the end of his enlightenment essay and argues more explicitly in his other writings, self-interest may motivate an absolute monarch's early support for enlightenment and eventual acquiescence in democratic institutions. The demands of military and economic competition with other states may compel monarchs to adopt a sequence of policies over time that, while individually sensible, jointly contribute to their own political emasculation.³¹

Kant says in "Idea for a Universal History" that "the mutual relationships between states are already so sophisticated that none of them can neglect its internal culture without losing power and influence in relation to the others." In other words, geopolitical concerns cause state leaders to engage in internal reform as a means of strengthening their societies for various forms of international competition. Some of these internal reforms are not *directly* related, at least, to intellectual freedom. For example, Kant suggests that restrictions on commerce are a threat to the "vitality of business" and should therefore be eliminated by ambitious rulers, who presumably need a large tax base for their military adventures (8:27).³²

²⁹For more on the concepts of a *lex permissiva* and of "provisional right" (*provisorisch Recht*), see MM 6:223, 247, 256–57, 329. Also see Ellis (2005), Flikschuh (2000, Chapters 4 and 5), and Shaw (2005).

³⁰On the role of prudential self-interest in the advance of republicanism, see the exchange between Ludwig (1997) and Brandt (1997).

³¹Readers familiar with Kant's philosophy of history will immediately recognize the path I am about to take. Given the limitations of space, I will focus only on those elements of it immediately relevant to the task at hand. For more comprehensive examinations of his philosophy of history as it is developed in his political and historical works and in his *Critique of Judgment*, see Yovel (1980) and Galston (1975). On the politics of Kant's philosophy of history, see Knippenberg (1993, especially 160–66).

³²Also see Behrens (1985, 116–51). Behrens notes that "at any given moment the pursuit of power and the pursuit of prosperity were likely to be mutually exclusive, since power demanded expenditure for military purposes which accounted for nearly three-quarters of government revenue in every major country and therefore involved, among other things, a high level of taxation which reduced the general standard of living. In the long run, however,

This kind of economic reform may be indirectly related to intellectual freedom, however. Such freedom is not exercised in a vacuum: it requires access not only to one's fellow scholars in a cosmopolitan society of letters but also to material goods (such as books and periodicals) and leisure time. To the extent that such reform increases per-capita income, it will improve access to these goods and consequently act as an oblique support for intellectual freedom and enlightenment.

Other internal reforms *are* directly related to intellectual freedom, though, as Kant points out in the following passage from the essay:

Restrictions placed upon personal activities are increasingly relaxed, and general freedom of religion is granted. And thus, although folly and caprice creep in at times, *enlightenment* gradually arises. It is a great benefit which the human race must reap even from its rulers' self-seeking schemes of expansion, if only they realize what is to their own advantage. But this enlightenment . . . must gradually spread upwards towards the thrones and even influence their principles of government. While . . . the world's present rulers have no money to spare for public educational institutions . . . they will nonetheless find that is to their own advantage at least not to hinder their citizens' private efforts in this direction. . . . (8:28; cf. WIE 8:41–42)

Unfortunately, Kant does not say here why freedom of religion and freedom of thought more broadly, as well as tolerance of (if not support for) citizens' efforts to educate themselves, are to the advantage of "self-seeking" rulers, but once again his reasons are not difficult to infer. To begin, religious toleration may promote social peace, thus freeing up state resources (especially military ones) for other uses; moreover, it may secure the loyalty of oppressed but economically powerful religious minorities.³³ More generally, freedom of thought and the education to make it effective, by fostering a critical public culture and an enlightened citizenry, enlists the talents of the people in the reform process. As noted above, Kant believed that freedom of the press should be broad, including matters scientific, religious, and legislative (WIE 8:41). The critical public culture that results will therefore be a rich source of new ideas for improving the efficiency

these two objectives seemed inextricably linked, since not only did power depend on wealth; wealth, and indeed mere existence, were always insecure without power to defend them" (117).

³³Cavallar (1993, 115) suggests this may have been Frederick the Great's primary reason for tolerating diverse sects. His grandfather Frederick I's admission of thousands of persecuted but industrious French Huguenots may have provided a model; see Behrens (1985, 123–24).

of public institutions—a desirable state of affairs for an ambitious, expansionist ruler.

