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Kant's Society of Nations: Free Federation or World Republic?

GEORG CAVALLAR

1. INTRODUCTION

MOST INTERPRETERS DEALING with Kant's concept of peace agree that it is one of the more convincing and pleasing parts of his political theory. There is, however, disagreement about the characteristics and special features of this concept. Kant is praised for his advocacy of a society of nations. But did he have a free federation of sovereign states in mind or rather a universal state with coercive authority? Both models seem to be deducible from Kant's writings. Consequently, we have two different traditions of interpretation.

Authors like Carl Joachim Friedrich, Howard Williams, Sidney Axinn, and Otfried Höffe argue that Kant envisioned a compulsory, not a voluntary, world government.¹ Representatives of the second tradition are Karl Vorländer, Julius Ebbinghaus, Roger Hancock, Walter Gallie, Georg Geismann, and Leslie Mulholland.² They claim that Kant proposed a free federation,

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¹ Carl Joachim Friedrich, *Inevitable Peace* (New York: Greenwood, 1969), 45f.; Howard Williams, *Kant's Political Philosophy* (New York: St. Martin's Press, 1986), 254–57; Sidney Axinn, "Kant on World Government," *Proceedings of the Sixth International Kant Congress*, Vol. 11, 2, ed. Gerhard Funke and Thomas M. Seebohm (Washington, D.C.: University Press of America, 1989), 224 and 249; Otfried Höffe, *Kategorische Rechtsprinzipien. Ein Kontrapunkt der Moderne* (Frankfurt am Main: Suhrkamp, 1990), 270–75. Thomas L. Carson, while claiming that Kant endorsed a free federation, contends that Kant *should* have advocated a "minimal" world government with a military monopoly; see "Perpetual Peace: What Kant Should Have Said," *Social Theory and Practice* 14 (1988): 173, 179, 182–84.

² Karl Vorländer, *Kant und der Gedanke des Völkerbundes. Mit einem Anhang: Kant und Wilson* (Leipzig: F. Meiner, 1919), 41 and 43; Julius Ebbinghaus, "Kants Lehre vom ewigen Frieden und die Kriegsschuldfrage," *Gesammelte Aufsätze, Vorträge und Reden* (Hildesheim: Georg Olms Verlagsbuchhandlung, 1968), 34–39; Roger Hancock, "Kant on War and Peace," *Akten des 4. Interna-*

with states having the right to leave it whenever they want to. In addition, they may even refuse to enter this federation.

In this article, I will side with the second group of interpreters. The design of a free federation is more consistent with Kant's writings as well as with the spirit of his moral and legal philosophy. In the next section, I will investigate and criticize the unwarranted interpretation that Kant advocated a coercive universal state. Then I will outline Kant's concept of a free society of nations, trying to reconstruct his arguments for this model (section 3). Interpreting a seemingly awkward passage in *Perpetual Peace*, I argue that Kant cherished an additional modified concept of a free world republic (section 4). A final section points out that Kant ultimately criticized moral terrorism, the doctrine that moral goals such as peace can and should be achieved by immoral means (section 5).

2. A WORLD REPUBLIC WITH COERCIVE LAW?

Kant favors a universal state with coercive laws in his published and unpublished writings before 1793. In an early reflection, written around 1764–1768, Kant sees a league of nations (*Völkerbund*) as “the ideal of international law.” Like the other parts of public law, international law is in need of a “Leviathan or supreme power” (XIX, Refl. 6593).³ Apparently influenced by Hobbes,

tionalen Kant-Kongresses, Teil II, 2, ed. Gerhard Funke (Berlin, New York: de Gruyter, 1974), 669 and 672; Walter Bryce Gallie, *Philosophers of Peace and War: Kant, Clausewitz, Marx, Engels, and Tolstoy* (Cambridge: Cambridge University Press, 1978), 9 and 34; Georg Geismann, “Kants Rechtslehre vom Weltfrieden,” *Zeitschrift für philosophische Forschung* 37 (1983): 380 and 383. It goes without saying that my distinction between the two traditions describes rather a tendency than two separate “camps.” According to Leslie Mulholland, Kant rejected a world state as impracticable; see *Kant's System of Rights* (New York: Columbia University Press, 1990), 368 and 370. See also his article “Kant on War and International Justice,” *Kant-Studien* 78 (1987): 25–41. Mulholland's account in *Kant's System of Rights* is a profound study of international law (cf. 363–68) and of the interrelation between the First and the Second Definitive Article (cf. 368–71).

³During the last decades, it has been customary to refer to the *Critique of Pure Reason* using the first (A) and second (B) German edition. I think it useful to extend this practice to all of Kant's published writings. In this essay, I have used *Kants Gesammelte Schriften*, ed. Prussian (later: German) Academy of Science (Berlin, Leipzig: de Gruyter, 1900–). This edition is referred to in the text with roman numerals for the volume and Arabic numerals for page numbers and sometimes lines. Unless otherwise indicated, the translation I have been using for Kant's published writings is *Kant's Political Writings*, ed. Hans Reiss, trans. H. B. Nisbet (Cambridge: University Press, 1989). Occasionally I have changed the translation to ensure the consistency of the central terms. The page number of an English translation follows the page number of the original German edition and the Akademie edition. Abbreviations used are:

CR=*Critique of Pure Reason*, trans. Norman Kemp Smith (New York: St. Martin's Press, 1965).

Idea=Idea for a Universal History with a Cosmopolitan Purpose.

Foundations=*Foundations of the Metaphysics of Morals* trans. Lewis White Beck (Indianapolis: Bobbs-Merrill, 1980).

CPR=*Critique of Practical Reason*, trans. L. W. Beck (New York: Macmillan, 1985).

Kant transposes the theorem "exeundum e statu naturali" to the sphere of international law. Individuals have a duty corresponding to rights (*Rechtspflicht*)⁴ to leave the state of nature. Similarly, states should enter a civil society, "according to laws of justice" (*ibid.*). In analogy to the social contract, the society of nations is designed to end the state of possible war between nations. In another reflection, Kant praises a league of nations as "the ultimate perfection" (XV, Refl. 1499, around 1773–1777). He leaves open the question of whether he is referring to a universal state or a federation. A later note is more precise and lapidary about this problem. It assumes an identity between the civil and international state of nature. Freedom and law without power is called "Polish freedom" and rejected as self-contradictory. Like any state that wants to avoid anarchy, a league of nations is in need of a "common power [*gemeinschaftliche Gewalt*]" (XV, Refl. 1501, written between 1775–1789).

In the "Idea for a Universal History with a Cosmopolitan Purpose" (1784), Kant still has a similar concept in mind. He assumes that the "barbarous freedom" of states and the subsequent wars between them force the human species into "a system of united power" (Idea A 401f.; VIII, 26; 49). This united power is said to be necessary to reinforce international law. In 1784, Kant can only conceive of this coercive, international authority that guaran-

CJ=*Critique of Judgment*, trans. James Creed Meredith (Oxford: Clarendon, 1980).

