



# KANTIAN THEOCRACY AS A NON-POLITICAL PATH TO THE POLITICS OF PEACE

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## I. Kantian Theocracy: the Boundary between Politics and Religion

Immanuel Kant is well known as one of the founding fathers of modern liberal democracy: his political theory reaches its climax in the ground-breaking work, *Perpetual Peace* (1795), which sets out the basic framework for a worldwide federation of states united by a system of international law, his views on national law being worked out in greatest detail a few years later, in Part One of *Metaphysics of Morals* (1798), entitled the "Doctrine of Right". What is less well known is that two years prior to the publication of *Perpetual Peace*, in his *Religion within the Bounds of Bare Reason* (1793/1794),<sup>1</sup> Kant had postulated

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<sup>1</sup> References to Kant's *Religion* (abbreviated *R*) cite the pagination of the Berlin Academy Edition, volume 6; quotes are based on Werner S. Pluhar's translation (Indianapolis: Hackett, 2009);



a very different, explicitly religious path to the politics of peace: in the Third Piece (i.e., the book's third essay; see note 1) he presents the idea of an "ethical community" as a necessary requirement for humanity to become "satisfactory to God." While many recent scholars have noted the importance of Kant's concept of the ethical community, few recognize the force of his argument that such a community can become real only if it takes the form of a church, a community that sees itself as eventually transitioning into the kingdom of God; as a result, the precise status of his proposal remains unclear and under-appreciated.

A criticism commonly lodged by those who do consider Kant's politically-oriented arguments in *Religion* is that he fails to provide practical guidelines for the *empirical implementation* of his plan to establish an ethical community.<sup>2</sup> Such criticisms arise, however, out of a failure to appreciate that Kant does propose a fairly detailed set of *parameters* for the construction of such a community, but that these guidelines are exclusively *religious* and are therefore "political" only in a paradoxical sense. Kant introduces the term "ethical community" in the first few sections of the Third Piece; he then argues in Section IV that such a community must take the form of a *church* if it is to succeed in achieving the goals Kant has set for it in the foregoing sections. What is rarely recognized is that Kant uses this technical term ("ethical community") only six more times throughout the remainder of the entire book; from Section IV onwards, he uses "church" as his standard term for the ethical community.

where I depart from Pluhar on the translation of significant terms, I provide Kant's German in square brackets. For a complete revision of Pluhar's translation, see my *Comprehensive Commentary on Kant's Religion within the Bounds of Bare Reason* (Chichester, U.K.: Wiley & Sons, 2016). Pluhar is the only translator who correctly translates *Stück* ("piece"), the term Kant uses to distinguish between the main divisions of his book—essays originally intended to be a series of four journal articles (or "pieces"). References to all of Kant's other works cite the volume and page number(s) of the Academy Edition; translations from such other works are my own.

<sup>2</sup> A good example is Philip J. Rossi, *The Social Authority of Reason: Kant's Critique, Radical Evil, and the Destiny of Humankind* (New York: SUNY Press, 2005); in his search for explicit guidelines as to how Kant thinks we should construct an ethical community he refers on only a few passing occasions to Kant's theory of the church (see e.g., 56, 61-62, 99). For a detailed response to Rossi's lament regarding Kant's alleged lack of specific guidelines for implementing plan, see my review in *Kant-Studien* 101:1 (2010): 127-31.

Thus, for example, "church" occurs well over 100 times in the Third Piece alone. Before concluding with a sketch of arguments I have presented in more detail elsewhere, regarding Kant's theory of the *church*,<sup>3</sup> my goal in this article will be to demonstrate that, even in the first three sections of the Third Piece—i.e., even *before* he first argues that an ethical commonwealth must take the form of a church—Kant argues that the basic parameters for achieving this all-important goal must be religious. Moreover, I shall argue that, although Kant himself never uses the term in precisely the way I shall use it here, he describes and defends a form of ethical community that can be appropriately regarded as a special, "non-coercive" form of what is normally called a "theocracy".<sup>4</sup>

Kant uses the term "theocracy" three times in *Religion* (R 79, 99, 125), twice linking it explicitly to the Jewish conception of a politico-religious

<sup>3</sup> In addition to the book review mentioned in note 2, see my book, *Kant's Critical Religion: Volume Two of Kant's System of Perspectives* (Aldershot: Ashgate, 2000), § VII.3.A and § VIII.3.A; hereafter *KCR*.

<sup>4</sup> The term "theocracy" (Greek for "God's rule") can be traced back to Flavius Josephus, who used it to describe Jewish religion in *Contra Apionem* (c.97AD) 2.165-66. Since then its main applications have been to Jewish religion, though Islamic philosophers have often employed similar terminology. For a balanced historical overview, see Carlos Fraenkel, "Theocracy and Autonomy in Medieval Islamic and Jewish Philosophy," *Political Theory* 38:3 (2010): 340-66. Beginning with Plato's *Laws*, Fraenkel traces a traditional way of defending theocracy not as opposing Enlightenment-type autonomy, but as the best way of *promoting* it: for these philosophers "the ideal theocracy is an anarchic state, in which citizens enjoy complete autonomy because the only rule they submit to is that of the soul's rational part" (358). While he refers to Kant's role in the *autonomy* side of this tradition, he does not recognize that Kant might have himself been defending a version of the same thesis from the *theocracy* side as well. A rare exception to the general neglect of the theocratic character of the argument that lies at the core of Kant's *Religion* is Victor Kal's "Theocratic en democratie," *Tijdschrift voor Filosofie* 73:1 (2011): 47-74. Along similar lines, expanding on a hint I proposed in an earlier article (see "'The Kingdom of God Is at Hand!' (Did Kant really say that?)," *History of Philosophy Quarterly* 11:4 [October 1994]: 427), Randall A. Poole has argued (see "Kant and the Kingdom of Ends in Russian Religious Thought [Vladimir Solov'ev]," in *Thinking Orthodox in Modern Russia*, eds. Patrick Lally Michelson and Judith Deutsch Kornblatt [Madison: University of Wisconsin Press, 2014], 224-29) that Solov'ev's concept of "free theocracy" has its roots in Kant.

