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The Philosophy of Law of Immanuel Kant

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Abstract

Immanuel Kant, the eminent Western philosopher, discusses several significant themes in the context of political ideas that are strewn across his various books. In this study, one of the challenges is to organise Kant's valuable notes on political ideas in a systematic yet critical manner to reflect his philosophy of law. Kant's theoretical and practical philosophies have influenced the idea of law, which is an *a priori* concept of the human mind, in several ways. It is also conceivable, by virtue of Kant's philosophy of law, to identify the inherent connection between moral and political philosophy. This study will illustrate the connection between the moral and political philosophy of Immanuel Kant and the philosophy of law. This work is carried out through the method of context and critical analysis. This work is organised into three sections. The first portion of the introduction will analyse the definition of law and its connection to the philosophy of law; the second part will study the broad notion of law and its different varieties; and the third section will investigate whether Kant's political philosophy is consistent enough to accommodate the different types of laws. This work submits that Kant's philosophy is quite consistent with the philosophy of law. In particular, this work submits that there is a theoretical link between Kant's political philosophy and natural law, moral law, political law, international law, and cosmopolitan law.

Keywords: Philosophy of Law, Immanuel Kant, Categorical Imperative, Moral Law.

INTRODUCTION

Though it is difficult to define the law, it is convenient to draw some characteristics of it. For example, a law can be defined as a set of rules that must be followed by all men (Smith, 1973). It is neither sectarian nor particular. It should have universal application. Secondly, a law, whether it is political or natural, must have the quality of being obligatory on the people. We must follow the rules or we will fall off the right path. If we do not follow political law, then we will go astray from the right political order of the state. Even the ruler of the state can punish individuals in cases of deviation from the law. Thirdly, a law does not have an exception. If a law is not maintained in a certain case, then it will not be treated as a law. It would be counted as mere rules that people might follow. Fourthly, the laws are the building blocks of civilization. Unless we have laws, people do not follow uniform action, which is very much needed in a civil society. Similarly, laws are very much essential to the human race for the betterment of structuralized human action, and such action is an indication of proper civilization (Anghie, 2000). Consequently, although we are not able to define the law, we may provide a description closest to it by saying a law is a natural or political or social or moral principle that is necessarily followed by people universally. To break a law is to lose faith in it, and to follow the law is to move towards a more organized and developed society.

Immanuel Kant does not systematically develop his idea of law in his philosophy. However, we can deduce his legal philosophy from his various doctrines and annotations.

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For example, we may say that in the Transcendental Deduction of the *Critique of Pure Reason,* Kant has explicitly stated, "Rules, so far as they are objective, are called laws" (Kant 1953, p. 110). Again, in the *Metaphysical Foundation of Natural Science* (2004), Kant says that laws are rules about what things must have in order to exist. From the above assertions of Kant, it is evident to us that for Kant, law is the rule; it is objective and necessary. Interpreters of Kant seldom try to clarify Kant's position on the idea of law. We may mention the name of Watkins (2019) in this context, who clarifies Kant's observation on the law by saying, "Every formula that expresses the necessity of an action is called a law" (p. 15). This interpretation presented by Watkins also highlights the law as the necessary rule. For the reasons above, this work will illustrate the connection between moral and political philosophy and the law.

Apart from this interpretation, we find that Ernest J. Weinrib represents a different exposition of Kant's idea of law. He says,

> For Kant, the law is a unity that can be articulated through its doctrines and institution. Through this unity, one understands the claims that the law implicitly makes about own coherence, rationality and normativeness. This unity, which Kant calls an idea of reason… (Williams, 1992, p. 17).

Clearly, to comprehend Kant's idea of law, the most crucial idea of Practical Reason, we must go through his different doctrines and theories. We have to glimpse his explanations of various types of laws in order to get a comprehensive view of the law. We will see that those laws, as supported by Kant, are essential for making a sound political order on earth.

