

# Patriotism & Moral Theology

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*This essay examines the question of the moral justification of patriotism, given a Kantian view of morality as requiring an equal respect for every human being. The essay considers the background in Kant's moral theology for his cosmopolitanism. It then considers an extreme version of cosmopolitanism that denies a proper place for love of one's country, and it engages with a contemporary atheist cosmopolitan, Seyla Benhabib, suggesting that there are resources in Kant's moral theology to ground the hope that she expresses but does not succeed in grounding. Finally, it considers patriotism as a perfection of cosmopolitanism, in the same way that love of an individual can be a perfection of love of humanity. The essay suggests that defensible versions of cosmopolitanism put constraints on what kind of love of one's own country is morally permissible. But these constraints require the background in a Kantian moral theology.*

Patriotism has often been negatively evaluated. Theologian Reinhold Niebuhr, for example, said that “patriotism from an absolute perspective is simply another form of selfishness,” that social groups are held together by emotion rather than reason, and that love for one’s country “slews into nationalism.”<sup>1</sup> This essay is an attempt to locate a kind of justifiable patriotism. I will be arguing from a modified Kantian ethical framework, which is widely considered by political theorists to be among the major moral frameworks that can guide democratic societies. Since Kant is also one of the founders of cosmopolitanism, which is the view that we are citizens (in Greek, *politai*) of the cosmos, I will need to consider whether patriotism and cosmopolitanism are consistent.<sup>2</sup>

Kant proposed as the supreme principle of morality what he called a “categorical imperative,” of whose formulations or formulas I will mention two.<sup>3</sup> The formula of universal law states: “Act only in accordance with that maxim through which you can at the same time will that it become a universal law.”<sup>4</sup> I interpret this to mean that Kant is asking us to prescribe for an imagined system of moral permissions: that is, like the system of nature, covered by universal laws that eliminate singular reference from my maxims (where a maxim is the prescription of an action together with the reason for that action), and thus eliminate reference to *me*, the agent. “It follows from universalizability that if I now say that I ought to do a certain thing to a certain person, I am committed to the view that the

very same thing ought to be done to me, were I in exactly this situation, including having the same personal characteristics and in particular the same motivational states.”<sup>5</sup> The second formula, the formula of humanity, states: “So act that you treat humanity, whether in your own person or in the person of any other, always at the same time as an end and never merely as a means.”<sup>6</sup> Kant based this kind of respect for the dignity of a person on what all rational beings have in common: namely, their autonomy.

The kind of justifiable patriotism I want to defend will require a modification of these formulas of the categorical imperative interpreted in these ways. Strictly, for a maxim to prescribe love for a country *morally* would require, by universalizability, that I be able to eliminate singular reference to that country (that region of space and time). The name for a country is a singular term, making singular reference. If I say, for example, that all Canadians are virtuous, I am making reference to a particular region of space and time in which those people live. I think we should allow that maxims can be morally permissible where singular reference is not eliminable, even in principle.<sup>7</sup> It is morally permissible for me to help my friend Elizabeth get bats out of her house, even if I cannot eliminate reference to her even in principle from the maxim of my action, because my obligation comes out of the particular texture of our relationship and its history.

This kind of moral particularism allows that it might be morally permissible to love a country even if that love is not for universal properties possessed by that country that another country could also possess (such as having lofty mountains and fruitful plains), but for some singular property (for example its history) that it alone can possess.<sup>8</sup> But now we need to make another distinction. Love for one’s country can take two different forms and is typically a mixture of both. The first form is love for the country itself. I can love my country without any reference, even implicit reference, to myself being a citizen of it. The second form is that I can love my country in a way that does not allow the elimination of my relation to the country from my love. Consider by way of analogy that I can decide, when watching two sports teams play a match on television, that I will support one of the teams because it makes the game more interesting to me. It is for the moment my team, but I do not care at all about what happens to the team after I have finished watching. On the other hand, I can cheer for the team because of its merits independent of my attachment.

One way to think about the first kind of love of a country is by analogy with the practical love for a person. Suppose a country has an individual indefinable essence in the same way that a person does. Philosopher and theologian Duns Scotus suggested that my individual essence (my “haecceity”) is a perfection of my common essence (my humanity).<sup>9</sup> One basis of my love for another will then be her individual perfection, not something she has in common with all others. By analogy, my practical love for my country and the obligations internal to that

love will not be expressible in maxims that eliminate singular reference, even if (by this first kind of love) the maxims can eliminate reference to *me*. But there are large difficulties with this view. Countries are internally diverse and contain different cultures that are themselves constantly in flux. Even if we grant that there is a personal identity that can survive across a person's life, this is harder to grant for a country. If I ask, "Was England the same country after 1066?" the year of the Norman Conquest, the right answer might be "That is a bad question." Perhaps England was in some ways the same and in other ways different, and there is no fact of the matter about whether it is "the same country." The point about singular reference can be made, however, without relying on individual essences of countries. I can love Canada in a way that is not reducible to universal properties or characteristics that another country could also possess. The present objection to an unmodified Kantian morality is that it does not follow from the fact that Canada is a singular term that I cannot have a *moral* obligation toward or practical love for Canada. The requirement of universalizability has to be modified.

