Kantian Review (2025), **30**, 1–7
doi:10.1017/S1369415425000172

KANTIAN REVIEW
CAMBRIDGE UNIVERSITY PRESS

ARTICLE

Introduction

Luke Davies and Howard Williams

Philosophy, University of Oxford, Oxford, UK and Politics and Law, Cardiff University College of Arts Humanities and Social Sciences, Cardiff, UK
Corresponding author: Luke Davies; Email: luke.davies@philosophy.ox.ac.uk

Keywords: Sovereignty; Nationality; Language

This special issue of *Kantian Review* addresses the themes of sovereignty, nationality, and language in Kant. The papers collected here were presented at a conference held at Cardiff University on 1-2 June 2023, organised by Rhianwen Daniel and Howard Williams.

The question motivating this issue, which is addressed wholly or in part by each of the contributors, concerns the role played by contingent, socially, and historically influenced features of human life in central features of Kant's moral, political, and theoretical philosophy. We live in a world of great cultural and linguistic diversity and even greater diversity of opinion. Kant was certainly sensitive to this, and yet it is often unclear what role this diversity plays (whether consciously or not) in the formation and application of his philosophical principles. What, if anything, does Kant have to say to those who are struggling to make sense of how to approach the multitude of conflicts that arise due to our different linguistic and cultural starting points? Is the Kantian state ideally a melting pot, a salad bowl, or something more homogenous? What is the aim of state sovereignty on a Kantian view? And on a more fundamental level: what is the role that language plays in the formation of Kant's philosophical principles, and should he have been more attentive to that role in his writing?

Kant did not pay a great deal of attention to language and nationality in his theory of law and politics and he certainly does not give to either phenomenon the significance they have attained in later political theory. Indeed, he seems not to have anticipated the role that the concept of language was to play in twentieth-century Anglo-American analytical philosophy, nor does he foresee the sometimes-devastating role that linguistic and ethnic national divisions were to play in nineteenth and twentieth-century European politics.

This is not to say that Kant regarded nationality and language as insignificant. In places in his writings, he demonstrates pride in what Germans and Germany had achieved in modern times. He is conscious that there is a noticeable philosophical tradition from which he is very glad to draw. Over his career, he transitions to an almost exclusive use of German in his published writings. Many of his early writings, up until he was made a professor in 1770, appear in Latin, which had been the

© The Author(s), 2025. Published by Cambridge University Press on behalf of Kantian Review.

https://doi.org/10.1017/S1369415425000172 Published online by Cambridge University Press

predominant language of discourse in European philosophy from the Middle Ages. Despite this, he appears gradually to have adopted his native German as his language of choice. This of course guaranteed him a wider public circulation of his ideas. Though not a popular philosopher himself (in the mode of Christian Garve for example), it does appear that Kant took advantage of the growing public interest in philosophy in the German-speaking world. However, he does not demonstrate a romantic attachment to the language in the manner of Herder and later Fichte. Kant believes that languages must work within the framework presented by the transcendental logic developed in the first *Critique*.

The contributions collected here address some of the questions related to the role of language, sovereignty and nationality in Kant's practical philosophy. In this way, they contribute to our understanding of the continued relevance of that philosophy and the resources it offers us for our consideration of ongoing and deeply felt political, cultural, and linguistic conflicts. In a more scholarly vein, the contributions also invite us to engage with a broad range of Kant's texts, from the first *Critique* to the writings in moral and political philosophy, to the *Anthropology* and related texts. In this way, the papers collected in this issue also contribute to the ongoing project of asking how the various elements of Kant's philosophy fit together.

Both Susan Shell and Ronald Tinnevelt are interested in aspects of state sovereignty and the limits of government. Broadly speaking their animating question, approached from different perspectives, is that of how we ought to set up and maintain a state that respects the rights of its citizens. This question is particularly significant for Kant, as he views a sovereign as someone who has the final say on matters of right, and who is not subject to rightful challenge. However, since sovereigns are also human, this raises familiar worries about corruption and abuses of power. Tinnevelt raises an additional complexity related to this problem: how ought we address the problem of encroachment on or violation of citizens' rights by the sovereign without introducing illiberal laws and policies into the state?

