Kant's model for building the true church

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KANT'S MODEL FOR BUILDING THE TRUE CHURCH: TRANSCENDING "MIGHT MAKES RIGHT" AND "SHOULD MAKES GOOD" THROUGH THE IDEA OF A NON-COERCIVE THEOCRACY

– Stephen R. Palmquist –

Abstract. Kant's *Religion* postulates the idea of an ethical community as a necessary requirement for humanity to become good. Few interpreters acknowledge Kant's claims that realizing this idea requires building a "church" characterized by unity, integrity, freedom, and unchangeability, and that this new form of community is a non-coercive version of theocracy. Traditional (e.g., Jewish) theocracy replaces the political state of nature ("might makes right") with an ethical state of nature ("should makes good"); non-coercive theocracy transcends this distinction, uniting humanity in a common vision of a divine legislator whose legislation is inward: the law of love binds church members together like families.

Keywords: Immanuel Kant, church, theocracy, *Religion within the Bounds of Bare Reason*, might makes right, ethical community.

1. Kantian Theocracy: The Boundary between Politics and Religion

Immanuel Kant is sometimes regarded as one of the key figures in the early evolution of modern liberal democracy:[1] 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. He works out his views on *national* law 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 *Reli-*

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[1] While Kant's philosophy has not always been closely linked to the development of liberal democracy, such a linkage has been regarded by many as *implicit* in his writings, at least since Rawls (1971) and *explicit* since his follow-up article, Rawls (1980). For a book-length study of Kant's influence on modern liberal democracy, see Höffe (1990). Despite this reputation, of course, in his personal life Kant was quite satisfied to live in a monarchy—as long as the king was benevolent! He observed the budding democracies in France and the USA with interest and even supported them privately, but without ever publically defending them.

gion within the Bounds of Bare Reason (1793/1794),[2] Kant had postulated a very different, explicitly religious path to the politics of peace: in the Third Piece (i.e., the book's third essay; see note 2) he presents the idea of an "ethical community" as a necessary requirement for humanity to become "satisfactory to God." While many 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 religious 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 the politically oriented arguments in *Religion* is that Kant fails to provide practical guidelines for the *empirical implementation* of his plan to establish an ethical community.[3] 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 (*R* 101–102) 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;[4] from Section IV onwards, he uses "church" as his standard term for the organization that aims (or ought to aim) to establish the ethical com-

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[2] 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 [Kant (2009)], in the thoroughly revised version I present in Palmquist (2016a). Where my translatiion departs significantly from Pluhar's, I provide Kant's German in square brackets. Pluhar's translation is the only one that correctly translates *Stück* ("piece"), the term Kant uses to distinguish between the main divisions of his book—the four essays originally intended to be a series of journal articles (or "pieces").

[3] A good example is Rossi (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. ibidem: 56, 61–62, 99). For a detailed response to Rossi's lament regarding Kant's alleged lack of specific guidelines for implementing the ethical community, see Palmquist (2010a). This neglect is less pronounced in German literature on *Religion*, where Kant's doctrine of the church is more likely to be treated at face value. See, for example, Sala (2004). Several other chapters in the same collection acknowledge that in *Religion* the ethical commonwealth is depicted as a church. See also Wood (2011) and Flikschuh (2011).

[4] After *R* 102, the technical term "ethical community" occurs *only* at *R* 106, 126, 134n, 151, 152, 153. In three other passages, Kant uses "community" in close conjunction with "moral" (*R* 105; cf. 151, 200). But in general, from *R* 101 onwards, "community" refers to what he sometimes explicitly calls the "church community" (*R* 113, 179, 199 [twice]), which may or may not be ethical/moral.

munity on earth.[5] 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*,[6] 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 use it here, he describes and defends a form of ethical community that can be appropriately regarded as a special, "non-coercive" form of *theocracy*.[7]

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 nation (*Staat*), as described in the Bible. In Section II of Division One[8] 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

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[5] Of course, in some passages Kant's use of "church" is negative, because not all churches actually aim to become an ethical community. My point here is that, from *R* 101 onwards, Kant's focus is not on the ethical community as such, but on how *churches* may or may not succeed in making this ideal real.

[6] In addition to the book review mentioned in note 3, see Palmquist (2000a): §VII.3.A and §VIII.3.A.

[7] 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.97 AD) 2.165–166. Since then its main applications have been to Jewish religion, though Islamic philosophers have often employed similar terminology. For a balanced historical overview, see Fraenkel (2010). 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" (ibidem: 358). While he refers to Kant's role in the *autonomy* side of this tradition, he does not recognize that Kant might himself have 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 Kal (2011). Along similar lines, expanding on a hint I proposed in an earlier article [see Palmquist (1994): 427], Randall A. Poole has argued that Solov'ev's concept of "free theocracy" has its roots in Kant. See Poole (2014): 224–229.

