

When war has been one of humanity's few constants, how can it make sense to talk of world peace, much less, world perpetual peace? The idea of world peace only seems to make sense in terms of utopian ideals; attempts to theorize a solution or develop a plan of action encounter significant difficulties. For instance, take what might be the most obvious solution to global conflict: an international government. Some sort of international government requires, first, that states sacrifice their sovereignty, and, second, the development of a government that is, in its global dominion, both amazingly powerful and amazingly responsive to local concerns. Both of these requirements make the international government solution to world peace seem a purely utopian ideal. But without the overarching coercive force offered by a world government, other solutions, such as those relying solely on treaty, seem even more utopian. Except, I would suggest, for one: Kant's essay, *Toward Perpetual Peace*, offers a compelling argument for how world peace might eventually be achieved without resorting to a cosmopolitan constitutional order.

This paper will first review the argument in *Toward Perpetual Peace*. It will then explain how Kant's concerns with moral theory lead him to develop a pragmatic argument for the achievement of perpetual peace. Finally, this paper will suggest Kant's argument for perpetual peace is still compelling, despite the political and technological changes of the proceeding 200 years. Kant's argument provides a frame that can create a belief in, and therefore, motivation to work toward, a global perpetual peace.

Kant argues perpetual peace "can occur only in a *juridical* condition," where the involved parties guarantee their mutual security. Existence outside of this juridical

condition may have periods of apparent peace, but as there is always the threat of war – if not war itself – the state remains one not of peace but of the barbarism of the state of nature (Kant, 8:349). Kant writes, “a person (or a people) in a mere state of nature deprives me of this security and harms me through this very state by existing next to me, although not actively (*facto*), nonetheless through the lawlessness of his state (*statu iniusto*), by means of which he represents a constant threat to me. I can thus require of him that he either enter into a state of common civil law or remove himself from my vicinity” (Kant, 8:349n). Therefore, for global perpetual peace to exist, both persons and peoples must enter into “a state of common civil law” (as the other alternative, that he “remove himself from my vicinity,” is not an option after the world has been populated). Thus there are three different orders, corresponding to the three different possible relations between persons and peoples: one, the republican order, between persons, two, the international order, between states, and, three, the cosmopolitan order, between both persons and states.

Kant lays these juridical orders out in the three Definitive Articles of Perpetual Peace. In the First Definitive Article, he addresses the republican order. The republican government, a representative government, is the only government established according to right, and so the only constitution with “the purity of... origin” meeting Kant’s requirements for morality. This right has an objective reality, insofar that it is achievable through knowledge of nature (empirical reality) and the proper application of that knowledge, not only in the attainment of freedom within a state, but, according to man’s self-interest, also uniting for protection against external enemies (Kant, 8:377, 8:366). The republican constitution also guarantees peace, since it is governed by its citizens,

“then nothing is more natural than that [the citizens] would consider very carefully whether to enter into such a terrible game, since they would have to resolve to bring the hardships of war upon themselves” (Kant, 8:351). He contrasts the republican constitution with constitutions where the subjects are not sovereign, and, as war costs the head of state nothing, the sovereign does not hesitate to engage in war.

In the Second Definitive Article, Kant addresses the international order. He claims people are like states, and so long as either states or people remain in a state of nature, that is, outside of a constitution, rights are not guaranteed and people act contrary to reason – the situation is “barbaric, unrefined, and a brutish degeneration of humanity” (Kant, 8:354). The constitution that would lead states out of international barbarism must naturally take the form of a federation, not a world government, as a world government is a contradiction: “every state involves the relation between a *superior* (who legislates) and a *subject* (who obeys, namely, the people), whereas many peoples within one state would make only one people, which contradicts the presupposition [of the existence of states]” (Kant, 8:354). In other words, if the international right that develops out of an international constitution is the right between states (and so international and not, say, civil, or, to be anachronistic, domestic), then it presupposes the existence of states (which we might recall, are established according to right). And as Kant goes on to say, although a world government might be ideal, states will not abdicate their authority: “since [states] do not, according to their conception of international right, want the positive idea of a *world republic* at all (thus rejecting *in hypothesi* what is right *in thesi*), only the *negative* surrogate of a lasting and continually expanding *federation*” will suffice (Kant, 8:357).