As Shell notes, Kant seems to have changed his mind about how to address the problem of sovereignty. In work in the 1780s, he believed that a sovereign possessing a good will would be sufficient to handle these concerns: an enlightened sovereign could rule in a way that is consistent with the rights of his subjects without need for further checks on his power. But Kant was sceptical that such a person could ever be found (and how could we know if they had been?). On Shell's view, Kant changes his mind about the nature of sovereignty in his mature political works in a way that addresses this problem. Rather than thinking about a single individual as sovereign, Kant instead developed a conception of representative sovereignty according to which *the people* are sovereign and, as such, are engaged as active citizens.

Shell mentions but does not emphasise the fact that Kant does not alter his position so radically as to say that only representative democracies are legitimate. In *Conflict of the Faculties*, published after the *Metaphysics of Morals,* Kant says that a constitution can be republican either in its form (i.e., involving active representation) or only in its manner (i.e., as when a sovereign gives laws that a people *could have* given to itself) (7: 88). The bar to statehood does not require active representation, though the ideal of statehood might. Nevertheless, we have grounds for thinking that a more active citizenry could have addressed some of Kant's concerns about corruption of the sovereign. Here is one way in which that is so. In the Doctrine of

https://doi.org/10.1017/S1369415425000172 Published online by Cambridge University Press

Right, Kant invokes the *volenti* principle, 'no wrong is done to one who consents' (6: 314). On an active representation account of sovereignty, the people consent to the actions of the sovereign through their activity as citizens. This entails, according to the *volenti* principle, that they cannot be wronged by the actions the sovereign takes. For that reason, active citizenship and representative sovereignty does appear to solve the problem of sovereignty Kant grapples with in his earlier writings.

But this suggestion also raises further difficulties for Kant. For one, he does not believe that all adult members of the state are fit to participate actively in it (6: 314). Some members of the state (including all women) are merely passive when it comes to lawgiving. For them, it seems, the sovereign might be able to do wrong since they do not actively consent to the laws. Moreover, there are familiar concerns from democratic theory concerning the extent to which those who are persistently on the losing side of elections can be said to have chosen the outcome of those elections. What does representative sovereignty say in their case? Here it would seem that even the more civically progressive account of sovereignty that Kant presents in his later work is unable to address these questions, at least not on its own. One way to alleviate this problem would be to argue for a more expansive account of citizenship than the one that Kant opts for. In doing so, we would increase the number of members of a state who are represented by the sovereign. Another option, suggested by Møller, is that we take Kant's claims that the united will be legislative as stating that 'the law applies to everyone in the same manner and there are no distinctions made between individual citizens'. On Møller's reading, while the people are sovereign on Kant's view, this does not have implications for active participation in lawgiving. Rather, there need only be laws that the citizens *could have* assented to, just as Kant claims in *Conflict of the Faculties*.

One reason emphasised by Møller for sticking to this reading of Kant is that it avoids a problem that besets Fichte's political philosophy. As Møller reconstructs Fichte's views, he is committed to unanimity in the creation of a social contract. For Fichte, the formation of a state must be an actual, historical agreement agreed to by all who are subject to that state's authority. Moreover, the desire for unanimity (which Kant appears to share, see 6: 314) leads Fichte to suggest the creation of a culturally homogenous state; unanimous consent to the law is achieved by making all citizens alike. Møller argues that Kantians wanting to avoid drawing conclusions such as these ought not read a Fichtean unanimity condition into Kant's political philosophy.

Maliks is also interested in comparing Kant and Fichte. He traces Kant's influence on Fichte's early work and asks how Fichte's early political philosophy differs from Kant's mature theory worked out in the Doctrine of Right. While acknowledging the debt that Fichte owed to Kant's earlier ethical writings, Maliks argues that Fichte developed a perfectionist political theory that is at odds with Kant's political work. For Fichte, the aim of the state is to further the *moral* development of its citizens including providing the conditions for individuals to critically reflect on unjust political regimes. Thus, Maliks finds that Fichte's view has an emancipatory element built into it in a way that Kant's does not, given the latter's focus on individual, relational freedom.

