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# The Moral Politician: Kant and the Kantian Conservatives in ‘Perpetual Peace’

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## Abstract

Kant’s description of the moral politician in ‘Perpetual Peace’ is the most detailed statement of his template for legislative reform. I argue that the moral politician responds to criticisms of Kant’s earlier ‘Theory and Practice’ essay by Friedrich Gentz and August Wilhelm Rehberg. Gentz and Rehberg objected to: Kant’s treatment of the relationship between theory and practice in politics, his conception of popular sovereignty, and his account of political transformation. By showing that Kant used the moral politician to rebut Gentz and Rehberg, I highlight an underappreciated dimension of ‘Perpetual Peace’ while situating Kant’s political stance in its historical context.

**Keywords:** Gentz; Rehberg; theory and practice; popular sovereignty; revolution

## 1. Introduction

Kant’s political philosophy is avowedly abstract. Its answer to the question ‘What is right?’ is not concerned with the factual question of ‘what the laws in a certain place and at a certain time say or have said’. Instead, Kant seeks to identify ‘what the universal criterion is by which one could recognize right as well as wrong’, an endeavour that requires him to leave ‘empirical principles behind’ and to seek ‘the sources of such judgments in reason alone’ (MM, 6: 229–30).<sup>1</sup>

Despite its abstract character, Kant’s political thought did not emerge in a speculative vacuum. By the time he set out to fully articulate his political theory in the 1790s, Kant was the famed, ‘all crushing’<sup>2</sup> sage of Königsberg whose political philosophy was expected by many of his followers to address the greatest political event of the century, the French Revolution.<sup>3</sup> Moreover, in contrast to his so-called ‘silent decade’, during which Kant published nothing on metaphysics after 1770 while labouring over the *Critique of Pure Reason*, his political theory appeared sporadically in different iterations over the course of the 1790s – Part Two of ‘Theory and Practice’ (1793), ‘Perpetual Peace’ (1795), the *Doctrine of Right* (1797/98), and Part Two of *The Conflict of the Faculties* (1798). The circumstances of the early reception of Kant’s political philosophy were thus quite unique: his views gradually unfolded before an

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audience eager to digest and debate the contribution of a renowned thinker to understanding the most momentous and controversial political phenomenon of the era. At the same time, ever sensitive to the impact of his ideas,<sup>4</sup> Kant could gauge public reaction to his developing political theory by consulting the responses to his writings that appeared in various periodicals.

Although Kant's thought has long been associated with the French Revolution,<sup>5</sup> the fact that his political philosophy was part of, and shaped by, a lively public debate in Germany about his work and its relation to events across the Rhine has generally been neglected.<sup>6</sup> This is understandable. As we will see, Kant is not always explicit about the identity of his interlocutors in his political writings, and many of the individuals involved are obscure today. Nonetheless, scholars are beginning to turn to German political literature from the 1790s to illuminate and contextualise Kant's political theory.<sup>7</sup> The result is a richer portrait of the debates and figures that influenced the development of his political thought as it emerged in the public sphere.

In this essay, I apply this interpretative approach to Kant's account of the moral politician in the First Appendix to 'Perpetual Peace', 'On the Disagreement Between Morals and Politics with a View to Perpetual Peace'. Though often overlooked,<sup>8</sup> this important segment represents Kant's most detailed description of his model of politics as 'the doctrine of right put into practice [*ausübender Rechtslehre*]' (PP, 8: 370) – that is, politics as a process of non-violent, piecemeal reform guided by *a priori* norms of right.<sup>9</sup> As I will argue, a major stimulus for Kant's discussion of the moral politician was the criticisms of 'Theory and Practice' published by two conservative thinkers, Friedrich Gentz (1764–1832) and August Wilhelm Rehberg (1757–1836). Gentz and Rehberg were not only two of the most influential conservative writers in Germany during the 1790s, but also followers of Kant, whose views on the critical philosophy carried weight in the public sphere. Gentz and Rehberg, I will show, offer serious objections to three interrelated features of Kant's 1793 essay: (1) his construal of the relationship between theory and practice in politics, (2) his norm of popular sovereignty, and (3) his account of political transformation (i.e. the topics of reform and revolution). Kant's portrait of the moral politician, I submit, is intended to address these claims and thereby show that his political theory yields a feasible political agenda capable of guiding real-world legislators. While the impact of the Gentz and Rehberg pieces on Kant has been discussed in the scholarship, there has yet to be a detailed analysis of the role of both reviews in shaping Kant's portrayal of the moral politician.<sup>10</sup>

This essay will proceed in three main steps. I begin by outlining the major elements of Kant's political standpoint in Part Two of 'Theory and Practice'. Next, in section 3, I turn to the Gentz and Rehberg reviews of the 1793 essay and present their principal political objections to Kant. In section 4, I consider Kant's depiction of the moral politician in 'Perpetual Peace'. I show that the template for political reform embodied by the moral politician is meant to rebut Gentz and Rehberg's objections to Kant's position on the three key issues mentioned above.

## 2. Kant's political philosophy in 'Theory and Practice'

Despite the expectations and entreaties of his readers, Kant did not publish a dedicated statement on politics until 'Theory and Practice' appeared in the September

1793 edition of the *Berlinische Monatsschrift*. It seems that the public debate about the French Revolution prompted Kant's intervention. Although ostensibly directed against Hobbes (TP, 8: 289, 303–4), a passage from Kant's unpublished drafts for 'Theory and Practice' indicates that the political segment of the essay, that is, Part Two, was occasioned by two recent and opposing reactions to the Revolution.<sup>11</sup>

Kant first alludes to a 1793 pamphlet by the Göttingen mathematician and popular writer A. G. Kästner (1719–1800), *Thoughts on the Inability of Writers to Cause Insurrections*. Against someone like Burke,<sup>12</sup> Kästner dismisses the claim that the French Revolution is 'the work of philosophical writers' (1793: 18), most notably Rousseau (pp. 16, 20). Anyone who thinks that complex philosophical theories can foment political change is deluded, including 'German writers' who publish on 'pedagogy, enlightenment, critical philosophy, [and] human rights' (pp. 24–5).

Kant also refers to Rehberg's 1793 *Investigations Concerning the French Revolution* in the passage from his drafts for 'Theory and Practice'.<sup>13</sup> Against Kästner and in line with Burke, Rehberg argues that 'metaphysics has . . . brought about a revolution, the like of which has never been seen before' (1793: I, 5). For Rehberg, the 'metaphysics' in question attempts to apply 'pure laws of reason' to political practice (I, 18). Its consummate expression is Rousseau's *Social Contract*, in which the moral standard of a 'pure, rational will' that only obeys self-legislated prescriptions is transposed to the political domain as the general will (I, 6–9). While Rehberg offers a sceptical interpretation of the general will as a transcendental idea that cannot be realised in experience, he also stresses the grave practical implications of Rousseau's theory. Rousseau's proviso that only self-given laws are legitimate has given radicals in France the specious but intoxicating authorisation 'to destroy everything that contradicts their adopted principles and to force humanity to submit to them' (I, 21).<sup>14</sup>

The references to Kästner and Rehberg in Kant's drafts for 'Theory and Practice' suggest that one of his main goals in Part Two of the essay is to show that *a priori* political principles are neither empty speculative fictions nor inducements to revolutionary fervour, but instead provide actionable norms that can be utilised by real legislators. This is borne out by Kant's justification of the general will. On the one hand, although the general will has the status of a merely regulative, counterfactual idea of reason for Kant, he stresses 'its undoubted practical reality, namely, to bind every legislator to give his laws in such a way that they *could* have arisen from the united will of a whole people' (TP, 8: 297). On the other hand, Kant emphasises that his version of popular sovereignty unconditionally forbids revolution (8: 297–305). In Kant's political theory, 'the people' whose will serves as the criterion for the legitimate exercise of public coercion is not an empirical entity, but an *a priori* juridical construction defined by its subjection to a highest, irresistible power enforcing right.<sup>15</sup> Even if a law fails to pass the test of possible general consent and is therefore unjust – Kant's rather telling example is hereditary inequalities in civil rank, a vestige of feudalism abolished by the French legislature in August 1789 (8: 297) – this does not entitle the public to resist the regime, for there is no sovereign 'people' without the state and its unopposable monopoly on the use of force. In cases of government injustice, then, 'there is nothing to be done about it but obey' (8: 298). The only recourse available to the public is 'the freedom of the pen', 'the sole palladium of [its] rights', through which it can communicate its objections to the authorities (8: 304).

Kant uses this account of the applicability of rational political norms to reality to position himself as a pragmatic reformer opposed to the extremes of conservatism and radicalism. His claim that the general will 'is the touchstone of any public law's conformity with right' (TP, 8: 297) distinguishes Kant from not just Hobbes, but also a so-called 'worthy gentleman' like Kästner or Rehberg, 'who boldly disparages theories and systems' as so many 'empty ideas, of which either no use at all would be made in practice or even a use that would be detrimental to it' (8: 276–7). For Kant, the upshot of such opposition to the employment of *a priori* principles in politics is a conservative deference to the injustices of the status quo (8: 305–6). At the same time, he is careful to distance himself from proponents of a right of revolution such as Gottfried Achenwall (8: 301) and, crucially, the Jacobin leader Georges Danton (8: 302). In response to Rehberg, Kant shows that it is possible to implement the republican principles of the Revolution without embracing the lawless upheaval represented by its radical elements.