nation (*Staat*), as described in the Bible. In Section II of Division One<sup>5</sup> of the Third Piece, he defines a theocracy more generally as "a juridical community" whereby "a people of God" permits human leaders to enforce a set of "statutory laws" as God's commands (R 99-100). Commentators have naturally assumed that Kant's own model for the ethical community cannot be called a theocracy, because Kant himself clearly states that such a political system cannot serve as the foundation for a *genuine* ethical community.<sup>6</sup> He draws this conclusion because, even though it correctly recognizes that an ethical community can succeed only by appealing to a *divine* legislator (i.e., that a genuine ethical community must be *religious*), a theocracy (at least, the type of theocracy Kant took to be exemplified by the Jewish nation<sup>7</sup>) fails to recognize that *ethical*

<sup>5</sup> Division One is entitled "Philosophical Presentation of the Victory of the Good Principle amid the Founding of a Kingdom of God on Earth" and corresponds to Division Two, entitled "Historical Presentation of the Gradual Founding of the Dominion of the Good Principle on Earth." I argue in *KCR* VII.3.A and VIII.3.A that Kant focuses on his so-called first "experiment" (i.e., constructing a system of rational religion) in Division One and on his "second experiment" (i.e., assessing the compatibility of Christianity with the rational system) in Division Two. Kant uses this "experiment" (or "attempt"; *Versuch*) terminology at the end of the first edition Preface (R 10) and the beginning of the second edition Preface (R 12).

<sup>6</sup> See e.g., Hent de Vries, *Religion and Violence: Philosophical Perspectives from Kant to Derrida* (Baltimore: The Johns Hopkins University Press, 2002), 94; Jeffrey B. Abramson, *Minerva's Owl: The Tradition of Western Political Thought* (Harvard University Press, 2009), 266; James DiCenso, *Kant, Religion, and Politics* (Cambridge: Cambridge University Press, 2011), 252; Eddis N. Miller, *Kant's 'Religion within the Boundaries of Mere Reason': A Reader's Guide* (London: Bloomsbury, 2015), 89-90, 106. As Robert Erlewine points out (in *Monotheism and Tolerance: Recovering a Religion of Reason* [Bloomington: Indiana University Press, 2010], 110-7), Kant's depiction of theocracy is best understood in the context of his friendly interactions with the contemporary Jewish philosopher, Moses Mendelssohn; as such "Jewish theocracy serves as a negative counterpart for Kant's account of the 'religion of reason'" (111). While Erlewine hints at the position I will defend here—for example, he states that Kant's account of the ethical community begins by "[m]irroring Judaism" through a revision of its *version* of theocracy (116), with both approaches sharing a view of God as "the public 'lawgiver'" (117)—he does not work out the implications of this juxtaposition explicitly in terms of a Kantian *type* of theocracy.

<sup>7</sup> Some commentators take Kant's portrayal of Judaism as evidence of anti-Semitism; for a recent example, see Michael Mack, *German Idealism and the Jew: The Inner Anti-Semitism of Philosophy and German Jewish Responses* (Chicago: The University of Chicago Press, 2014 [2003]), 33-34. By contrast, DiCenso correctly points out that in this passage (i.e., R 79) Kant actually praises Jewish theocracy for providing a "foothold for the *good* principle on earth" (*Kant, Religion, and Politics*, 246), but without pointing out that this foothold corresponds to what Kant calls the ethical state of nature. DiCenso criticizes Kant's overall portrayal of Jewish theocracy and its relation to Christianity (see 260-62) for being overly "idealized", claiming that Kant's rather pejorative views of Judaism, as focused exclusively on outward observances, "are mistaken" (262).

laws cannot be legislated by *political* means. In other words, the attempt to enforce morality through externally-imposed and therefore coercive statutes will inevitably fail to produce the desired result: namely, ethically good behavior. Such an attempt will at most produce *legally right* behavior. What Kant hints at but never explicitly states is that the paradoxical position he defends in Sections I-IV would be described aptly as a theocracy, *if* it were possible for a theocracy somehow to be non-coercive.<sup>8</sup> In order to appreciate the force of this claim as an accurate description of Kant's position, we must identify Kant's precise reason for thinking an empirical realization of an ethical community is itself a necessarily paradoxical notion. To this task let us now turn our attention.