[8] 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 §VII.3.A and §VIII.3.A of *Kant's Critical Religion* (see note 6, above) 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 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. He introduces this "experiment" (or "attempt"; *Versuch*) terminology at the end of the first edition Preface (*R* 10) and at the beginning of the second edition Preface (*R* 12).

(*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.[9] 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 typical theocracy (at least, the type of theocracy Kant took to be exemplified by the Jewish nation[10]) fails to recognize that *ethical* 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 persons. 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 could aptly be described as a theocracy, *if* it were possible for a theocracy somehow to be *non*-coercive.[11] Elsewhere, I have argued that this is not only possible but is the *correct* definition of the term "theocracy" (see notes 7 and 11); because this amended definition of the term fits Kant's position so well, I shall adopt it in this article. In order to appreciate the force of the claim that Kant's theory of the church can be described as a theocracy, in the sense of a non-coercive (and thus, in a sense, non-*political*) political system for governing religious

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[9] See e.g. de Vries (2002): 94; Abramson (2009): 266; DiCenso (2011): 252; and Miller (2015): 89–90, 106. As Robert Erlewine points out [in Erlewine (2010): 110-117], 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'" (ibidem: 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 (ibidem: 116), with both approaches sharing a view of God as "the public 'lawgiver'" (ibidem: 117)—he does not work out the implications of this juxtaposition explicitly in terms of a Kantian *type* of theocracy.

[10] Some commentators take Kant's portrayal of Judaism as evidence of anti-Semitism; for a recent example, see Mack (2014): 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" [DiCenso (2011): 246], though he does not point 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 ibidem: 260–262) for being overly "idealized," claiming that Kant's rather pejorative views of Judaism, as focused exclusively on outward observances, "are mistaken" (ibidem: 262).

[11] Although Kant himself did not use the term "theocracy" in precisely the way I use it in this article, I have previously 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 Palmquist (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. Sanford (2014): 99–101.

institutions, 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.

2. 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."[12] In the brief untitled introductory section to the Third Piece, Kant has just explained that the kind of individual moral 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), 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 becoming good.[13] Section I of Division One, entitled "On the Ethical State of Nature," then introduces a fourfold conceptual framework by combining two twofold oppositions:[14] 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":

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[12] Kant uses the terms "problem" and "solution" in Section III (R 100), where "problem" refers to the position put forward in Section I and "solution" refers to the position defended in Sections III and IV.

[13] What Kant calls the "change of heart" does overcome the evil "conviction" (*Gesinnung*) that all human beings start out with; but it does not overcome the underlying "propensity" (*Hang*) that gives rise to the evil conviction. Kant portrays the problem of self-deception, caused by our evil propensity, as one that affects good-hearted as well as evil-hearted people. The task of the Third Piece is to explain how to construct institutions that will help people to resist this abiding tendency. For a more detailed discussion of the change of heart and of Kant's concept of *Gesinnung*, see Palmquist (2015a, 2010b).

[14] This is what I call a "second-level analytic relation" or 2LAR; see e.g., Palmquist (2000b), Lecture 13.

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 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").[15]

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, implicitly posed in 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* 158–162]) put human beings on the road to true religion for the first time. Examining Kant's answer to this key question (as I shall do in §§3–4 below) is the ultimate aim of the present article. But before proposing his answer (with his theory of the four requirements for church organization), 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 own theory of the church, but

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[15] 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, 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 could be mistakenly imputed to Kant, given his radical emphasis on morality being determined by nothing but the *internally* legislated moral law. Acknowledging Kant's call to *leave* the ethical state of nature is essential to understanding how the universal ethics of Kant's *Groundwork* and second *Critique* transcends relativism.

only to consider how best to *identify* it in comparison with other options, a consideration 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.[16]

Kant concludes Section I by clarifying an important difference between the political and ethical community. Unlike the political community, he 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., 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 they begin to build an 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."[17]

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[16] 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*, 320ff.) 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 Palmquist (forthcoming).

[17] 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 may 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 expression "non-coercive

3. 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 by their very nature 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* 96–97). 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 as 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 typically wins a fight) 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 I have called a "religious argument for the existence of God,"[18] 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 in the process of 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

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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.

[18] 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 Palmquist (2009).

experience an actual ethical community is to regard it as "a people of God under ethical laws."[19]

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 enforcing only "the *legality* of actions."[20] 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,[21] this concept of a moral God as "ruler of the world" cannot be taken to imply that whatever we think 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 12 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. The gist of his argument here (see note 18), in other words, is that we must believe in God in order to have any rational hope that attaining the goal of unifying the diverse ethical ends of all human beings is even *possible* at all. For, although reason independently

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[19] This is a good example of what, as I argue elsewhere, should be regarded as an "analytic a posteriori" assertion. See Palmquist (1987).

