

## **Despotism (*despotisch, despotismus, despoticum*)**

Kant offers several definitions of despotism.

1. *Despotism as law and force without freedom.* Kant offers this definition in the *Anthropology* and related lectures and fragments (APi, 25:847 [1777-8]; Me, 25:1201-2 [1781-2]; AM, 25:1424 [1784-5]; A, 7:331 [1798]; AK, 15:648). On this definition, despotism is distinguished from anarchy, barbarism, savagery, and republican government. Anarchy is law and freedom without force, barbarism is force without freedom and law, savagery is freedom without force and law, and republican government is the unity of law, force, and freedom.

2. *Despotism as legislative and executive authority in the same person.* Kant is committed to a version of the principle of sovereign authority: all political authority originates in the united will of the people (NF, 27:1382-4 [1784]; TPP, 8:352 [1795]/CEPP:324; MM, 6:313/CEPP:457 [1797], MM, 6:316/CEPP:459). Sovereign authority can be invested in a person (individual or collective) that is thereby authorized to rule on their behalf, as in a monarchy or a parliamentary system. This sovereign person then expresses the will of the people through laws, which, in turn, are applied and implemented by the judicial and executive branches of the state (MM, 6:313-8/CEPP:456-61). The executive power is “the organ of the sovereign” (MM, 6:319/CEPP:462) charged with the implementation of the will of the people as expressed in the laws and thus must be subservient to the legislative power; thus, the legislative and executive persons *must* be distinct, and the executive power must serve the legislative power. In *Perpetual Peace*, the *Doctrine of Right*, and related drafts and notes Kant defines despotism as a failure of division of powers where legislative and executive authority reside in the same person (TPP, 8:352/CEPP:324; MM, 6:316-7/CEPP:460; MM, 6:319/CEPP:462-3; AK, 23:166).

3. *Despotism as political paternalism.* In *Theory & Practice* and the *Doctrine of Right* and related works, Kant argues that the happiness of citizens is *not* a proper end of the state and that a constitution ordered by the principle of happiness is despotic (MM, 6:316-7/CEPP:460; OCS, 8:291/CEPP:291 [1793]; OCS, 8:302/CEPP:300-1). Where the preceding definitions contrast despotism to *republican* government, Kant here contrasts despotic with *patriotic* government (MM, 6:316/CEPP:460; OCS, 8:291-2/CEPP:291; see also Me, 25:1201-2; AK, 19:490; AK, 19:591). The despot treats the country as his property and the citizens as children; whereas a patriotic sovereign treats the country as fatherland and citizens as independents who can determine their happiness for themselves (MM, 6:316-7/CEPP:460).

The common ground among these three definitions is that despotism is a sort of failure of government. Given Kant’s commitments to republicanism and popular sovereignty, it is clear that despotic governments are non-republican and that under a despotic government political authority serves the will and interests of some members of society rather than the general and united will of the people.

The three sorts of despotism do not imply each other. One can have force and law without freedom and not have paternalist government, and paternalist government can exist without the executive authority having legislative authority. However, a case can be made that in the cases of paternalism and executive overreach there will be force and law without freedom. In the case of

paternalism, citizens are not free to define and pursue their own view of the good life; in the case of executive overreach, the laws express the will of the executive power and not the will of the people, which means that the members of society are subjected to the particular (or corporate) will of the individual(s) in power rather than the general will. So, we can conjecture that the root definition of despotism is force and law without freedom, and the other two definitions are salient variants of despotism thus defined.

The varieties of despotism sketched above can be restated in terms of the three attributes of republican citizenship: civic freedom, civic equality, and civic independence (cf. OCS, 8:290/CEPP:291, TPP, 8:349-50/CEPP:322-3; MM, 6:314-5/CEPP:457-8; AK, 23:136; AK, 23:141; AK, 23:293; LBC07/Stark 244). Civic freedom obtains where no member is subjected to laws to which they could not have given their consent (MM, 6:314/CEPP457-8), and is thus violated in systems where laws backed by coercive force do not express the will of those subjected to them.

Civic equality consists in equality of access to rights, honors, and offices (OCS, 8:292/CEPP:292-4; MM, 329/CEPP:470-1). It implies, as a minimum, that no member of the people has rights against other members of the people that they in turn could not have against her. However, the sovereign is outside the scope of this equality of rights – the sovereign has rights, but no enforceable duties (MM, 319/CEPP:462). When the executive person(s) assume legislative (sovereign) authority, they are placed outside the reach of the law – which both violates formal equality and fosters oppressive government.

Civic independence (*bürgerliche Selbständigkeit*) consists in being one's own master; it implies being fit for self-rule. Independence is the basis of rights to play an active part in the legislative process, e.g. by voting. One aspect of independence is personal and legal maturity; ability and freedom to devise and pursue one's own conception of happiness. The natural contrast here is with children who are immature and, therefore, are not free to make up their own mind – instead we paternalistically make them happy according to our conception of happiness while trying to bring them to the point of maturity. When the state seeks to make its citizens happy according to its conception of happiness, it thus treats them as children, as immature dependents, who cannot and should not be allowed to govern themselves.

The latter two sorts of despotic failures – civic inequality and paternalism – imply the loss of civic freedom, for citizens could not consent to laws that implement civic inequality or treat them as immature dependents. This supports the conjecture that all cases of despotism involve force and law without freedom.

*Related terms: citizen, justice, republic, sovereign, state, tyrant,*