## II. Two Ways of Transcending the State of Nature

Kant introduces the basic paradox in Section I of Division One of the Third Piece, in order to explain the nature of the "problem" for which the *church* is his eventual "solution."<sup>9</sup> In the brief untitled introductory section to the Third Piece, Kant has explained that the kind of individual conversion defended in the Second Piece is not sufficient to realize the purpose of being religious (namely, to overcome the debilitating influence of evil, as described in the First Piece),

<sup>8</sup> I have argued, on grounds entirely independent of Kant's philosophy, that the political system actually recommended in the Bible is just such a non-coercive theocracy—given a non-standard definition of "theocracy" as an internally-legislated, "non-political political" system. See my book, *Biblical Theocracy: A Vision of the Biblical Foundations for a Christian Political Philosophy* (Hong Kong: Philopsychy Press, 1993). By contrast, the attempt of authors on the Christian right, such as Rousas John Rushdoony and Gary North, to revive a form of theocracy typically interprets the term as a Christianized version of Jewish theocracy. Not surprisingly, such authors therefore see Kant as an arch-enemy; see e.g., James C. Sanford, *Blueprint for Theocracy: The Christian Right's Vision for America. Examining a Radical "Worldview" and Its Roots* (Providence: Metacomet Books, 2014), especially 99-101.

<sup>9</sup> Kant uses these terms ("problem" and "solution") in Section II (R 100), using "problem" to refer to the position put forward in Section I and "solution" to refer to the position defended in Sections III and IV.

because even good-hearted people will inevitably corrupt each other's moral character, merely by being around each other, *if* they do not intentionally unite themselves together for the mutually agreed purpose of doing good. Section I of Division One, entitled "On the Ethical State of Nature," then introduces a fourfold conceptual framework by combining two twofold oppositions:<sup>10</sup> between the state of nature and the civil state; and between political (external) and ethical (internal) versions of each. The latter pair represents two different ways of forming a civil union based on laws: whereas political laws are based on *force*, "laws of virtue" are purely rational or "bare" and therefore *non-coercive* (*R* 95).

The second paragraph of Section I clarifies the difference between the *type* of "state of nature" that precedes either form of civil union. In both senses, the "state of nature" is the original, pre-civil situation where no external laws exist to compel people to conform to the will or preferences of others; because "no *public* power-holding authority" exercises control, "each person is his own judge" (*R* 95), with regard to either external relationships (the political situation) or individual choices (the ethical situation). Implicit in Kant's account is that people living in the juridical state of nature follow the rule often referred to as "might makes right": the person deemed "right" in any conflict is the one who wins the fight! Kant supplements this classical notion with an ethical equivalent that we can conveniently refer to by coining the phrase "should makes good" to describe the rule governing people's choices: the person deemed "good" in such a situation is the one who dutifully chooses to do whatever he or she thinks "should" be done—deeds that may or may not suit the whims of his or her self-love. In other words, people living together in the ethical state of nature consider

<sup>10</sup> This is what I call a "second-level analytic relation" or "2LAR" (see e.g., *The Tree of Philosophy* [Hong Kong: Philopsychy Press, 2000], Lecture 13).

what they should and should not do without giving heed to the fact that the moral law must have an objective status that requires us to consider the "shoulds" of *other* people as well (i.e., to consider a *universally* valid "ought").<sup>11</sup>

A group of people leaves the *juridical* state of nature and establishes a political community by agreeing on a set of external laws; for a written code is the only way to establish a system of rights that will enable a society to transcend the aforementioned law of the jungle. Yet an ethical community cannot be based on a written code, because leaving the *ethical* state of nature requires people to agree (or at least, to express a public, unified stance) on *internal* laws, laws of virtue. The conflict arising out of this fourfold distinction, between the internal/ethical and the external/political, poses a key question: Since the ethical state of nature is one where every person serves as his or her own moral judge, how can such a thoroughly internal state be transformed into a *public* form without becoming political and thus ceasing to be an *ethical* community?

This question, posed by Sections I and II of Division One of the Third Piece, lies at the very heart of Kant's conception of why and how Christianity (properly conceived, as the pure moral teachings of Jesus [see *R* 158–62]) put human beings on the road to true religion for the first time. But before answering the question (with his theory of the church), Kant sets the stage by considering and rejecting two alternative positions that have often been attempted. As my concern in this section is not to examine the details of Kant's model, but only to consider how best to *identify* it in comparison with other options, a consideration

<sup>11</sup> For a detailed account of the distinction between the political and the ethical, see Kant's *Metaphysics of Morals*, whose two main parts (Doctrine of Right and Doctrine of Virtue) deal, respectively, with precisely these two types of law, the external and the internal. In the early stage of the evolution of human society, however, the state of nature is a situation defined by "every man for himself," when it comes to listening to and obeying the moral law. If we remain at that stage, then we are left with relativism—a position that might easily be mistaken for Kant's own, given his radical emphasis on morality being determined by nothing but the moral law within. Acknowledging Kant's call to *leave* the ethical state of nature is essential to understanding how Kant's ethics transcends relativism.

of these two rejected options will be crucial in determining how Kant wants us to conceive of his preferred model for building the ethical community.