Tinnevelt is interested in the resources necessary to handle Böckenförde's Dilemma: in brief, the problem of how liberal states can cultivate in their members

https://doi.org/10.1017/S1369415425000172 Published online by Cambridge University Press

the civic dispositions and attitudes necessary for the states' own continuation without ceasing to be liberal in their orientation to their citizens. That is, how do citizens in liberal democracies who are actively committed to democratic institutions secure those institutions without resorting to illiberal policies? This dilemma is particularly pressing in an age of democratic backsliding and erosions of the rule of law.

Tinnevelt suggests that 'militant constitutionalism' might, alongside 'militant democracy', be a way of addressing these problems. While militant democratic practices are those by which the possibilities for and results of democratic decision-making are curtailed in order to secure democracy itself (i.e., by banning anti-democracy political parties, restricting the possible outcomes of referenda, etc.), militant constitutionalism seeks both to enshrine certain rights and liberties in constitutional documents and to curb executive powers that might be used against citizens or to perpetuate the power of the existing regime. An important feature of these protections would be space for civic education, both in schools and more widely as part of an ongoing democratic process. With such practices in place, liberal democracies need not require a sovereign of goodwill who refrains from encroaching upon citizens' rights – the constitutional checks on sovereign power do that. There are limits to this suggestion, of course. One significant limit mentioned by Tinnevelt is that politicians themselves need to be sufficiently motivated to introduce and support these constitutional limits. While this proposal might go some way towards addressing the concerns raised by Kant's problem of sovereignty, it cannot do so without the commitment of politicians. With that said, it is hard to imagine any solution that would not run into such problems.

An interesting feature of Tinnevelt's discussion is his claim that democracy can sustain itself without shared language, religion, or national consciousness. He suggests, following Habermas, that the right set of legal procedures can itself help to shape the relevant motivations in citizens to maintain state institutions. As such, liberal institutions will themselves (without the need for recourse to illiberal measures) contribute to their own longevity due to the democratic ethos they help to promote. The institutions themselves are not sufficient for this though. Some further protections are also necessary: equality between the citizens and a prior commitment to viewing co-citizens as co-legislators being important examples. These latter pre-conditions cannot be generated by liberal democratic institutions alone.

Let us turn now to the question of language. In one of Kant's final publications, his 'postscript of a friend' to a German-Lithuanian dictionary published in 1800 (8: 443-5), he gives us an indication of his considered views on the role of language and, more incidentally, his attitude towards national identity.

We glean from the dedication that in Kant's day, there must have been a small Lithuanian-speaking enclave in or near Koenigsberg. Amongst that population, he appears to have several acquaintances and a positive view of their contribution to East Prussian society. He insists that Prussian Lithuanians deserve to be safeguarded and looked after by their German-speaking fellow citizens (Shell 2011). This is not because of the deference to the local population, but rather because of their independence of spirit. They are a valuable dimension to the society through the very difference they bring to the community. Their pride in their identity marks them out in comparison with other nations in the vicinity. The Lithuanian minority rightly deal with the authorities in Prussia on a basis of equality. They show trust in those

https://doi.org/10.1017/S1369415425000172 Published online by Cambridge University Press

authorities and the trust is reciprocated. There is a spirit of fairness on both sides. The Prussian Lithuanians show independence and pride in themselves. They can be relied on to be brave but also to be obedient.

It is also important to stress the benefits that Kant perceives Prussian society at large derives from the presence of such a national group in their midst. For,

> even apart from the usefulness which the state can draw from the assistance of a people of such character, it is to be considered no small advantage which the sciences, especially the ancient history of the migrations of peoples, can draw from the still unmixed language of an old tribe of people that is now restricted to a small area and, as it were, isolated. (8: 445)

Kant extends this openness towards other languages and cultures in the country to the Poles in their midst. Although the language is fully preserved and current in a nearby state, he still believes that it should be taught in Polish language schools in Prussia in its purest literary and grammatical form. Churches should also use the Polish language where the congregation belongs to that linguistic group. Against the background of the recent (1795) partition of Poland and the division of its territories amongst Russia, Austria, and Prussia itself, the significance of Kant's remarks should not be underestimated. Old languages and cultures should be preserved even when political power no longer resides in the hands of the native speakers.