But suppose I love my country in the second way, where the object of my love contains essential reference to my relation to that country, even if that reference is implicit and not articulated as such. Does that mean that this is no longer a *morally permitted* love? Here, what is required is not a modification of Kant, but a recognition that his way of doing ethics allows in some instances preference for oneself. The formula of humanity requires an agent to treat humanity in *her own person* always at the same time as an end and never merely as a means. The trouble is that if she treats herself merely as one, and not as more than one, her own purposes are in danger of being morally outweighed by the competing purposes of others. We need a recognition that rationality allows not merely this kind of equal treatment of herself, but a preference for herself. One way to accomplish this is to distinguish between different *levels* of moral thinking.<sup>10</sup> The *critical* level is an approximation to the thinking of a being who knows all the relevant facts and loves all people equally. The *intuitive* level is the level of our everyday moral thinking, when we do not have enough time or calm to think out what principles to live by, but have to rely on principles already established. Here is a statement of a principle from philosopher Derek Parfit, but now to be interpreted at the intuitive level: "When one of our two possible acts would make things go in some way that would be impartially better, but the other act would make things go better either for ourselves or for those to whom we have close ties, we often have sufficient reasons to act in either of these ways."<sup>11</sup>

This principle allows that we can have in certain circumstances sufficient reason both for impartiality and for self-preference at the intuitive level. Here is a typical philosopher's thought experiment: "An adult is plummeting from a tenth-story window, and you, on the sidewalk below, know that you can save that person's life by cushioning his fall. If you did so, however, you would very likely

suffer broken bones, which would heal, perhaps painfully and imperfectly, over a period of months.”<sup>12</sup> To philosopher Richard Miller, it is clear that you can do your “fair share in making the world a better place while turning down this chance for world-improvement.” This allows that it is not merely *rational* but *morally permissible* to grant some degree of self-preference, even while doing your fair share, though it will take a lot more philosophical work to determine what this fair share would be. I think we should grant that it is a false rigorism to deny any moral permission to prefer ourselves or those to whom we have ties of kinship, friendship, or citizenship. This means that we also have to deny what I will call extreme or strong cosmopolitanism.<sup>13</sup>

Cosmopolitanism comes in many degrees. Robert Audi defines cosmopolitanism as giving “some degree of priority to the interests of humanity over those of nations, and the stronger the priority, the stronger the cosmopolitanism.” In this sense, *extreme* cosmopolitanism holds that the “interests of humanity come first in any conflict between them and national interests (other things equal).” A less prejudicial name would be “*strong* cosmopolitanism,” which holds, according to philosophers Gillian Brock and Harry Brighouse, “that we have no right to use nationality (in contrast with friendship or familial love) as a trigger for discretionary behavior.”<sup>14</sup> Applied to global economic justice, this would mean, as philosopher Darrel Moellendorf puts it, that morality requires us all, including the citizens of Switzerland, to aim toward the situation in which “a child growing up in Mozambique would be statistically as likely as the child of a senior executive at a Swiss bank to reach the position of the latter’s parent.”<sup>15</sup>

There is a tradition of opposition to strong cosmopolitanism in the so-called political realism that has been one ingredient in U.S. foreign policy for over one hundred years.<sup>16</sup> In the United States, the most conspicuous political realists of the twentieth century were Reinhold Niebuhr and Hans Morgenthau.<sup>17</sup> What is surprising is that the political realists followed a teaching of Kant no less than the cosmopolitans did. Kant thought that we are born with radical evil, under what Luther calls “the bondage of the will.”<sup>18</sup> Niebuhr takes a similar view, quoting Luther and insisting that the essential characteristic of Christian love is self-sacrifice. But this leads him to conclude that it is reasonable to hope for love in a tainted form from individuals in some contexts, but it is never reasonable to hope for it from groups. For him, “patriotism from an absolute perspective is simply another form of selfishness.”<sup>19</sup>

In the light of the realist argument, Kant’s own position seems paradoxical. He starts with the pessimistic premises of the realist and ends with the optimistic conclusions of the liberal and cosmopolitan idealist. He starts with radical evil and ends with the conclusion that humans will ultimately form a *foedus pacificum* (a zone of peace created by the eventual free association of liberal states). What

enables the transition, however, is that he adds divine assistance, which makes the zone of peace really, as opposed to merely logically, possible.<sup>20</sup> Otherwise, he would be vulnerable to the realist attack against the liberals' pie-eyed optimism. Kant's liberal followers have to a large extent dropped the theological context and thus made themselves liable to the charge that they have not taken seriously what the theological sources call original sin. On the other hand, both Kant and the realists have been misled by a false rigorism about local attachment. Niebuhr gives several explanations as to why, in his view, groups are inevitably selfish. Social groups, he says, are held together by emotion rather than reason. They are therefore, he holds, less likely to feel moral constraints, since these cannot operate in the absence of a high level of rationality; moreover, even altruism on the part of the individual is corrupted and "slewed into nationalism," since what is outside the nation is "too vague to inspire devotion."<sup>21</sup> Here the implication is that love of the nation cannot be in itself a moral emotion: first, because morality operates at the level of rationality, not emotion and, second, because it is only human beings as such ("what is outside the nation") who are the proper objects of moral respect. But Niebuhr is surely exaggerating here. Groups can form around *rational* interest, and cosmopolitans can be *emotionally* devoted to their own cause.

There are two empirical reasons for rejecting strong cosmopolitanism.<sup>22</sup> Kant made the ambitious prediction in the 1790s that states with a republican constitution would not fight with each other, and that the resulting zone of peace (the *foedus pacificum*) would gradually expand (though not without setback and tragedy) to a worldwide federation of states that no longer use war as an instrument of policy against each other.<sup>23</sup> This kind of optimism about democracy (understood as the freedom, equality, and independence of every citizen) was one fundamental rationale for a policy of promoting democracy worldwide. It was Woodrow Wilson's rationale during and after World War I and it was Bill Clinton's rationale for U.S. policy enunciated by his national security advisor, Anthony Lake, in 1993, that "The successor to a doctrine of containment must be a strategy of enlargement, enlargement of the world's free community of market democracies."<sup>24</sup> But this optimistic story does not take into account that states have gone in and out of the pacific union; moreover, some of the bloodiest wars of history have been fought by powers that were at one time in the union but had left. The first objection to the optimism of the enlargement story is the familiar conservative objection to the corrosive acid of modernism, that the strong cosmopolitan agenda has the effect of fostering a kind of rootlessness that in turn makes the local attachments return in a more virulent form under certain historically observable circumstances.<sup>25</sup> This agenda itself tends to undermine, in certain circumstances, the success of the regimes that are trying to implement it; in other words, the strong cosmopolitan agenda can be self-defeating. The philosophical and ideological differences here are likely to be meshed with all sorts of other causal factors, but they are

important all the same. We are seeing in the United States and in Europe swings toward a kind of antic cosmopolitan agenda that is a response, in part, to the same kind of neglect of the value of local attachment by the liberal elite.