If we keenly look at Kantian thought, the importance of natural law in his philosophy is admirable. Even in the course of discussion of the categorical imperative, Kant sets forth the formula of natural law in his practical philosophy. What Kant is saying in the formula is: "Act as if the maxim of your action were to become through your will a universal law of nature" (Paton, 1971, p. 129). Paton (1971), in this connection, remarks that in using this formula, Kant indicates to us that we can will our action as an instance of a principle valid for all rational agents and not merely adopt it arbitrarily for ourselves. At the same time, the formula has in-depth significance. By holding on to this formula, we can put ourselves imaginatively in the position of the Creator and suppose that we are a part of nature. Kant writes down the formula more vividly— "Ask yourself whether you could regard your proposed action as a possible object of our will if it were to take place following a law of nature, a system of nature of which you were yourself a part" (Paton, 1971, p. 146)

Clearly, Kant is highlighting the point that we should accord our maxim to the law of nature. The law of nature, or natural law, is part of the system of nature, and we are all involved within it. But to understand Kant's idea of natural law, we should know beforehand what he understood by the term "nature". For Kant, nature is confined to "an aggregate of appearances" and it is "the sum of given objects". He also affirms that nature is associated with the phenomenal world, related to man through knowledge, and that it is characterised by the principle of necessity. Natural law, in his system, is therefore necessarily related to the phenomenal world or world of appearances. Kant thinks that the laws of nature come from the way our understanding works on the many different things in nature using the principles of causation. Thus, for Kant, natural law is nothing but the principle of causality.

METHOD

This research is carried out through the method of contextual and critical analysis to carry out this research. A contextual analysis is simply an examination of a text (in any medium, including multi-media) that enables us to evaluate the text not only in terms of its historical and cultural context but also in terms of its textuality, or the features that distinguish the work as a text. A contextual analysis combines formal analysis with "cultural archaeology," or the methodical investigation of the social, political, economic, philosophical, theological, and aesthetic circumstances that existed (or may be assumed to

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have existed) at the time and place where the work was composed. On the other hand, critical analysis, which is also called critical discourse analysis or critical discourse studies, looks at the relationship between language and power by looking at how "texts" of daily life create and keep social inequality and hierarchy.

FINDINGS AND DISCUSSION

The Moral Law and Kant's Philosophy

As John S. Mackenzie states plainly in his book *A Manual of Ethics (2005)*, "A moral law...is a law that something ought to be. It is the statement of ideals" (p. 136). To determine the normative value of an action, we must observe the moral law. This law cannot ever be modified, but it can be broken. Although the subjective principle of morality may change depending on the circumstances of life, the objective principle or rule of morality stays constant and applies regardless of the individual.

In a conventional sense, moral law is entirely distinct from natural law and political law, since it is only the moral compass. The moral law is primarily concerned with human behaviour and prohibits certain wrongdoings. Such prohibitions as "Do not steal," "Do not murder," "Do not provide false testimony," "Do not commit adultery," etc., are mandated by the moral code. The law prohibits us from doing unethical acts that have negative impacts on society. Furthermore, moral law imposes some positive obligations, such as honesty and truthfulness, assisting those in need, keeping promises, and serving society, to name a few. Therefore, moral legislation is not just a passive ban of unfavourable outcomes but also an active measure for the advancement and well-being of society. However, because of their ignorance, most individuals are unable to commit moral acts, even if they want to do so. In fact, there is a significant gap between believing something to be moral and its actual morality. One may commit an immoral act while believing that he is acting in a perfectly ethical manner.

In his ethical framework, Kant establishes an absolutely and universally valid moral rule, which he calls the "Categorical Imperative". Kant notes that humans have some impulses and dispositions that provide a barrier to moral rule. But if we lay aside these urges and use our practical reason, the moral rule would come out like the sun. The law embodies the strength and vitality that would allow him to serve as a moral compass. Kant considers the categorical imperative to be the sole kind of moral law. He dismisses both hypothetical and assertive imperatives as moral law standards. Kant thinks that only the categorical imperative, which proclaims an action to be absolutely necessary in and of itself, devoid of any conditions and purposes, is morally binding. As an apodictic practical principle, it is legitimate. It is fully a priori and dictates that maxims serving as subjective rules of the will must correspond to universal moral law. Kant says this about the first claim of the categorical imperative: "Act only according to that maxim whereby you can at the same time will that it should become a universal law" (Sasa¸ 2019).

This categorical imperative asserts that while doing an action, we have a maxim or subjective principle of volition in view. By virtue of this maxim, we do an action. However, such a maxim must adhere to the objective moral principle. Otherwise, the maxim would have lacked moral significance. So, Kant warns us not to stick to a maxim that goes against a universal or objective moral principle. In the course of his ethical evolution in the *Metaphysics of Morals*, Kant attempts to establish his categorical imperative in a variety of other ways. Kant contends that all of these kinds are morally identical. It is vital to highlight that the greatest moral rule, the categorical imperative, also indicates that we see human beings as ends-in-themselves and that people should form a kingdom with a variety of objectives that are exclusively tied to humanity. Therefore, Kant attempts to elevate mankind via the process of building a moral rule. Kant's moral law might be able to control how people act and give everyone, no matter their class, caste, or religion, the same amount of dignity. This has big implications for the way society and politics work.