As Rosen has noted, though, these initial rounds of reform can at best take a society only partway toward republican governance: economic and intellectual freedom can help create a prosperous and enlightened populace that is prepared for political self-rule, but political reforms are needed to realize such self-rule, and these are difficult to square with the self-interest of an absolute monarch. Thus Rosen goes on to claim that monarchical self-interest cannot take Kant any further and that he therefore falls back on “the vague hope that ‘education’ will ultimately provide the solution: only when rulers receive the right moral education will there be sustained progress toward . . . a fully just republican state” (1993, 127; cf. Plato 1991, 153 [473c–d]). One can imagine reasons, however, why an absolute monarch might set up representative institutions, albeit initially weak, advisory ones. For example, he might create them to learn the views of his subjects and to provide a venue for the peaceful expression of grievances. Kant even suggests a reason why actual powers might be ceded to them: the need for money. The very geopolitical competition that forces rulers to implement the initial rounds of internal reforms may compel them to make political reforms as a way to extract additional resources from the people without sparking serious opposition; the British parliament and other countries’ representative assemblies gained much of their power as a consequence of monarchical penury (North 1990, 113). Kant himself offers Louis XVI and his convocation of the Estates General in 1789 as an example:

A powerful ruler 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 or 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)

Thus, contra Rosen, it can be in the short-run self-interest of a monarch to empower the people legislatively. Myopia is apparently key here, for as Kant notes, “a republic, once established, no longer has to let the reins of government out of its hands and give them over again to those who previously held them and could again nullify all new institutions by their absolute choice” (MM 6:341). The return of sover-

eignty to its original owner (the people) reduces the monarch to a mere executive, an “organ of the sovereign,” who can now be rightfully deposed or otherwise constrained by a popular legislature, as noted above (6:319).

By a series of policy innovations, each tactically sound, an absolute monarchy (or more likely a dynasty) thus engineers its own downfall and the creation of a republic. Moreover, this end is (or at least can be) accomplished without any violations of right, which would inevitably occur in a revolution (T&P 8:298–304, MM 6:318–23). Whatever one thinks of the likelihood of such a sequence of events unfolding, Kant’s theoretical accomplishment here is impressive and largely unnoticed: he has shown how republicanism might emerge from absolute monarchy in a manner fully consistent with both justice and the short-run interests of the regent himself—the immaculate conception of a republic, in short, unsullied by revolutionary violence or monarchical resistance.³⁴

Two Potential Objections

I should now address two likely objections to my depiction of Kant as an advocate of enlightened absolutism. The first is that this portrayal paints Kant as a consequentialist: under my interpretation, Kant believes that republicanism should be postponed until after a people has become enlightened because its premature practice would have a negative consequence (*viz.* it would be self-defeating). Given that Kant’s practical philosophy is considered the paradigmatic example of nonconsequentialism, my interpretation is instantly suspect.³⁵ The problem identified here is not unique to Kant, however, but faces any nonconsequentialist theory that has a nonideal component: because nonideal theory is about not only acting under nonideal conditions but also generating ideal conditions, it seems inescapably consequentialist, for attaining ideal conditions is one of the desired results or consequences of our actions under such a theory.

³⁴Nozick (1974) similarly tried to show how a minimal state could emerge by way of an “invisible-hand” process that violates no individual rights. His argument was sharply criticized by the anarcho-capitalist Rothbard (1977).

³⁵Others have accused Kant of consequentialism, including Sidgwick, who maintains that Kant’s argument for an imperfect duty of beneficence (GMM 4:423) relies illegitimately on prudential considerations. See Sidgwick (1907, 389n) as well as the persuasive reply by Herman (1993b, Chapter 3), who offers a nonprudential interpretation of Kant’s argument.

To be more concrete, consider Rawls' theory of justice, which is also nonconsequentialist and has a nonideal component. Speaking of the basic liberties that form such an important part of his theory, Rawls says that "it is only when social circumstances do not allow the effective establishment of these basic rights that one can concede their limitation; and even then these restrictions can be granted only to the extent that they are necessary to prepare the way for the time when they are no longer justified" (1999b, 132 and §39). In other words, restrictions on the basic liberties that are allowed under nonideal conditions are only justified insofar as they help to bring about ideal conditions, after which the ideal theory (the special conception of justice) will apply and the restrictions will be removed. Notice, however, the consequentialist quality of this claim: an action (restricting basic liberties) is justified only insofar as it leads to good results (achieving ideal conditions). The tension between a nonconsequentialist ideal theory and a consequentialist nonideal theory is therefore present in Rawls' work as well.