The second empirical objection to the strong cosmopolitan agenda is that it makes conflict by liberal regimes with nonliberal ones more likely and worse in some circumstances. This was Niebuhr's complaint about Wilsonian idealism. It turned World War I into a crusade to make the world safe for democracy and therefore legitimated a scale of destruction that would otherwise have been intolerable. A similar complaint would be true of World War II. One of the mechanisms at work here is that in order to persuade liberal democracies to go to war, the enemy has to be demonized – painted in subhuman colors – so that negotiating a cessation of hostilities without the enemy's unconditional surrender becomes more difficult. So much momentum, so to speak, has to be generated to get the war started that it is much harder to get it stopped. The idealism becomes itself an obstacle to diplomacy. The picture of the opponent as not fully civilized also legitimates inhumane treatment. Moreover, Niebuhr and Morgenthau pointed to the self-deception that strong cosmopolitanism tends to produce. During the Cold War, for example, a veneer of communist internationalism (paying lip service to cosmopolitanism) disguised Russian hegemony under the Brezhnev Doctrine, and the same confusion of national interest with idealist rhetoric was true of the British in Egypt in 1881–1882 and has sometimes been true of U.S. foreign policy.<sup>26</sup>

I said earlier that what made Kant satisfied that he could overcome the objection to a realist pessimism was his moral theology.<sup>27</sup> He believed that there is progress toward and there will eventually be the realization of a juridico-civil union of states, but this requires the activity of providence. If we do not follow Kant's belief in the *moral* progress of the human race, can we still be cosmopolitans? Yes, because if Kant was right about the juridico-civil union of states, it does not require moral progress at all. He said that the union can be achieved even by “a nation of devils.”<sup>28</sup> But he thought we will still require, for rational stability, a ground in providence for believing in this union as a real (as opposed to a merely logical) possibility.

Let us now look at the work of a contemporary cosmopolitan who denies the place of theology that Kant gave to it: namely, Seyla Benhabib.<sup>29</sup> Benhabib takes from Habermas the theme of what he calls the “Janus face of the modern nation.”<sup>30</sup> “All modern nation-states that enshrine universalistic principles into their constitutions are also based on the cultural, historical, and legal memories, traditions, and institutions of a particular people and peoples.”<sup>31</sup> Benhabib similarly distinguishes between “the *ethnos*” (“a community of shared fate, memories, and moral sympathies”) and “the *demos*” (“a democratically enfranchised totality of all citizens, who may or may not belong to the same *ethnos*”).<sup>32</sup> Because the modern nation-state has these two faces, there will very often be “a

dialectic of universalistic form and particular content,” in which the cosmopolitan aspiration of the demos is in tension with the loyalties to the ethnos. Since we are now living, Benhabib says, “in a post-metaphysical universe,” we cannot appeal as Kant does to God as a coordinator of the ethical commonwealth.<sup>33</sup> Nonetheless, her book *Another Cosmopolitanism* is full of teleology. The final sentence of the book is: “The interlocking of democratic iteration struggles within a global civil society and the creation of solidarities beyond borders, including a universal right of hospitality that recognizes the other as a potential co-citizen, anticipate another cosmopolitanism – a cosmopolitanism to come.”<sup>34</sup> But the hope is rationally unstable without the theological ground for the hope.<sup>35</sup> Whether we do in fact live in a postmetaphysical universe, or whether (as most people in the world believe) the moral order is sustained by some kind of divine being or beings, is a different question, and one beyond the limits of this essay.

Benhabib quotes with approval Kant’s statement of the principle of cosmopolitan right, “The Law of World Citizenship Shall be Limited to Conditions of Universal Hospitality.”<sup>36</sup> The term “hospitality” here is, as Kant realized, misleading. It refers not to the kindness or generosity one might display to guests, but to the right of an individual to engage in commerce on a foreign territory (in a broad sense of commerce) without being attacked by the nationals of that territory. Benhabib takes hospitality, even though limited in this way, to have implications for “all human rights claims which are cross-border in scope.”<sup>37</sup> And she has confidence that even though there did not exist in Kant’s time, and still does not in ours, the enforcement mechanisms that lie behind domestic law, these will come and are “signaled” by this principle. “I follow the Kantian tradition in thinking of cosmopolitanism as the emergence of norms that ought to govern relations among individuals in a global civil society. These norms . . . signal the eventual legalization and juridification of the rights claims of human beings everywhere, regardless of their membership in bounded communities.”<sup>38</sup>

What are the grounds of her confidence in this eventual juridification? I will mention two.<sup>39</sup> The first is the observation of the progress that has already been made. Benhabib is here in the same position as Kant, looking at the international response in Europe to the ideals of the French Revolution. Kant was tremendously encouraged by this response, even though he was horrified by some of what the Revolution produced.<sup>40</sup> If we restrict our attention, however, to the treatment over the last few years of immigrants in Europe and the United States, observation gives us at best equivocal results (this essay was written in 2019 and Benhabib’s volume came out of a set of lectures in 2004). Kant himself was aware that he could not ground his hope in observation because the evidence was at best ambiguous, and his argument was therefore transcendental and finally theological.

Second, Benhabib appeals to the notion of “democratic iterations”: that is, “linguistic, legal, cultural, and political repetitions-in-transformation, invoca-

tions that also are revocations. They not only change established understandings but also transform what passes as the valid or established view of an authoritative precedent.”<sup>41</sup> She suggests that politics can be a “jurisgenerative process,” which creatively intervenes to “mediate between universal norms and the will of democratic majorities.” I think she is right to point to this possibility. But as a ground for *hope*, we need more than this possibility, because there is equally the possibility of regress. Democratic iterations can go both toward and away from cosmopolitan norms, and she recognizes that these norms do not depend for their validity upon what actually transpires. If democratic practice gets closer to the norms, the norms are the measuring stick for our rejoicing; if the practice gets further away, these same norms are the measuring stick for our lament. But then we have the same objection as the first one; our observation over the last few years gives us at best equivocal evidence.