Consequently, we might claim that Kant's clarification of moral law gives birth to the concept of a unified social structure in which all rational beings can attain ultimate

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dignity. Here, Kant's moral philosophy distinguishes itself from generic conceptions of moral law. General conceptions of moral law stress a guiding principle that helps us determine whether an activity is ethical or not; they have no sociopolitical consequence. However, we find that Kant's concept of moral law has broader implications than we thought. In addition to establishing a solid moral standard, it also plays a distinct function in the social and political environment. Kant's moral law formulation is what we should follow if we want to demand that people be treated with respect and build an ideal social and political system.

The Political law and Kant's Philosophy

Political law is a sort of rule announced by a sovereign government for all citizens of the state or for select groups of citizens governed by the government's jurisprudence (Jacobson¸ 2002). People may violate this kind of legislation, but in doing so, they expose themselves to punishment. This legislation is categorised as a prescriptive law. As a prescriptive sort of legislation, it is a man-made law approved by a state to regulate the behaviour of its citizens. This form of legislation is often adopted by a legislative body and acknowledged by the court. Political legislation is evaluated based on its legal legitimacy and not on its compliance with morality, norms, or conventions, unless they are codified in the law itself.

Unlike scientific rules, political laws are not generally established. It fluctuates with time and may have several uses. Members of a certain group or class who fall under the law's observation, however, must all comply with the law. We may see that the idea of law is the central concept of the whole Kantian philosophical system. When we debate Kant's political philosophy, the conversation inevitably leads to political law. Political laws are specific sorts of orders announced by a sovereign government for all persons belonging to the state or for all specified classes of people underpinning the government's jurisprudence. Kant does not argue that political laws are administrative instructions issued by the government. Instead, he believes that political law is primarily concerned with an individual's rights and that its principal purpose is to protect external freedom (Tesón¸2017). If the goal of political law is to guarantee the exercise of external freedom, then according to Kant, the political law may be described as a set of conditions under which the choices of each person can be united with the choices of others under a universal law of freedom (Guyer, 2000). In sum, according to Kant, the purpose of political law is to guarantee that each individual's choices may be reconciled with those of others.

Regarding the philosophy of law, Kant also asserts that all members of the state are equal before the political law (Doyle, 2017). Each person has an equal coercive right, i.e., the right to use the state's authority to enforce the law on their behalf. Thus, according to Kant, political rules are intended to safeguard the individual's right to liberty. Only with the assistance of such legislation can justice be achieved. For this reason, Kant believes that a coherent political system must be a legal order. As in ethics, actions should be based on maxims that may be expressed as universal laws; similarly, political structures should be governed by generally applicable rules. According to Kant, not everyone has the right to participate in the formulation of laws, even if everyone is free and equal and should receive the protection of the law (Guyer, 2000). Kant believes that only active, self-reliant individuals have the right to vote and pass laws. However, passive and inactive individuals should not be involved in the legislative system. Even Kant acknowledges that women cannot be included in the legal system.

The preceding explanation demonstrates that, according to Kantian political philosophy, a civil government must be built on political laws. Political rules are vital for maintaining the freedom of individuals without restricting the freedom of others. In addition, he thinks that the formulation and enforcement of political legislation should be the responsibility of autonomous individuals. Despite the fact that all people cannot participate in the legislative process, political laws have the ability to promote justice and equality among individuals. He also thinks that the government, which is constituted by

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the voting system, has a responsibility to protect political law and that any administration that, out of pure authoritarianism, fails to secure this law for the people must be a tyrant. Kant's says:

> Despotism prevails in a state if the laws are made and arbitrarily executed by one and the same power, and it reflects the will of the people only in so far as the ruler treats the will of the people as his own private will (Kant et al., 1991, p. 101).