That Kant sought to present himself to the public as a sensible political moderate in 'Theory and Practice' is best captured by the following passage, in which he frames his political stance as an even-handed compromise between the claims of the people and the state:

I will surely not be reproached . . . with flattering monarchs too much by such inviolability; so, I hope, I will also be spared the reproach of overstating the case in favour of the people when I say that the people too has its inalienable rights against the head of state, although these cannot be coercive rights. (TP, 8: 303)

We will now see how this balancing act fared in the eyes of Kant's conservative critics.

### 3. The Gentz and Rehberg reviews of 'Theory and Practice'

J. E. Biester, editor of the *Berlinische Monatsschrift*, could not contain his relief upon receiving 'Theory and Practice'. As he wrote to Kant in October 1793 amid *la Terreur*, disturbing rumours of Kant's support for the Revolution had been circulating, and Biester was thus pleased that Kant had effectively disavowed 'the bloody hands' of the French radicals (Corr, 11: 456). In Biester's words, Kant had succeeded in articulating 'the universal principles of constitutional law and the concept of a civil constitution' while also showing their incompatibility with the violent paroxysm of popular rule. '[T]he actual freedom of reason and morality and all wisdom in statecraft and legislation are being most shamefully trampled underfoot', as he put it, by 'the ever increasingly repulsive French Revolution', with the 'despotic rabble [*Pöbel*]' at its head.

Not everyone was so easily satisfied. Biester's *Monatsschrift* became the forum for two critical responses to 'Theory and Practice': one by Gentz, published on the heels of Kant's essay in December 1793, and another by Rehberg in February of the following year.<sup>16</sup> In March 1794, Biester drew Kant's attention to both pieces and suggested that he use the reviews as an opportunity to publish a clarification of his position (Corr, 11: 490–2). To further entice Kant, Biester appended a letter from Christian Garve, in which the latter expressed his interest in Kant's views on revolution and his desire for

a book-length treatment of the issues raised by 'Theory and Practice' (11: 492). The public debate was underway. 'Your rich essay from September', as Biester summed it up, 'continues to engage many minds and pens' (11: 490).

Kant declined Biester's offer with some dismissive and rather acerbic remarks about Rehberg's review (Corr, 11: 496–7). Although this response gives the impression that Gentz and Rehberg were beneath Kant's notice, the contrary is the case. Gentz had been Kant's student at the University of Königsberg in the 1780s and had helped to proofread the *Critique of Judgement*.<sup>17</sup> Gentz had initially been supportive of the French Revolution, calling it 'the first practical triumph of philosophy', and penning a Kantian defence of a *priori* right in the *Monatsschrift* occasioned by the counter-revolutionary tracts of Justus Möser, the 'father of German conservatism'.<sup>18</sup> While he never completely abandoned the Kantian philosophy, his so-called 'foster mother [Pflegetmutter]', Gentz soon became critical of the Revolution and achieved fame as a conservative publicist and translator of Burke and Mallet du Pan.<sup>19</sup> Rehberg, though never formally Kant's student, corresponded with him about the *Critique of Pure Reason* (11: 205–10) and enjoyed the reputation of a significant interpreter of the critical philosophy. Karl Reinhold praised his 1788 review of the *Critique of Practical Reason* (which Kant likely read),<sup>20</sup> while J. B. Jachmann singled out Rehberg as 'the finest mind among all of your pupils [Schüler]' in an October 1790 letter to Kant (11: 225). Like Gentz, however, Rehberg's immersion in Kantianism did not inoculate him from political conservatism. The *Investigations* established his place as 'next to Friedrich Gentz, the ablest literary opponent of the French Revolution in Germany' (Epstein 1966: 549). Besides their fluency in the critical philosophy, both Gentz and Rehberg were career bureaucrats who could claim a practical expertise in the workings of government unknown to an allegedly armchair political theorist like Kant.<sup>21</sup>

In sum, Kant had ample reason to take the Gentz and Rehberg reviews of 'Theory and Practice' as a serious public challenge to his emerging political theory mounted by two formidable and well-known followers. Indeed, we have already seen that Part Two of Kant's 1793 essay was likely prompted in part by Rehberg's *Investigations*. The 'Theory and Practice' reviews thus merit close attention both as a matter of historical interest and as potential influences on Kant and the evolution of his legal and political philosophy during the 1790s.

In this section, I will outline the three main points made by Gentz and Rehberg in their responses to Kant. Though their views are not identical, taken together, Gentz and Rehberg raise important objections to Kant's position on: (1) the relationship between theory and practice in politics, (2) popular sovereignty, and (3) political transformation (i.e. reform and revolution).

### 3.1 Gentz and Rehberg on the relationship between theory and practice in politics

Both Gentz and Rehberg argue that while Kant has successfully demonstrated the abstract validity of his *a priori* political principles, he has failed to adequately specify the empirical conditions required for their implementation in experience. As Gentz puts it, 'this and that may be correct in theory, but it is not sufficient for practice' (TPG, BM 518/DH 91; see also TPR, 1167–8). Though Gentz and Rehberg express this same general criticism of Kant, they present distinct versions of the claim. Gentz is chiefly concerned with the consequences of Kant's essay for political actors, while

Rehberg presents sceptical objections to the metaphysical implications of Kant's theory.

Gentz begins his discussion of Part Two of 'Theory and Practice' by largely accepting a considerable portion of Kant's argument – i.e. the concept of right and the rational norms of freedom, equality, and independence that he takes to underlie an *a priori* rightful civil constitution (see TP, 8: 289–97 and TPG, BM 526–36/DH 95–101). Despite insinuations of an affinity between Kant and the French revolutionaries,<sup>22</sup> at this stage, Gentz confines himself to critical but mostly minor amendments to Kant's position.<sup>23</sup> Instead of seriously disputing the theoretical coherence of Kant's doctrine of pure political right (*reine Staatsrecht*), he concedes that his former teacher has presented the latter in a 'thoroughly perfected form' (TPG, BM 535–6/DH 100–1). He even concludes this opening segment of his review by echoing one of Kant's remarks from 'Theory and Practice': A statesman (*Staatsmann*) who uses the claim that 'human beings are unworthy of being treated according' to the standard of right as a cynical pretext for ignoring the otherwise valid demands of pure reason in politics is a contemptible, empirical bungler (*empirischer Pfuscher*).<sup>24</sup>

We see, then, that Gentz admits both the possibility and desirability of a statesman committed to implementing Kant's rational political principles. In 'Perpetual Peace', Kant calls this individual a 'moral politician'. However, as Gentz goes on to argue, the reality of such a figure is doubtful, for Kant has not accomplished the goal of showing that his *theory* of political right yields a feasible *practice* of political right (*Praxis des Staatsrechts*) (TPG, BM 537, 540–1/DH 101, 103–4). More specifically, Gentz claims that Kant has neglected a host of issues crucial to statecraft (*Staatskunst*) and state organisation (*Staatsorganisation*), such as the constitutional division and limits of public power (BM 539–41, 547–52/DH 102–4, 107–10).<sup>25</sup> According to Gentz, '[t]he pure theory of rights does not know the answer to these extremely important questions', but requires a supporting framework (*Hulfsgerüst*) built from the evidence and know-how of experience (BM 538–40/DH 102–3). Without a concrete understanding of the various empirical circumstances that impact political practice, Kant's theory lacks the means for its realisation in the world, and so risks remaining 'forever only a charming silhouette' that can never 'become more than an ideal' (BM 539, 542/DH 102–4). As a 'practical scholar of politics [*Staatsgelehrte*]' who is presumably in possession of this knowledge and experience, Gentz feels justified in telling Kant, 'the *mere* theorist', that '[w]hat you teach is indeed correct in theory, but *not yet* suitable for practice' (BM 552/DH 110).

In contrast to Gentz, Rehberg's criticisms of Kant's account of the relationship between theory and practice have a complex metaphysical basis in his sceptical interpretation of the critical philosophy.<sup>26</sup> This emerges in his 1788 review of the second *Critique*, in which Rehberg accuses Kant of overstepping the boundaries of human cognition established in the first *Critique*. While accepting the *a priori* necessity and universality of moral prescriptions argued by Kant, Rehberg rejects his claim that pure reason has a distinctly practical function by which it proves the reality of theoretically indemonstrable objects, most notably an intelligible faculty of freedom.<sup>27</sup> Because human beings are not purely rational entities, but embodied subjects whose deeds and motives occur in empirical space and time, our actions cannot be solely and completely determined by an *a priori* causality of the will beyond experience.<sup>28</sup> For Rehberg, the critical philosophy requires that autonomy of the will



should retain the same metaphysical status as any other idea of reason in the first *Critique* – as a merely regulative principle that can be used to measure and evaluate human conduct, but can never be fully instantiated in experience (see Rehberg 1975: 189, 191, 195).

As indicated earlier, Rehberg applies his sceptical take on Kantian metaphysics to politics in his *Investigations Concerning the French Revolution*. Like the ‘consciousness of oneself as pure reason’ that Kant labels an undeniable fact of reason in the second *Critique* (CPrR, 5: 31–2), Rousseau’s paradigm of collective self-legislation, in which each member of a political community is both sovereign and subject, is a norm that is valid in the abstract but exists ‘nowhere [*nirgends*]’ in reality.<sup>29</sup> Rehberg deploys the same line of argument in his review of ‘Theory and Practice’. Kant, he claims, continues to operate with the notion of a purely rational agent that ‘on its own, exists nowhere’ (TPR, 1169). The result is the following twofold error in his political theory.