Should Benhabib keep the elucidation and prescription of the cosmopolitan norms and drop the teleology? The trouble is that this will put her in the difficulty that Kant raises for Mendelssohn: “he could not reasonably hope to bring this about all by himself, without others after him continuing along the same path.”<sup>42</sup> In “Religion,” Kant puts the point in terms of “the idea of working toward a whole of which we cannot know whether as a whole it is also in our power.”<sup>43</sup> Benhabib needs the teleology because she needs the sense that despite the equivocal evidence, she is, so to speak, on the winning side; the cosmopolitan norms will in the end prevail. But then she needs to give us the grounds for the teleology. In Kant’s work, the grounds are theological. The question is whether we can have such grounds when we “live in a post-metaphysical universe.”

**T**here is a way to look at the relation between love of country and love of humanity that derives from the distinction mentioned earlier between our individual and our common essence. Scotus suggested that our individual essence, our *haecceity*, is a perfection of the common essence of our species – namely, humanity – in the same way that humanity is a perfection of the common essence of the genus, animality. I have already conceded that countries probably do not have individual essences in the way that individual humans do, so that the analogy here is incomplete. But my point is that we do not have, when the case of patriotism and cosmopolitanism is properly understood, two competing loves. In the same way, my love for another human being in her particularity does not compete with my love for humanity.

There are other sources than Scotus of this sort of view of particularity. Philosopher Søren Kierkegaard says,

Humanity’s superiority over animals is not only the one most often mentioned, the universally human, but is also what is most often forgotten, that within the species



each individual is the essentially different or distinctive. This superiority is in a very real sense the human superiority; the former is the superiority of the race over the animal species. Indeed, if it were not so that one human being, honest, upright, respectable, God-fearing, can under the same circumstances do the very opposite of what another human being does who is also honest, upright, respectable, God-fearing, then the God-relationship would not essentially exist, would not exist in its deepest meaning.<sup>44</sup>

I want to emphasize two things about this passage. First, Kierkegaard is not saying that our distinctiveness is something different from our humanity; he is saying, rather, that our human greatness resides in our ability to be distinctive. Second, he locates this distinctiveness in the unique relation each of us has to God.

George Eliot's novel *Daniel Deronda* is about a man who discovers as an adult that he has Jewish ancestry.<sup>45</sup>

It was as if he had found an added soul in finding his ancestry – his judgement no longer wandering in the mazes of impartial sympathy, but choosing, with the noble partiality which is man's best strength, the closer fellowship that makes sympathy practical – exchanging that bird's eye reasonableness which soars to avoid preference and loses all sense of quality, for the generous reasonableness of drawing shoulder to shoulder with men of like inheritance.

Again, I want to emphasize two points. The first is that Eliot is calling the partiality that presupposes our difference from each other “our [that is, our human] best strength.” The second is that both the bird's-eye view and the shoulder-to-shoulder view are described as forms of reasonableness. We do not need to leave reason behind in order to identify with our particular ancestry.

I will proceed by giving three brief personal vignettes to illustrate what loving one's country might be like if it was construed as a perfection of loving what human collectives do well. I write with a sense of loss, as an emigrant from Britain to the United States, which is now my country. I will also immediately concede the dangers of this way of seeing the love of one's country, and the corruptions to which it is liable. Take, first, the aesthetic style that is characteristic of a particular country's music at its best periods, for example, the Tudor and Jacobean writing of vocal and consort music (say, Byrd and Gibbons and Tomkins). I can love this music in preference to any other, and this is undoubtedly due in part to my having grown up with it in a boys' choir from an early age. There is nothing irrational about such a preference. This is truly great music, and I do not have to be shaken in my love by the recognition that the attachment derives from my upbringing. Perhaps, if I had grown up in New Orleans, I would have loved the jazz of the 1920s and 1930s in just this way. There is a kind of attachment here that requires a person's early contact, so that the music is, so to speak, in the bones. But I can

recognize the good fortune that there is an excellent manifestation of the human spirit to which I have been given access by the accident of my circumstances. Second, I can love a particular piece of land, perhaps the downs above the Chiltern village where I grew up, and where I know by name all the species of flowers that grow there. Wendell Berry writes in his novels and essays about this kind of love, that is of the land and, indissolubly mixed with this, of the people who have made that land what it is over the generations.<sup>46</sup> I think this is possible also in a city; one could love Greenwich Village in this sort of way. But if Berry is right, it is harder because this sort of value requires stability across the generations, and the city is constantly in flux. Love of a national musical style (as in the first example) or of a piece of land (as in the second example) are not the same as love of one's country. But they are, so to speak, streams that run into that sea. A third example is the solidarity one feels when one's country is attacked. I remember being surprised by the intensity of my feeling when the United States was attacked on 9/11. Or one can watch in a pub a football match in the World Cup, where one's national team has won a surprising victory, and the communal elation can be overwhelming, hugs and cheers all round, with nothing mean-spirited to spoil it. We seem to need something larger than ourselves to be proud of in order to be at our best.