This paper is not the place to try to resolve such a difficult issue, which has preoccupied many eminent Kantians, but I can at least point the way towards a resolution for the enlightened absolutism case.³⁶ As noted above, an absolute monarch ruling an unenlightened populace cannot conform to the *letter* of republicanism, because under such conditions it would be self-defeating: an unenlightened people is incapable of governing itself, and a premature republicanism would dissolve in censorship, outbreaks of lawlessness, and the replacement of old prejudices with new ones. As Kant repeatedly emphasizes, however, a monarch can rule in the *spirit* of republicanism under such conditions by respecting intellectual freedom, the rule of law, and the independence of the judiciary, by consulting citizen assemblies, by refraining from territorial expansion, etc. (PP 8:352–53, 372; MM 6:340). This "aspirational" republicanism can be justified instrumentally, as a means to popular enlightenment, but need not be: it can also be justified noninstrumentally as the closest *approximation* to the political ideal—a republic of free, equal, and independent citizens—that is possible under nonideal conditions. Such a justification is nonconsequentialist because it is the political ideal itself, not the desirable consequence of approximating it (*viz.* an

enlightened citizenry), that provides both the immediate motivation and a model for principled political action. Action that advances enlightenment but violates the spirit of republicanism (e.g., censoring the expression of popular prejudices in the media), on the other hand, cannot be given such a nonconsequentialist justification.

The second, related objection is that my reading of Kant turns him into a paternalist. In the introduction, I noted that enlightened absolutism requires subjects to remain (temporarily) in a state of political minority (*Unmündigkeit*), with the absolute monarch behaving as a benevolent parent preparing his minor children for political adulthood. But in "Theory and Practice," Kant is adamant that "a *paternalistic government* (*imperium paternale*), in which the subjects, like minor children . . . are constrained to behave only passively . . . is the greatest *despotism* thinkable" (8:290–91; cf. MM 6:316–17). How can these apparently contrary views about paternalism be reconciled?

The answer lies in Kant's understanding of paternalistic government. Such a government has two closely connected characteristics. First, it focuses all of its attention on the *happiness* of its subjects rather than on their inchoate capacity for the rightful exercise of freedom; moreover, it maintains them in a state of dependence as submissive recipients of pleasure, dispensed at the whim of the ruler. Second, it tries to impose its *own* concept of happiness on subjects rather than advancing theirs: they must "wait . . . upon the judgment of the head of state as to how they *should be happy*" (T&P 8:291). The subjects of paternalistic government are therefore doubly passive by design: passive both in their enjoyment of happiness and in their conception of it.

Kant's vision of enlightened absolutism has nothing to do with paternalistic government so understood. In it, an absolute monarch is led (whether by his own conscience or, more likely, by the cunning of history) to establish a rightful constitution, i.e., a republic, in which citizens jointly exercise sovereignty and each pursues his own happiness "in whatever way seems best to him, provided he does not infringe upon that universal freedom in conformity with law and hence upon the right of other fellow subjects" (T&P 8:298). Republican citizenship is active, not passive: active in its use of political power and active in its pursuit of a happiness freely conceived but consistent with right. Enlightened absolutism for Kant is therefore not a coercive eudaimonism but rather a political philosophy of development, one that rejects mass pacification in favor of the gradual

³⁶These preoccupied Kantians include Herman, Korsgaard, and Schapiro. In this paragraph I follow the approach of Schapiro (1999, 2003, 2005).

realization of popular independence and self-government.³⁷

Conclusion

I have argued in this paper that Kant in his political writings traces a path from absolute monarchy to republican government. This transition begins with an enlightened ruler at the head of a powerful military, one who simultaneously allows open public debate on matters scientific, religious, and political but restricts the private use of reason within social hierarchies for the sake of public order and other important communal ends. This blend of intellectual freedom and civil unfreedom makes possible the collective enlightenment of a population, which is then prepared for both intellectual and political self-government. The ruler who pursues this path is not merely discharging a moral obligation to his people but also strengthening his society for economic and military competition with other nations. This competition will—if all goes according to nature's plan—compel this same ruler gradually to cede sovereign power to a popular legislature for the sake of his short-run financial needs. In this way a pure republic emerges, one characterized by a separation of powers, a representative democratic legislature, a unitary but limited executive, and a franchise open to all who can escape personal dependence.