First, Rehberg accuses Kant of conjuring fictitious, metaphysically suspect concepts like *a priori* rightful freedom. For Rehberg, the demand that the outer freedom of each person ought to be reciprocally limited by that of all others under universal law presupposes a foundational object to which coercible rights and duties refer, namely, complete ownership (*Eigentum*) over oneself and one’s capacities. While such ‘metaphysically perfect’ self-ownership may be ‘*a priori* demonstrable’, Rehberg insists that it ‘does not exist anywhere in the world’, in which the external freedom of human beings is asymmetrically restricted by numerous empirical conditions, such as physical needs and limitations and civil laws and conventions (TPR, 1171).<sup>30</sup> Kant’s concept of an *a priori* rightful constitution is thus ‘an idea that could only be applied in a world whose members would be completely (metaphysically) free beings’ (p. 1174). Second, Rehberg argues that Kant’s abstract, one-sided conception of human agency unduly ignores the concrete empirical factors that actually determine political rights and duties, namely, positive law, contracts, and custom.<sup>31</sup> While all rights must be equally respected and enforced by the state, rights also differ ‘in scope and content’ due to ‘the circumstances of our forefathers’, that is, the laws and traditions that govern existing polities and may confer exclusive privileges like those of the European nobility (p. 1172). Put another way, Kant’s principles of freedom, equality, and independence are empty formulas, for they do not refer to the actual content of political rights and civil relations, which are products of history and convention wholly immanent to experience.<sup>32</sup> Yet the overly abstract character of Kant’s political norms does not render them toothless in practice. For Rehberg, the attempt to fully realise an empirically unattainable standard of pure reason may be futile, but, as the radical *Rousseauistes* of Paris have shown, *a priori* ideas like the general will can still be used as an apparently unimpeachable justification for violence and disorder.<sup>33</sup> As in the *Investigations*, then, Rehberg contends that ‘Theory and Practice’ should induce a sceptical despair (*eine skeptische Verzweiflung*) in its readers about the capacity of pure reason to apply its pure political standards to experience.<sup>34</sup>

To sum up, Gentz and Rehberg offer a two-sided challenge to Kant’s claim in ‘Theory and Practice’ that pure reason can provide efficacious political norms capable of guiding the legislative reform of existing regimes. For Gentz, Kant has not sufficiently accounted for the diversity and complexity of the state, and has thus failed to articulate a workable politics by which to realise his *a priori* standards of right. For Rehberg, the metaphysical strictures of Kant’s transcendental idealism

show that his political principles are too abstract and contentless to apply to reality. Furthermore, Kant's theory rashly denigrates and impugns the legitimacy of the actual foundations of civil society, that is, the diverse laws and traditions encountered in experience.

Kant was well-aware of the threat to his political theory posed by these sorts of objections. If, as he wrote in his drafts for 'Theory and Practice', 'the empiricists, shining bright with their insight into the world, are the genuine possessors of wisdom about the principles of the state', then 'rationalists' like himself will be 'rightfully banished to their school where they must leave the judgments entirely to whomever has power' (DrTP, 23: 127). Unfortunately for Kant, 'empiricists' like Gentz and Rehberg were not satisfied with 'Theory and Practice' and indeed argued that his political philosophy was better suited to school than to life. As we will see, Kant's sketch of the moral politician in 'Perpetual Peace' constitutes his reply. Before moving on to Kant's 1795 essay, however, we need to consider how Gentz and Rehberg extend their broad criticisms of Part Two of 'Theory and Practice' to two crucial topics also at play in Kant's description of the moral politician: popular sovereignty and political transformation.

### 3.2 Gentz and Rehberg on popular sovereignty

It should come as no surprise that Kant's framing of the general will as 'the touchstone of any public law's conformity with right' (TP, 8: 297) provoked the opposition of conservatives like Gentz and Rehberg. At one point in his review, Gentz alludes to the 'unrestrained despotism' of 'the thousand-headed monster of a self-governing people', a clear indication of his stance on the French Revolution and its allegedly ochlocratic character (TPG, BM 548-9/DH 108). Accordingly, both Gentz and Rehberg build on their general objections to 'Theory and Practice' outlined above to contest Kant's conception of popular sovereignty.

To begin with Gentz, the latter once again agrees with Kant on some key points. He readily acknowledges the strictly regulative, counterfactual status of the original contract and its principle of omnilateral consent for Kant (TPG, BM 537-8, 550-1/DH 101-2, 109). Likewise, he commends Kant for rejecting the view that the original contract's criterion of legitimacy is *actual* popular consent, a claim that renders rights vulnerable to the vicissitudes of public opinion and invites the permanent possibility of rebellion (BM 543-5/DH 105-6). Nonetheless, Gentz makes two objections. First, he cautions that the standard of the general will can potentially justify 'an infinite number of the most pernicious laws' (BM 551/DH 109), a point that Rehberg, we will see shortly, presses with greater urgency. Second, Gentz argues that Kant has not specified the form of state (*Staatsform*) required for the employment of his norm of popular sovereignty. '[T]he way in which each citizen is to exercise his share in legislation', as Gentz puts it, 'is not determined' (BM 534-5/DH 100). Rehberg makes a similar claim.<sup>35</sup> Although Kant defines citizenship as a franchise restricted to independent, propertied males (8: 294-6), he also claims that his counterfactual version of the general will can be used by legislators to ascertain the rightfulness of a law without considering actual popular consent (8: 297-8). It is not clear, then, *who* is to wield the public power of the people and *how* they shall do it. In short, Kant's



account of popular sovereignty in 'Theory in Practice' exemplifies his failure to show exactly how his pure political principles are to be implemented in reality.

In line with the overall thrust of his review, Rehberg's criticisms of Kant's criterion of popular sovereignty draw on the *Investigations*. This is made explicit by the following remark: according to Rehberg, Kant's political theory 'so perfectly agrees' with that of Rousseau that 'one only needs to insert the terminology from *Du contrat social* at proper places' (TPR, 1174). As such, Rehberg offers the same twofold objection to Kant's model of omnilateral consent that he levies against Rousseau's general will in the *Investigations*. First, Rehberg argues that Kant's *a priori* norm of a rightful, self-legislating state does not have a possible referent in experience. The claim that the general will is the solely rightful measure of public coercion is 'only fit for a republic of gods', that is, an association of purely rational agents whose perfectly harmonious interactions render the very need for a civil constitution superfluous (*ibid.*).<sup>36</sup> To be sure, Kant would hardly deny that, as a regulative idea of reason, his principle of popular sovereignty is a rational norm that cannot be fully realised in experience. Still, Rehberg has a point: Kant has not sufficiently explained how his pure standard of omnilateral consent can be applied to an imperfect political reality in which arbitrary laws and customs reign supreme. This leads to a second claim. By rendering a pervasive convention like hereditary civil distinctions *a priori* illegitimate, Rehberg argues that Kant's idea of the general will yields an immediate and unconditional demand for nothing less than 'the complete dismantling [*Auflösung*]' of every European state (pp. 1174–5).<sup>37</sup> Despite its metaphysical status as a purely rational principle without a direct correlate in experience, Kant's norm of popular sovereignty is not without practical implications, for it risks licensing the same kind of revolutionary fanaticism (*Fanatismus*)<sup>38</sup> that Rehberg attributes to Rousseau's radical disciples in the *Investigations*. In short, Kant's endorsement of the principle of omnilateral consent involves the same toxic combination of uncritical metaphysics and uncompromising political fervour that Rehberg holds responsible for the excesses of the French Revolution.

To conclude, Gentz and Rehberg present a two-pronged challenge to Kant's conception of popular sovereignty in 'Theory and Practice'. Kant must: (1) clarify the form of state required by his idea of the general will and thereby specify who exactly exercises popular sovereignty; and (2) show that this criterion of omnilateral consent can be applied to actual states and institutions without a radical political transformation that overturns extant laws and conventions. This brings us to the final topic of this section, the issues of reform and revolution.

### 3.3 Reform or revolution? Gentz and Rehberg on political transformation

As we saw above, one of Kant's primary aims in Part Two of 'Theory and Practice' was to position himself as a political moderate whose philosophy supports the republican spirit of the French Revolution but opposes the revolutionary tactics of radicals like Danton. Kant summarises his position nicely in the following passage from his drafts for the essay:

The people have no right to hostility against the ruler because he represents the people itself. No subject has any coercive right against him and therefore must obey his commands. ... Against Hobbes and his Machiavellianism

claiming that the people have no rights at all. Reform must originate from the will of the sovereign himself. But this is *in facto* not the united will of the people, instead it should emerge gradually. Writings must enable the ruler, like the people, to examine injustices. (DrTP, 23: 134)

This model of political transformation – a gradual process of non-violent reform guided by the counterfactual norm of the general will and propelled by the free exchange of political claims in the public sphere – did not escape the criticism of Gentz and Rehberg. Once again, the pair offer distinct but complementary objections to Kant designed to undermine his case for the applicability of a *a priori* political principles to experience.