First, Kant observes that those in authority in a political community may wish to exercise "a dominion over minds" by enacting laws with an ethical aim. But such attempts are futile: *forcing* someone to be virtuous would be self-contradictory (*R* 95), given that virtue is by definition a willing (i.e., *unforced*) choice to obey *internal* laws. When ethical laws are *externally* enforced, they have the ironic effect of hampering virtue: people are likely to do what is good but for the wrong reason, thus allowing the propensity to evil that Kant introduced in the First Piece to retain its dominion—a point Kant stresses at *R* 96 by paraphrasing Jesus' condemnation of a similar misuse of power (i.e., Matt. 23:13-36, where Jesus intones seven "woes" against "the teachers of the law and Pharisees"): "But woe to the lawgiver who aspired to bring about through coercion a [political] structure [*Verfassung*] directed to ethical purposes." Since we cannot judge "the inwardness [*das Innere*] of other human beings," the guardians of a political system could never accurately assess whether external laws with an ethical aim are succeeding. By contrast, if the people were to have "virtuous convictions [*Tugendgesinnungen*]," then legislators could trust the people to become virtuous on their own, without being coerced.

Two implications follow from the fact that political power cannot be used to make people good. First, instead of attempting to legislate in the ethical realm, governments must give their people (whether individually or in groups) the freedom to interpret ethical "shoulds" in whatever way they see fit. Kant is about to argue (in Sections III and IV of Division One, to be discussed § § 3–4 below) that the philosophically significant aspect of what *religious* organizations do is to offer people a legitimate way to leave the ethical state of nature. So this first implication amounts to the requirement that governments leave people free to decide for themselves whether or not to join a particular religious group: those wielding political authority must not interfere with religion. But the latter holds only within the parameters of the second implication: in order to protect the political community from potential instability, ethical communities must likewise accept that, because their goals are *ethical*, any political structure

or "*public* laws" they may impose on their members (for which Kant will be advancing guidelines in Sections IV-VII) must be consistent with the laws of the land—a requirement Kant thinks should not be difficult to follow, for any group that has genuinely ethical aims.<sup>12</sup>

Section I concludes by clarifying an important difference between the political and ethical community. Unlike the political community, Kant reminds us, the ethical community "is always connected to the ideal of the whole of all human beings" (*R* 96); and the latter is only partly realized by any specific "multitude of human beings" who are "united in that aim." Although at this point (in 1793) it would still be two years before he would write *Perpetual Peace*, Kant mentions in passing that his ideal "ethical community" is not parallel to the political community instantiated by "different political regimes [*Staaten*]," but only to a situation whereby such regimes were "connected by a public international law." We can therefore see a direct parallel between Kant's theories of political and ethical community-building, both having three stages: in both situations human beings begin in a state of nature, where they are not yet united by any law (and so an individual's external "might" determines what is right, with an internal "should" determining what is good); they develop distinct political communities (e.g., nations) by agreeing on a set of external laws, just as they develop distinct ethical societies (e.g., church congregations) by agreeing on a particular understanding of the moral law; finally, they establish a body of international law in order to unite all nations in peaceful coexistence, just as

<sup>12</sup> Cf. Rom. 13:1-3: "Let everyone be subject to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. Consequently, whoever rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. For rulers hold no terror for those who do right, but for those who do wrong. Do you want to be free from fear of the one in authority? Then do what is right and you will be commended." Kant argues elsewhere (e.g., in *Metaphysics of Morals*, 6:320f) that citizens must *not* rebel against a political authority. Reconciling his various claims on obedience and rebellion has proved to be no small task. For an attempt to present a consistent interpretation of Kant's position, see my article, "Kantian Conditions for the Possibility of Justified Resistance to Authority" (under review).

they establish the ideal ethical community to unite all of the distinct religious groups, each considering itself only as a "schema" (or partial representation) of the "absolute ethical whole" that Kant calls "the kingdom of God."<sup>13</sup>

### III. Why an Ethical Community Must Be Religious

Having referred twice (in the introduction to the Third Piece) to the "duty" of setting up an ethical community, and having clarified (in Section I) that external (political) laws cannot *compel* a person to participate in such a task, Kant devotes Section II (entitled "The Human Being Ought to Leave the Ethical State of Nature in order to Become a Member of an Ethical Community") to an analysis of this duty. The first of the two paragraphs comprising Section II warns that good-hearted human beings must beware that in the ethical state of nature freedom promotes evil just as much as in its juridical counterpart (*R* 96-7). When individual good-hearted people do what they think they *should* be doing, but without basing their decisions on "a principle uniting them" with other people, they become "instruments of evil" in just the same way that people living in a lawless state (*Zustand*) tend to become entangled in a "war of everyone against everyone." The problem with the ethical state of nature is not that each person's "should" is not actually "good;" it is that the question of whether or not it is good is believed to be just as irrelevant as is the question of whether the strongest person in the juridical state of nature (the one who wins a

<sup>13</sup> A possible objection to this religious interpretation of Kant's theory of the ethical community is that Kant seems at times to suggest that belief in God might itself ultimately pass away. Kant's position on this issue, however, is quite subtle. He does indeed state—toward the end of the Third Piece, for example—that we should regard every visible expression of the true church as temporary, so that someday it will cease. But in the second edition he adds a new footnote, clarifying: "Not that it will cease (for it may perhaps always be useful and needed as a vehicle), but that it can cease" (*R* 135n). Kant's corresponding position on belief in God, likewise, would be that we must believe it is *possible* for human history to evolve to the point where people could unite themselves into religious communities that were *so authentically* religious that none of their members had any need to speak of God. Yet at the same time, Kant seems quite skeptical that we will ever actually see such a culmination of human potential come to pass. In any case, the key insight of Kant's that I am attempting to elucidate here, and so also the central meaning of the term "non-coercive theocracy," is that the closer we come to that goal, the more clearly we will see that this question, the question of whether belief in God can or even should eventually pass away, is actually *irrelevant* to genuine religion, because genuine religion is for the here and now.

fight, for example) is *actually* right. In both the juridical and the ethical state of nature people are free from the constraints of law, yet their freedom can easily become a tool for injustice and evil, respectively.