Theory and Practice=On the Common Saying: 'This May Be True in Theory, but It Does Not Apply in Practice'

Religion=*Religion within the Limits of Reason Alone*, trans. with an Introduction and Notes by Theodore M. Greene and Hoyt H. Hudson (New York: Harper and Row, 1960).

Peace=Perpetual Peace, A Philosophical Sketch

DR=Doctrine of Rights=The Metaphysical Elements of Justice, Part I of *The Metaphysics of Morals*, ed. and trans. John Ladd (New York: Bobbs-Merrill, 1965). Sections not included in Ladd's incomplete translation are quoted from *The Philosophy of Law: An Exposition of the Fundamental Principles of Jurisprudence as the Science of Right*, trans. W. Hastie (Edinburgh: Clark, 1887; rpt. Clifton: Augustus M. Kelley Publishers, 1974). Page references in parentheses indicate that Hastie's translation has been used.

Contest=The Contest of Faculties.

Anthropology=*Anthropology from a Pragmatic Point of View*, trans. Victor Lyle Dowdell, ed. Hans H. Rudnick (Carbondale: Southern Illinois University Press, 1978).

Education=*Education*, trans. Annette Churton (Ann Arbor: University of Michigan Press, 1960).

Logic=*Logic*, trans. Robert S. Hartman and Wolfgang Schwarz (Indianapolis: Bobbs-Merrill, 1974).

Thus, Idea A 401f.; VIII, 26; 49 refers to "Idea for a Universal History with a Cosmopolitan Purpose," first edition, pp. 401–402; Akademie edition, 8:26; Reiss translation, p. 49.

⁴In the text, *rechlich* is translated as 'rightful,' *rechtmässig* as 'lawful' or 'just,' and *gesetzlich* as 'legal.' *Rechtspflichten* are translated as 'duties corresponding to rights,' and *Völkerrecht* as 'natural law concerning states' interrelations' and 'rights of nations.' The terms 'principle of justice' and 'principle (or concept) of rights' are synonymous, and are a translation of *Rechtssprinzip*. Ladd, "Translator's Introduction," in *Metaphysics of Morals*, xv–xviii and Mulholland, *System of Rights*, 5–10, point out the difficulties of an accurate translation.

tees a system of "general political security" (A 402; VIII, 26; 49). Comparing state law with international law, Kant sees parallels rather than differences. The antagonism among states reflects the conflicts among human beings before the foundation of a civil society. The same "unsocial sociability," Kant claims, that drove our species into forming societies will force states into a cosmopolitan system.

In the essay "On the Common Saying: 'This May Be True in Theory, but It Does Not Apply in Practice'" (1793), Kant basically repeats his previous arguments. Again, he emphasizes the parallel between a civil and a cosmopolitan constitution (A 278f.; VIII, 310f.; 90). Again, he stresses the "analogy" between civil and international right. How can war and the arms race come to an end? Kant replies that there is only *one* possible way: "a state of international right, based upon *enforceable* public laws to which each state must submit" (A 282; VIII, 312; 92, my emphasis). Kant clearly favors a central authority with "coercive laws." He envisages a "universal federation"—the original German text is more succinct: an "*allgemeiner Völkerstaat*" (A 283; VIII, 312; 92) is a universal state, not a federation.

In this essay, however, Kant is gradually changing his mind. The universal state seems to raise serious objections. Doesn't it threaten freedom? Does not the history of the Roman Empire and that of modern superpowers striving for predominance teach us that "such a state of universal peace . . . may lead to the most fearful despotism" (A 279; VIII, 310f.; 90)? For the first time, Kant claims that there is an alternative to an international "commonwealth under a single ruler." The new concept is described as "a lawful *federation* under a commonly accepted *international right*" (*ibid.*). Kant implicitly admits, though reluctantly, that this true federation has no coercive power. This second model of a free federation dominates Kant's writings after 1793.

Authors like Axinn who argue that Kant proposed a world government with coercive laws draw from the writings discussed above.⁵ Friedrich exploits

⁵Cf. Axinn, "World Government," 249: "The world government is to be compulsory, not voluntary." Among the articles on Kant's society of nations mentioned above, I prefer those of Ebbinghaus, Geismann, and Mulholland. Other reliable essays are Karl Jaspers, "Kants 'Zum ewigen Frieden,'" *Aneignung und Polemik* (München: Piper, 1968), 205–32, Patrick Riley, *Kant's Political Philosophy* (Totowa: Rowman and Littlefield, 1983), ch. 6; and Herta Nagl-Docekal, "Immanuel Kants Philosophie des Friedens," *Friedensbewegungen: Bedingungen und Wirkungen*, ed. Gernot Heiss and Heinrich Lutz (Wien: Verlag für Geschichte und Politik, 1984), 55–74. Riley's excellent introduction focuses on St. Pierre's, Voltaire's, Leibniz's, and Kant's concept of federalism. Nagl relates Kant's approach to the problem of peace in the system of rights to his philosophy of history. Simone Goyard-Fabre, "Kant et l'idée de 'Société des Nations,'" *Dialogue* 21 (1982): 693–712, correctly points out that Kant's solution is not "un Etat mondial (Weltrepublik)" (705). Her article puts Kant's doctrine into the larger context of his critical philosophy. Edgar Gerwin, "Kant and the Idea of the Society of Nations," *Proceedings of the Ottawa Congress on Kant in the Anglo-American and Continental Traditions, October 10–14, 1974*, ed. Pierre Laberge (Ottawa: Univer-

an ambiguity in Kant's second definitive article, "The Right of Nations Shall Be Based on a Federation of Free States" (*Peace* A 30; VIII, 354; 102). Does the notion "free states" refer to their internal political structure or to their relationship with the federation itself? Friedrich argues that Kant's free state is identical with one endorsing a republican constitution.⁶ Kant's first definitive article demands that states should have a "republican constitution" (A 20; VIII, 251; 99). However, he never explicitly contends that all member states of the federation have to be republics. Moreover, Kant might have written "republican" rather than "free states" if he had in mind what Friedrich wants him to have. Since the whole second definitive article puts emphasis on the rightful freedom and equality of *all* states, Friedrich's interpretation is rather strained. I will argue later on that Kant's concept of international law excludes discrimination against any state, even if it might endorse a despotic mode of government. It is certainly true that republicanism is necessary for the voluntary adherence to the rule of law. Despotic states are in principle in a state of war with others. However, Kant does not allow wars against despotic states just for the sake of preemptive attacks.

A more convincing passage in favor of Friedrich's and Axinn's approach is the complex and confusing closing paragraph of the second definitive article (cf. A 37f.; VIII, 357; see section 4).