Gentz's remarks follow a familiar pattern: Kant's unconditional prohibition on rebellion against the state is entirely valid in the abstract but leads to serious difficulties in practice (TPG, BM 542–8/DH 104–8). While accepting Kant's claim that a *legal* right to revolution is incoherent, Gentz argues that Kant's doctrine abandons the public to a hopeless condition in which it is permanently vulnerable to the 'unrelenting despotism' of an unopposable ruler (BM 543/DH 105). Against Kant's argument that the right of necessity cannot justify rebellion (TP, 8: 300), Gentz suggests that resistance to the state can be morally excused, if not legally justified, in cases of extreme tyranny (BM 545–6/DH 106–7).<sup>39</sup> For Kant's categorical proscription of revolution to be palatable, he would have to show that his theory 'forever avert[s] the need for rebellion' (BM 547/DH 107). Yet '[p]ure theory never teaches how this could be done'. Instead, Gentz insists that the only way to avoid revolution is through a well-ordered constitution, which can only be achieved through 'experience, or reasoning based on experience'. By concretely determining matters like the distribution and division of public power and the right to free expression, specific positive laws are the best instrument for reducing and ideally eliminating the prospect of political unrest (BM 547–9, 551–2/DH 107–10). In comparison, Kant's template for orderly political progress appears to require the naive claim that each person subject to the highest, irresistible power of the state 'must be able to assume that his ruler does not *want* to do him any wrong' (TP, 8: 303). For Gentz, when it comes to the core rights and freedoms of political subjects, a ruler's 'feeling of duty is a very unreliable guarantor for those whose highest interest is here at stake' (BM 551/DH 110).<sup>40</sup>

Rehberg makes two main points about Kant's views on reform and revolution. First, like Gentz, he grants that Kant's unqualified prohibition on revolution holds in theory but yields dire consequences in practice (TPR, 1173–5). According to Rehberg, Kant's position entails that the people can never justifiably revolt against an illegitimate usurper, a proposition that Rehberg takes to considerably mitigate the risk of such forceful arrogations of power and thus render the state vulnerable to coups. Second, Rehberg argues that Kant's *a priori* norm of unilateral consent requires that a people 'is not just entitled, but is obliged, to destroy those constitutions which are contrary' to the idea of the general will, including through revolution (p. 1175). Although Kant clearly wishes to block this line of objection with his proscription of a right of resistance, Rehberg holds that the latter claim ultimately contradicts Kant's conception of popular sovereignty. On Kant's view, it seems that *allowing* demonstrably illegitimate laws and institutions to continue would itself

constitute an injustice. If so, the ideal standard of the general will appears to demand the swift and total eradication of an unjust status quo, a goal that readily incites violent revolution.

For Gentz and Rehberg, then, Kant has not succeeded in providing a plausible blueprint for the rightful and peaceful reform of actual states that effectively mediates the tension between the competing claims of the people and the *ancien régime* dramatically exposed in revolutionary France. On the side of the people, Kant's unconditional prohibition on rebellion leaves the public in dour subjection to an unchecked and irresistible political authority liable to commit injuries and abuses. On the side of the government, Kant's ideal norm of popular sovereignty exposes the state to instability and upheaval by condemning scores of its laws and customs as unjust and intolerable abuses of public power that must be speedily eliminated. Instead of convincing his audience that pure political principles can and should be put into practice, Gentz and Rehberg argue that Kant's treatment of political change terminates in the unsatisfactory extremes of quietism and radicalism.

#### 4. The reformer: the moral politician in Kant's 'Perpetual Peace'

As mentioned above, while Kant's response to Biester's request for a reply to the Gentz and Rehberg reviews of 'Theory and Practice' implies a lack of interest in engaging with their criticisms, Kant could ill afford to leave the challenge of his well-known pupils unanswered. Others agreed. In 1795, a rejoinder to Gentz on behalf of Kant was published under the pseudonym 'Aletes'.<sup>41</sup> If Kant himself wanted to address Gentz and Rehberg, his next major statement on politics, 'Perpetual Peace' (1795), would be the perfect occasion to do so.

Now, Kant does not mention Gentz or Rehberg by name in 'Perpetual Peace', and so, it is impossible to know for sure whether his portrait of the moral politician is meant to rebut the 'Theory and Practice' reviews. Still, Kant's 1795 essay contains allusions to Gentz and Rehberg that indicate his intention to respond to his conservative followers. In a footnote, he cites a passage from Gentz's translation of the counter-revolutionary writings of Mallet du Pan (PP, 8: 353n). According to Kiesewetter, Gentz noticed the reference and took it as an incitement to continue his debate with Kant (Corr, 12: 47).<sup>42</sup> Similarly, at one point in 'Perpetual Peace', Kant alludes to a lawyer (*Jurist*) who abuses his power by unfairly 'put[ting] the sword' onto one side of the scales of justice, repeating language used to describe Rehberg in his letter to Biester (PP, 8: 369; Corr, 11: 496).<sup>43</sup> Furthermore, over the course of the essay, Kant uses several appellations – for example, 'practical politician' (8: 343), 'worldly-wise statesman' (8: 343), 'politically prudent men' (8: 373) – to refer to a type of political operative who impugns the applicability of rational norms to human beings and instead derives political principles from experience alone. This seasoned, down-to-earth political expert, who scoffs at the proposals of a 'theoretical politician' and 'academic [*Schulweiser*]' (8: 343) like Kant, is a central target of 'Perpetual Peace', and can be taken as a proxy for the professional politicians Gentz and Rehberg. Indeed, Kant appears to open the essay with an allusion to the Gentz and Rehberg reviews of 'Theory and Practice' by requesting that the practical statesman proceed consistently and decide whether Kant's apparently contentless ideas (*sachleere Ideen*) are harmless or dangerous to the state (*ibid.*).<sup>44</sup>

In short, although Kant did not undertake an open refutation of his conservative followers, this does not mean that he ignored Gentz and Rehberg's criticisms of 'Theory and Practice'. On the contrary, the fact that Kant kept his conservative pupils in mind throughout the 1790s is indicated by the following remark from a late reflection: 'Gentz: political propaganda [*Staatsanpreisungen*] for the Prussian monarchy' (R 1539, 15: 965).<sup>45</sup>

In this section, I will argue that Kant's account of the moral politician in the First Appendix to 'Perpetual Peace' functions as a reply to the Gentz and Rehberg reviews of 'Theory and Practice'. The argument will proceed in three steps. First, I will outline Kant's critical reconstruction of Gentz and Rehberg's political outlook in the First Appendix, a stance embodied by the figure of the political moralist. Next, I will move on to Kant's contrasting portrait of the moral politician and show how the latter responds to Gentz and Rehberg's challenge for him to provide a workable model of politics determined by a *priori* right. Finally, I will juxtapose the moral politician's views on popular sovereignty and revolution with those of a third, radical figure discussed in the First Appendix, the despotizing moralist. In sum, we will see that Kant's sketch of the moral politician answers Gentz and Rehberg's charge that his theory of right is insufficient for actual political practice and fails to adequately address the issues of popular sovereignty and political transformation highlighted by the French Revolution.

#### 4.1 Prudence over right: the political moralist

According to Kant, his description of the moral politician is meant to reconcile the apparently incompatible claims of morality and politics, and to thereby show that his political philosophy does not generate a 'conflict [*Streit*] of practice with theory' (PP, 8: 370). As the *Theorie/Praxis* terminology suggests, Kant uses the moral politician to address the main issue raised by Gentz and Rehberg in their reviews of his 1793 essay, namely, the infeasibility of Kant's pure principles of right as a foundation for real-world political activity. This line of objection is personified by the political moralist.<sup>46</sup> Before discussing Kant's moral politician, it is worthwhile to consider the contrasting figure of the political moralist. Kant's depiction of the political moralist, I submit, provides him with the occasion to reconstruct and criticise Gentz and Rehberg's political stance. The latter is captured by the following four claims that Kant attributes to the political moralist.

First, like Gentz and Rehberg, the political moralist does not dispute the formal validity of Kant's political principles. Rather, the political moralist accepts the claim that rational norms can and should determine political affairs, but denies that flesh-and-blood human beings are consistently capable of action in accordance with a *priori* right (PP, 8: 371, 373).<sup>47</sup> Second, in place of the allegedly contentless (*sachleer*) and unfeasible (*unausführbar*) ideals of pure reason (8: 371), the political moralist follows Gentz and Rehberg in basing his political activity on the values and evidence of experience. According to Kant, the political moralist thus looks to factors like the 'empirical principles of human nature', 'the way of the world' (8:371), and the examples of 'the hitherto most lasting constitutions' (8: 374) as guides for political action. Third, again like Gentz and Rehberg, the political moralist is a conservative resistant to political progress. By rejecting the practicability of an objective measure

of right that transcends past and present experience, the political moralist inevitably sanctifies the injustices of the status quo. '[W]hatever lawful constitution now exists', as Kant puts it, 'must always be the best' (8: 373), even if it is 'contrary to right' (8: 374).<sup>48</sup> In response to Gentz's claim that his views on rebellion abandon the people to despotism, Kant insists that it is the political moralist who betrays (*preisgeben*) the people to those in power by 'mak[ing] improvement impossible and perpetuat[ing] . . . violations of right' (8: 373).