As we have seen, Kant offers a full theoretical account of democratic transitions, one that has been largely ignored by the scholarly community. Contemporary political theory, especially its neo-Kantian forms (e.g., those of Rawls, Gewirth [1978], and Habermas [1998]), would be greatly enriched by a reexamination of Kant's writings on politics and history. His theory of democratization, despite its many contentious claims, offers a useful starting point for reflections on how to make real-world practices and institutions consistent with right—a mode of theorizing made all the more pertinent by recent geopolitical upheaval.

Political theorists are not the only scholars who would benefit from such a reexamination, though, as

there are many points of contact between his nonideal theory and prominent accounts of democratic transitions in the comparative-politics literature. For example, Huntington has claimed that the first phase of political modernization requires the concentration of political power for purposes of reform, whether in the hands of a traditional monarch or a military regime, and he has also pointed out that “external threats and conflicts furnished the principal impetus to innovation and centralization” in absolute monarchies (1968, 145–46, 154, 164, 203, 222)—both claims we have encountered before in Kant. O'Donnell (2000) has argued that stable democratic self-government has resulted from a long process of legal, economic, and political liberalization under non-democratic regimes and that the associated development of *individual agency* (a moral and intellectual enlightenment he associates with autonomy and responsibility for one's choices) has helped make such self-government possible.³⁸ IR scholars who study the democratic-peace hypothesis frequently make reference to Kant's essay “Perpetual Peace”; those comparativists who investigate democratic transitions might likewise find inspiration in his other contributions to political theory and the philosophy of history.³⁹

Acknowledgments

I wish to thank Robert Adcock, Gerard Alexander, Yvonne Chiu, Eve D'Onofrio, Jim Fishkin, Samuel Freeman, Bill Galston, David Garren, Steven Kelts, Jimmy Klausen, George Klosko, Robyn Marasco, Larry Peterman, Juliana Geran Pilon, Rob Reich, Debra Satz, John Scott, Sharon Stanley, Peter Stone, Geoffrey Vaughan, and the other participants in workshops at Stanford University, UC-Berkeley, UC-Davis, and George Mason University's Institute for Humane Studies for their helpful comments and suggestions. I also thank the editor of JOP and three anonymous referees for their insightful counsel.

Manuscript submitted 18 October 2005

Manuscript accepted for publication 20 December 2005

³⁷Perhaps unsurprisingly, Kant appears to reject “paternalistic government” in *parenting* as well: parents have a duty to develop and educate their child, both morally and “pragmatically” (i.e., in anticipation of his vocation), in order to prepare him to be “a citizen of the world,” which entails independence from his parents. Kant makes no mention whatsoever of happiness in this context. See MM 6:280–82.

³⁸In this paper, O'Donnell uses a model of agency broadly inspired by Kant and several other Enlightenment thinkers to explore the preconditions of democratic self-government (37–44). Unfortunately, much of this material was dropped from the published version of the paper (O'Donnell 2001).

³⁹Michael Doyle is one IR scholar who systematically engages Kant's texts—see, for example, Doyle (1983).