After a footnote clarifying a minor refinement of Hobbes' political theory, Kant extends the classical "state of nature" theory more explicitly to the ethical realm with an unprecedented new argument regarding the necessary conditions for creating an *ethical* community. That argument, constituting what has been called a "religious argument for the existence of God,"<sup>14</sup> comes immediately before Section III, where Kant discusses what he later (in Division Two of the Third Piece) portrays as an inevitable step on the way to the model of genuine religion that he is defending: as expressed concisely in the section title, his argument here is that "The Concept of an Ethical Community Is the Concept of a **People of God** under Ethical Laws." The best way to interpret the force of this "is," I maintain, is not that the two concepts being brought together are logically identical, but rather as indicating that in this section Kant will argue that the only way to *experience* an actual ethical community is to regard it as "a people of God under ethical laws."<sup>15</sup>

After reviewing the main features of the distinctions made in the first two sections, Kant argues that, whereas the *people* can quite properly be regarded as "itself the legislator" in a *political* community, the same cannot be the case for a community whose purpose is to further "the *morality* of actions," because legislation enacted by "the multitude uniting to form a whole" can never be more than "public human laws" and, as we have seen, these are capable of

<sup>14</sup> For a detailed analysis of the argument, based on the premise that building an ethical community is a universal human duty of a unique kind, see my article, "Kant's Religious Argument for the Existence of God—The Ultimate Dependence of Human Destiny on Divine Assistance," *Faith and Philosophy* 26 (January 2009): 3-22.

<sup>15</sup> This is a good example of what, as I argue elsewhere, should be regarded as an "analytic a posteriori" assertion. See my article, "A Priori Knowledge in Perspective: (II) Naming, Necessity and the Analytic A Posteriori," *The Review of Metaphysics* 41:2 (December 1987): 255-82.

enforcing only "the *legality* of actions."<sup>16</sup> The only conceivable way to get beyond the resulting impasse and resolve the paradox of how to create an *ethical* community, given that genuine morality is by definition *self*-legislated (i.e., in a sense, "should" really does make "good") and yet a community must have a *shared* (public) *basis in law*, is for all members of such a community to believe in a "supreme legislator" who commands whatever is ethical. As Kant had previously argued at length,<sup>17</sup> this concept of a moral God as "ruler of the world" cannot be taken to imply that whatever God commands is *thereby* moral, for this would reduce morality to an impure source that would not be self-legislated; rather, the only way to preserve the purity of morality is to regard God, the only being who is "a knower of hearts [*ein Herzenskündiger*]," as the *enforcer* of "the laws of virtue." This leads directly to the conclusion of the overall argument advanced in Sections I-III (cf. note 11, above): the only way humanity can fulfill its duty to construct an ethical community is to regard itself as a "people" *under* a divine legislator.

Before stating what he thinks is required by such a presupposition of a divine legislator, Kant considers a second option for constructing an ethical community: he asks at *R* 99-100 whether a "theocracy" would be a viable "solution" to the "problem" of how to construct an ethical community.

<sup>16</sup> *R* 98-9. Kant adds an important footnote at this point, clarifying what is implied when we dress an ordinary ("bare") human law with religious clothing by calling it "a divine command". The footnote makes four main points. First, all genuine human duties can be regarded as divine commands (cf. *R* 153-4). Second, although civil statutes (i.e., laws imposed by "a human legislator") are not divine commands, *obeying* them is a divine command, since it is a human duty to obey the law of the land once we leave the political state of nature. Third, the only exception to the latter is that if a civil statute *conflicts* with a human duty, then we are obligated *not* to obey it. Finally, if anyone (or a religious organization) supposes that a particular statute is a command of God and yet that statute conflicts with a *legitimate* civil statute (i.e., one that we have a duty to obey, since it is not immoral), then we should refuse to believe the claim that the former really is a command of God. In other words, we must not disobey a legitimate law merely because we think God has told us to do so, because (as Kant argues in more detail in the Fourth Piece) an alleged "divine command can never be authenticated sufficiently through empirical characteristics" (99n).

<sup>17</sup> See e.g., *Groundwork of the Metaphysics of Morals* (4:442-3) and *Critique of Practical Reason* (5:41).

(Remember that for Kant a theocracy is "a juridical community" whereby "a people of God" permits human leaders to enforce a set of "statutory laws" as God's commands.) As Kant argues in more detail in Division Two, theocracy as an externally-legislated political system cannot solve the problem that "pure, morally legislative reason" presents here in the Third Piece, because the "existence and form" of its structure "rest entirely on historical bases." At best, just as we saw in considering the first option, a theocracy can encourage "merely the legality of the [people's] actions," leaving the *internal morality* of their actions undetermined; yet, encouraging the latter is the whole point of viewing an ethical community as "a people of God." In other words, the objection Kant raises to the Jewish type of theocracy is not that it views God as the ultimate legislator—in precisely this respect a theocratic political structure *correctly* implements Kant's vision; indeed, this is why he regards it as an *advance* on the political state of nature. Rather, his objection is that Jewish theocracy is *coercive*, thus causing the ethical community to deteriorate into a merely political one.