As a fourth claim, Kant classifies the vaunted know-how of the political moralist as a specifically political form of prudence (*Staatsklugheit*) (PP, 8: 371). This allows him to draw on the notion of *Klugheit* operative in his moral philosophy to point out some limitations of the political moralist's shrewd pragmatism (e.g., Gr, 4: 416–19).<sup>49</sup> If experience is the lodestar of action for the political moralist, then his conduct is limited to what Kant calls *material* (as opposed to *formal*) principles of action, that is, the pursuit of empirically conditioned ends or interests (8: 377). Whether his aim is to preserve the ruling regime (8: 373), augment its power on the international stage (8: 344, 375), or, more charitably, to advance the 'welfare and happiness' of the state (8: 379), the actions of the political moralist are restricted to 'maxims for choosing the most suitable means to one's purposes aimed at advantage' (8: 370). In their reviews of 'Theory and Practice', Rehberg had contrasted the laudably prudent conduct (*kluge Behandlung*) of rulers with Kant's dubious, 'purely theoretical principles' (TPR, 1175),<sup>50</sup> while Gentz had urged Kant to reconsider his anti-paternalist claim that general happiness is not an object of rightful legislation (TPG, BM 528–9/DH 96–7). In response, Kant argues that instrumental calculations about what is most advantageous and the best means to achieving it are highly uncertain, for they require a level of insight into the consequences of actions and events that eludes human comprehension (8: 370, 377). Generalisations about human nature (8: 371, 374) or history (8: 377) cannot surmount this difficulty. The supposedly sound procedure of laying out and executing a course of action designed to maximise a chosen interest thus involves complications that are absent when following the clear directives of a *priori* right.<sup>51</sup> In short, Kant turns the charge of impracticability back at Gentz and Rehberg by stressing the unreliability of sheer experience as a basis for political action.

Crucially, Kant does not dismiss the importance of prudence to politics *tout court*. Instead, as we will now see, the moral politician is designed to show that Kant's philosophy of right is compatible with the kind of pragmatic, experiential approach to politics emphasised by Gentz and Rehberg.

#### 4.2 Right meets prudence: the political wisdom of Kant's moral politician

As mentioned above, Kant's portrait of the moral politician in 'Perpetual Peace' is meant to illustrate the application of his political principles to experience and to thereby defuse Gentz and Rehberg's objection that his political theory cannot be translated into practice. In response, Kant does not dispute that politics requires a particular technique of prudential calculation and decision-making geared to the specificities and contingencies of socio-political reality. On the contrary, he argues that some form of political prudence can co-exist (*zusammen bestehen können*) with the obligations of a *priori* right incumbent upon rulers (PP, 8: 372). In fact, as we will see

shortly, Kant's claim is stronger than this formulation suggests: the moral politician *must* exhibit political prudence if right is to be implemented in experience.

How exactly does the moral politician model the unity of right with prudence? The starting-point for Kant's answer lies with his description of what I will call the *negative* and *positive* criteria of action for the moral politician.<sup>52</sup> Let us begin with the first. Kant says that the moral politician makes right 'the limiting condition [*einschränkende Bedingung*] of politics' (PP, 8: 372). Put another way, the moral politician does nothing that violates the rational standard of right. In contrast to the political moralist, then, the moral politician unconditionally prioritises right over prudence such that the former is never sacrificed for the sake of the latter. '[A]ll politics', as Kant puts it, 'must bend its knee before right', which must not be 'pragmatically conditioned' by political expediency (8: 380).<sup>53</sup> As we saw above, Gentz and Rehberg criticised Kant for failing to address the practical and metaphysical complexities involved in the application of his political norms to experience. Kant replies by stressing the simplicity of this procedure: the requirement that politicians should not act contrary to a *priori* right imposes clear, non-onerous guardrails on political practice. '[A]lthough politics by itself is a difficult art', he declares, 'its union with morals [*Moral*] is no art at all; for as soon as the two conflict with each other, morals cuts the knot that politics cannot untie'.<sup>54</sup> To be sure, Kant acknowledges that, at times, the moral politician will have to overcome the potent obstacle of self-interest to avoid contravening right (8: 372, 380). Nevertheless, he insists that the notion of a 'moral' politician capable of consistently refraining from injustice is hardly outlandish.

In terms of the second, positive criterion of action for the moral politician, another defining characteristic is her commitment to improving the state by bringing it into closer 'conformity with natural right, which stands before us as a model in the idea of reason' (PP, 8: 372). More specifically, Kant says that the principal objective of the moral politician is to reform the state according to the standard of 'the best constitution in accordance with laws of right' (ibid.), that is, 'a truly republican' government (8: 377) in which 'the general will given *a priori* ... alone determines what is laid down as right' (8: 378). Although the overt language of republicanism is absent from 'Theory and Practice', the moral politician embodies the basic trajectory of political progress outlined in Kant's 1793 essay. As we saw, Kant's political theory enjoins rulers to pattern existing states on the counterfactual paradigm of a fully rightful, self-legislating polity, in which the lawful freedom of each is the sole condition of public coercion willable by all as both sovereign and subject.

This brings us to the crux of Kant's rejoinder to Gentz and Rehberg. According to Kant, the rather demanding and ambitious task of moulding an actual state in the image of an ideal, entirely self-legislating republic is not just compatible with political prudence but *requires* it. While the duty of the moral politician is to remedy the injustices and imperfections of the state exposed by Kant's norms of right 'as soon as possible', political prudence (*Staatsklugheit*) dictates that 'it would indeed be absurd to require that those defects be altered at once and violently [*sofort und mit Ungestüm*]' (PP, 8: 372; cf. 378). Here, however, a problem seems to arise. Setting aside the question of violence for now, this prudential restriction on the positive agenda of the moral politician seems to run afoul of her negative criterion of action. By *omitting* to swiftly dismantle unjust laws and institutions, does not the moral politician act contrary to right and follow the political moralist in placing prudence before practical



reason? As we saw earlier, Rehberg articulated a version of this point in his review of 'Theory and Practice'.<sup>55</sup>

Kant resolves this dilemma by appealing to what he calls the 'permissive law of reason'.<sup>56</sup> According to the latter, one can 'allow a situation of public right afflicted with injustice to continue until everything has either of itself become ripe for a complete overthrow [*Umwälzung*] or has been made ripe by peaceful means' (PP, 8: 373n). As Kant explains earlier in 'Perpetual Peace', the permissive law does not annul, or make an exception to, a duty of right imposed on a ruler. Rather, it 'subjectively widens his warrant [*Befugniß*]' to act by granting him the latitude to delay obligatory reforms in circumstances in which 'implementing the law prematurely [would] counteract its very purpose' (8: 347). Likewise, in the First Appendix, Kant says that the moral politician may postpone rectifying the injustices of an existing polity 'until a more favorable time' (8: 373; cf. 378). For example, dissolving a civil union 'before a better constitution is ready to take its place is contrary to all political prudence' (8: 372) because such 'premature reform' foreseeably risks de-stabilising the state and plunging it into anarchy (8: 373n). Accordingly, while the moral politician 'will make reforms in keeping with the ideal of public right [a] duty', an essential component of her distinctive political wisdom (*Staatsweisheit*) is the ability to discern when to avail herself of the permissive law of reason and defer political change if contingent conditions render its enactment unlikely to succeed. In sum, while the demands of actual politics cannot, as the political moralist holds, sanction or excuse injustice, political prudence does require the moral politician to consider whether the legislative improvements demanded by *a priori* right should be delayed in order to avert the defeat of her agenda.<sup>57</sup>

The moral politician's utilisation of the permissive law of reason allows Kant to frame the application of his political principles to experience as a slow, piecemeal course of legislative reform that does not entail the kind of sudden rupture with the status quo feared by conservatives like Gentz and Rehberg. Although Kant's regulative norm of the perfect, self-legislating state posits a radical, if empirically unattainable, terminus of political progress, his portrait of the moral politician makes it clear that bringing existing states into closer alignment with their republican ideal is a prolonged process subject to concrete political constraints. Rather than hastily ignoring or discarding the facts of experience, a defining feature of the moral politician is her ability to account for political reality in order to successfully put Kant's doctrine of right into practice.

We will now see how this model of political reform impacts Kant's revised presentation of his views on popular sovereignty and revolution in 'Perpetual Peace'.

#### 4.3 Right without prudence: the despotizing moralist, popular sovereignty, and revolution

Although Kant devotes the bulk of the First Appendix in 'Perpetual Peace' to contrasting the conduct of the moral politician with that of the political moralist, both are also distinguished from a third personage, the despotizing (*despotisirende*) moralist (PP, 8: 373). Like the moral politician but unlike the political moralist, the despotizing moralist is committed to the practical realisation of Kant's political principles. Unlike the moral politician and the political moralist, however, the

despotizing moralist 'err[s] in practice' by 'offend[ing] in various ways against political prudence'. How so? The despotizing moralist makes the mistake of attempting to transform the state through measures that, while just, are 'prematurely adopted or recommended'. Furthermore, as the label 'despotizing' moralist suggests, this figure is willing to resort to unduly coercive or violent tactics to achieve otherwise morally obligatory political aims. In short, the despotizing moralist ignores the chief directive of prudence that guides the moral politician – the empirical proposition that it is rash and self-defeating to try to ameliorate the manifold injustices of existing polities 'at once and violently' (8: 372; cf. 378).