The “pacific federation,” this international federation that “seeks to end not merely *one* war, as does [a peace treaty], but rather to end *all* wars forever,” is “a surrogate for the compact of civil society” (Kant, 8:356). It might thus be concluded that, since such “free federalism, which reason must necessarily connect with the concept of international right” is a “surrogate for the compact of civil society,” international right is likewise a “surrogate” for the legal rights of civil society (Kant, 8:356). Not only is the federation right in the moral sense, it also has objective reality: “For if fortune so determines that a powerful and enlightened people can constitute itself as a republic..., then this republic provides a focus point for other states, so that they might join this federative union and... gradually extend this union further and further through several such associations” (Kant, 8:356). Some have questioned the strength of this international right, as it is not based on the justice grounded in civil law for right “does not have the least amount of *legal* force and cannot have such force (since states as such are not subject to common external coercion)” (Kant, 8:355). In a republic, rights are guaranteed by the coercive power of the sovereign, and the federation, lacking the sovereign, is lacking such a guarantee.

Yet the absence of a sovereign power need not be a significant problem if we have accepted Kant’s previous argument regarding republics. Assuming republics are less likely to go war, and the federation consists only of republics, the federation would tend toward peace even if – lacking a legal force – the state of nature continues. Furthermore, Kant, in the First Article, “The Guarantee of Perpetual Peace,” argues “this state of war [the international federation] is, according to the idea of reason, better than the blending of these states into a power that overgrows the existing ones and ultimately turns into a

universal monarchy” (Kant, 8:367). Kant supports this assertion with two claims, one related to the weakening of laws as states grow larger, and one related to the diversity of languages and religions (which lead to wars). Here, Kant takes into account the actual behavior of states, much like he did above in regards to what states “want” (“since [states] do not... want the positive idea of a *world republic* at all”) (Kant, 8:357). Again, we see that moral motivations take backseat to empirical concerns (“rejecting *in hypothesi* what is right *in thesi*”) (Kant, 8:357). Furthermore, the cosmopolitan right, which is discussed in the following article, can also be read as supporting the federation. The cosmopolitan right facilitates trade and relationships that cut across the boundaries of states, creating loose international bonds between peoples.

Kant refers to this cosmopolitan right as the right of hospitality. This right is not the right to receive the welcome and charity of inhabitants of areas outside one’s own state or territory, but is instead a negative right, proscribing hostility upon a visitor’s arrival, assuming the visitor acts peacefully. The right of hospitality is a universal (moral) right in itself, “a right to visit, to which all human beings have a claim, to present oneself to society by virtue of the right of a common possession of the surface of the earth” (Kant, 8:358).

Quite differently from the previous two rights, the cosmopolitan right is framed such that its most prominent characteristic is to deny certain conceptions of cosmopolitan right. The heading of the section indicates its limiting character: “Third Definitive Article of Perpetual Peace: *Cosmopolitan Right* Shall Be Limited to the Conditions of Universal *Hospitality*” (Kant, 8:357). At least half of Kant’s explication of this right consists of his condemnation of the “visits” of commercial and colonial powers to the

Americas, Africa, and Asia. Clearly, then, an important aspect of the cosmopolitan right is prohibiting the oppression and exploitation of inhabitants of foreign territories.

The cosmopolitan right, like the previous two rights, has an objective reality. As both the republican and international rights developed out of a need to govern inevitable interactions that, without a mutual guarantee via a juridical order, were untenable, so does the cosmopolitan right develop. Self-interest, understood here as the negative effects of the oppression of commercial and colonial powers (Kant refers to the poor financial state of “trading companies”), drives persons and peoples to join in a juridical order: “The growing prevalence of a (narrower or wider) community among the peoples of the earth has now reached a point at which the violation of right at any *one* place on the earth is felt in *all* places,” writes Kant (Kant, 8:359-360). These negative effects, Kant goes on to elaborate in the First Supplement, are the harm to trade: “Since, among all of the powers (means) subordinate to state authority, the *power of money* is likely the most reliable, states find themselves forced (admittedly not by motivations of morality) to promote a noble peace and, wherever in the world war threatens to break out, to prevent it by means of negotiations, just as if they were therefore members of a lasting alliance” (Kant, 8:368). Here, as with international right, self-interest constitutes the coercive force that would be otherwise lacking in this “surrogate” of civil legality.