A *genuine* (i.e., morally-focused) theocracy, Kant suggests in the closing paragraph of Section III, would be more like "a *gang*," the difference being that a gang unites itself under the evil principle (*R* 100). A typical gang of hoodlums is united not by a political structure, with officials to enforce laws that govern its members, but by a shared concern to strengthen and promote each others' convictions (*Gesinnungen*), with the only "external power" being some graphic symbols to depict the evil that unites them. Likewise, if we seek to establish an ethical community as "a *people* of God," we must remember that the good principle "resides...within ourselves," thus resisting the temptation to rigidify the law of the heart by enforcing it as a set of external statutes. In the Third Piece of *Religion*, evil manifests itself chiefly by preventing people from uniting together; thus, the antidote to evil is for the ethical community to take on the *religious* form of a church.

#### IV. The Church as the Only Possible Path To World Peace

Significantly, when Kant first introduces the notion of the *church* in Section IV, entitled "The Idea of a People of God Cannot (by Human Arrangement) Be Carried Out Except in the Form of a Church," he reveals that his model for an ethical community is a necessarily *dual* one: the community must be grounded in and focused on a religious (i.e., internally-legislated) aim in order to be *genuine*, yet it must be manifested in *some* political (i.e., externally-expressed) form in order to be *real*. That is, the "laws" governing this community must be genuine laws of *freedom*, yet some form of empirical *structure* must also be set up.<sup>18</sup> This has obvious affinity with the traditional concept of a theocracy, the difference being, once again, that Kant's model is non-coercive. But how is a non-coercive political system *possible*?<sup>19</sup>

Kant answers this question by presenting four a priori "requirements" that any "visible" expression of what he calls the "true" or "invisible church" (*R* 101–2). Proceeding in the order of the four main categories he had defended in the *Critique of Pure Reason*, these constitute the guidelines for constructing an ethical community that many scholars have claimed Kant never provides (see note 2, above). In short, the *quantity* of the true church must be "numerical *unity*;" its quality must be moral "integrity" in its motivational incentives; its *relation* must be "*freedom*," both in "the internal relation of its members among one another as well as the external relation of the church to the political potentate;" and its *modality* must be "*unchangeability* according to its *constitution*," whose content must consist of these four "secure precepts," the various "volitional symbols" that inevitably (and rightly) make up a church's form being "contingent, exposed to contradiction [i.e., when compared to the

<sup>18</sup> For a discussion of the parallel functions of religious and political ideals for Kant, see my article, "The Kingdom of God is at Hand! (Did Kant really say *that*?)."

<sup>19</sup> This is the key question I attempt to answer in *Biblical Theocracy* (see note 8, above), using evidence drawn from scriptural sources rather than from Kant. However, Kant's answer, as sketched below, is virtually identical.

form of other churches], and changeable." Although Kant provides only a brief paragraph describing each of these four absolute requirements of the rational core of all true religion, which any "visible" congregation that seeks to be part of the "invisible church" must therefore take up as its own, we must not underestimate their significance.

Indeed, the careful reader of *Religion* will find that from this point forward, the book consists of a series of section-by-section elaborations of precisely these four a priori requirements. Thus, for example, the four remaining sections of the Third Piece each focus on one of the requirements, in turn: Section V (entitled "The Constitution of Any Church Always Starts from Some Historical (Revelation) Faith, Which May Be Called Church Faith, and This Is Best Founded on a Holy Scripture" [102]) highlights the prudentially *necessary* role played by historical/church faiths, of which there can (by definition) be *many* acceptable forms, in the historical realization of the one pure rational faith that they should all have at their core;<sup>20</sup> Section VI (entitled "Church Faith Has Pure Religious Faith as Its Highest Interpreter" [109]) then emphasizes the need for moral *integrity* in the church's interpretation of Scripture, by arguing that the highest principle of interpretation must be moral rather than historical-critical or feeling-based; Section VII (entitled "The Gradual Transition of Church Faith to the Autocracy of Pure Religious Faith Is the Approach of the Kingdom of God" [115]) explores the need for *freedom* within the church, both internally (by emphasizing the importance of interpreting religious doctrines in a way that will free religious believers from delusion and idolatry) and externally (by emphasizing the ultimate "victory [of the good principle]" over evil" will come about only when the invisible church becomes "a kingdom...that, under its dominion, assures the world of an eternal peace" [124]); and Division Two (entitled "Historical Presentation of the Gradual Founding of the Dominion of the Good Principle on Earth" [124]) illustrates the key difference between historical faiths based on external statutes (which always remain contingent

<sup>20</sup> For a thoroughgoing discussion of the argument of Section V, see my article "Kant's Prudential Theory of Religion: The Necessity of Historical Faith for Moral Empowerment," *Contextos Kantianos* 1 (2015): 57-76.



and therefore *changeable*) and those that have the unchangeable principle of *inward* goodness as their unchangeable core. Once we recognize that Kant is not attempting to provide an empirical blueprint for a *particular* historical faith but is presenting a priori guidelines for *all possible* historical faiths that are to instantiate true religion, we suddenly find practical guidelines for implementation on literally every page of the book, following Section IV.