[20] *R* 98–99. 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* 153–154). 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 non-moral 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, for (as Kant argues in more detail in the Fourth Piece) an alleged "divine command can never be authenticated sufficiently through empirical characteristics" (99n).

[21] See, e.g., *Groundwork of the Metaphysics of Morals* (4:442–443) and *Critique of Practical Reason* (5:41).

commands these ends, the possibility of such a command being genuinely *realizable* (as it must be, since ought implies can) requires belief in God.

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. (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 of the Third Piece, a typical theocracy (understood as an *externally* legislated political system) *cannot* solve the problem that "pure, morally legislative reason" presents here in Division One, 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*: inasmuch as its laws are externally enforced, it is powerless to bring about real moral improvement, so it causes 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 principle 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 expressing it in terms of a set of *statutes* that can be externally enforced. In *Religion*'s Third Piece, evil manifests itself chiefly by preventing people from uniting together; thus, the ultimate antidote to evil is for people to unite together under the good principle to form an *ethical* community, and (despite the incredulity of most of his interpreters) Kant thinks this must take on the *religious* form of a church.

4. The Church as the Only Possible Path to Lasting 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, internal laws of *freedom*, yet some form of empirical *structure* must also be set up to express them.[22] 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*?[23]

Proceeding in the order of the four category headings that he had introduced and defended in the *Critique of Pure Reason*, Kant answers this question by presenting four a priori "requirements" for any "visible" expression of what he calls the "true" or "invisible church" (*R* 101–102). These requirements constitute the guidelines for constructing an ethical community that many scholars have claimed Kant never provides (see note 3 above). In short, the *quantity* of the true church must be "numerical *unity*"; its *quality* must be moral "integrity" (*Lauterkeit*) 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 [*Macht*]"; 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 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, from this point onwards (as I have demonstrated in Parts III and IV of my *Comprehensive Commentary* [see note 2 above]), *Religion* can be read as a series of section-by-section elaborations of precisely these four a priori requirements.

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[22] For a discussion of the parallel functions of religious and political ideals for Kant, see Palmquist (1994); see also note 7 above.

[23] I attempt to answer this key question in Palmquist (1993) – see note 11 above – using evidence drawn from scriptural sources rather than from Kant. However, Kant's answer, as sketched below, is virtually identical.

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;[24] 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 that 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 and therefore *changeable*) and those that have the unchangeable principle of *inward* goodness as their *un*changeable 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 (*R* 102).

Kant concludes Section IV with a paragraph that alludes to the Christian doctrine of the Trinity as a possible source of insight into how best to conceive of the possibility of a non-coercive political system (i.e., of a *theocracy* in the true sense of the term—what he calls "a nation of God"). He borrows Jesus' father–son metaphor and employs it to clarify the status of the aforementioned four guidelines, thus preparing the way for the sections that follow. Although this passage is easily overlooked, often being treated as a mere afterthought, its relevance to my present argument justifies quoting it in full (*R* 102):

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[24] For a thoroughgoing discussion of the argument of Section V, see Palmquist (2015b).

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> Therefore, an ethical community, regarded as a church, i.e., as a bare *representative* of a nation [*Staats*] 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, explained above). *This* nation (or "state" [*Staat*]) 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 non-liturgical forms of Christianity (whose emphasis on "sectarian *illuminates*" often imitates democratic political systems, with each sect functioning like a *political party* that supports the politician–hero who best represents the people's biases). Instead, when a church successfully bases its organizational structure on the four requirements that he has just introduced for a non-coercive form of theocracy, Kant thinks its "invisible" political structure will be comparable to the kind that governs a "household."

Is the political structure of a family really an appropriate metaphor for the structure of the true church? I believe it is, if we understand that Kant's goal was to ground the destiny of the human race in a vision of a non-coercive theocracy, regarded as a radically distinct form of ethical community. If one were to read Kant's metaphor as claiming that the true church should have a structure like that of the *typical* human family, where normally one or both parents exercise *control* over the children, then this would be a highly questionable claim. Indeed, one would also have to object to Kant's "household" metaphor if we assume that he has in mind his own vision of the typical family structure, as discussed (for example) in the *Metaphysics of Morals*, for the claims he advances there are regarded by

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many today as objectionably patriarchal. My response to such objections is two-fold. First, such parent-child authoritarianism is precisely what Kant's use of this metaphor in the present passage is intended to *avoid*. For he is referring at this point to the *biblical* metaphor of God as "father," Jesus as "son," and church members as "brothers and sisters" under the unifying guidance of the Holy Spirit. Thus, later in the Third Piece, immediately after quoting from 1 Corinthians 13:11 (where St. Paul says that the mature Christian "puts away what is childish"), Kant explicitly argues that in the true church "[t]he abasing distinction between *layper-sons* and *clerics* ceases, and equality arises from true freedom" (*R* 122). Once we recognize that Kant's household metaphor implies not that an empirical church should be like a *typical* family, but that it should be like the model of a mature or *holy* family, we can regard the metaphor as highly effective, for such a family is *theocratic* in this sense: the true leader must be respectfully acknowledged yet re-frain from exercising any power (like a parent who is always absent), whereas the leader's representative must be "one of us" (like an older sibling, *not* like a control-ling master).