Kant clearly regards multilingualism as an advantage. And if states have within their territory native speakers of the non-dominant language, they should be preserved. In the first place, such languages are repositories of historical knowledge in the state and give a good guide to linguistic development, over the ages. Ancient languages contain within them structures, terms, and phrases which are indicative of the growth of all languages.

There is a strong welcome in this dedication to the heterogeneity of all human communities and a recognition that it is through language and culture that ideas and understanding are expressed.[1] Kant notes the work of a well-known linguistic scholar Hans Erich Thunmann in Halle who sacrificed his life too early because of his dedication to the understanding of such minority languages. He is fully convinced of the need to maintain the vitality of the diverse languages of his own native Prussia. Above all he shows understanding for those people who want to retain the language of their birth and upbringing.

Kant's cosmopolitanism should be seen in this light. It is not a doctrine that discards the distinctiveness of any linguistic group or state. Rather, it is a doctrine that begins from the significance of functioning human communities and the state organisations that maintain them. However, there is from the beginning a reciprocity that applies to this distinctiveness. Ethnic groups must recognise that other such groups place equal value on their own distinctive customs, language and cultural institutions. As we praise and safeguard our own institutions and culture, we must at the same time respect the attention other similar groups give to their cherished values and social arrangements.

In their contributions to this issue, Andrew Vincent and Helder De Schutter respectively ask about the impact of language on philosophical thinking and the question of cultural and language rights. Both engage with Kant's ideas by comparison

https://doi.org/10.1017/S1369415425000172 Published online by Cambridge University Press

with one of Kant's interlocutors: Johann Georg Hamann and Johann Gottfried Herder, respectively.

Vincent's contribution is, as he puts it, 'more of an exercise in the history of ideas' than some of the other papers in this issue. In it, he is concerned with the relation between language and reason as it is found in Kant and Hamann. Hamann criticises Kant especially for developing a conception of reason that purifies it from the influences of culture, tradition, and language. For Hamann, reason is only a word in a language, and it is language that makes both reason and experience possible. He therefore thinks that Kant was wrong to analyse reason at the expense of an analysis of language. Vincent's contribution to this issue elaborates upon this criticism.

De Schutter also endorses the view that language shapes our thinking but approaches this topic from a distinctively political angle. He outlines Herder's linguistic constitutivism – the idea that language is not simply a vehicle for thoughts that could exist outside of language; rather, the expression of the thought in language is constitutive of the thought itself. De Schutter argues that two features of the received view of Herder are false. First, it is not true to say that Herder was the originator of linguistic constitutivism, Condillac (at least) got there first. Second, linguistic constitutivism on its own is insufficient for arguments in favour of national/linguistic/cultural rights. It does not follow from the claim that the content of our thought is language-dependent that we ought to protect different languages (and thus different ways of thinking). Herder's true contribution according to De Schutter is not his linguistic constitutivism, but the marrying of constitutivism with the recognition of national/linguistic/cultural *rights*.

It is perhaps worth noting that linguistic constitutivism is neither necessary nor sufficient for the recognition of national/linguistic rights. As De Schutter demonstrates, Condillac was a linguistic constitutivist but not a recognitionalist. We can add that one might believe linguistic and national rights are important without thereby committing oneself to a form of constitutivism (though we might think that one important pillar of support for those rights is removed with the denial of constitutivism).