3. A FEDERATION OF FREE STATES

In his later political writings published after 1793, Kant arrived at a new concept of international federation. As Kant put it succinctly in *Perpetual Peace* (1795), the goal of and basis for international law or the right of nations

city of Ottawa Press, 1976), 525–41, is the rather superficial small talk of a representative of the United Nations. The title of Kant's essay "Perpetual Peace" is distorted into "Vom [sic] ewigen Frieden" (525 and 541). Early English essays are A.C. Armstrong, "Kant's Philosophy of Peace and War," *Journal of Philosophy* 28 (1931): 197–204; and John Bourke, "Kant's Doctrine of 'Perpetual Peace'," *Philosophy* 17 (1942): 324–33. Sylvester John Hemleben, *Plans for World Peace through Six Centuries* (Chicago: University of Chicago Press, 1943), places Kant's concept into the context of late eighteenth-century peace projects. With all due modesty, I also would like to mention my thesis, *Pax Kantiana* (Diss., University of Vienna, 1989), ch. 7. A rather complete list of publications on Kant's concept of peace is included in Rudolf Malter, ed., Immanuel Kant, *Zum ewigen Frieden. Ein philosophischer Entwurf* (Stuttgart: Reclam, 1984), 63–68.

⁶ Friedrich, *Inevitable Peace*, 45. See also Mulholland, "Kant on War," 37 ("a federation of free republics") and Michael W. Doyle, "Kant, Liberal Legacies, and Foreign Affairs," *Philosophy and Public Affairs* 12 (1983): 226. Identifying Kant's republican constitution with liberalism, Doyle claims: ". . . Kant meant that the peace would be established among liberal regimes and would expand as new liberal regimes appeared" (ibid.). Paul Arthur Schilpp is apparently following C. J. Friedrich in "Kant and the Problem of World Peace," *Value and Valuation: Axiological Studies in Honor of Robert S. Hartman*, ed. John William Davis (Knoxville: The University of Tennessee Press, 1972), 172. Friedrich is mentioned in note 28 of the essay (181). Schilpp's article, providing long quotations and a superficial interpretation, is rather unsatisfactory.

should be "a federation of peoples [*Völkerbund*]. But a federation of this sort would not be the same thing as an international state [*Völkerstaat*]" (A 30; VIII, 354; 102).

Why did the later Kant change his mind? Why did Kant finally choose the weaker model of federalism where states do not submit themselves "to public laws and to a coercive power which enforces them" (A 35; VIII, 356; 104)? Several answers are possible to this question, one being pragmatic, the second legalistic, the third moral.

Most expositors tend to favor and emphasize Kant's apparently pragmatic answer. Any universal state is doomed to failure. The larger it becomes, the more inefficient and counterproductive it tends to be. In particular, "the laws progressively lose their impact as the government increases its range" (A 62, VIII, 367; 113). The inevitable outcome of a universal state is a final "lapse into anarchy" (*ibid.*). In his analysis, Kant obviously draws on the studies of Montesquieu (1734) and Gibbon (1776–1788) on the decline and fall of the Roman Empire.⁷ Kant expresses a similar thought in *Religion within the Limits of Reason Alone* (1793). All states are said to be eager to establish a universal monarchy. In the long run, however, after having reached a certain extension, they split up into smaller units (A 173 note; VI, 123; 114).

Kant's criticism of the universal state takes up those arguments that have been raised against the universal monarchy ever since Dante Alighieri advocated it in 1310. Kant does not seem to make a distinction between a universal state with a republican or a despotic form of government. It has been claimed that Kant's main argument against the universal state is one of political prudence. A world state, it is said, simply does not work. Nations are too different, in terms of languages as well as religious confessions (cf. *Peace* A 62f.; VIII, 367; 114), and, we might add, in terms of their national character. Thus a league of nations, Kant seems to suggest, is "a more prudential choice" than a world government.⁸

⁷ Montesquieu, *Considérations sur les Causes de la Grandeur des Romains et de leur Décadence* (1734), English trans. New York: Free Press, 1965; Edward Gibbon, *The Decline and Fall of the Roman Empire*, Abridgement by D. M. Low (New York: Harcourt, Brace and Company, 1960). Cf. Ebbinghaus, "Kants Lehre," 43f. and Kurt von Raumer, *Ewiger Friede. Friedensrufe und Friedenspläne seit der Renaissance* (Freiburg i. B.: Karl Alber, 1953), 166f.

⁸ Harry van der Linden, *Kantian Ethics and Socialism* (Indianapolis: Hackett Publishing Company, 1988), 324; cf. 159f. Similarly, Wolfgang Schwarz claims that Kant only paid attention to the factor of "feasibility." See "Kant's Philosophy of Law and International Peace," *Philosophy and Phenomenological Research* 23 (1962): 76. Schwarz incorporated large sections of his early essays into the "Translator's Introduction" of *Principles of Lawful Politics: Immanuel Kant's Philosophical Draft toward Eternal Peace. A New Faithful Translation with an Introduction, Commentary, and a Postscript "Hobbes in Kant?"* by Wolfgang Schwarz (Aalen: Scientia, 1988). Schwarz's "Germanic" translation is odd rather than "faithful," but his philosophical commentary is reliable.

Though Kant also argues from a pragmatic point of view, we should not take the subordinate part for the whole. Kant's ethical theory claims that the categorical imperative of morality should take precedence over all rules of skill and counsels of prudence (cf. *Foundations* A 43; IV, 416f.; 34 and XIX, Refl. 7200). Kant had philosophically more important reasons to criticize the universal state than mere prudential considerations. We just have to look for these arguments.

Kant's legalistic argument against an international state with coercive power is twofold. The weaker claim runs that this model is inherently self-contradictory. The right of nations presupposes that there is "a group of separate states which are not to be welded together as a unit" (*Peace* A 30f.; VIII, 354; 102). The rights of nations only make sense if there are independent nations. Why does the "relationship between a superior (the legislator) and an inferior (the people obeying the laws)" (A 30; VIII, 354; 102) hold true for state law, but not for international law? This question leads us to Kant's second legal argument.⁹

Kant's justification of legal coercion is rooted in the principle, "Any opposition that counteracts the hindrance of an effect promotes that effect and is consistent with it" (DR par. D; VI, 231; 35). A citizen who prevents another from doing what is rightfully permissible violates his or her rights. Rightful coercion prevents this illegal action, it is the "prevention of a hindrance to freedom" (ibid.; VI, 231; 36). In municipal law, legal coercion, or rather the general reciprocal use of coercion, constitutes the principle of justice. States, on the other hand, can be seen as at least partial realizations of this principle. "A state . . . is a union of a multitude of human beings under laws of justice" (A 164; VI, 313; 77). States "already have a rightful internal constitution" (*Peace* A 34; VIII, 355; 104; translation altered). Kant carefully uses the notion "rightful [*rechtl*ich]." Constitutions are usually not, or only to some extent, "lawful [*rechtm*ässig]" or just, that is, corresponding to the a priori principle of rights (A 73 note; VIII, 373; 118). For instance, Frederick's Prussia had a rightful constitution because the state of nature had been abandoned in favor of a civil society, and because the ruler had adopted the "spirit" of a representative, republican system (A 26f.; VIII, 352f.; 101). However, the hereditary rights of the aristocracy in that society were not lawful.