While Kant says little about the despotizing moralist, the latter serves an important twofold function in the argument of the First Appendix. First, the despotizing moralist provides Kant with a radical foil by which to reinforce his cautious, pragmatic approach to political change embodied by the moral politician. As in 'Theory and Practice', he distinguishes his political stance from alternatives to his left and his right in order to position himself as a sensible moderate opposed to the extremes of Jacobinism and conservatism.<sup>58</sup> Second, the contrast between the moral politician and the despotizing moralist brings out Kant's rejoinder to Gentz and Rehberg on the questions of popular sovereignty and political transformation. The remainder of this section will consider this important dimension of the First Appendix.

As mentioned above, the main positive task of the moral politician is 'to keep constantly approaching the end [Zweck]' of a completely rightful, self-legislating republic through a gradual process of legislative change (PP, 8: 372). In 'Perpetual Peace', Kant takes pains to show that this republican trajectory of reform does not entail the sudden or forceful imposition of a democratic constitution on a non-democratic state. Such a course of action, which would presumably be advocated by the despotizing moralist, was deplored by conservatives after 1789 (i.e. Gentz's despotic, 'thousand-headed monster of a self-governing people'). In the 'First Definitive Article for Perpetual Peace' (8: 349–53), Kant addresses this issue as part of his response to Gentz and Rehberg's charge that he leaves the form of the state corresponding to his norm of popular sovereignty undetermined. An *a priori* rightful constitution, Kant says, is a republican constitution defined by two features: (1) the separation of the executive and legislative powers (precisely the kind of constitutional issue that Gentz had accused Kant of neglecting in 'Theory and Practice'), and (2) government that 'represents' the general will. According to Kant, while a republican constitution is often conflated with a democratic constitution, neither (1) nor (2) requires a democracy, and both can obtain in an aristocracy or autocracy. He also makes the stronger claim that '*democracy* in the strict sense of the word is necessarily a despotism' because it violates (1) and (2) (8: 352). Democracy 'in the strict sense' seems to refer to the direct democracies of antiquity (8: 353), which, Kant adds later, are often given as examples of 'badly organized constitutions' by the political moralist to undermine the prospect of reform (8: 378).<sup>59</sup> Besides distinguishing democracy from republicanism, Kant makes the surprising claim that republican transformation is most readily implemented in an autocracy (8: 353).<sup>60</sup> To be sure, Kant also seems to suggest that in a genuinely republican constitution, at least *some* subjects of the state are also citizens endowed with a form of plebiscitary power (8: 351). Nonetheless, because the general will is a regulative norm of reason

that does not refer to the actual consent of a people, an autocrat like Frederick the Great can govern in a republican spirit (*Geist*) by ruling as if laws and institutions were the object of omnilateral agreement for a merely possible, ideal people – a ‘people’ that only consents to the exercise of public coercion for the sake of rightful freedom (8: 352).<sup>61</sup>

Kant returns to the status of popular sovereignty in his political theory and explains its impact on the moral politician in the following passage from the First Appendix:

A state can already *govern* itself in a republican way even though, by its present constitution, it possesses a despotic *ruling power*, until the people gradually becomes susceptible [*fähig*] to the influence of the mere idea of the authority of law ... and thus is found fit [*tüchtig*] to legislate for itself. (PP, 8: 372; cf. CF, 7: 91)

This passage makes two key points. First, the moral politician may find that the populace is not yet ready to exercise self-legislation. In such cases, prematurely asking or even forcing the people to participate in government would undermine her long-term goal of reforming the state by unleashing deleterious outcomes like civil disorder or ochlocratic despotism.<sup>62</sup> The moral politician thus recognises that a people’s ‘fitness’ to self-legislate is not simply given, but instead arises from an experiential course of development – that is, enlightenment – that a ruler ought to suitably promote (or at least not hinder).<sup>63</sup> Second, by arguing that even despotic autocrats like Frederick the Great can rule, to some degree, in a republican fashion, Kant stresses that his political theory does not invalidate the majority of European regimes *tout d’un coup*. As we saw, this was one of Rehberg’s major concerns about ‘Theory and Practice’. In reply, Kant insists that the actualisation of a *priori* right via the reformist course of the moral politician can begin in even the most backward political conditions and does not necessitate the swift and disruptive imposition of popular rule. Unlike the despotizing moralist, Kant’s moral politician recognises that empirical variables such as history, custom, and education may pose serious obstacles to the prospect of popular self-governance that cannot be altered overnight.

This brings us to the subject of revolution. In their reviews of ‘Theory and Practice’, Gentz and Rehberg both pointed out circumstances that might call for rebellion against an unjust regime. In addition, Rehberg argued that Kant’s concept of the *a priori* general will implied an obligation to immediately destroy the *ancien régime* that was inconsistent with his unconditional prohibition on revolution. Kant’s response in the First Appendix builds on a claim from ‘Theory and Practice’. While the injustice of revolution is a *priori* certain, the outcome of insurrection in experience is uncertain and unforeseeable. Whether a particular act of rebellion is vindicated or condemned is in large part dependent upon its success or failure, a contingency that Kant believes supporters of revolution to have ignored (TP, 8: 301). In ‘Perpetual Peace’, Kant frames this argument in terms of the political imprudence of the despotizing moralist. By employing violence for the sake of right, the despotizing moralist not only acts unjustly but also risks bringing about conditions that will render the achievement of his aims less likely. As mentioned above, abrupt and violent political change can push a legitimate, if highly imperfect, polity into a much worse state of anarchy (PP, 8:

373n). Moreover, an unsuccessful revolution provokes reaction and lawful punishment from the state (8:372–3). Contrary to Gentz and Rehberg, then, Kant holds that reason and experience are united in rejecting revolution.

A final consideration. While the moral politician recognises the dangers and uncertainties of revolution and so disavows political violence on legal and prudential grounds, Kant makes the interesting remark that ‘experience must gradually bring’ the despotizing moralist ‘onto a better course’ (PP, 8: 373). This comment, written during the Thermidorian Reaction that followed the overthrow and execution of Robespierre, can be taken as an expression of what Kant sees as the lessons of the failures of Jacobinism.<sup>64</sup> Still, while the despotizing moralist can be reformed by experience, Kant suggests an intransigence on the part of the political moralist with respect to his view that ‘human nature is not *capable* of what is good in accord with the idea [of right]’. But experience also holds a lesson for the political moralist: the spectre of a violent revolution arising from a ‘bad constitution’ that has been left unreformed for too long (8: 372; cf. TP, 8: 306).<sup>65</sup>

## Conclusion

I have argued that Kant uses his depiction of the moral politician in ‘Perpetual Peace’ to address Gentz and Rehberg’s criticisms of Part Two of ‘Theory and Practice, the first public presentation of his mature political philosophy. We saw that Kant read the Gentz and Rehberg reviews of his 1793 essay and that ‘Perpetual Peace’ contains allusions to both ‘dissident Kantians’.<sup>66</sup> Kant’s conservative pupils objected to: (1) his account of the relationship between theory and practice in politics, (2) his norm of popular sovereignty, and (3) his conception of political transformation. As the personification of ‘the doctrine of right put into practice’ (PP, 8: 370), the moral politician provides Kant with a second opportunity to demonstrate that his pure political norms can be used in experience by real-world legislators. His ensuing model of politics is a principled yet feasible synthesis of right with prudence that avoids the inverse defects of conservative complacency (i.e. the political moralist) and radical zeal (i.e. the despotizing moralist). Authorised by the permissive law of reason to delay obligatory reforms until conditions favourable for their implementation arise, Kant’s moral politician demonstrates that *any* state, whatever its present constitution or regime, can undergo ‘republicanization’<sup>67</sup> through a peaceful course of legislative change in which injustices are remedied in a careful, opportune manner. The moral politician thus makes it clear that the yawning gap between right and reality exposed by Kant is best navigated by the steady, orderly approach of an imperfect polity towards its asymptotic ideal of a completely just, self-legislating state. What emerges is a political theory that combines a rigorous prescription for ambitious, yet manageable, republican reform ‘from above’ with normative *and* prudential grounds for rejecting radical measures *du jour* like revolution and the abrupt, potentially chaotic institution of popular rule. Although key features of Kant’s rejoinder to Gentz and Rehberg predate ‘Theory and Practice’,<sup>68</sup> I have shown that Kant’s conservative critics provided a compelling impetus for him to publicly clarify and underscore his pragmatic, moderate political stance in ‘Perpetual Peace’.

