

IMMANUEL KANT (1724-1804)

*Toward Perpetual Peace***Introduction: ‘The Perpetual Peace’**

seems Kant had a sense of humor
as he opens this serious study with a couple of jokes

the first—he opens by describing a Dutch Innkeeper’s sign
it has a picture of a graveyard
and the inscription ‘The Perpetual Peace’

this little joke sets the theme of the essay
as Kant attempts to sketch out the possibilities of a perpetual peace
which would be something other than simply a graveyard (of the human race)

the second—since the practical politician looks down with great complacency
upon the political theorist
the politician need not be threatened by what Kant has to say here
(even though what he has to say would undermine the legitimacy of much of what the practical politician
thinks he can do)

First Section

Which Contains the Preliminary Articles of a Perpetual Peace Between States

at the end of this section Kant specifies that articles 1, 5, and 6
should be treated as strictly *prohibitive laws*
with the abuses that are prohibited abolished *immediately*

whereas articles 2, 3, and 4 “allow some *subjective* latitude according to the circumstances

1. ‘No conclusion of peace shall be considered valid if it was made with a secret reservation of the material for a future war.’

Kant points out that the phrase ‘perpetual peace’ is already close to a ‘pleonasm,’ i.e., a redundancy
as real peace means the end to hostilities it should be perpetual

of course, history has demonstrated this not to be the case
and when ‘peace’ has been attained
it has been generally only a short interlude between wars

but if the goal is perpetual peace then Kant’s first article maintains
that any secret reservation of materials for a future war is prohibited

Kant acknowledges that such a prohibition would appear entirely academic and pedantic
. . . if, in accordance with ‘enlightened’ notions of political expediency, we believe that the true
glory of a state consists in the constant increase of its power by any means whatsoever.

the underlying assumption here seems to be that states

should not be in a Hobbesian state of nature with respect to each other

or, at least, the highest aims of a state (its true glory)
are to be found in rejecting *might makes right*

(But this seems to conflict with what he says in article 6 below)

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2. 'No independently existing state, whether is be large or small, may be acquired by another state by inheritance, exchange, purchase or gift.'

thus any acquisition of states as if they were private property is prohibited

his argument here relies on the conception of inalienable human rights
which comes through Locke and Rousseau
for Kant, treating states as potential property to be acquired
"contradicts the idea of the original contract, without which the rights of a people are unthinkable" (380)

this could perhaps lead to an interesting reflection on
the U.S. annexation of Hawaii

were the Hawaiians given rights by becoming citizens of the United States
or
was Hawaii treated simply as property to be acquired by the United States
constituting a violation the rights of the Hawaiian people

* * *

3. 'Standing armies (*miles perpetuus*) will gradually be abolished altogether.'

it is interesting here that Kant foresees an arms-race if states are allowed to keep armies
"They spur on the states to outdo one another in arming . . ."

the result of this arms-race is that
"the armies are themselves the cause of wars of aggression"

it seems that Kant was right about the consequences that follow from states keeping standing armies
is it conceivable to think of the possibility of abolishing standing armies altogether?
why or why not?

Kant also questions the hiring of mercenary soldiers
as this would contradict one of Kant's central moral premises
that individuals should never be treated as mere means

"using them as mere machines and instruments in the hands of someone else (the state), which cannot
easily be reconciled with the rights of man in one's own person"

why should this apply only to mercenary soldiers?

Kant allows for “voluntary military training from time to time” for defense purposes only

Kant also raises a problem of wealth
perhaps what he is getting at is the allocation of wealth for military expenditures
he goes so far as to suggest that it is the *power of money*
more than the power of armies, or that of alliances
that “is probably the most reliable instrument of war”

for Kant, war should not be too easy
with its vast wealth is war too easy for the U.S.?

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4. ‘No national debt shall be contracted in connection with the external affairs of the state.’

any foreign debts accrued for military expenses is thus prohibited

Kant argues that a credit system that would allow for such debts
“shows the power of money in its most dangerous form”

it would be conceivable in such a system that one state could
amass a military force that would
“exceed the resources of all the other states put together”

such a system makes war too easy

much of the debt for the current war in Iraq is foreign debt (China)
is Kant right that this should be prohibited?