Kant concludes Section IV with a suggestive passage that is best regarded as an attempt to prepare the way for these subsequent sections by providing an initial metaphorical answer to the crucial question of how a non-coercive political system (i.e., a *theocracy* in the true sense of the term) is possible. Although this passage is easily overlooked, as if it were an afterthought, its importance to my present argument justifies quoting it in full (*R* 102):

Therefore, an ethical community, regarded as a church, i.e., as a bare *representative* of a nation of God, actually has no structure that is similar, according to its precepts [*Grundsätzen*], to the political one. The structure in it is neither *monarchic* (under a pope or patriarch), nor *aristocratic* (under bishops and prelates), nor *democratic* (as of sectarian illuminates). It could best still be compared with the structure of a household (family) under a common—though invisible—moral father, insofar as his holy son, who knows his father's will and simultaneously stands in blood-relationship with all the members of the household, takes his father's place in acquainting them more closely with his will; and the members therefore honor the father in him and thus enter with one another into a voluntary, universal, and continuing unity of heart.

Kant here tells us explicitly that his model of the ideal ethical community is not only necessarily religious (i.e., it must be a church), but also that it is "a nation of God" (i.e., it is *theocratic*, though only in the highly refined sense of that term, discussed above). *This* nation of God (this *theocracy*) is unlike any other, inasmuch as it is politically "bare:" its structure (whose four "invisible" requirements Kant has just sketched) is entirely non-coercive. As a result, it is unlike the Catholic Church (whose papal and patriarchal structure imitate monarchical political systems), nor is it like the Lutheran Church and other mainline Protestant churches (whose "bishops and prelates" imitate aristocratic

political systems), nor is it even like Kant's own childhood Pietism and other less liturgical forms of Christianity (whose emphasis on "sectarian *illuminates*" often imitates democratic political systems). Instead, Kant here states that the structure he has just introduced for his non-coercive form of theocracy is best compared with the "invisible" kind of political structure that governs a "household"—clearly an appropriate metaphor if Kant's goal was to ground the destiny of the human race in a vision of a non-coercive theocracy, regarded as a whole new form of ethical community.<sup>21</sup> Whereas traditional theocracy, as we have seen, tries in vain to *replace* "might makes right" with "should makes good," non-coercive theocracy really *succeeds* in doing so, by adopting a new, more creative standpoint that overcomes the conflict between these two purely human approaches: it unites all human beings in a common vision of a divine legislator whose only law is the one that binds *families* together, the law of love.<sup>22</sup>

This claim—that the internally-legislated laws of virtue, when manifested in the form of a religious community (i.e., as a non-coercive theocracy, or an ethical community that views God as its public legislator), will take the form

<sup>21</sup> A possible objection to Kant's preferred metaphor would be that his own vision of the ideal family structure, as defended (for example) in *Metaphysics of Morals*, would be regarded by many today as objectionably patriarchal. My response to such an objection would be twofold. First, once we recognize that Kant is referring at this point to the *biblical* metaphor of God as "father," Jesus as "son," and Christians as "brothers and sisters," it should be evident that he was not presupposing any specific view of the structure of a *human* family, but was primarily making the point that such a (divine) family is *theocratic*, in the sense that the leader is an always *hidden* father figure and the leader's representative is merely "one of us" (like an older brother, *not* like a controlling master). To those who still find the family metaphor objectionable, I would recommend replacing it with the metaphor of *friendship*, as the Quakers ("the religious society of friends") have done.

<sup>22</sup> What Jeremiah 31:33 calls "the covenant" that God "will make with the people of Israel after that time,"—namely, "I will put my law in their minds and write it on their hearts. I will be their God, and they will be my people"—is the "written code" that Kant has in mind, as the "public" basis of the ethical commonwealth. This is what Jesus formulated more precisely and raised to the level of being the "greatest commandment" in the form of the "law of love" (Matt. 22:34-40; Mark 12:28-34; see also Ps. 37:31 and Rom. 2:14-5).

of the law of love—may seem far-fetched as an interpretation of Kant. Yet this claim is not without textual support. For example, his portrayal of the highest good "as the common good," in the aforementioned religious argument for God's existence that Kant put forward mainly in Section II, closely parallels the passage in the *Groundwork* (4:399) where Kant interprets the law of love as the religious equivalent of the categorical imperative. Indeed, once we identify a non-coercive theocracy as the goal that Kant's entire philosophy is directed toward realizing, we can depict the secular and religious versions of that goal as two ways of making essentially the same claim: we are to love (regard) our neighbor (the common good) as ourselves (the highest good).

This is why Kant says in the opening pages of the Third Piece that the ethical civil state comes into being when the genus (i.e., the human race in general) comes to recognize that its ultimate purpose lies in the "common good." The very crux of Kant's argument is that it is *not* just "should" that makes good (any more than "might" really does make "right," in Kant's political philosophy), because if that "should" is only *good for me* then it is not "civil;" the ultimate good comes into being only when we all recognize that for any presumed good (any "should") to be genuinely *good*, it must be held in common (R 97-8). That is, the law of love must rule in human hearts in order for the "true church" to be established on earth. That is the "code" that (as Kant suggests in these sections of the Third Piece) converts potentially relativistic Kantian ethics into a genuine civil community.