I suggest the uniqueness of *Toward Perpetual Peace*’s plan for peace is most evident from a perspective privileging Kant’s understanding of the relation between determinism and moral duty. For Kant, acts can only be moral if they are both directed toward the achievement of moral ends and achieved through actions in accordance with moral principles. In other words, morality is strictly non-instrumental (Kant, 8:370). Also

for Kant, a moral *duty* is (only) incurred if the achievement of the moral end is recognized as an objective reality. So if Kant wants to claim the moral duty of politicians is to achieve world peace, he must demonstrate both that the achievement of perpetual peace can be attained by acting in accordance with moral principles and that perpetual peace has objective reality (Kant, 8:377). The most convincing argument for perpetual peace having objective reality would take its starting point from Kant's world, thus it would seem Kant needs to show perpetual peace can occur without the help of a large number of moral politicians. In other words, perpetual peace must be possible "even for devils" (Kant, 8:366). Kant argues perpetual peace is nature's plan: writes Kant, "Nature wills irresistibly that right ultimately attains supreme authority" (Kant, 8:367). But if it is nature willing right, not men, then it would seem peace is determined by nature. And if morality can only operate within the realm not determined by nature, how is morality relevant to perpetual peace?

These questions become less perplexing if we recognize the importance of temporality in achievement of perpetual peace. Perpetual peace comes about through the founding of three judicial orders (constitutional republics, an international federation, and a cosmopolitan right). Man's self-interest leads him to form legal institutions (nature's "will[ing] right"), and these institutions in turn develop his moral self: "it should not be expected that a good state constitution would arise from an inner morality, but rather conversely that the good moral education of a people would follow from the former" (Kant, 8:366). Similarly, Kant points out that states, which are not held together by a legal institution, "in their external conduct" can be seen to "closely approximate what the idea of right prescribes, although an inner morality is certainly not the cause of this

conduct” (Kant, 8:366). In other words, states will act according to self-interest in a manner that might approximate morality as, for example, when they employ the word and concept of “international right” in their treaties (Kant, 8:355). Thus Kant predicts that, just as individuals were led by their self-interest to exit the state of nature and create legal orders at the level of the state, and thereby receive a moral education, they will be led by their self-interest to create an international federation and a cosmopolitan right, and these, in turn, will provide further moral education. Self-interest will lead to actions that approximate and teach right, so self-interest has the potential to help generate moral behavior.

So, here, temporality plays two important conceptual roles. First, it provides a transformational theory of morality, such that the objective reality of world peace, via nature’s plan, does not contradict peace as a moral goal and the achievement of peace as a moral act. Second, it introduces a level of contingency. Nature will eventually attain its end, world peace, but how its end is achieved – the time it takes, the violence of the process, and the role of morality – remains open. Writes Kant, “Whatever one neglects to accomplish in this regard [‘right ultimately attain(ing) its supreme authority’] will ultimately take care of itself, although with a great deal of trouble” (Kant, 8:367).

So far I have shown that Kant’s perpetual peace would consist of three juridical orders: republican, international, and cosmopolitan. I have also shown how Kant demonstrates these orders are both nature’s plan (attainable even for “devils”) as well as (moral) rights in themselves; thus these rights become duties. As indicated at the beginning of this paper, and as laid out by Kant in the first part of his Appendix, to be



moral, one must act according to principle. It is only through following principle, as opposed to self-interested instrumentalism, that a politician can be a moral politician.

From the above overview of Kant's argument, we can identify several claims regarding the achievement of perpetual peace (in addition to his transcendental formulas which are not directly relevant to my argument). Kant claims 1) people and peoples cannot avoid interaction, 2) without further moral progress, the mass of people can be assumed to act according to their self-interests, and 3) what is in the interest of people in terms of their (inevitable) interaction is to join together to create institutions that secure their mutual interests. At the local level of association, the securing of mutual interests is carried out by a representative government (a republican constitution) and backed by a coercive force located within the sovereign. At the level of these associations interacting with other associations (the international level), as well as people interacting with other associations (the cosmopolitan level), the securing of mutual interests is carried out by an order that assumes similar interests among representative associations. In this latter group of interactions, the order is not coercive in the legal sense, as there is no sovereign capable of enforcing right. Rather, the latter group of interactions depends on the existence of a number of representative associations. The importance of the latter group exists not in their coercive power – which is unnecessary – but in their providing the institutional framework that will produce moral improvement (and so show the progression towards perpetual peace to be moral).