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## Notes

- 1 Unless otherwise noted, all translations are from The Cambridge Edition of the Works of Immanuel Kant, the individual volumes of which are Kant (1996, 1999, 2016). In some cases, I have slightly modified the translation. The following abbreviations are used for Kant's writings: 'Anth' = *Anthropology from a Pragmatic Point of View*, 'CF' = *The Conflict of the Faculties*, 'Corr' = 'Correspondence', 'CPPr' = *Critique of Practical Reason*, 'DrPP' = 'Drafts for 'Perpetual Peace'', 'DrTP' = 'Drafts for 'Theory and Practice'', 'Gr' = *Groundwork of the Metaphysics of Morals*, 'LecAnth' = *Lectures on Anthropology*, 'MM' = *The Metaphysics of Morals*, 'PP' = 'Perpetual Peace', 'R' = 'Reflections', 'Rel' = *Religion Within the Boundaries of Mere Reason*, 'TP' = 'Theory and Practice', 'UH' = 'Idea for a Universal History with a Cosmopolitan Aim', 'WA' = 'What is Enlightenment?'.
- 2 This phrase comes from Mendelssohn's *Morgenstunden* (1843–5: II, 235).
- 3 See the letter of 15 June 1793 to Kant from J. G. C. C. Kiesewetter (Corr, 11: 436–7), as well as the 20 September 1793 letter from Fichte (11: 451–2).
- 4 Kant was disturbed by the initial indifference that met the *Critique of Pure Reason* following its appearance in 1781. He went so far as to blame the influence of his former student, Herder, on the German intellectual milieu for the lack of interest in the critical project. See Kuehn (2001: 250–4, 293).
- 5 See, for instance, Heine (2007: 78–9, 87–8) and Marx and Engels (1975: 206).
- 6 See Maliks (2014: 1–15).
- 7 Besides Maliks (2014), see Clarke and Gottlieb (2021) and Maliks and Widmer (2025).
- 8 Weinrib (2014: 122) calls it 'a neglected appendix'.
- 9 Williams (1983: 39–49, 273) highlights the moral politician as one of the most distinctive and significant features of Kant's political thought. Other detailed discussions of the Appendix to 'Perpetual Peace' include Clarke (1996), Weinrib (2014: 122–35), Wood (2014: 90–118), and Caranti (2017: 235–55). Guyer (2015) is not an in-depth treatment of the Appendix, but he discusses the moral politician and several key issues in Kant's thought that pertain to the former.
- 10 The Gentz and Rehberg reviews are discussed by Henrich (1993: 102–7), Beiser (1992: 307–9, 325–6), and Maliks (2014: 56–60). Maliks (2014: 60–3, 77) makes the further claim that Kant replies to the Gentz and Rehberg reviews in 'Perpetual Peace', a view shared by Brandt (1997: 235–40). Gregory (2022: 579–86) also argues for the impact of the Rehberg review on 'Perpetual Peace', including Kant's account of the moral politician.
- 11 See DrTP, 23: 127. Here, Kant mentions the views of a 'professor of mathematics' on revolution (Kästner) and the claim that 'metaphysics' is 'a cause of revolution against the state' (Rehberg). Kant had declined an earlier offer (in March 1793) to re-issue his 1784 'Universal History' essay 'with addenda directed to current affairs', writing that 'a pygmy who values his skin' should 'stay out of [the] fight' when 'the powerful of this world are in a drunken fit' (Corr, 11: 416–17).
- 12 For Burke, the events in France constitute a 'philosophic revolution', led in large part by a 'literary cabal' professing a 'political metaphysics' drawn from Rousseau and other *philosophes* (1987: 51, 75, 97, 116).
- 13 For further discussion of Kant and Rehberg's *Investigations*, see Kryluk (2025: esp. 303–19). The relevant selections from the *Investigations* are also translated by Kryluk as Rehberg (2025).
- 14 According to Rehberg, a reader of *The Social Contract* endowed with sound practical judgement arrives at a 'skeptical despair concerning the truth of all universal principles' in politics. Rousseau's work amounts to an 'ideal' that cannot be applied to experience, 'a profound and coherently explained system whose object is nevertheless nowhere to be found, like a splendid edifice that hovers in the air and rests on soap bubbles' (1793: I, 18–20). I will return to Rehberg's scepticism in section 3.
- 15 In the *Doctrine of Right*, the status of 'the people' as a strictly legal entity that is necessarily subordinate to an unopposable state power flows from the postulate of public right. '[W]hen you cannot avoid living side by side with all others', as Kant puts it, 'you ought to leave the state of nature and proceed with them into a rightful condition', i.e. a civil union, in which 'between the *commander* (*imperans*) and the *subject* (*subditus*) there is no partnership [*Mitgenossenschaft*]' (MM, 6: 306–7).

Accordingly, the people ‘owes its existence only to the sovereign’s legislation’ (6: 322n). See also TP, 8: 289 and PP, 8: 349n.

16 Gentz (1793) and Rehberg (2021). All subsequent references to these pieces will be abbreviated as TPG (for the Gentz review) and TPR (for the Rehberg review). For TPG, I will cite the original pagination from the *Berlinische Monatsschrift* (Gentz 1793 = BM) as well as that of the re-print in Henrich (1967 = DH). In this, I follow Michael Gregory’s English translation of TPR.

17 See Sweet (1941: 6n10). For general background on Gentz, see Sweet (1941) and Beiser (1992: 317–26). For Rehberg, see Epstein (1966: 547–94) and Beiser (1992: 305–9).

18 See Beiser (1992: 288, 318–19).

19 The *Pflegemutter* comment is cited by Beiser (1992: 317). Note, too, the following remark from Rudolf Haym cited in Henrich (1993: 102): ‘everywhere he [Gentz] is ready to confess himself Burke’s student, only he must be allowed at the same time to regard himself as the perpetual student of Kant’.

20 See Reinhold (1792: ix–x). Rehberg’s review was sent to Kant by C. G. Schütz in June 1788 (Corr, 10: 541–3).

21 Rehberg was secretary to the privy council (*Geheime Ratskollegium*) in Hanover, while Gentz held the title of war councilor (*Kriegsrat*) in the Prussian government. Gentz later took up a position in the Austrian government and worked closely with Metternich at the Congress of Vienna.

22 See especially the comparison between Kant and ‘the grandiloquent legislators of France’, who purportedly share his commitment to the ‘rights of the human being’. Gentz also suggests, contra TP, 8: 291–2, that if Kant’s principle of equality is used to rule out hereditary distinctions in civil status, there is nothing stopping its application to other types of inequality, particularly those of wealth. This would bring Kant into alignment with so-called ‘blind and treacherous defender[s] of human rights’ who have prosecuted this issue – presumably, the French revolutionaries and their supporters. See TPG, BM 534–6/DH 99–101.

23 Gentz’s most substantive point here is that Kant’s claim that all subjects must possess an equal right to lawfully coerce one another is compatible with the existence of a hereditary nobility. See TP, 8: 291–4 and TPG, BM 529–34/DH 97–9.

24 See TPG BM 536/DH 101 and TP, 8: 306. Gentz appears to adapt *Pfuscher* from Kant’s use of *pfuschen* at 8: 302.

25 Another way Gentz puts this is that Kant has developed only one part of ‘general political science [*Staatswissenschaft*]’ (TPG, BM 540/DH 103).

26 The importance of Rehberg’s scepticism to his conservative criticisms of Kant’s political theory is also stressed by Beiser (1992: 306–7) and Gregory (2022: 569–71).

27 See Rehberg (1975: 185–96, especially 185–6, 191; 1828–31: I, 12–16). As the latter text makes clear, Rehberg interpreted the critical philosophy in the spirit of Hume’s scepticism, i.e. as a demolition of dogmatic metaphysics and its professed insight into the existence of supersensible objects via a rigorous demarcation of the experiential limits of human knowledge. An English translation of Rehberg’s review of the second *Critique* can be found in Walschots (2024: 229–45).

28 Rehberg thus denies Kant’s claim that pure reason can produce a motivating feeling of respect for the moral law. For Rehberg, such respect can only be an empirical sensation (*Empfindung*) (1975: 187–9).

29 See Rehberg (1975: 186; 1793: I, 8, 19). I will return to the general will in 3.2 below.

30 Rehberg goes as far as to undermine a natural right of exclusive ownership over one’s body: ‘By what means does he [i.e. the human being] prove that his body is given to his own reason in such a way as to be exclusively his own property [*Eigentum*] such that another reasonable being may not use it for his own ends?’ (TPR, 1171). For further discussion of this claim and its relation to Kant, see Tomassini (forthcoming).

31 Rehberg’s fullest statement of his political theory is contained in Part One, Chapter Two of the *Investigations*. See especially Rehberg (1793: I, 43–55), as well as TPR, 1173–4.

32 Maliks (2014: 57) frames this point as an anticipation of Hegel’s ‘empty formalism’ objection to Kant’s categorical imperative. Gregory (2022: *passim.*) calls it ‘the problem of political matter’ that Rehberg raises for Kant.

33 I will return to this aspect of Rehberg’s argument in my discussion of the general will in 3.2.

34 See Rehberg (1793: I, 20) and TPR, 1167. Note, however, that Rehberg does not claim that rational principles have no place in politics. For instance, he suggests that civil laws must not contradict the moral law. See TPR, 1172, as well as Rehberg (1793: I, 12, 44–5).



35 Rehberg says that the ‘form of the state constitution [*Form der Staatsverfassung*] is indifferent’ to Kant because he is only concerned with the conformity of a government to the general will, that is, its legitimacy for pure reason (TPR, 1174–5). See also Rehberg (1793: I, 10–11).

36 Rehberg attributes the ‘republic of gods’ point to Rousseau. He seems to allude to the following remark from *The Social Contract*: ‘Were there a people of gods, it would govern itself democratically. So perfect a government is not suited to men’ (Rousseau 1987: 180).

37 Note that Gentz tries to save Kant from this implication. See note 23 above.

38 The term is used by Rehberg at TPR, 1175. Note, too, the language used to describe the French National Assembly at 1173.

39 While Gentz’s position on revolution here is surprisingly less conservative than Kant’s, it is not *ipso facto* incompatible with 1790s political conservatism. Burke also claims that rebellion against an illegitimate government can be justified as a matter of necessity. This was the case during the Glorious Revolution in Britain, but it does not apply to the French Revolution. See Burke (1987: 16, 24–7, 72–3).