States, with the exception of despotic ones that do not even assume the spirit of republicanism, have abandoned the mere state of nature or anarchy. In contrast to individuals, existing states have a different juridical status. This

⁹This argument has been reconstructed by Ebbinghaus, "Kants Lehre," 34–39 and Geismann, "Rechtslehre," 379–84. Carson, "Perpetual Peace," 177–79 seems to overlook this crucial Kantian doctrine.

has an important consequence. Endorsing "a rightful internal constitution," states "have thus outgrown the coercive right of others to subject them to a wider legal constitution in accordance with their conception of right" (A 34; VIII, 355f.; 104). The passage makes clear why Kant defends the "autonomy" of states in the fifth preliminary article (A 12; VIII, 346; 96). The status of a state as a sovereign power is that of a moral person. States have innate rights whereby they are constituted as persons in the international community.¹⁰ This autonomy is more than that of an individual, because of the states' rightful internal constitution.

Carson accuses Kant of failing to "fully grasp the logic of his own argument."¹¹ Quite the contrary. In the years after 1793, Kant came to understand that the parallel between state law and international law is not a complete one. This had been his previous implicit assumption, and Carson fails to see why the later Kant finally abandoned it. Kant's opting for a free federation of states is not dictated by the utilitarian considerations that seem to be all-pervasive in Carson's analysis. No state has a right to force others into entering a society of nations.

Kant's new concept modifies the standard theorem of classical political philosophy, "exeundum e statu naturali." Initially, Kant had assumed that the state of nature among individuals and among states is identical. Consequently, he had favored a Hobbesian solution, that is, a supreme Leviathan with coercive power. Like Carson, Kant might have seen the use of military force by the world government as justified. But Kant's final proposal is completely different from that.

Some expositors assume that Kant's theory of the state of nature, and his version of the exeundum-theorem, is taken over from Hobbes. Kant's starting point, it is said, is Hobbes's pessimistic anthropology. Others claim that Kant's doctrine was influenced by his belief that human beings are radically evil.¹² Again, quite the contrary. Kant sided neither with Locke, nor Pufendorf, nor Hobbes. His starting point is a minimal assumption, that individuals in the state of nature injure each other "by the very fact that they are neighbours" (*Peace* A 30; VIII, 354; 102). They violate each other's right (to security). Kant frees his system of rights from anthropological assumptions. It is not the (alleged) empirical fact of human wickedness that makes it necessary to leave the state of nature. In this state of nature, "everyone follows his own judgment," doing whatever he or she considers as just and good (DR A 163; VI, 312; 76). It is not necessarily a condition of injustice, but it is a state in which

¹⁰ Cf. Mulholland, *System of Rights*, 367.

¹¹ Carson, "Perpetual Peace," 183.

¹² Cf. Goyard-Fabre, "Kant et l'idée," 702 and 704; Bourke, "Kant's Doctrine," 328.

public distributive justice is absent. It is, as the Latin term suggests, a state of juridical “vacuum,” or of absolute *Rechtlosigkeit* (ibid.). Kant admits that there are rights in the state of nature, but they are merely private (A 52; VI, 242; 48; *Peace* A 101; 129) and provisional (DR §§ 9 and 61). There is no public distributive justice in the state of nature because a “competent judge” (A 163; VI, 312; 76) as well as an executive with authority are absent. In a state of nature, only general justice (the rule of law) is possible, not particular justice, that is, “the peremptory determination of rights under the rule of law.”¹³

Because of the very lawlessness of the state of nature, one has the right to force or compel others to enter a civil society, or a common rightful condition. This right is contained in the concept of a right to an external object (DR § 41; VI, 305–307; 71).¹⁴ The provisional rights in a state of nature presuppose the obligation to submit to a civil condition. The mere fact of lawless coexistence is already an injury (*Läsion*). An individual “in a mere state of nature . . . injures me by virtue of this very state in which (s)he coexists with me” (*Peace* A 19 note; VIII, 349; 98; cf. XXIII, 159f.).

As I have already pointed out, states—in contrast to individuals in the state of nature—cannot be regarded as juridical “vacuums.” They have already acquired a lawful internal constitution. Hence no state has a right to *force* others into a civil state, that is, into an international organization (cf. XIX, Refl. 8065). It is the absence of a right, not the impossibility of sufficient power, that precludes the existence of an international organization *with coercive power*. A coercive right applies to individuals in the state of nature, but not to states that want to remain independent from associations with others. If states have no coercive force over others, then a free federation, not a universal state, is the idea demanded by pure reason. “[A] federative association of states whose sole intention is to eliminate war is the only *rightful* arrangement which can be reconciled with their *freedom*” (*Peace* A 101; VIII, 385; 129).

Sidney Axinn, who wants to convince us that Kant argued for a compulsory world government, contends that the indissoluble constitution of the U.S.A. served as Kant’s model. Axinn refers to a passage in *The Metaphysics of Morals* (1797). Did Kant again change his opinion? If so, then we have to give Kant’s last statement probably more weight than his concept in *Perpetual Peace* (1795). Axinn’s conclusion that “the world government is to be compulsory, not voluntary”¹⁵ is, however, based on a fallacious translation and misinterpretation.

¹³ Mulholland, *System of Rights*, 367.

¹⁴ Cf. *ibid.*, 297: “The title to use coercion . . . is based . . . on the principle that no one may rightfully interfere with my claim until a peremptory decision has been made, so long as I agree to enter a condition in which such a decision can be made.”

¹⁵ Axinn, “World Government,” 249.

tation of Kant's text. Kant, rather than modifying his concept of a free federation, basically repeats it in the "Doctrine of Rights."

Kant's well-known style, particularly his tendency to insert subordinate clauses into his long sentences, lends itself to distorted translation. Kant characterizes his free federation as a "permanent congress of states." Its features are the ones I have outlined before, and are identical with those set forth in *Perpetual Peace*. First, all states are "free to join such a congress"; this implies that they cannot be forced to enter it. Second, Kant adds—and this goes even beyond the essay of 1795—that the congress can be "dissolved at any time" (DR A 227f.; VI, 35of.; 124). Translating the crucial passage, Ladd splits up Kant's one long sentence into two, but mistakenly assumes that the second part of it refers to "a union (such as that of the American states)." Kant, in fact, refers to the congress of states, and not to a "union," as being "the only means of realising the idea of public natural law concerning states' interrelations as it ought to be instituted" (A 228; VI, 351; 124f.).¹⁶

Axinn's misinterpretation is even more apparent. Kant writes, without any ambiguity, that the congress of states "should *not* be confused with a union," taking the U.S. as an example for the latter (*ibid.*; my emphasis). The indissoluble constitution of the U.S. serves as a contrast to the dissoluble congress. In terms of international law, Kant is a federalist, not a unionist (though he would have criticized slavery). The historical example he has in mind is the assembly of the States General at The Hague at the beginning of the eighteenth century, not the U.S. Properly translated and understood, paragraph 61 of *The Metaphysics of Morals* is completely consistent with Kant's later concept of federation.

In contrast to the earlier model set up before 1793, the latter is rooted in Kant's transcendental program of a pure metaphysics of morals.