A closer look at Section IV, at the final four sections of the Third Piece, and at Kant's climactic discussion (in the Fourth Piece) of conscience as the proper guiding principle that should motivate all religious ritual<sup>23</sup> would

<sup>23</sup> Parts III and IV of my *Comprehensive Commentary on Kant's Religion within the Bounds of Bare Reason* highlight the features of Kant's theory discussed here, by offering a close reading of the entire text of *Religion*. Kant's affirmation of ritual as a means of moral empowerment in the Fourth Piece is a much-neglected topic that deserves far more attention, especially from religiously-oriented interpreters.

provide still further evidence that what Kant has in mind in his model of a non-coercive theocracy is a *partnership* between humanity and the divine (but always internal) legislator of the moral law. He states, for example, that whereas from a theoretical standpoint we must regard God as the founder of the (invisible) church—since we human beings are powerless on our own to form a union of the type under consideration here—we are nevertheless completely responsible to be the founders of each individual empirical manifestation of the true church (R 100-1) that is to conform to the four requirements of a genuinely religious organization. This non-coercive form of theocracy, then, is the only way forward, if we wish to transcend the conflict between "should makes good" and "might makes right." In other words, only by building a church can humanity bring itself completely out of the state of nature.<sup>24</sup>

<sup>24</sup> I would like to thank all those who provided feedback on earlier versions of this paper that were presented at the following academic events: the Alliance Bible Seminary's 2015 International Colloquium on War and Peace: Religious Perspectives, held on Cheung Chau Island, Hong Kong (October 2015); the Kant on Politics and Religion conference, jointly sponsored by the United Kingdom Kant Society and the North American Kant Society, held at the University of Keele, in Keele, England (September 2015); a seminar sponsored by the Department of Philosophy at Sogang University in Seoul, South Korea (February 2014); and the American Philosophical Association Pacific Division Meeting, held in Seattle, Washington (April 2012). Support for the various stages of writing the paper and in some cases for travel to these events was provided by grants from Hong Kong Baptist University and from Hong Kong's University Grants Committee.

## ABSTRACT

Kant is well known as one of the founding fathers of modern liberal democracy: his political theory reaches its climax in the ground-breaking work, *Perpetual Peace* (1795), which sets out the basic framework for a world federation of states united by a system of international law. What is less well known is that two years earlier, in his *Religion within the Bounds of Bare Reason* (1793/1794), Kant had postulated a very different, explicitly religious path to the politics of peace: he presents the idea of an "ethical community" as a necessary requirement for humanity to become "satisfactory to God." While many recent scholars have noted the importance of Kant's concept of the ethical community, few recognize the force of his argument that such a community is possible only if it takes the form of a *church*; as a result, the precise status of his proposal remains unclear and under-appreciated. He argues in Division One, Section IV, of *Religion's Third Piece* that the idea of this community can become a reality only through a "church" that is characterized by four rational requirements: unity, integrity, freedom, and the changeability of all church rules *except* these four unchangeable marks. Prior to Section IV, Division One portrays this ethical community as having a political form, yet an essentially *non*political matter. He compares it with Jewish theocracy, but observes that the latter failed to be an *ethical* commonwealth because it was explicitly political. Whereas traditional theocracy replaces the political state of nature (which conforms to the maxim "might makes right") with an ethical state of nature (which conforms to the maxim that I call "should makes good"), or attempts to synthesize them, non-coercive theocracy transcends this distinction through a new perspective: it unites humanity in a common vision of a divine legislator whose only law is inward, binding church members together like *families*, through the law of love. Whereas the legal rights supported by democracy and a system of international law can go a long way to *prepare* for world peace, Kant's conviction is that it will be ultimately impossible without support from healthy religion.

## 撮 要

康德是現代自由民主的創建者之一。他的政治理論在其富突破意義作品 *Perpetual Peace* (1795) 達致高峰。該作品展陳一個由多國組成的世界聯邦基本框架，這聯邦由一套國際法律系統所連合。在這作品面世前兩年，康德在其知名度略遜的 *Religion within the Bounds of Bare Reason* (1793 / 1794) 一書，假設一條相當不同的明確宗教路徑，引向和平政治，提出一個「倫理社羣」的理念，作為人類達致「令神滿足」的所需條件。儘管不少新近學者留意到康德的倫理社羣概念的重要，但少有曉得康德辯說的力量，就是只有採納教會的形式，才可構成這樣一個社羣。因此，康德提議的準確地位依然模糊，並且不容易讓人明白。康德在 *Religion within the Bounds of Bare Reason* 第三部第四段落第一主段辯說，只有透過具備四種理性條件——連合、一貫、自由，以及所有教會規條可以改變（除了這

四個標誌外），倫理社羣的理念才得以實現。在第四段落之前，第一分段勾勒這個倫理社羣具有政治形式，可是，在基本上卻是非政治。康德把這個倫理社羣與猶太的神治，但卻察覺後者未能成為倫理政體，蓋因其政治意味明確。傳統的神治以自然的倫理國度（從服筆者所稱的格言「應當令事情變得良善」）取代自然的政治國度（從服「或可令事情正確」格言），或嘗試整合兩者。非強制的的神治透過新的向度，超越這區別：透過愛的律法，以神的立法者基本遠象，來結合人類。這位神的立法者的唯一法律，就是內聚連結彼此像家庭的教會成員。民主與國際法律系統所支持的合法權利，為準備世界和平，得走漫漫長路。康德的信念卻是，缺乏健康的宗教支持，終究沒可能作此準備。