Second, to those who still find Kant's household metaphor objectionable, I would recommend replacing it with the metaphor of *friendship*, as the Quakers (the Religious Society of Friends) have done. 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 crea-tive standpoint that overcomes the conflict between these two purely human ap-proaches: it unites all human beings in a common vision of a divine legislator whose only law is the one that binds *friends* (and mature families) together, the law of love.[25]

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 of the law of love—may seem far-fetched as an interpretation of Kant. Yet it is not without tex-tual support. For example, Kant's portrayal of the highest good "as the common good," in the aforementioned religious argument for God's existence, put forward mainly in Section II, closely parallels the passage in the *Groundwork* (4:399) where

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[25] 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. 2:14–15).

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 (political) 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 political relations), 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* 97–98). 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 the four sections of the Third Piece that we have been considering here) converts the potentially relativistic ethical state of nature (where "should makes good") into a genuinely ethical 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[26] would 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 at *R* 100, for example, that in one sense we must regard God as the founder of the (invisible) church: "Founding a moral people of God is… a work whose execution can be expected not from human beings but only from God himself." *On our own*, we human beings are powerless even to *begin* forming a union of the type under consideration here. Nevertheless, Kant continues, we human beings are completely responsible to be the founders of each individual empirical manifestation of the true church that is to conform to the four requirements of a genuinely religious organization (100-101): "the human being […] must […] proceed in such a way as if everything came down to him, and only

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[26] Offering a close reading of the entire text of *Religion*, Parts III and IV of Palmquist (2016a) (see note 2 above) highlight the features of Kant's theory discussed here. 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 affirmative interpreters. On the meaning of "affirmative" when applied to interpretations of Kant's theory of religion, see Palmquist (2012).

on this condition may he hope that a higher wisdom will bestow completion upon his well-intentioned effort." The apparent contradiction between these two statements of Kant's can be resolved if we assume that he is adopting the *theoretical* standpoint in acknowledging the need for a *belief* in God's initiating and completing roles and the *practical* standpoint in requiring human beings to do their part, in spite of our theoretical ignorance of precisely how God may act.

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." Politicial structures are powerless to fulfil such a goal. For only by building the true church can humanity bring itself out of the ethical state of nature; and building such a church is *our* task, even though we must believe in God's assistance in order to be empowered to complete the task in a spirit of humility, without suffering from either despair or delusory self-confidence. Understanding the crucial role played by Kant's argument in Section IV of Division One of the Third Piece, coming as it does almost exactly at the mid-point in the text of *Religion*, enables us to make better sense out of all the arguments Kant advances from this point to the end of the book. We can now take Kant seriously when he argues in Section V of the Third Piece that historical faiths are a necessary part of the process of creating the *one* true religion and that basing their faith on a Scripture is a huge advantage, even though (like coercive theocracies) human beings naturally tend to universalize the historical instead of the moral; his emphasis in Section VI on interpreting Scripture morally can now be seen as a guard against relapse into the ethical state of nature by keeping *integrity* at the center of the church's concern; Section VII's resolution of the antinomy of faith can now be appreciated as Kant's account of what is necessary in order to protect the *freedom* of church members as they pursue the goal of establishing the Kingdom of God on earth; and the focus on historical instantiations of religious faith (especially the Jewish and Christian versions) in Division Two can now be seen to be an analysis of how a non-coercive theocracy can *remain* non-coercive only by regularly updating its precepts while holding first to the basic (theocratic) requirements of its constitution. Likewise, the whole of the Fourth Piece can be appreciated as Kant's attempt to show how a non-coercive theocracy, and *only* a non-coercive theocracy, is the necessary condition for enabling human beings to serve God in a genuinely meaningful way.[27]

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[27] Several key ideas developed in this paper were first suggested to me in conversations with Brandon Love, especially the locution "should makes good" and the observation that the four requirements, in turn, become the focus of the next four sections of Kant's text. I presented previous versions of this paper on the following occasions: at the American Philosophical Association's Pacific Division Meeting, held in Seattle, Washington, in April 2012; at a seminar sponsored by the Department of Philosophy at Sogang University in Seoul, South Korea, in February 2014; and at the

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