4. A DIFFICULT PASSAGE IN *PERPETUAL PEACE*

Kant's federation of states is based on the following transcendental principles. First, all states are *free* to do what they want as long as they do not injure the legal freedom of others. All independently existing states should be recognized as legal entities. This is the underlying assumption of the second and fifth preliminary article. The right to acquire another state would violate "its existence as a moral personality" (*Peace* A 7; VIII, 344; 94). The same holds true for integrating it violently into a universal state. Similarly, the right to

¹⁶ In contrast to Ladd, Hans Reiss provides an accurate translation; cf. *Kant's Political Writings*, 171. Syntactically, the relative pronoun "durch welchen" (masculine gender) can only refer to "der Kongress" (m.). Otherwise Kant would have written "durch welche" (feminine gender) to make it correspond to "die Verbindung" (f.).

intervene forcibly “in the constitution and government of another state” would injure its autonomy (A 11; VIII, 346; 96).

Second, all states are *equal*; they are equally subject to public law. This equality excludes the relationship “between a superior . . . and an inferior” among states (A 30; VIII, 354; 102). Hence wars cannot be punitive ones (cf. DR A 22 1f.; VI, 347; 120). States may *demand* from each other—indeed, they have a duty corresponding to rights to do so—that they enter a public lawful condition, but they have no right to *force* each other into it.

Third, all states are equal *colegislators* in terms of international law; otherwise it would not be a public one.¹⁷

Kant's second definitive article does not abandon or eliminate the autonomy of states set forth in the preliminary treaty. In fact, all preliminary articles specify Kant's concept of international law. To these prohibitive laws, the second definitive article only adds the preceptive law or duty corresponding to rights to found a free federation of states. This league is basically the rule of law among states that remain completely independent.¹⁸

Axinn fails to mention two passages that are more appropriate to support his thesis. One unpublished note claims succinctly: “The notion: *exeundum est e statu naturali* means: everybody can be *coerced* to enter with us or with our republic into a civil state” (XIX, Refl. 7735, my emphasis). In contrast to the Kantian doctrine expounded above, the civil and international state of nature are seen as identical. Kant even claims that wars with the intention to leave this state are “just” (*ibid.*). Though dating this reflection is, as usual, difficult, we may assume that it was written either between 1773 and 1777 or after 1790. As it is possible that Kant wrote it before 1793, it does not contradict my interpretation. The reflection belongs to the Hobbesian, “pre-Kantian” period.

The following passage is more challenging. Again, Kant endorses the principle that all states have a right to force (*nöthigen*) all other neighboring states to enter a league of nations (XXIII, 352, 23f.). The quoted section is part of a four-page manuscript (*loses Blatt F 18*), preliminary work to *The Metaphysics of Morals* (1797). Hence it must have been written shortly before that work's publication, that is, in Kant's “critical” period in international law (after 1793). But the importance of the passage should not be overestimated. First, Kant's statements that endorse the opposite doctrine are more frequent and more convincing. Second, as an unpublished note it has less weight than the concept published in the “Rechtslehre.” Third, Kant contradicts himself by claiming in

¹⁷ Cf. Geismann, “Rechtslehre,” 379.

¹⁸ Cf. F. H. Hinsley, *Power and the Pursuit of Peace: Theory and Practice in the History of Relations between States* (Cambridge: Cambridge University Press, 1967), 68. In this excellent study, Hinsley correctly points out that Kant's model departs from the organizational proposals of Saint-Pierre and Rousseau.

the next sentence of the passage that this “cosmopolitan federation” should *not* be a “cosmopolitan republic” (XXIII, 352, 29–32). Kant argues that this coercive league of nations does not intrude into the internal affairs of the states. Its sole purpose is to guarantee “external freedom” (ibid.). If Kant’s argument in *Perpetual Peace* is stringent, however, then this coercion *does* violate the autonomy of states as independently existing judicial entities.

States have a coercive right only against the unjust enemy, whose will discloses a maxim that cannot be universalized, and which “would perpetuate the state of nature forever” (DR § 60; VI, 349; 123). Nations have the right to unite against this malefactor, and may take away its power. Though Kant does not state it explicitly, this implies that the other states are entitled to the use of force. The war against the unjust enemy, however, is distinct from the coercion of other states into a federation.

I have argued that the most convincing approach to explaining Kant’s contradictory statements is to see them as parts of two different stages in his development. This implies that all texts written after 1793 have to reflect the new, genuinely “Kantian” position. A confusing passage in *Perpetual Peace* (1795), however, cannot be integrated into this explanatory model. At the end of the second definitive article, Kant seems to argue in favor of the kind of world government that has been criticized before: “There is only one rational way in which states coexisting with other states can emerge from the lawless condition of pure warfare. Just like individuals, they must renounce their savage and lawless freedom, adapt themselves to public coercive laws, and thus form an *international state*” (*Peace* A 37; VIII, 357; 105, translation altered). Kant seems to fall back from the critical doctrine he developed after 1793. Again, the civil and the international states of nature seem to be identical. A small, subtle, almost invisible change, however, has taken place. Kant no longer postulates a right to coerce other states into an international state. Rather he suggests that the states on their own decide to submit themselves *freely* under *coercive* laws. The model Kant endorses seems to be rather paradoxical, indicated by the passage “. . . dass sie . . . sich zu öffentlichen Zwangsgesetzen bequemen” (ibid.; VIII, 357, 8f.). The states condescend to submit themselves to the constraints of public laws. They are not forced by other states; they are forced by endless wars to give up their “savage and lawless freedom” in order to regain it on a different level. If their rightful autonomy is violated at all, then it is only by the “cunning of nature”—as Kant the philosopher of history might have added.

Kant clearly indicates that the international state is the ultimate ideal of reason in the qualification “according to reason [*nach der Vernunft*]” (ibid.). The confusion, however, continues. Kant seems to reject “the positive idea of a *world republic*” because it “cannot be realised” (A 38; VIII, 357; 105). Is this a

sufficient argument to abandon an idea? Does not Kant repeatedly argue that true, pure ideas in the moral and legal world retain their dignity and should be endorsed, regardless of their possible realization? Does not Kant, in his ethics and doctrine of law, take a polemical stance toward “the vulgar appeal to so-called adverse experience” (*CR* A 316; IV, 201, 34f.; 312)? Does not Kant confuse the transcendental analysis of the pure idea with the technical question of its feasibility? Don't we have to accuse him of what he calls “high treason against human reason” (XIX, Refl. 6897)?