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5. ‘No state shall forcibly interfere in the constitution and government of another state.’

Kant suggests here that interference could be justified in a state
in which there is an internal discord leading to anarchy

again Kant’s argument relies on the notion of human rights:
“But as long as this internal conflict is not yet decided, the interference of external powers would be a violation of the rights of an independent people which is merely struggling with its internal ills”.

Is Kant right that such interference in another state is a violation of the rights of the people?

Is the war in Iraq securing the freedom and rights of the Iraqi people?

or

is it a violation of the rights of the Iraqi people?

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6. 'No state at war with another shall permit such acts of hostility as would make mutual confidence impossible during a future time of peace. Such acts would include the employment of *assasins (percussores)* or *poisoners (venefici)*, *breach of agreement*, *the instigation of treason (perduellio)* within the enemy state, etc.'

Kant makes a number of important points here

first of all he is raising the issue of *jus in bello*—that is, just conduct in war to be distinguished from *jus ad bellum*—justifications for going to war

Kant argues that there must be dishonorable stratagems otherwise “hostilities would turn into a war of extermination (*bellum internecinum*)”

After all, war is only a regrettable expedient for asserting one's rights by force within a state of nature, where no court of justice is available to judge with legal authority. In such cases, neither party can be declared an unjust enemy, for this would already presuppose a judge's decision; only the *outcome* of the conflict, as in the case of a so-called 'judgment of God', can decide who is in the right.

this sounds like *might makes right*

does Kant accept that states are in a Hobbesian state of nature with respect to one another?
or does he accept the notion that both Locke and Rousseau share
that human beings have certain inalienable rights even in a state of nature

a war of extermination is strictly prohibited
along with the employment of all means which might bring about a war of extermination

It thus follows that a war of extermination, in which both parties and right itself might all be simultaneously annihilated, would allow perpetual peace only on the vast graveyard of the human race. A war of this kind and the employment of all means which might bring it about must thus be absolutely prohibited.

what would Kant have to say about nuclear weapons?

Second Section

Which Contains the Definitive Articles of a Perpetual Peace Between States

1. The Civil Constitution of Every State shall be Republican

Kant begins by distinguishing three principles of republican government:

- 1) the principle of *freedom* for all members of a society
- 2) the principle of the *dependence* of everyone upon a single common legislation
- 3) the principle of legal *equality* for everyone (as citizens)

it is the only constitution which can be derived from an original contract upon which all rightful legislation must be founded
(influence of both Locke and Rousseau)

Kant thinks that a republican constitution offers the possibility of perpetual peace since war would require the consent of citizens there would be less chance of going to war too quickly since war would bring down on the citizens all the miseries of war (unless the people are somehow insulated from actually having to experience the miseries of war)

Kant distinguishes republican constitution from democratic but first distinguishes various forms of state can be classified according to different forms of *sovereignty* in other words, according to the different persons who exercise supreme authority

by the individual	by several persons	or by all
<i>Autocracy</i>	<i>Aristocracy</i>	<i>Democracy</i>

or according to the forms of *government* in other words, the way in which the state is governed

republican form of government: when executive power is separated from legislative power

despotic form of government: when laws are made and executed by the same power

thus it is possible to have a republic that is an *autocracy* (monarchy), *aristocracy*, or *democracy* and then there are despotic forms of each of these forms of *sovereignty*

Kant argues that a purely democratic constitution is despotic

2. The Right of Nations shall be based on a Federation of Free State

nations are in respect to one another in a state of nature
Kant does seem to describe something of a Hobbesian state of nature, which is a state of war

this leads Kant to argue that nations should thus enter into something of a social contract:

Each nation, for the sake of its own security, can and ought to demand of the others that they should enter along with it into a constitution, similar to the civil one, within which the rights of each could be secured. This would mean establishing a *federation of peoples*.