These are three vignettes, and in each of them we can see how things could easily go wrong. I distinguished earlier different ways we might love our country. We might love it because of universal properties that some other country might have, such as tall mountains and fertile plains, or for some unique property, such as its history. Or we might love it because it is *our* country. I urged that it was a false dichotomy to allow moral value only to judgments that exclude singular reference and a false rigorism to deny moral permission to any self-preference. Now we can return to the case of the Jacobean motet, which I love because it is great music (perhaps Thomas Tomkins's "When David Heard"), and we can make another distinction. It may be that the object of my love is valuable for its universal properties, but the quality of my love may depend upon my history with this object. I may love the motet because I sang it as a boy, and it has a certain resonance for me because of my memory of the people I sang it with. This fact about the quality of my love does not make my love irrational and does not in any way pollute it. The value of the motet is a human value. By that I mean that it is a manifestation of a particular excellence that humans have, of making music together. The scholastic language of a "perfection" fits well here. Music is a human excellence, but this motet exemplifies spectacularly well what that excellence enables us to do. The fact that I get access to that perfection because of my personal history does not make my preference suspect.

But now suppose the choir master who loves Tudor and Jacobean vocal and consort music refuses to allow the choir to sing anything else. There is other equally great music with the same properties of complexity and expressiveness

(perhaps even from roughly the same period, but from Tomás Luis de Victoria, for example, from the Spanish Counter-Reformation), which he cannot enjoy or allow us to enjoy. Now something has gone wrong with his love. It has become blind and bigoted. There is what I will call a “practical contradiction” between his love for the Tomkins motet and his refusal to allow value to the Victoria. A practical contradiction is generated between two maxims when the first maxim prescribes an action or attitude that acknowledges some value and the second prescribes an action or attitude that denies that same value.

We can see the same kind of shift in the other two vignettes. Perhaps I love some particular piece of land. Again, it may be beautiful, if it is farmed land, because it manifests a human excellence, but here there will be a large admixture (in the folds of the hills, for example) of a natural beauty beyond the merely human. If this is in a city, the human excellence will predominate. My love for this land is not made somehow morally suspect by the fact that I grew up there. But there are people who cannot see this beauty anywhere else (in Burgundy, for example), and again, there is a practical contradiction in their refusal. In terms of the third example, if I find myself moved by love for my country when it is attacked, and I endorse that morally as an initial response before going on to evaluate whether the attack was unprovoked, I should (for the sake of consistency) recognize that when my country attacks another, I should endorse the similar initial response of that country’s citizens. There is a human value here, a solidarity that manifests the human excellence of our associating with each other into *poleis*, “cities” in the ancient Greek sense, and this solidarity is a value wherever on the globe it occurs.

We can now propose one criterion for when a local love *does* become illegitimate by reasonable cosmopolitan standards. It becomes illegitimate when it involves a practical contradiction with a human value. Suppose, for example, that I say “America first,” and I propose that this means closing the national borders, making it almost impossible for refugees to pass the initial standards for credible fear, and separating children from their parents who cross the border whether they are applying for asylum or not, so as to discourage such application.<sup>47</sup> Why should I think that America is at least potentially great and deserves this kind of love? Perhaps I love internal freedom of the will (a human excellence), and therefore the external freedom that allows the expression in outward behavior of this internal freedom.<sup>48</sup> Perhaps I love in America a relatively high degree of external freedom. But now we can see the practical contradiction. There are two maxims here and the first maxim (the love of freedom) prescribes an action or attitude that acknowledges some value and the second (closing the border and separating families) prescribes an action or attitude that denies that same value. Kant himself, as discussed earlier, phrased this failure as a failure of hospitality. There are indeed international laws that guarantee the right of the persecuted to seek sanctuary in other countries, and these make concrete the right to hospitality in Kant’s

sense.<sup>49</sup> The right to seek sanctuary very plausibly includes the right to have one's story of persecution listened to carefully, and the right not to be forcibly separated from one's family.

**H**ow can we avoid this kind of practical contradiction? This returns us finally to the moral theology. Kant did not think, and he was right not to think, that merely pointing out a contradiction is sufficient to change behavior or policy. We are born, he says, under the evil maxim that prefers our happiness to our duty. This is the basis for the American political realists' pessimism about politics in general and international politics in particular, as discussed earlier. If we are under the evil maxim, and we find that some practice that gives precedence to our own group is inconsistent with the moral demand, then we will reject the moral demand for that case. Kant himself, however, was not pessimistic about the prospects of a pacific union. The basis for his optimism was his belief in providence. I will conclude by claiming that a moral theology helps us understand that patriotism, so far from "sluicing into nationalism" as Niebuhr says, can in fact fit a moderate cosmopolitanism. These points start from Kant's moral theology but go beyond it.

The essential point is about the commands of the God of the great monotheisms, though there may be a way to make it in nontheist terms; that is not the project of this essay. This God both includes us within community and then sends us out beyond it. I will try to show the implications of this for love of one's country by distinguishing, as Kant did, God's legislative, executive, and judicial functions.<sup>50</sup> God's including and sending out is part of God's legislative function. We should recognize, Kant says, our duties as God's commands.<sup>51</sup> Much contemporary evolutionary psychology has emphasized the role of religion as what social psychologist Jonathan Haidt calls a "hive switch," the crucial social practice that enables group formation: "If religion is a group-level adaptation, then it should produce *parochial* altruism."<sup>52</sup> It is true that Judaism, Christianity, and Islam emphasize duties within the group, but they also emphasize that God commands us to love or show mercy to the enemy and stranger and they promise resources, because of the nature of the commander, for doing so. I am not learned enough to go beyond the limits of these three faiths, but I believe the same is true beyond those limits in Hinduism and Buddhism. Within Judaism, we should look at the Noahide Laws, for example; within Christianity, at the parable of the Good Samaritan; and within Islam, at the Mu'tazilite position on duties to the stranger.<sup>53</sup> My point is that it is the very same God who does both the including and the sending out, so that the devotion that is encouraged by the group identity of believers itself sends them beyond the group to strangers in need.