So, according to Kant, the political rules are the governing basis of an individual's freedom, and the government has a responsibility to uphold them. If a person breaches a statute-mandated law, the government should impose a punitive sort of penalty on the individual. It is essential to note that Kant's theory and application of political law diverge from common use. As we've previously said, political legislation is usually evaluated based on its legal legitimacy, not its moral conformance. In Kant's philosophy, however, he attempts to find those political rules that are consistent with moral principles. No political rules are seen as just if the categorical requirement of practical reason is not respected. Furthermore, in the conventional sense, political laws vary from nation to nation and across time. But Kant is reluctant to accept this. Kant is of the opinion that every state in global society must have a republican constitution and government. The political rules of states must be decided based on republicanism, and the sovereignty of the people must be maintained. Consequently, he argues that the political rules of nations must be the same and not contradictory; otherwise, they cannot be consistent with international law.

The International Law and Kant's Philosophy

Typically, a political or positive law governs the social and political behaviour of people inside a state. This legislation is referred to as "national law" (Teubner, 1997). It functions only inside the borders of a given state. International law, as contrasted to national law, does not apply to the internal concerns of states. Due to the economic and social interconnectedness of countries, some norms and regulations are necessary to preserve interstate or international ties throughout time. Furthermore, these rules are essential for controlling the operations of various states.

The school of analytical jurists formed by Bentham and Austin contests the validity of international law (Collins, 2014). A sovereign political power, according to them, creates and enforces positive law. The legislation must have a clear origin and a clear purpose. Analytic jurists contest the legitimacy of so-called international law on the grounds that it lacks a higher enforcement power, that its duties are imprecise and unclear, and that no courts of law have been formed to implement it and inflict punishments on violating governments. Disputes are often brought to international tribunals, although the parties to a dispute have the power to accept or reject the tribunals' findings. Consequently, there are obstacles to executing internal legislation and tribunal decisions without obstruction. The majority of states are unwilling to recognise any tribunal ruling that goes against their interests. In recent years, it has been observed that international law principles are maintained so long as they do not conflict with the interests of a state. This is why the analytical school has attacked international law's legitimacy.

In the previous paragraphs, we have made a significant distinction between international law and cosmopolitan law. As a political philosopher, Kant is also aware of the distinction. Following the traditional view, Kant opines that international law is the law between states (Tesón, 2017). We have already mentioned that, for Kant, the function of international law centres around states. This law regulates the external affairs of the state in connection with international relations between states. If we take a peek at Kant's political theory, we would definitely see that Kant offers a unique view on international law that could determine the external affairs of the state. In the essay *Perpetual Peace,* Kant enunciates that perpetual peace could be brought among the states through making a federation of states (Termiński, 2011). At the same time, he advocates that such a federation of states should maintain some rules of conduct or laws for their general benefit.

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These rules and laws may be treated as international laws because they are primarily applicable between states. In the *Perpetual Peace,* Kant has cited six preliminary articles which contains the Preliminary Articles of a *Perpetual Peace between States'*. These six preliminary articles are as follows:

The first Preliminary Article of the Perpetual Peace project says: "No treaty of peace shall be regarded as valid if made with the secret reservation of material for a future war" (Chatfield & Ilukhina, 1994, p. 75). The Second Preliminary Article goes like this- "No state having an independent existence - whether it be great or small - shall be acquired by another through inheritance, exchange, purchase or donation" (Kant, 1915, p. 64). The third Preliminary Article of the *Perpetual Peace* declares: "Standing armies shall be abolished in course of time"[30]. In the fourth Preliminary Article, Kant says, "No national debts shall be contracted in connection with the external affairs of the state" (Chatfield & Ilukhina, 1994, p. 75). The fifth Preliminary Article says, "No state shall violently interfere with the constitution and administration of another" (Chatfield & Ilukhina, 1994, p. 75). Finally, in the sixth Preliminary Article in *Perpetual Peace*, Kant writes, "No state at war with another shall countenance such modes of hostility as would make mutual confidence impossible in a subsequent state of peace: such are the employment of assassins or poisoners, breaches of capitulation, the instigation and making use of treachery in the hostile state" (Chatfield & Ilukhina, 1994, p. 75).

Those introductory pieces include a significant explanation of international law that is conducive to the peaceful coexistence of nations. Kant argues that if governments followed the introductory article as a type of international law, the world may be brought to a condition of permanent peace.