in a passage that suggests something of what we might call the “dark side of the Enlightenment” Kant argues that states that refuse to enter into such a federation and choose to remain in a state of nature are no better than savages

We look with profound contempt upon the way in which savages cling to their lawless freedom. They would rather engage in incessant strife than submit to a legal constraint which they might impose upon themselves, for they prefer the freedom of folly to the freedom of reason. (384)

note here the influence of Rousseau’s notion of the difference between natural liberty and civil liberty

continuing with the same paragraph, Kant goes on to argue that states should enter a contract

We regard this as barbarism, coarseness, and brutish debasement of humanity. We might thus expect that civilized peoples, each united within itself as a state, would hasten to abandon so degrading a condition as soon as possible. But instead of doing so, each *state* sees its own majesty (for it would be absurd to speak of the majesty of a *people*) precisely in not having to submit to any external legal constraint . . .

one can easily imagine what Kant would say today about those Americans who scorn the very idea of the *United Nations* and international law those who constantly warn of the danger of the so-called *New World Order* those who worry about the *New World Order* do not seem to see the difference between the two types of international orders Kant distinguishes here the difference between a *federation of states* and an *international state*

and perhaps the end of this paragraph has an application to today as well:

. . . and the glory of its ruler consists in his power to order thousands of people to immolate themselves for a cause which does not truly concern them, while he need not himself incur any danger whatever. . . .

Kant thinks that peace will never be secured unless there is some kind of *federation*

But peace can neither be inaugurated nor secured without a general agreement between the nations; thus a particular kind of league, which we might call a *pacific federation (foedus pacificum)*, is required. It would differ from a *peace treaty (pactum pacis)* in that the latter terminates *one* war, whereas the former would seek to end *all* wars for good. This federation does not aim to acquire any power like that of a state, but merely to preserve and secure the *freedom* of each state in itself.

it would be interesting to think through this issue is the international arena a Hobbesian state of nature where nothing is just or unjust and the might of the strongest is the final authority some think that world peace can only be secured through the total military domination of the U.S. Kant would obviously find this to be a barbaric and a “brutish debasement of humanity”

one can easily see the influence of this essay on the very idea of the *League of Nations* first proposed after WWI in order to end all wars this, of course, failed because some in the U.S. did not want the U.S. “to submit to any external legal constraint” then, of course, after the devastation of WWII, Kant’s idea was resurrected as the *United Nations*

3. Cosmopolitan Right shall be limited to Conditions of Universal Hospitality

by ‘cosmopolitan right’ Kant means a right that should be respected everywhere by ‘universal hospitality’ he means simply that individuals traveling in other countries should not be treated with hostility they can be asked to leave, but not treated with hostility this merely emphasizes the *right to life* as a basic human right at then end of this section Kant suggest

that the peoples of the earth have already become a universal community

The peoples of the earth have thus entered in varying degrees into a universal community, and it has developed to the point where a violation of rights in *one* part of the world is felt *everywhere*.

we will see this idea that a violation of rights anywhere is felt everywhere to resonate in Henry David Thoreau's essay *On Civil Disobedience* and then, famously, in Martin Luther King Jr.'s "I have a Dream" speech and later in his *Letter from a Birmingham Jail*

First Supplement: On the Guarantee of Perpetual Peace

a federation provides the necessary conditions for perpetual peace
but does not provide a guarantee
it will depend upon the free choice of individuals and nations

he notes here that "it is the desire of every state (or its ruler) to achieve lasting peace by thus dominating the whole world, if at all possible"

Kant thinks that this will not be possible
for nature wills it otherwise
by separating nations linguistically and religiously

to what extent is Kant right about this today?

Second Supplement: Secret Article of a Perpetual Peace

here Kant closes with a comment that it is advisable for rulers to seek the advice of philosophers (but they can keep this a secret)

the closing paragraph contains an interesting response to Plato's proposal of the philosopher-king since power corrupts the free judgment of reason
Kant thinks it is not even desirable that philosophers become kings
but philosophers should not be silenced
(and sometimes they should be listened to)