In terms of God's executive function, the tension between happiness and duty that lies behind the political realists' pessimism is surmounted if Kant was right

about the real possibility of the highest good, which is the union of the two. This is why Kant says, in the preface to “Religion,” “morality inevitably leads to religion.”<sup>54</sup> Real possibility is different, for Kant, from merely logical possibility, and in this case, he thinks the real possibility of the highest good is grounded in the existence of the “supersensible author of nature” who brings our attempts to follow the moral demand and our happiness together. This means that we can rationally believe that we do not have to do what immorally privileges ourselves or our national or political group in order to be happy. Kant held that God coordinates our individual attempts to do good so that “the forces of single individuals, insufficient on their own, are united for a common effect.”<sup>55</sup> How does this coordination work? We need to be modest here in our claims to understand divine working. Kant says in “Toward Perpetual Peace” that “from a *morally practical* point of view . . . as e.g. in the belief that God, by means incomprehensible to us, will make up for the lack of our own righteousness if only our disposition is genuine, so that we should never slacken in our striving towards the good, the concept of a divine *concursum* is quite appropriate and even necessary.”<sup>56</sup> *Concursum* (concurrence) is where God and mankind work together, though this kind of cooperation goes beyond the limits of our understanding.

In terms of God’s judicial function, God is merciful as well as just. Kant here translates a Lutheran version of the Christian doctrine of justification. In strict justice, God would not be able to reward with eternal happiness a life that was not purely good. But God “to whom the temporal condition is nothing” regards, by intellectual intuition, a human life that is moved by the predisposition to goodness as already completely what it is not yet: namely, holy.<sup>57</sup> Intellectual intuition is productive, unlike human intuition which is merely receptive. The divine regard here is, I take it, a translation of the Lutheran doctrine of the divine imputation to us of Christ’s righteousness.<sup>58</sup> The present point is that our political attachments are to relative goods not absolute goods. To think of my *polis* as an absolute good would be idolatry, even though love of country can be a perfection of love of humanity in the way I have been discussing. God’s mercy allows our love of human beings to be mediated through our love of a particular political grouping, so long as there is no practical contradiction of the type I have mentioned.

My point in this final section has been that patriotism and moderate cosmopolitanism do not need to be seen as competing loves. I have tried to use some theological resources in order to see how obstacles to this reconciling project might be removed. But it remains to determine what is the best balance of these commitments in any given polity. For example, Germany accepted over one million asylum seekers fleeing war and instability in the Middle East in 2015.<sup>59</sup> Was Germany up to that challenge, or did the sudden influx of immigrants create a backlash that dangerously propelled the rise of nationalist anti-immigrant parties? The moderate cosmopolitanism in my essay does not answer this question. But it points to a

possible practical contradiction between large-scale exclusion and a love of Germany that lived through the pulling down of the Berlin Wall and repents of the nationalism of the first half of the twentieth century.<sup>60</sup> It is democracies that are best able to find the balance here because they best give voice to the stakeholders within the country. But a Kantian moral theology adds that the refugees also are ends in themselves, and God's help is offered to meet the moral demand that God makes of us.

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#### AUTHOR'S NOTE

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#### ABOUT THE AUTHOR

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#### ENDNOTES

- <sup>1</sup> See Harry R. David and Robert C. Good, eds., *Reinhold Niebuhr on Politics: His Political Philosophy and Its Application to Our Age as Expressed in His Writings* (New York: Scribner's, 1960), 85; and Reinhold Niebuhr, *Moral Man and Immoral Society: A Study in Ethics and Politics* (New York: Scribner's, 1932), 91.
- <sup>2</sup> There is a large literature on the relation between cosmopolitanism and patriotism. One recent collection of sources is Claudia Schumann, "Which Love of Country? Tensions, Questions and Contexts for Patriotism and Cosmopolitanism in Education," *Journal of the Philosophy of Education Society of Great Britain* 50 (2) (2016). She is responding to a shift in Martha Nussbaum's position. Nussbaum had argued for a replacement of patriotism by cosmopolitanism in Martha Nussbaum, "Patriotism and Cosmopolitanism," in *For Love of Country? Debating the Limits of Patriotism*, ed. Joshua Cohen (Boston: Beacon Press, 1996), 3–17. More recently, she has argued for a reconciliation in Martha Nussbaum, "Towards a Globally Sensitive Patriotism," *Dædalus* 137 (3) (Summer 2008): 78–93. An excellent earlier collection of sources is Pauline Kleingeld, "Kantian Patriotism," *Philosophy and Public Affairs* 29 (4) (2000): 313–341. I will be making use of some of her distinctions, but she does not acknowledge the centrality of Kant's moral theology.
- <sup>3</sup> I have done more exegesis of Kant in John Hare, *God and Morality: A Philosophical History* (Oxford: Blackwell, 2009), 145–156. I am relying on an interpretation that derives ul-

timately from H. J. Paton, from whom my father R. M. Hare learnt it as an undergraduate. See H. J. Paton, *The Categorical Imperative: A Study in Kant's Moral Philosophy* (Tiptree, United Kingdom: Anchor Press, 1946), 133–164; and R. M. Hare, *Moral Thinking: Its Levels, Method and Point* (Oxford: Clarendon Press, 1981), 107–116.