The Cosmopolitan Law and Kant's Philosophy

Nowadays, the term 'cosmopolitanism' has gained widespread popularity throughout the world. In the context of 'cosmopolitanism', the issue of cosmopolitan law naturally comes up. For, without such a law, the idea of cosmopolitanism would rest as a vague concept. Pauline Kleigeld, in his famous essay, *Kant's Cosmopolitan Law: World Citizenship for a Global Order* (1998), fantastically highlights the concept of cosmopolitan law. He also makes a distinction between cosmopolitan law and international law. Because of the insufficiency of definition regarding cosmopolitan law in the academic circle, it is quite reasonable to follow the definition of cosmopolitan law provided by Pauline Kleigeld. He has said,

> Cosmopolitan law is concerned not with the interaction between states, but with the status of individuals in their dealings with states of which they are not citizens. Moreover, it is concerned with the status of individuals as human beings, rather than as citizens of states (p. 74).

It is relevant to note here, once, great thinker Wilhelm Traugott Krug makes a serious objection again cosmopolitan law by stating:

> Cosmopolitan law, which people have recently introduced as a distinct part of public law, is only a part of international law, or rather one single problem of the letter, a problem that is important enough, but that does not deserve to be listed under a title of its own, as if it were a separate part (p. 74).

Apparently, Krug's word seems realistic. It is a fact that it is the states, not individuals, who make treaties in connection with ambassadors, trade agreements and so on, it seems that international interaction falls under international law and therefore there is no further need to the invention a new sphere of public law like cosmopolitan law. But Pauline Kleigeld asserts that from the point of view of 'addressees', we can make difference between internal and cosmopolitan law. Pauline Kleigeld goes on to say that according to the traditional view, international law is the law between states, whereas cosmopolitan law addresses states and individuals, it regards individuals as 'citizen of the earth', rather than as citizens of a particular state.

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It is relevant to add here that, unlike international law, cosmopolitan law is concerned with interaction across borders. It covers any kind of communication, interaction, trade, or business. It applies to travel, migration, intellectual exchange, as well as to commercial endeavours (Kleingeld, 1998). Thus, international law and cosmopolitan law should not be placed in the same category. We see Kant is not only offering the concept of international law but also the idea of cosmopolitan law is simultaneously presented by him in course of discussion regarding the perpetual peace project. With respect to cosmopolitan law, Kant believes, "individual and states, who stand in an external relationship of mutual influence, are regarded as a citizen of a universal state of humankind" (Guyer 2010, p. 488). Again, in the *Metaphysic of Moral* Kant identifies individuals as 'citizens of the earth' who are the 'bearers of cosmopolitan right'. Thus, cosmopolitan law, according to Kant, addresses state and individuals, at the same time gives stress on the fact that individuals are citizens of the earth rather than as citizens of a particular state. Cosmopolitan law declares that all human beings, irrespective of their nationality, world citizens.

Kant in his essay, *Perpetual Peace,* also upholds his view of cosmopolitan law. He tries to frame the idea of cosmopolitan law in one of the definite articles for perpetual peace. In the third definite article he holds, "The rights of men, as citizens of the world, shall be limited to the conditions of universal hospitality" (Singh & Kim, 2017, p. 304). In this definite article, Kant identifies the content of cosmopolitan law. For him, the actual content of cosmopolitan law is the right to hospitality. He says more clearly that cosmopolitan law should be confined to the requirements of universal hospitality. In this discussion, he also clarifies what we mean by 'hospitality'. According to him, it means "the claim of a stranger entering foreign territory to be treated by its owner without hostility" (Andreotti, 2016, p. 95). The owner can send the stranger back if this can be done without causing his death, but he must not be treated with hostility, so long as he conducts peaceably in the place, he happens to be in. Kant further asserts that the stranger cannot demand the right of a guest to be entertained, because this would require a special friendly agreement whereby he might become a member of the native household for a given time. He may only demand a 'right of resort', the right to present himself to society belongs to all mankind in virtue of the common right of possession on the surface of the earth. Kant maintains that the earth is a globe and therefore men cannot disperse over an infinite zone. Hence men must necessarily tolerate the presence of each other and reconcile themselves for mutual co-existence. At the same time, Kant asserts that no individual has more right than another to live in or to occupy a particular portion of the earth.