Kant's justification for his pragmatic opting against the international state is even less convincing. The model, Kant argues, has to be abandoned since this state “is not the will of the nations, according to their present conception of international right” (*Peace* A 38; VIII, 357; 105). So what? Isn't it the task of the philosopher to develop an ideal concept of right rather than to bend his or her knees before its present, empirical condition? Why be concerned about the “will of the nations”? In the preliminary work for this passage, Kant explicitly expresses his contempt for the “hostile idea of a putative [*vermeintes*] international law” as a law without public rightful constitution, where everybody decides on one's own what is right and what not (XXIII, 169; 25–28). Nevertheless, Kant is willing to accept this condemned international law just because it's there. Kant adds in brackets that hence the states “reject *in hypothesi* what is true *in thesi*” (*Peace* A 38; VIII, 357; 105). In three sections of his essay against the unwarranted maxim “that whatever sounds good in theory has no practical validity” (*Theory and Practice* A 204; VIII, 277; 62; cf. *CR* B 661; III, 421; 526), Kant argues that what is true *in thesi*, or correct in theory, is also valid *in hypothesi*, or in practice. Thus all nations have no right to reject the positive idea of a world republic as “*in thesi richtig*” (*Peace* A 38; VIII, 357, 12f.; 105). Nevertheless, Kant is willing to accept this rejection.

The main body of the second definitive article and its closing section do not fit together. Kant shifts from a convincing transcendental approach to an empirical one, from genuinely legal arguments to a pragmatic one. This paradox can be explained in different ways. First, we might argue that Kant was wavering between two solutions from a pragmatic point of view. On the one hand, he considered a world state with coercive military power as the only effective authority. On the other hand, he was convinced that this institution would not be able to guarantee peace.¹⁹ This solution is unsatisfactory because it implies that Kant regarded the problem of world peace “as a mere *technical task*” (A 83; VIII, 377, 13f.; 122), devoid of legal and moral considerations. As we have seen and as we shall see, this is by no means true.

A second, more convincing explanation is offered by Ebbinghaus and

¹⁹ This solution is roughly that offered by Carson, “Perpetual Peace,” 178f.

Geismann.²⁰ The free federation of states is only the first step, the imperfect “substitute” (A 38; VIII, 357, 15; 104) for the proper ideal of a world republic, or a “republic of federated free nations” (*Religion* B 30 note; VI, 34, 32f.; 29). After all, Kant never criticised the *free* instituting of a cosmopolitan republic. States might take additional steps to go beyond a federal congress of states with the sole aim of preventing wars. The idea of a world republic still serves a regulative function, as is expressed in the movement toward a federation of free states. To employ a phrase from the second *Critique*, it is the ground of the possibility of realizing the highest political good, that is, perpetual peace (CPR A 243–46; V, 134, 25f.; 140f.; cf. DR A 235; VI, 355, 30; 129). As Williams puts it, an international republic “is an objective to put to the back of our minds, but it is an objective we ought always to have *in mind*.”²¹ Two elements are necessary if perpetual peace is to be successfully achieved: The free consent of states and their citizens *and* a world republic. In a final step, the states could voluntarily abandon their sovereignty. One of the problems of a world state is the abuse of power; the republican constitution counters this threat. States would not have to abandon their sovereignty completely. The sovereignty of the states over their subjects would remain intact, and would be protected by the world republic. It would limit the states’ sovereignty only in foreign relations.²² The ultimate goal of international law, perpetual peace, would have been achieved. Kant, filled with deep scepticism (or realism? or pessimism?), regarded it as “an idea that cannot be realized” (DR A 227; VI, 350, 17; 124).

In *Anthropology from a Pragmatic Point of View* (1798), Kant characterizes political systems according to three criteria: freedom, law, and authority (or power; Kant writes *Gewalt*). If we apply Kant’s model to international relations, we arrive at three plans for achieving world peace (cf. *Anthropology* A 330; VII, 330f.; 248; XV, Refl. 1468; Refl. 1501):

| | | |
|---|-------------------------------------|---|
| <i>monarchia universalis</i> | <i>free federation</i> | <i>world republic</i> |
| despotic authority and coercion (the worst) | republican freedom and law (better) | republican authority, freedom, and law (the best) |

This model does not include the international state of nature and the balance of power that is ridiculed by Kant (cf. *Theory and Practice* A 283;

²⁰ Cf. Ebbinghaus, “Kants Lehre,” 39–47 and Geismann, “Rechtslehre,” 380–84.

²¹ Williams, *Political Philosophy*, 256.

²² Höffe, *Rechtsprinzipien*, 275, distinguishes between these two types of sovereignty. Höffe’s interpretation is convincing, but he underestimates the means-end problem.

VIII, 312; 92). Another model of world relations is that of free republics that have not joined a federation. This is Rousseau's and Fichte's approach rather than Kant's. The universal monarchy corresponds to the despotic form or mode of government (*Regierungsart*). The Roman Empire and its *Pax Romana* is the classical historical example. Creating a "soulless despotism," it leaves no room for rightful freedom (*Peace* A 63; VIII, 367, 16; 113) or public coercive laws. The universal despotic state is the worst conceivable international plan, as perpetual peace is there attained—if at all—"in the graveyard of freedom" (*ibid.*; VIII, 367, 26f.; 114).

A free federation or league of nations should be preferred. First, from a pragmatic point of view, a universal state inevitably declines and lapses into anarchy (cf. *ibid.*; 113; e.g., the fall of the Roman Empire and the migration of nations). Whereas the universal state is just counterproductive, the free federation offers at least the possibility of a gradual development towards more stable and lasting international relations. Second, the league of nations or "cosmopolitan society" (*Anthropology* A 331; VII, 331, 23f.; 249) is preferable from a legal and moral point of view. It is rooted in the three principles of freedom, equality, and co-legislation described above. It "must not be based on coercive laws" (*Peace* A 97; VIII, 383, 14f.; 127; my emphasis), for reasons developed in section 2. Kant's other argument, that the nations simply do not want these laws, is not convincing.

The absence of coercive laws is, in turn, the major disadvantage of this federation. It cannot guarantee peace, but can only try to prevent wars, incurring the constant risk that they will break out anew (cf. 38; VIII, 357; 105). The world republic is based on public coercive laws, and, like the free federation, corresponds to the republican mode of government. It combines authority with freedom and law. It secures legal freedom, but not the "savage and lawless freedom" of the state of nature (A 37; VIII, 357, 8f.; 105). Outside this world republic, there is no salvation (XIX, Refl. 8076), as Kant points out emphatically.

5. THE ROAD TO PEACE

How could Kant endorse this world republic, but favor at the same time a free federation? The answer to this question leads us to Kant's third, and most powerful argument supporting the latter as the *first* step towards perpetual peace. On the level of state law, authority necessarily precedes law in establishing a civil constitution (cf. XIX, Refl. 8074). On the level of international law, however, law should precede authority *in establishing* a civil constitution among states. Kant rejects a coercive world republic as an immediate goal because he reflects about and considers the means/ends problem "the central issue in

political ethics.”²³ If a world republic is forced into existence, then one state, or a group of states, would wage war against others in the name of peace, claiming that this is the only effective way of ending the international state of nature. According to Kantian ethics (and, hopefully, common sense), however, waging war to promote peace is self-contradictory. Peace can be instituted solely by peaceful means, that is, by the rule of justice. Consequently, a world republic has to be postponed for the time being.