40 For the claim that Kant accepts the type of moral obligation to overthrow an exceptionally tyrannical or barbaric regime identified by Gentz, see Ripstein (2009: 336–43). Compare PP, 8: 382 and MM, 6: 320, 371.

41 See Maliks (2014: 60).

42 Gentz would go on to publish an essay titled ‘On Perpetual Peace’ in the December 1800 edition of his *Historisches Journal*. This wide-ranging piece is not a review of Kant’s 1795 essay, but it does contain criticisms of the latter. For discussion, see Maliks (2014: 145–6, 159).

43 This is noted by Maliks (2014: 63). He also points out that the term ‘trickery’ or ‘machination’ (*Praktiken*), which Kant uses at Corr, 11: 497 to describe Rehberg’s views, also occurs at PP, 8: 373. In the latter passage, the self-serving tactics of ruthlessly pragmatic politicians are compared to those of ‘true lawyers [*Juristen*]’. Cf. DrPP, 23: 163–4.

44 To be clear, my claim is not that the practical politician et al. is meant to *exclusively* represent Gentz and Rehberg. Kant’s opposition to strictly empirical approaches to politics is evident as early as the *Critique of Pure Reason* (A316–19/B373–5). It is thus plausible that Kant’s various personifications of his conservative foil in ‘Perpetual Peace’ are also informed by sources and individuals other than Gentz and Rehberg. Still, as I will argue, there are good reasons for taking the practical politician and his equivalents as stand-ins for Gentz and Rehberg on many key points.

45 My translation. According to Erich Adickes, Kant’s comment could refer to: (1) per Kiesewetter (Corr, 12: 268), Gentz’s commission by the Prussian authorities to write a ‘government journal’ that would act as an ‘antidote’ to progressive political sentiment (i.e. Gentz’s *Historisches Journal*); and/or (2) Gentz’s 1797 public letter written to Friedrich Wilhelm III upon his accession to the Prussian throne. For background, see Sweet (1941: 34–6, 42–57).

46 Although Kant uses other labels for his main political antagonist in the First Appendix – e.g. the moralizing politician, politically prudent men (PP, 8: 373) – for the sake of simplicity, I will treat these as equivalent to the political moralist, the personage most frequently invoked by Kant in this segment (8: 372, 376–8, 380). For the view that the moralizing politician is distinct from the political moralist, see Caranti (2017: 237–8).

47 According to Kant, the political moralist is happy to accept the abstract validity of pure practical principles because he cynically uses the language of right to sanitize and conceal his unjust ends. This seems to be Kant’s primary reason for employing the ironic term ‘political moralist’, who ‘frames a morals [*eine Mora*] to suit the statesman’s advantage’ (PP, 8: 372; cf. 376). While Gentz and Rehberg do not articulate such an openly Machiavellian strategy, Kant might have taken their admission that *a priori* political norms are formally binding as the kind of lip service to right frequently exploited by cunning politicians.

48 Note Kant’s claim in his letter to Biester that, in his review of ‘Theory and Practice’, Rehberg has ‘decided in favour of the powers that be’ (Corr, 11: 496).

49 Indeed, this segment of the *Groundwork* already contains political implications: ‘For *sanctions* are called “pragmatic” that do not flow strictly from the right of *states* as necessary laws but from *provision* for the general welfare’ (Gr, 4: 417n).

50 Note, too, the use of *Klugheit* a few lines below at TPR, 1175.

51 As Guyer (2015: 117) puts it, for Kant, an *a priori* political norm 'is accessible to any ordinary person, and the statesman needs no specialized scientific training to grasp it or its implications'. See also Gr, 4: 404 and TP, 8: 299.

52 For a different account of the moral politician that understands her actions primarily in terms of the negative and positive principles of publicity found in the Second Appendix, see Wood (2014: 99–114).

53 As Kant puts this point in his 1797 'Right to Lie' essay, '[r]ight must never be accommodated to politics, but politics must always be accommodated to right' (8: 429).

54 Note that the unity of politics with morals (*Moral*) argued for in the First Appendix does not contravene the separation of right from virtue later emphasized by Kant in *The Metaphysics of Morals* (e.g. 6: 218–21). *Moral* is defined broadly as 'the sum of laws commanding unconditionally' (PP, 8: 370) in the First Appendix and does not refer exclusively to the domain of ethics. On this point, see Wood (2014: 94–5).

55 Kant poses a similar objection in the drafts for 'Perpetual Peace', which could well stem from Rehberg: 'What the appearance of a conflict between both principles', i.e. morals and politics, 'shows is above all that one confuses having the moral idea before one's eyes as an unshakeable goal in order to realize it in practice with a supposed obligation to do this immediately (impetuously); for example, to want to transform through revolution an imperfect state' (DrPP, 23: 183).

56 For further discussion of the permissive law of reason, including its role in 'Perpetual Peace', see Weinrib (2014).

57 Caranti (2017: 242–55) argues that the prudence of the moral politician involves more than just proficiency in instrumental calculations and predictions, a skill shared by the political moralist (again, with the key difference that the actions of the moral politician are ultimately motivated and circumscribed by right). For instance, unlike the political moralist, the moral politician has the know-how to act appropriately in view of the long-term tendencies highlighted by Kant's philosophy of history. On this theme, see note 65 below. Caranti also holds that 'prudence is a necessary yet also not a sufficient condition' for a successful moral politician (p. 251), who must also possess further traits and capacities – for example, a refined faculty of judgement.

58 This point is often neglected in the literature. An example is Clarke (1996: 204, 208), who correctly contrasts the 'moderate' approach of the moral politician with the 'extreme alternative[s]' of the political and despotizing moralists, but does not consider the political orientation of these three figures.

59 Consider Rehberg's (1793: I, 67–8) remarks on modern appeals to ancient democratic rights and freedoms. This passage from the First Appendix suggests that the democratic despotism criticized in the First Definitive Article is applicable to 'democracies without a representative system' in both 'ancient and modern times' (PP, 8: 378). For further discussion of this issue, see Caranti (2023).

60 According to Kant, 'the smaller the number of persons exercising the power of a state (the number of rulers) and the greater their representation, so much the more does its constitution accord with the possibility of republicanism' (PP, 8:353). In the *Doctrine of Right*, Kant seems to change his view that autocracy is the form of state most conducive to republicanism by expressing a more favourable opinion of representative democracy. See MM, 6: 339, 341; cf. 319–20. Kant's unpublished drafts for 'Perpetual Peace' also indicate that, unlike a 'pure democracy', democracy 'in a representative system' is republican (DrPP, 23: 166). The fact that Kant omitted this point from the published version of 'Perpetual Peace' may indicate his sensitivity to the accusations of radicalism levied by Gentz and Rehberg.

61 For the view that Kant modifies his position on the general will from 'Theory and Practice' by adopting *actual* popular agreement as his criterion of legitimacy from 'Perpetual Peace' onwards, see Kleingeld (2017: 73–4) and Gregory (2022: 580–2; 2023: 127–31). One problem with this interpretation is that it ignores Kant's reiterations of the ideal, merely possible character of omnilateral consent in *The Conflict of the Faculties* (1798). See CF, 7: 88, 91.

62 Note Kant's formulation in the drafts for 'Perpetual Peace' that 'democracy (in the genuine sense of the word), as the power of the people without representation, is . . . necessarily mob rule [*Ochlocratie*]' (DrPP, 23: 161).

63 On this theme, see WA, 8: 41–2; UH, 8: 27–8; Rel, 6: 188n; CF, 7: 89; LecAnth, 25: 1201–2. Similarly, in 'Perpetual Peace', Kant states that 'a powerful and enlightened people can form itself into a republic' (PP, 8: 356; cf. 366, 375–76n).

64 Brandt (1982: 250–5) argues that Kant's reflections on political transformation in the 1790s were also informed by the recent examples of legislative progress 'from above' in Prussia and Austria. In the latter

case, the speedy and ambitious liberal reforms of Emperor Joseph II were defeated by widespread backlash. We could therefore label Joseph II a moderate version of the despotizing moralist. For historical background, see Epstein (1966: 403–12).

65 Kant contrasts the political moralist's conception of human nature with the 'higher standpoint of anthropological observation' afforded to the moral politician by his philosophy of history. The latter provides knowledge not merely of human beings, but *the* human being 'and what can be made of him' (PP, 8: 374; cf. Anth, 7: 119). Kant articulates a version of his philosophy of history in the 'Guarantee of Perpetual Peace' (PP, 8: 360–8). That Kant hoped his conception of history would influence rulers' behaviour is evinced by e.g. LecAnth, 25: 1202–3. A key question, which I can merely pose here, is whether Kant's philosophy of history contains a satisfactory account of the transformation of political moralists into moral politicians.

66 I adapt the term 'dissident Kantian' from Alain Renault, who refers to the 'dissident Kantianism' of Rehberg in his Preface to Rehberg (1998: 13).

67 I borrow the language of 'republicanization' from Kersting (1992: 159–63).

68 A significant example is the distinction between the three forms of the state and the republican mode of governance, which ultimately stems from Book III of Rousseau's *Social Contract* and is already present in the 1784 *Naturrecht Feyerabend* (27: 1382–3).

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