Clearly, in the third definite article Kant holds that the cosmopolitan right should be maintained properly in the way to bring perpetual peace and such a right is necessarily directed by the cosmopolitan law. But it can be argued that limiting the cosmopolitan law's content to hospitality rights seems to make the said law very limited. However, Pauline Kleingeld further argues that cosmopolitan law is not only concerned with hospitality rights but also is useful in regard to refugee rights. The cosmopolitan law, in Kant's observation, may permit people to stay in another state's territory and they should be allowed to stay there until the circumstances are favourable for their return. So, Kant holds that both the hospitality right and refugee rights can be saved with the aid of cosmopolitan rights, but at the same time, he maintains that certain legitimate reasons behind such a law should be there. For example, we may say that the cosmopolitan law that discriminates on the basis of skin colour would be illegitimate, while a cosmopolitan that forbids persons from entering the state to sell opium would be legitimate. But the line between legitimate and illegitimate reasons for rejection may be quite hard to draw in practice, and as with any legal principle, there will be hard cases when it comes to applying it (Zeki et al., 2014).

It is relevant to note here that Kant grounds cosmopolitan law in the 'original community of the land'. This means Kant grounds the said law in the idea that before any particular acquisition of property, the earth was in common possession. But after the acquisition of property was initiated by an individual, others no longer have a rightful claim

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to use or occupy a possession. When the case is in regard to national territory, this means that when a native individual has a rightful claim to possess their lands, foreigners are not permitted to enter into this. But Kant believes, such an idea of acquisition of property is a wrongful concept. He further believes that we should be stuck to the idea of 'original community of the land', for all parts of the earth should be thought of as parts of the whole which everyone had an original right. For this reason, Kant claims that all nations stand in a community of possible physical interaction. This argument undoubtedly provides the best ground for cosmopolitan law. It may be further noted that according to Kant, the issue of unclaimed spaces on the earth is also covered by the idea of cosmopolitan law (Connolly, 2000). Many places in the world do not belong to anyone yet, in those places, outsiders may come in and utilize the places utilizing social interactions and those actions can be sanctioned by a cosmopolitan law. In this way, we see, Kant represents the cosmopolitan law, as the just principle right and the law necessarily provides the best ground for individual universalized freedom.

The cosmopolitan law presented by Kant is inflexibly rooted in the innate right of freedom and provides individuals certain rights for secured existence and hospitality around the world. Again, the cosmopolitan law in Kantian philosophy must be thought of as synthetic a priori truth, for the laws are essential truth before all possible experience and this law is transcendentally applicable to all human beings as the citizens of the world.

The Connection Between Laws Subsequent To Kant

If we examine Kant's political theory attentively, we will definitely find a relationship between the numerous forms of laws he acknowledged. We believe that the transition from natural law to cosmopolitan law is fairly coherent and important for constructing a healthy political system in our environment. We have shown that for Kant, natural law is the a priori principle of causation in the setting of natural law. As a notion of comprehension, it governs all of the conceivable human experiences. Without acknowledging the role of natural law, it is impossible to explain any occurrence or world fact. Even Kant claims that we cannot know anything that is not bound by natural law in our daily lives. If we want to know anything about the outside world, we have to look at it through the lens of natural law, as our rational mind understands it.

However, Kant maintains that humans also have objects of belief in addition to objects of knowledge (Watkins & Willaschek, 2017). He has narrowed the scope of knowledge in his theoretical philosophy to create a way for faith, and at this point we can see that Kant has accepted numerous objects of belief that cannot be explained by natural law. For instance, the notion of God, the immortality of the soul, and Kant's transcendental freedom are all matters of faith and do not come within the purview of natural law. In actuality, Kant believes in two distinct realms: that of nature, inhabited by phenomena or appearances, related to the human being through knowledge and ordered by a concrete system of natural law; and that of transcendental belief-objects, inhabited by noumena, or the intelligible, general ground of appearances, related to the human being through action and characterised by the principle of freedom, which is not governed by natural law. Kant's philosophy says that moral law is all about the second realm, while natural law is all about the first realm. Natural law comes from the way the intellect works on the many different natural things through the category of causality. In Kant's opinion,

> Consequently, all events are empirically determined in an order of nature. Only in virtue of this law can appearances constitute nature and become objects of experience. This law is a law of the understanding from which no departure can be permitted, and from which no appearance may be exempted. ...The understanding can know in nature only what is, what has been, or what will be. We cannot say that anything in nature ought to be other than what in all these time-relations it actually is. When we have the course of nature alone in view, "ought has no meaning whatsoever (Krieger,

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1992, p. 255).