References

- Aristotle. 1984. *The Politics*. Trans. Carnes Lord. Chicago: University of Chicago Press.
- Behrens, C. B. A. 1985. *Society, Government, and the Enlightenment: The Experiences of Eighteenth-Century France and Prussia*. London: Thames and Hudson.
- Beiser, Frederick. 1992. *Enlightenment, Revolution, and Romanticism: The Genesis of Modern German Political Thought, 1790–1800*. Cambridge: Harvard University Press.
- Brandt, Reinhardt. 1997. "Antwort auf Bernd Ludwig: Will die Natur unwiderstehlich die Republik?" *Kant-Studien* 88: 229–37.
- Cavallar, Georg. 1993. "Kant's Judgment on Frederick's Enlightened Absolutism." *History of Political Thought* 14 (Spring): 103–32.
- Cohen, G. A. 2000. *If You're An Egalitarian, How Come You're So Rich?* Cambridge: Harvard University Press.
- Cronin, Ciaran. 2003. "Kant's Politics of Enlightenment." *Journal of the History of Philosophy* 41 (January): 51–80.
- Diamond, Larry. 1999. *Developing Democracy: Toward Consolidation*. Baltimore: The Johns Hopkins University Press.
- Diamond, Larry. 2003. "Can the Whole World Become Democratic? Democracy, Development, and International Policies." <http://repositories.cdlib.org/csd/03-05> (February 22, 2006).
- Doyle, Michael. 1983. "Kant, Liberal Legacies, and Foreign Affairs." *Philosophy & Public Affairs* 12 (Summer/Autumn): 205–35, 323–53.
- Dunn, John. 2004. "The Aftermath of Communism and the Vicissitudes of Public Trust." In *Trust and Democratic Transition in Post-Communist Europe*, ed. Ivana Marková. Oxford: Oxford University Press, pp. 195–210.
- Ellis, Elisabeth. 2005. *Kant's Politics: Provisional Theory for an Uncertain World*. New Haven: Yale University Press.
- Flikschuh, Katrin. 2000. *Kant and Modern Political Philosophy*. Cambridge: Cambridge University Press.
- Galston, William. 1975. *Kant and the Problem of History*. Chicago: University of Chicago Press.
- Gewirth, Alan. 1978. *Reason and Morality*. Chicago: University of Chicago Press.
- Habermas, Jürgen. 1998. *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*. Trans. William Rehg. Cambridge: MIT Press.
- Herman, Barbara. 1993a. "Could it be worth thinking about Kant on sex and marriage?" In *A Mind of One's Own*, eds. Louise Antony and Charlotte Witt. Boulder: Westview Press, pp. 49–68.
- Herman, Barbara. 1993b. *The Practice of Moral Judgment*. Cambridge: Harvard University Press.
- Huntington, Samuel. 1968. *Political Order in Changing Societies*. New Haven: Yale University Press.
- Huntington, Samuel. 1991. *The Third Wave: Democratization in the Late Twentieth Century*. Norman: University of Oklahoma Press.
- Isaac, Jeffrey. 1995. "The Strange Silence of Political Theory." *Political Theory* 23 (November): 636–52.
- Kant, Immanuel. 1900–. *Kant's Gesammelte Schriften*. Ed. Royal Prussian Academy of Sciences. Berlin: Georg Reimer.
- Kant, Immanuel. 1970. *Political Writings*. Ed. Hans Reiss. Cambridge: Cambridge University Press.
- Kant, Immanuel. 1996. *Practical Philosophy*. Ed. and trans. Mary Gregor. Cambridge: Cambridge University Press.
- Kant, Immanuel. 1998a. *The Critique of Pure Reason*. Ed. and trans. Paul Guyer and Allen Wood. Cambridge: Cambridge University Press.
- Kant, Immanuel. 1998b. *Religion within the Boundaries of Mere Reason and Other Writings*. Eds. and trans. Allen Wood and George di Giovanni. Cambridge: Cambridge University Press.
- Kersting, Wolfgang. 1992a. "Kant's Concept of the State." In *Essays on Kant's Political Philosophy*, ed. Howard Williams. Chicago: University of Chicago Press, pp. 143–65.
- Kersting, Wolfgang. 1992b. "Politics, Freedom, and Order: Kant's Political Philosophy." In *The Cambridge Companion to Kant*, ed. Paul Guyer. Cambridge: Cambridge University Press, pp. 342–66.
- Kersting, Wolfgang. 1993. *Wohlgeordnete Freiheit: Immanuel Kants Rechts- und Staatsphilosophie*. Frankfurt: Suhrkamp.
- Knippenberg, Joseph. 1993. "The Politics of Kant's Philosophy." In *Kant & Political Philosophy: The Contemporary Legacy*, eds. Ronald Beiner and William James Booth. New Haven: Yale University Press, pp. 155–72.
- Kuehn, Manfred. 2001. *Kant: A Biography*. Cambridge: Cambridge University Press.
- Laursen, John Christian. 1996. "The Subversive Kant: The Vocabulary of 'Public' and 'Publicity.'" In *What is Enlightenment? Eighteenth-Century Answers and Twentieth-Century Questions*, ed. James Schmidt. Berkeley: University of California Press, pp. 253–69.
- Ludwig, Bernd. 1997. "Will die Natur unwiderstehlich die Republik? Einige Reflexionen anlässlich einer rätselhaften Textpassage in Kants Friedensschrift." *Kant-Studien* 88: 218–28.
- Mill, John Stuart. 1991. *Considerations on Representative Government*. Amherst: Prometheus Press.
- Murphy, Liam. 2003. *Moral Demands in Nonideal Theory*. Oxford: Oxford University Press.
- North, Douglass C. 1990. *Institutions, Institutional Change and Economic Performance*. Cambridge: Cambridge University Press.
- Nozick, Robert. 1974. *Anarchy, State, and Utopia*. New York: Basic Books.
- O'Donnell, Guillermo. 2000. "Democracy, Law, and Comparative Politics." <http://www.nd.edu/%7Ekellogg/WPS/274.pdf> (February 22, 2006).
- O'Donnell, Guillermo. 2001. "Democracy, Law, and Comparative Politics." *Studies in Comparative International Development* 36 (Spring): 7–36.
- O'Neill, Onora. 1989. *Constructions of Reason: Explorations of Kant's Practical Philosophy*. Cambridge: Cambridge University Press.
- Pitts, Jennifer. 2000. "Empire and Democracy: Tocqueville and the Algeria Question." *The Journal of Political Philosophy* 8 (September): 295–318.
- Plato. 1991. *Republic*. Trans. Allan Bloom. New York: Basic Books.
- Przeworski, Adam, Michael E. Alvarez, Jose Antonio Cheibub, and Fernando Limongi. 2000. *Democracy and Development: Political Institutions and Well-Being in the World, 1950–1990*. New York: Cambridge University Press.
- Rawls, John. 1999a. *The Law of Peoples*. Cambridge: Harvard University Press.
- Rawls, John. 1999b. *A Theory of Justice*. Rev. Ed. Cambridge: Harvard University Press.