- <sup>4</sup> I will reference Kant's texts by the volume and page number of the Berlin Academy Edition (Berlin: George Reiner, later Walter de Gruyter, 1900–). The English translations I will use are from *The Cambridge Edition of the Works of Immanuel Kant*. Immanuel Kant, "Groundwork of the Metaphysics of Morals (1785)" [Berlin Academy Edition, vol. 4, 421], in *Practical Philosophy*, ed. and trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1999), 73.
- <sup>5</sup> Hare, *Moral Thinking*, 108.
- <sup>6</sup> Kant, "Groundwork of the Metaphysics of Morals (1785)" [429], 80.
- <sup>7</sup> I have defended this kind of moral particularism in John E. Hare, *God's Command* (Oxford: Oxford University Press, 2015), 147–151. It is a good way, but not Kant's way, to understand the formula of humanity, that it requires me to love what is unique about my neighbor as well as her humanity, because (as I argue in this essay) what is unique (the haecceity) is a *perfection* of what is held in common.
- <sup>8</sup> Kleingeld, in "Kantian Patriotism," distinguishes between three kinds of patriotism: civic patriotism, nationalist patriotism, and trait-based patriotism. In the first, a person is committed to support her own country because it is just and democratic and cannot sustain that character without the support of its citizens. Nationalist patriotism is based on love for one's own nation as necessary for a good psychological identity-formation, and Kleingeld cites Alasdair MacIntyre as a proponent, based on Alasdair MacIntyre, "Is Patriotism a Virtue?" in *Theorizing Citizenship*, ed. Ronald Beiner (Albany: SUNY Press, 1995), 209–228. MacIntyre laments the condition of being "doomed to rootlessness, to be a citizen of nowhere." Trait-based patriotism is loyalty to one's own country because of features it possesses that could in principle be possessed by other countries.
- <sup>9</sup> Duns Scotus, *Lectura II*, dist. 3.
- <sup>10</sup> I am taking this distinction from Hare, *Moral Thinking*, 44–64.
- <sup>11</sup> Derek Parfit, *On What Matters*, vol. 1 (Oxford: Oxford University Press, 2013), 137. He calls this a "wide value-based objective view," but he is not distinguishing, as I have just done, between two levels of moral thinking.
- <sup>12</sup> This is from Richard W. Miller, "Cosmopolitan Respect and Patriotic Concern," *Philosophy and Public Affairs* 27 (3) (1998): 209. It is discussed in Kwame Anthony Appiah, *Cosmopolitanism: Ethics in a World of Strangers* (New York: W. W. Norton & Company, 2006), 164 ff.
- <sup>13</sup> The term "extreme cosmopolitanism" is from Robert Audi; see Robert Audi, "Religion, Politics, and Citizenship," in *Reasons, Rights, and Values* (Cambridge: Cambridge University Press, 2015), 286.
- <sup>14</sup> Gillian Brock and Harry Brighouse, *The Political Philosophy of Cosmopolitanism* (Cambridge: Cambridge University Press, 2005), 3.
- <sup>15</sup> Darrel Moellendorf, *Cosmopolitan Justice* (New York: Westview, 2002), 49.

- <sup>16</sup> Robert Osgood, *Ideals and Self-Interest in America's Foreign Relations* (Chicago: University of Chicago Press, 1953).
- <sup>17</sup> I have written about these two thinkers as well as George Kennan at greater length in John Hare and Carey Joynt, *Ethics and International Affairs* (New York: St. Martin's Press, 1982), esp. chap. 2. See also Reinhold Niebuhr, *Moral Man and Immoral Society* (New York: Scribner's, 1932); and Hans Morgenthau, *Scientific Man vs. Power Politics* (Chicago: University of Chicago Press, 1946).
- <sup>18</sup> Immanuel Kant, "Religion within the Boundaries of Mere Reason" [Berlin Academy Edition, vol. 6, 29–39], in *Religion and Rational Theology*, ed. and trans. Allen Wood and George di Giovanni (Cambridge: Cambridge University Press, 1996).
- <sup>19</sup> David and Good, *Reinhold Niebuhr on Politics*, 85. Morgenthau attended Niebuhr's lectures at Harvard and called him the greatest political thinker of his generation. For Morgenthau, as for Niebuhr, morality characteristically demands complete self-sacrifice, and we cannot achieve this politically because we are infected by the *animus dominandi*. He quoted Luther here, just as Niebuhr did, in Morgenthau, *Scientific Man vs. Power Politics*, 192–196.
- <sup>20</sup> For Kant, real possibility, unlike merely logical possibility, must be grounded in what is actual.
- <sup>21</sup> Niebuhr, *Moral Man and Immoral Society*, 91.
- <sup>22</sup> I have addressed this in more detail in John Hare, "Kantian Ethics, International Politics, and the Enlargement of the *Foedus Pacificum*," in *Sovereignty at the Crossroads: Morality and International Politics in the Post-Cold War Era*, ed. Luis E. Lugo (Lanham, Md.: Rowman and Littlefield, 1996), 71–92. There is an excellent response by David Lumsdaine, "Moral Rationality and Particularity: A Response to John Hare," in the same volume.
- <sup>23</sup> Immanuel Kant, "Toward Perpetual Peace (1795)" [Berlin Academy Edition, vol. 8, 356], in *Practical Philosophy*, ed. Gregor, 311–351. A state is only a republic in the required sense if it operates three principles of government: the freedom of every member of the society as a human being, the equality with every other member as a subject, and the independence of every member of a commonwealth as a citizen. Michael Doyle, in a series of articles in the 1980s, argued that with a couple of exceptions, Kant's prediction has turned out to be correct. Michael Doyle, "Kant, Liberal Legacies, and Foreign Affairs," *Philosophy and Public Affairs* 12 (3) (1983): 205–235, 325–253. Kant himself distinguishes between republicanism and democracy. See Kant, "Toward Perpetual Peace (1795)" [352–353], but he is talking about democracies that do not respect individual rights.
- <sup>24</sup> Anthony Lake quoted in Thomas L. Friedman, "U.S. Vision of Foreign Policy Reversed," *The New York Times*, September 22, 1993. This was not a merely partisan commitment. Ronald Reagan already had proclaimed to the British Parliament in June 1982, "a global campaign for democratic development" or "campaign for freedom," which he claimed would strengthen the prospects for a world at peace; *The New York Times*, June 9, 1982.
- <sup>25</sup> An excellent example is the case of Argentina. See Peter H. Smith, "The Breakdown of Democracy in Argentina, 1916–30," in *The Breakdown of Democratic Regimes: Latin America*, ed. Juan Linz and Alfred Stepan (Baltimore: Johns Hopkins University Press, 1978), 19. Consider also the cases of Germany, Italy, Peru, Brazil, Colombia, and Venezuela; see Guillermo O'Donnell, "Permanent Crisis and the Failure to Create a Democratic Regime," in *ibid.*, 142.