Thus, Kant holds that natural law and moral law are different in respect of the fact that they belong to a different realm of entities. Again, the natural laws govern our knowledge of the external, while the moral laws govern our creation of internals. But at the same time, Kant points out that there is a kind of dependence between natural and moral laws because morality is the ultimate foundation of nature. According to Kant, morality and nature were compatible not only as two separate series concerned with two different orders of reality but as a relationship of dependence in which the moral noumena functioned as the final causes of the natural series of phenomena. Essentially, the relationship is between the process of creating reality and the reality that has been created.

In Kant's own observation, when we are dealing with what happens, there are only two kinds of causality conceivable to us; the causality is either according to nature or arises from freedom. The former is the connection in the sensible world of one state with a preceding state upon which it follows according to a rule. Because the causality of appearances is based on temporal conditions, it follows that the cause of what happens or comes into being must also have happened or come into being, and that, in accordance with the principle of understanding, it must in turn require a cause (Guyer, 1987). As a result, such a causality will not stand under another cause determining it in time, as required by natural law, but can produce something that is determined in the time-order following empirical laws independently of those natural causes and can thus begin a series of events entirely of its own.

The preceding passage demonstrates Kant's view of moral freedom as completely independent of nature and populated solely by noumena, or fundamental realities. This moral freedom constitutes the ultimate grounding for nature. Similarly, the moral law, by its autonomous force of pure practical reason, makes up the foundation of natural laws. In fact, he believes the moral laws in context have certain natural effects. But a question may arise here: how does Kant demonstrate that moral law can have natural effects? To sort out the problem, Kant has to add a wing to nature that would accommodate it. Kant calls this wing "supersensuous nature" (Forster, 2010), and he indicates that here the moral law could enter into nature and become the foundation of natural law. The moral law, according to Kant:

> Gives to the sensible world, as sensuous nature…, the form of an intelligible world, i.e., the form of supersensuous nature, without interfering with the mechanism of the former. Nature, in the widest sense of the word, is the existence of things under laws. The sensuous nature of rational beings, in general, is their existence under empirically conditioned laws, therefore, it is, from the point of view of reason, heteronomy. The supersensuous nature of the same beings, on the other hand, is their existence according to laws that are independent of all empirical conditions and which therefore belong to the autonomy of pure reason. And since the laws, according to which the existence of things depends on cognition, are practical, supersensuous nature…is nothing else than nature under the autonomy of the pure practical reason. The law of this autonomy is the moral law, and it, therefore, is the fundamental law of supersensuous nature and of a pure world of the understanding, whole counterpart must exist in the world of sense without interfering with the laws of the latter (Yovel 2013, p. 90).

Like the relationship between natural and moral law, there is also a necessary connection between moral law and political law in Kantian philosophy. We have already seen that political law, as understood by Kant, is the whole of the conditions under which the voluntary actions of any one person can be harmonised in reality with the voluntary actions of every other person, according to a universal law of freedom. Clearly, political law is based on an idea of freedom and universal law, which are also binding blocks of moral law. Kant, in *the Critique of Practical Reason* (1929), does not only discuss the formula of the moral law but also upholds the theory of freedom as the very postulate of morality. At the

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same time, Kant depicts the nature of the categorical imperative in such a way that the imperative states that all rational beings ought to act on those maxims which they can at the same time will, without any contradiction, be universal laws. Stating the ins and outs of the categorical imperative, Kant, in his practical philosophy, further declares that "freedom" is the necessary condition for the possibility of realising the categorical imperative in reality. Kant's moral philosophy actually emerges from an amalgamation of the idea of freedom with that of a categorical imperative of reason. He believes that reasoning about morality always presupposes a kind of transcendental freedom, which is nothing but the autonomy of the will.