Kant provides a short sketch of the peaceful, first step towards world peace, claiming that the idea of federalism “is practicable and has objective reality.” “For if by good fortune one powerful and enlightened nation can form a republic (which is by its nature inclined to seek perpetual peace), this will provide a focal point for federal association among other states” (A 35; VIII, 356, 17–20; 104). The passage attempts to counter the claim that a free federation is impracticable, a “mere dream.” First, the rallying point has to be a powerful nation, otherwise the federation would be ineffective. Second, that nation has to be “enlightened” in terms of the concept of justice, thus differing from the ordinary powerful state that only promotes its own ends, that is, tries to establish a universal monarchy.

If, in the passage quoted above, Kant implicitly referred to revolutionary France, then he was mistaken. At the end of the eighteenth century, France followed the traditional path of power politics in a new ideological disguise. Kant’s prediction makes sense if we think of the role the United States assumed in setting up the League of nations (1919) and the United Nations (1945).²⁴

Kant’s contention that the “focal point” for the federation will be a republic links the first and the second definitive article together. The explanation in brackets repeats the claim of the first article, that the republican constitution “offers a prospect of attaining . . . perpetual peace” (A 23; VIII, 351, 3f.; 100). Kant argues on two distinct levels that peace is fostered by republicanism.²⁵ On a transcendental level, Kant contends that a republic “by its nature” (A 36; VIII, 356, 18f.; 104) will adhere to the principle of justice in international relations. On a pragmatic level, Kant assumes that it is more likely that citizens as colegislators in a republic will refuse to consent to a declaration of war. The first claim is a priori, the second one a posteriori, based on the principle of probability (cf. *Logic* A 126; IX, 81; 89). It is interesting to note that Kant does not refer to the republican mode of government, but simply to “a republic,”

²³ Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (New York: Basic Books, 1977), xvii.

²⁴ Cf. Friedrich, *Inevitable Peace*, 46.

²⁵ Cf. Mulholland, *System of Rights*, 369f.

that is, to the republican constitution. Kant undermines his distinction between the "spirit" of republicanism and the form of sovereignty (cf. *Peace A* 24–27; VIII, 351–53; 100f.). The actual consent of citizens to a declaration of war requires a representative republic. The despotic form of government is liable to foster all kinds of abuse because it lacks a system of checks and balances, even though in single cases decisions are made in the spirit of republicanism. Historical examples like that of Frederick's Enlightened Despotism show that this spirit never extended to foreign relations as well. Kant is right in praising Frederick for his domestic policy, which accorded usually "with the *spirit* of a representative system" (A 26f.; VIII, 352, 31; 101). However, Frederick never weakened or abandoned his personal, tight control over matters of war and peace. The autocracy with a republican form of government is merely a transitory stage towards the "true" republic, the "representative system of democracy" (XXIII, 342, 27–29).

This republic will probably endorse "the idea of natural law concerning states' interrelations" (*Peace A* 36; VIII, 356; 104) that is rooted in the same legal concept as republicanism: freedom, equality, and co-legislation (cf. beginning of section 4). The passage is one of the rare occasions where Kant makes a prediction about the future; in this case, he even seems to be right. My interpretation sheds favorable light on the role the U.S. assumed in the twentieth century. It goes without saying that there are other, less pleasing aspects in the U.S. history of foreign relations: the treatment of the Indians in the nineteenth century and the colonial "fall" of 1898, to mention just a few. In comparison with revolutionary and Napoleonic France or Imperial Germany from 1871 to 1945, however, the overall achievement is convincing.

Kant's rough sketch of the gradual rise of an international federation rules out one element: the use of force and coercion. The shift from a Hobbesian to a Kantian model of international relations is parallel to another development in Kant's thought. Gradually, Kant put more and more emphasis on the moral problem of world peace. The problem is contained in the question: Do we have to start with the "*material* principle," that is, the end of practical reason, or with its "*formal* principle," i.e., the categorical imperative, "Act in such a way that you can wish your maxim to become a universal law" (*Peace A* 82; VIII, 377, 4f.; 122)? For Kant, the answer is evident. Even if perpetual peace should be our end, our maxims have to correspond to the universal principle of morality. In particular, the moral politician applies only those means that are consistent with the right of human beings (cf. XXIII, 346, 18f.). The political moralist, on the other hand, subordinates moral principles to his end, thus putting "the cart before the horse" (*Peace A* 82; VIII, 376, 20; 121). A special version of the political moralist is the moral terrorist, or the noble immoralist. He mistakenly assumes that he is justified in using immoral means to bring

about moral or legal ends, such as republicanism or peace. Robespierre might be Kant's contemporary example for the moral terrorist (cf. *Religion A* 124; VI, 96, 1–4; 87).²⁶ Favoring a coercive universal republic as the immediate political goal reduces the problem of peace to a “technical task,” as opposed to a moral one (*Peace A* 83; VIII, 377, 14; 122).

This pragmatic, and ultimately immoral, point of view is dominant in the writings of those authors who support a coercive international organization. Though it might be called a “republic,” the means employed to establish it ultimately turn it towards despotism. Carson, for instance, is ready to endow his world government with military forces that might be used if necessary.²⁷ The world government is “justified” in using military force to maintain its monopoly there, and this monopoly is, in turn, designed to establish and promote peace. Again, the logic of this argument rests on the unwarranted and preposterous assumption that “the end justifies the means.”

Sidney Axinn summarizes Kant's position as holding that “we may use violence to compel membership in an international federation.”²⁸ A federation, as outlined by Kant, that is based on violence is a contradiction in terms. Moreover, the un-Kantian conclusion is rooted in a hypothetical imperative “which commands the willing of the means to one who wills the end” (*Foundations A* 48; IV, 417, 30f.; 36). Kant, however, attempts to introduce the categorical imperative into politics. The mere use of violence does not end the international state of nature, but perpetuates it. It is both counterproductive and immoral.

Axinn goes on to claim that Kant even endorsed the “dirty hands theory.” Quite to the contrary: in the passage quoted by Axinn to support this thesis, Kant defends the point of view of morality and justice against that of expediency and prudence. Some people argue, Kant writes, that “the use of violent means [*Gewalttätigkeit*]” is justified teleologically because of “the good for mankind that results from it [*Weltbestes*]” (*DR A* 231; VI, 353; 126). Kant provides several examples; we can add another one, the argument that the goal of peace justifies violence. Kant's reply to this sophistry is lucid and lapidary. “[A]ll these alleged good intentions still cannot wash away the stains of injus-

²⁶ Cf. van der Linden, *Kantian Ethics*, 171f. Van der Linden correctly points out that “social actions undertaken to bring the existing social totality closer to the moral ideal must reflect this ideal—that is, the means must reflect the end” (125). In the text, I am referring to the passage: “[W]oe to the legislator who wishes to establish through force a polity directed to ethical ends!” (*Religion A* 124; 87).

²⁷ Carson, “Perpetual Peace,” 185, 190, and 195. Fortunately Kant did not say what, according to Carson, he should have said.