- <sup>26</sup> There is a vivid indictment in Osgood, *Ideals and Self-Interest in America's Foreign Relations*.
- <sup>27</sup> A fuller essay would look at texts from Kant's "Religion," "The End of All Things," "Conflict of the Faculties," and "Toward Perpetual Peace (1795)."
- <sup>28</sup> Kant, "Toward Perpetual Peace (1795)" [366].
- <sup>29</sup> Seyla Benhabib, *Another Cosmopolitanism* (Oxford: Oxford University Press, 2006). In a longer version of this essay, I would consider also the work of Kwame Anthony Appiah, and especially his *Cosmopolitanism: Ethics in a World of Strangers*.
- <sup>30</sup> Jürgen Habermas, "The European Nation-State: On the Past and Future of Sovereignty and Citizenship," in *The Inclusion of the Other: Studies in Political Theory*, ed. Ciaran Cronin and Pablo De Greiff (Cambridge, Mass.: The MIT Press, 1998), 115.
- <sup>31</sup> Benhabib, *Another Cosmopolitanism*, 169–170.
- <sup>32</sup> *Ibid.*, 68.
- <sup>33</sup> *Ibid.*, 72.
- <sup>34</sup> *Ibid.*, 177.
- <sup>35</sup> The term "unstable" is Kant's, from Volckmann's notes on Kant's "Natürliche Theologie," Berlin Academy Edition, vol. 28, 1151. Kant thought that perseverance in the moral life without belief in God was rationally unstable, though he knew people who lived with this instability and he thought of Spinoza as one such person.
- <sup>36</sup> Kant, "Toward Perpetual Peace (1795)" [357] quoted in Benhabib, *Another Cosmopolitanism*, 21. See also Immanuel Kant, "The Metaphysics of Morals (1797)" [Berlin Academy Edition, vol. 6, 352], in *Practical Philosophy*, ed. Gregor.
- <sup>37</sup> Benhabib, *Another Cosmopolitanism*, 149.
- <sup>38</sup> *Ibid.*, 20.
- <sup>39</sup> In a longer essay, I would add a third: her appeal to Hegel's notion of concrete universals. This is not the right place to discuss whether this notion is coherent, and a more modest point is that the Hegelian dialectic of particular and universal is a history of *Geist* or Spirit, ending in the Absolute Spirit as the all-in-all. We cannot appeal to this notion in a "post-metaphysical universe."
- <sup>40</sup> Jeremy Waldron in the same volume bases his confidence about the emergence and internalization of cosmopolitan norms on the increasing interdependence of nations and the rising levels of international trade and commerce; Jeremy Waldron, "Cosmopolitan Norms," commentary in Benhabib, *Another Cosmopolitanism*, 94. But Benhabib is skeptical of this line of analysis. She thinks it sounds like nineteenth-century mercantilism; Benhabib, *Another Cosmopolitanism*, 153–154.
- <sup>41</sup> *Ibid.*, 48–49.
- <sup>42</sup> Immanuel Kant, "On the Common Saying: That May Be Correct in Theory, but It Is of No Use in Practice (1793)" [Berlin Academy Edition, vol. 8, 307–313], in *Practical Philosophy*, ed. Gregor, 273–309.
- <sup>43</sup> Kant, "Religion within the Boundaries of Mere Reason" [98].
- <sup>44</sup> Søren Kierkegaard, *Works of Love*, ed. and trans. Howard V. Hong and Edna H. Hong (Princeton, N.J.: Princeton University Press, 1988), 230.

- <sup>45</sup> The case is discussed in Appiah, *Cosmopolitanism*, xvii–xviii. The quotation is from George Eliot, *Daniel Deronda* (London: Penguin, 1995), 745.
- <sup>46</sup> For example, Wendell Berry, *Remembering* (New York: North Point Press, 1988). In my home village, the descendants of the families who came to build the church and almshouses and school in 1480 are still living in the village.
- <sup>47</sup> See Miriam Jordan, “Big Jump in Rejections at the Border as Asylum Seekers Face New Hurdles,” *The New York Times*, August 8, 2018.
- <sup>48</sup> See Kant, “On the Common Saying” [290].
- <sup>49</sup> See Benhabib, *Another Cosmopolitanism*, 46 ff.
- <sup>50</sup> See Immanuel Kant, “On the Miscarriage of All Philosophical Trials in Theodicy” [Berlin Academy Edition, vol. 8, 257].
- <sup>51</sup> See Immanuel Kant, “Critique of Practical Reason” [129]; Immanuel Kant, *Lectures on Ethics* (Collins) [Berlin Academy Edition, vol. 27, 274]; and Kant, “Religion within the Boundaries of Mere Reason” [154].
- <sup>52</sup> Jonathan Haidt, *The Righteous Mind* (New York: Vintage Books, 2012), 308. I have discussed this work in Hare, *God’s Command*, 267–272.
- <sup>53</sup> I have discussed all of these in *ibid.*, 305 ff.
- <sup>54</sup> Kant, “Religion within the Boundaries of Mere Reason,” 6.
- <sup>55</sup> *Ibid.*, 98. See Hare, *God’s Command*, 50–53.
- <sup>56</sup> Kant, “Toward Perpetual Peace (1795),” 362.
- <sup>57</sup> Kant, “Critique of Practical Reason (1788),” 123.
- <sup>58</sup> I have done some exploration of this theology in John Hare, *The Moral Gap: Kantian Ethics, Human Limits, and God’s Assistance* (Oxford: Clarendon Press, 1996), chap. 8 and 9.
- <sup>59</sup> The question about Germany is Charles Lockwood’s, as is the following quotation from Merkel.
- <sup>60</sup> Angela Merkel said, “I lived behind a fence for too long for me to now wish for those times to return”; Angela Merkel quoted in Isaac Stanley-Becker, “The Refugee Crises Once Threatened to Sink Angela Merkel’s Career. How Did the German Chancellor Weather the Storm?” *The Washington Post*, September 21, 2017.