While some have criticized Kant's argument for its emphasis on the state – and, particularly, the sovereignty of the state – I would suggest there is no reason to read Kant's argument in terms of necessarily emphasizing the state. The state as the sovereign

entity is a historically contingent aspect of Kant's theory, not a necessary aspect of his argument. If we assume Kant's argument must show the objective reality of perpetual peace, then he would need to start from empirically accurate premises. As was mentioned above, he would need to take the actual interests and behavior of the relevant actors into account. And in 18<sup>th</sup>-century Europe, sovereignty was largely located at the level of the state. Technological developments have since created a world where interests are not as likely to be aggregated according to physical proximity. The nation-state, the paradigm within which Kant operated, is increasingly a thing of the past.

If we read the sovereignty of the state as contingent and not necessary, where to locate sovereignty might seem to be a completely open question. One might argue Kant would locate sovereignty at a level of association recognizing differences in "peoples," that is, differences in culture such as language and religion. For Kant claims that it is these cultural differences which indicate nature's plan includes the existence of a number of states (as opposed to a world government) (Kant, 8:367). Also, according to Kant, large states result in "soulless despotism" as "laws increasingly lose their force as the borders of a government are extended" (Kant, 8:367). If we interpret the loss of the force of laws to the increasingly imperfect representation that occurs within an increasingly diverse state, as well as the increasing difficulty of enforcement, then Kant would seem to still intend to locate sovereignty at a level of association that recognizes differences in "peoples."

However, I would suggest the evidence Kant uses as indication of nature's plan has the same character of historical contingency as his choice of state. The reason he argues states are the natural location of sovereignty are, of course, the reasons he thinks

(and we might agree) that states in the 18<sup>th</sup> century were the location of sovereignty. So if we were today to use Kant's logic, we would first locate sovereignty, then, to demonstrate nature's plan, we would point to whatever reasons produced the current location of sovereignty.

Some, now, might suggest there are more and more compelling reasons to locate sovereignty at the world level. Habermas, for instance, has argued the existence of an increasingly global communicative discourse is an indication of a global community, a community that could potentially constitute the basis of a cosmopolitan order (Habermas, "Kant's Idea"). I would suggest, however, that if we are to emphasize sovereignty in the way in which Kant does (and the way in which we must if we agree with the logic of his argument), that is, in terms of the voluntary submission to a coercive power, then it would be extremely difficult to argue that global sovereignty does currently exist.

Rather than make Kant a fan of world government – a project I see as akin to attempting to force a square peg into a round hole – I would suggest we focus on the insights Kant's argument does offer. And perhaps the most valuable insight Kant offers (again, assuming we agree with his argument) is that a cosmopolitan constitutional order is not a necessary condition of perpetual peace. It would be hard to argue the creation of a cosmopolitan order appears to be in our world's near future, while, on the other hand, most would agree that there has been a long term trend toward the conditions Kant understood as essential to perpetual peace: an increase in representative governments less inclined to go to war with each other (Doyle, "Kant and Liberal Internationalism"), an increase in international associations (such as the UN, the Kyoto Protocol, an international court), and an increase in international trade and travel.

For Kant, I have tried to show, what is of most importance is the detection of sovereign, representative associations at the local level. While, arguably, the most clear example in Kant's day was the nation-state, associations that are both above the state level (e.g. NGOs) and below the state level (e.g., multiculturalism) seem to be more characteristic of our time. And since there is nothing in Kant's larger argument regarding the achievement of perpetual peace requiring a relation between the nation-state, on one hand, and sovereignty and representative government on the other, it would seem the concept of the nation-state could be detached from the idea of local associations. If this were the case, the limiting factor for the location of sovereignty would remain the ability of the government to represent the people and enforce the laws. As I suggest earlier, Kant located sovereignty in the state by looking at the current conditions. The location of sovereignty at the state level should be understood as pragmatic move in a normative argument, where the pragmatism was driven by empirical concerns. Similarly, we might attribute representative sovereignty to those associations that appear to meet its criteria for both representation and legality – whether those associations be the European Union or a rebel Maoist group in the mountains of Nepal.

In sum, Kant offers a path towards peace that is surprisingly compelling in its foundations in current empirical reality. If we focus on the structure of the argument rather than its specific content (like nation-states), Kant's *Toward Perpetual Peace* offers a unique perspective – even without a cosmopolitan constitutional order, perpetual peace might be attainable. And if it is attainable, it would be hard to argue that, even if we do not take perpetual peace to be a moral duty, it nonetheless remains a suitable goal for our political aspirations.

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