- Riley, Patrick. 1983. *Kant's Political Philosophy*. Totowa: Rowman and Littlefield.
- Rosen, Allen. 1993. *Kant's Theory of Justice*. Ithaca: Cornell University Press.
- Rothbard, Murray. 1977. "Robert Nozick and the Immaculate Conception of the State." *Journal of Libertarian Studies* 1 (Winter): 45–57.
- Rousseau, Jean-Jacques. 1997. *The Social Contract and Other Later Political Writings*. Ed. Victor Gourevitch. Cambridge: Cambridge University Press.
- Schapiro, Tamar. 1999. "What is a Child?" *Ethics* 109 (July): 715–38.
- Schapiro, Tamar. 2003. "Compliance, Complicity, and the Nature of Nonideal Conditions." *The Journal of Philosophy* 100 (July): 329–55.
- Schapiro, Tamar. 2005. "A Kantian Theory of Excuses." Typescript. Stanford University.
- Schmidt, James. 1989. "The Question of Enlightenment: Kant, Mendelssohn, and the *Mittwochsgesellschaft*." *Journal of the History of Ideas* 50 (April–June): 269–91.
- Shaw, Brian J. 2005. "Rawls, Kant's *Doctrine of Right*, and Global Distributive Justice." *The Journal of Politics* 67 (February): 220–49.
- Sidgwick, Henry. 1907. *The Methods of Ethics*. London: Macmillan.
- Tocqueville, Alexis de. 2003. *Democracy in America and Two Essays on America*. Trans. Gerald Bevan. New York: Penguin Classics.
- Welch, Cheryl B. 2003. "Colonial Violence and the Rhetoric of Evasion: Tocqueville on Algeria." *Political Theory* 31 (April): 235–64.
- Williams, Howard. 1983. *Kant's Political Philosophy*. Oxford: Basil Blackwell.
- Williams, Howard. 2003. *Kant's Critique of Hobbes*. Cardiff: University of Wales Press.
- Yovel, Yirmiah. 1980. *Kant and the Philosophy of History*. Princeton: Princeton University Press.
- Zakaria, Fareed. 2003. *The Future of Freedom: Illiberal Democracy at Home and Abroad*. New York: W. W. Norton.

Robert S. Taylor is assistant professor of political science, University of California, Davis, Davis, CA 95616-8682.