De Schutter does not specify exactly how language rights are to be understood. While he claims they have anti-colonial implications (to force a colonised group to adopt a foreign language is to destroy their way of viewing the world), the ways in which the rights might be implemented are broad. De Schutter himself mentions simply 'language rights' and also 'granting national cultures political autonomy'. These suggestions alone seem to range from the potentially very minimal to something requiring significant political and legal change. De Schutter notes, rightly we believe, that it is unlikely that Kant would have endorsed any sweeping legal changes on the basis of linguistic rights. While there might be some weak evidence that he was a constitutivist, Kant does not seek to provide legal protections for groups solely on the basis of their linguistically mediated lifeworlds. Some further argument is required to bring about rights for linguistic minorities. In addition, culturally and linguistically motivated separatist movements, such as the Bloc Québécois, might seem to fall foul of Kant's claim that it is illegitimate for a people to institute a formal break in their legal system, even if that break is to set up another that might better serve its purpose. In this way, it strikes us that, while there is nothing in Kant that would stop the institution of linguistic rights within a state, there are limits to what a

https://doi.org/10.1017/S1369415425000172 Published online by Cambridge University Press

strict Kantian account can accommodate when it comes to significant political reform based on those rights.

Miller brings the three themes of the issue together to argue that Kant placed special emphasis on nationality and language in the formation of political societies in a way that has not been sufficiently recognised by previous commentators. On Miller's reading, it is important for Kant that states are nation-states. This is because national differences form an important bulwark against the cosmopolitan order becoming unitary and despotic. Kant, after all, worried about the possibility of a world monarchy. Miller argues that national differences are one way in which Kant thought world monarchy could be avoided. This is because one way that states might distinguish themselves from other states is via their cultural and linguistic traditions and practices. Miller is careful not to suggest that any specific characteristic (religion, language, etc.) must do the work of making a group of people a nation. It may be that a Habermasian commitment to the democratic institutions of one's own state is sufficient for this. Rather Miller's claim is that Kant appears to have been committed to the view that something must do that work.

The contributions to this issue, despite their differing conclusions and concerns, all point to the fact that engagement with Kant (and his interlocutors) can bear significant fruit in trying to address the question of how we ought to understand the place of sovereignty, nationality, and language in our political theorising. Regardless of whether we think that a representative sovereign is sufficient to handle the problems of overreach, or whether our political institutions require a shared cultural nationality to undergird them, Kant's philosophy gives us sound guidance as to how we might follow through our enquiries.

Note

1 For a discussion of the issue of the relative weight which Kant gives to language and culture in determining political obligations see Riedel (2000) and Cavallar (2000). Cavallar argues that Kant is a through-and-through legal cosmopolitanism, Riedel notes in contrast Kant's apparent rejection of eighteenth-century notions of human brotherhood whilst at the same time noting the equal value that Kant attaches to his cosmopolitan ideal. Both draw attention to Kant's description of nationalism as relying upon an illusion.

References

Cavallar, G. (2000) 'Juergen Habermas and Manfred Riedel: moving beyond nationalism.' In H. Williams, C. Wight & N. Kapferer (eds.), *Political Thought and German Reunification* (New York: St. Martin's Press), 177–193.

Kant, I. (1996) *Practical Philosophy*. Trans. and ed. Mary J. Gregor. Cambridge: Cambridge University Press.

—— (2007) *Anthropology, History, and Education*. Ed. Robert B. Louden. Cambridge: Cambridge University Press.

—— (2012) *Religion and Rational Theology*. Trans. and ed. Allen W. Wood and George Di Giovanni. Cambridge: Cambridge University Press.

Riedel, M. (2000) Human rights universalism and patriotism: kant's political legacy to our time.' In H. Williams, C. Wight & N. Kapferer (eds.) *Political Thought and German Reunification* (New York: St. Martin's Press), 156–176.

Shell, Susan. (2011) "Nachschrift Eines Freundes': Kant on language, friendship and the concept of a people.' *Kantian Review* 15(1), 88–117. doi: 10.1017/S1369415400002387.

Cite this article: Davies, L. and Williams, H. (2025). Introduction. *Kantian Review* **30**, 1–7. https://doi.org/10.1017/S1369415425000172

https://doi.org/10.1017/S1369415425000172 Published online by Cambridge University Press