Kant has clearly expressed that freedom of finite will means autonomy of the will. Without the autonomy of the will or freedom of the will, no action will be treated as moral or immoral. Suppose someone is doing a mischievous action under the pressure of another barbarous person, his action would not amount to an immoral act since he has no control over the action. Kant believes that moral decisions are possible if and only if the will is assumed to be free to act. If every person possessed actual freedom of will, then the concept of moral choice would be materialized. He further points out that the principle of autonomy states: to choose that the same volition shall comprehend the maxims of our choice as a universal law (Kant, 2012). Kant believes that the will of a rational agent is free or autonomous in the sense that it is both self-legislating and self-motivating. Thus, Kant holds that the foundation of morality is not an agent's inclinations; instead, he asserts that autonomy, or freedom of will, is the actual foundation of morality (Wood¸ 2009). Without this idea of freedom, no one can hold the position of a moral agent by acting on those maxims which can be at the same time considered universal laws. The will of the rational agent must regard itself as free. That is, the will of such an agent cannot be a will of its own except under the idea of freedom. Consequently, for Kant, the idea of freedom seems to be a practical necessity; it is a necessary condition of morality. Thus, through the idea of freedom in Kantian philosophy, political law and moral law are theoretically related. The idea of freedom is the common presumption behind both laws. We can establish the link between moral law and political law asserted by him in another way. According to Kant, political law must comply with the categorical imperative (Davis, 1991). Otherwise, the political law would not be just one. A perfect political law would be moulded by the principle of morality. So, the Constitution and all other political laws must be based on the idea that moral law is what makes a society fair.

Discussion

It has already been noted that Kant distinguished between international law and cosmopolitan law in the previous section. Kant said that international law is mostly about the relationships between states, while cosmopolitan law is meant to show the relationship between the state and the individual while emphasising that people are citizens of the world, not just of one state. Cosmopolitan law declares that all human beings, irrespective of their nationality, are world citizens (Hayden, 2017). He also says that the right to hospitality is the real point of cosmopolitan law. We see that Kant holds that political law should be compatible with both international and cosmopolitan laws.

Kant also believed that international and cosmopolitan laws should be drafted according to the political laws of a republican state. Otherwise, such international and cosmopolitan laws would be inconsistent with the political laws of a particular state and could not be the means for bringing perpetual peace in the world. It is a matter of common sense that the same individuals are under the jurisdiction of both political and cosmopolitan laws. Even in the case of international laws, where states are primarily concerned, they also indirectly regulate the individuals of states. Therefore, it is an undeniable fact that there is a certain connection between political law and cosmopolitan law on the one hand and between political law and international law on the other hand. In this way, Kant's ideas about different laws all fit together and make sense.

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CONCLUSION

This essay makes it abundantly clear that for Kant, the idea of law is essential to his political philosophy. Kant has provided his opinion on a variety of philosophical topics. His observations start with discussions of the theory of knowing, then go on to metaphysics, ethics, anthropology, history, and eventually politics. He stays true to the idea of law the whole time on this amazing intellectual trip. He then uses the idea to tie together all the different areas of philosophy. He views the law as a concept that represents a generally valid principle.

The law, as Kant identifies, is an a priori concept of the human mind. Consequently, we cannot derive this concept from our outer experience. Rather, the human mind discovers it as an essential condition without which nothing can be explained properly. This law, in different branches of philosophy, takes different names, as observed by Kant. Natural law, as seen by Kant, is the indispensable factor of our outer experience. The human mind discovers the natural law through the category of causality under the understanding faculty, and without this natural law, we cannot explain the multifarious experiences of humankind methodically. Again, another type of law, namely moral law, is the guiding principle of human conduct. The moral law, being an a priori concept of practical reason, determines all our actions in connection with social life. The moral law in the form of the categorical imperative, for Kant, is the supreme standard of morality by which we can explain our moral experiences. Likewise, political laws, according to Kant, are the means that secure individuals' freedom and rights. These laws are also helpful in materialising a just and perfect administration in a state. Kant, in this context, favours the republican form of the constitution where legislation and its laws should be observed as the primal indicator of the state separated from judicial and administrative power. Again, in regard to international relations and the cosmopolitan world, Kant believes the roles of international law and cosmopolitan law are essential. Without any international law, we cannot establish any international relations between states.

Each state has their own democratic and diplomatic rules that continuously try to lose relations with other states. So, devoid of any international standards, it is absolutely difficult to set up a healthy international relationship among states. Similarly, if we are dreaming of a cosmopolitan world, we should set up some cosmopolitan laws before a cosmopolitan society. Cosmopolitan law, being the essential condition of the republican commonwealth, can form a hale and hearty relationship between individuals and states. Thus, for Kant, the idea of law, through its different but related types, can explain our multifaceted experience regarding the epistemological, metaphysical, moral, political, and international endeavours of human beings. In this respect, we further conclude that Kant is quite consistent in accepting all types of laws in his political philosophy. Starting from natural law, moral, political, international, and cosmopolitan laws are theoretically connected. It also helps us show that his political philosophy and his critical philosophy are inextricably linked.

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