²⁸ Axinn, “World Government,” 249. The next quotation is from Axinn, *ibid.*, 250.

tice from the use of such means" (ibid.; 127, translation altered).²⁹ If it takes dirty hands to establish a world state, then they remain dirty, and this model for attaining peace has to be abandoned. Kant did not accept the dirty hands theory, but rejected it as ultimately immoral.

Kant's position might be challenged with the objection that, if people had had all these moral scruples, the state of nature would have never been left. This argument intersects exactly with our topic. One might say that, if we had followed Kant, then "perhaps the whole world would still be in a lawless [*gesetzloser*] condition" (A 231f.; VI, 353; 127). Is not Kant's moral rigorism blocking any kind of progress? Is not Kant resembling Hegel's *valet-de-chambre* who, criticizing the heroes of the world history, denies that there is an ultimate point of view beyond mere morality?³⁰ Kant's reply to this contention is similar to the one given above. It is simply self-contradictory "to be unjust once and for all, in order thereafter to establish justice on a foundation that is so much more secure" (A 232; VI, 353; 127; cf. A 90; VI, 266 [93]). Similarly, it is self-contradictory to be immoral in order to establish morality, or to wage war to end all wars, or to be violent to end all violence.

Injustices, immorality, and wars in history can be approached from two different points of view. In ethics and the philosophy of law, Kant contends that our judgments have to be determining and subsuming. Practical judgment applies the general rule (the moral law) to a particular action (cf. *CPR* A 118–23; V, 67–70; 70–72). In the philosophy of history, judgments are not determining but reflective. The faculty of judgment cannot rely on a constitutive principle like the categorical imperative, but on a regulative one (e.g., a purpose in nature, cf. *Idea* A 386; VIII, 17, 24; 42; providence; Hegel's *Weltgeist*; cf. *CJ*, Introduction A XXIII–XXVI; V, 179–81; 18). Moral philosophy has to be nonconsequentialist. The philosopher of history, on the other hand, tries to understand and interpret historical processes, assuming a teleological structure. He cannot *justify* injustices that promoted the establishment of a just civil condition, nor can he justify immoralities that accidentally had good consequences. The philosopher of history contemplates retrospectively the hidden meaning of history, reconstructing it according to regulative teleological judgments. Thus he might sometimes find out that evil results in good.

The philosopher of history, however, confuses these two distinct perspectives if he concludes that the results of his or her speculative construction of

²⁹ Ladd omits the crucial adjective "vermeintlich [alleged]" from his translation (cf. 127). Again, Ladd's deficient translation makes it easy for Axinn to arrive at unwarranted conclusions.

³⁰ Hegel, *Vorlesungen über die Philosophie der Geschichte* (1837) (Frankfurt am Main: Suhrkamp, 1986), 48; Engl. trans. (Chicago: University of Chicago Press, 1952), 167. For the quotation concerning the trampling down of innocent flowers see *ibid.*, 49 (168).

history should be the guiding principles of political action. He looks at history as God might look at it; but he is mistaken in claiming that world-historical individuals are therefore justified in acting like gods, that is, trampling down "many an innocent flower," destroying and crushing to pieces many objects in their path. Practical reason has the primacy over theoretical speculations in the field of history (cf. *CPR* A 218f.; V, 121; 126). Kant's argument in the "Doctrine of Rights" is directed against the "bird's eye view" that ultimately reduces moral *praxis* to the pragmatic, technical level. In his later political writings of 1795 and 1797, Kant came to see the subtle temptations of moral terrorism.

Kant's last, moral argument against the violent institution of a coercive world government is the most convincing one. What matters is not peace itself but the road towards peace. "[M]orality, with regard to its principles of public right . . . , has the peculiar feature that the less it makes its conduct depend upon the end it envisages . . . the more it will in general harmonise with this end" (*Peace* A 85; VIII, 378; 123).

5. CONCLUSION

Kant argues on three distinct levels against the immediate institution of a world state with coercive force by violent means. From a pragmatic point of view, Kant contends that a "universal union of states" would be "too large to govern" in the long run (*DR* A 227; VI, 350; 123f.). Contrary to Kant, we might claim that this technical problem can be solved in the late twentieth century. At present, this state, even if it extends over "vast regions" (*ibid.*), could be governed and could protect each member. On a pragmatic level, arguments are usually counterbalanced by other arguments. Some arguments suggest that a world state is feasible and a prudent choice; others do not.

If we want to arrive at guiding principles for political action, we have to transcend the pragmatic level; we have to assume the point of view of judicial and moral reason. For a longtime, Kant was not sure whether a coercive right to enter an international juridical state could be justified or not. In his later political writings, however, Kant tended to deny this right, though he did not eradicate the Hobbesian elements all at once.

Fighting against the hubris of moral terrorism, Kant finally rejected a compulsory international government as immoral. The true Kantian endorses a free federation of states. Kant was aware of the fact that this federation could not guarantee peace. Therefore he hoped that a world republic with public coercive laws might evolve at a later stage of development. He convincingly argued that solely just, peaceful means were justified in this process.

What is our conclusion for today's world affairs? World leaders should be more concerned with implementing Kant's preliminary articles (particularly

the right of non-intervention and disarmament) instead of believing that their respective "just causes" should be promoted by and with all means. Similar to the state government that has a moral duty "to provide the means of sustenance" to the poor (DR A 187; VI, 326; 93),³¹ the wealthy nations have a moral duty to help the poor countries of the Third World. This is one important, moral and peaceful means to further the cause of peace, by contributing to the establishment of a moral world community. Again, this duty is not contingent upon the prospect that it might foster peace. We have a moral duty to help the poor because we are "human beings and not beasts" (XIX, Refl. 8000).

Kant was highly sceptical about the ability of education to improve the present state of affairs (cf. *Contest A* 158–60; VII, 93; 188f.). At least it can do no harm if children are educated to take an "interest in the good for mankind [*Interesse am Weltbesten*]" (*Education A* 145; IX, 499, 22; 121; translation altered). Provincial patriotism should be abandoned in favor of a cosmopolitan attitude.³²

In a secret article added to the second edition of *Perpetual Peace* (1796), Kant claimed that "[t]he maxims of the philosophers on the conditions under which public peace is possible shall be consulted" (B 67; VIII, 368; 115). Almost two hundred years later, the philosophers still disagree on the principles that may lead to peace. The most disappointing thinkers are those who do not care about world peace at all.³³ Slightly better are those who cherish peace as a noble end, but stumble over the means/end problem. Some of them have been dealt with in this essay.

I do not think this essay will make a difference, and will establish perpetual peace among philosophers or among states. But I do hope that gradually a way out of the state of nature can be found, and this essay is meant as a contribution to this search.

Almost two hundred years after Kant wrote on perpetual peace, it seems that he was too optimistic about Hume's "heroic medicine" (*Contest A* 161; VII, 93; 189). Nations have continued to wage war against each other, like "two

³¹ Traditionally it has been assumed that Kant's liberal "minimal state" excludes *eo ipso* these welfare measures. Allen D. Rosen convincingly argues that this minimalist interpretation is mistaken. See his *Kant's Theory of Justice: Basic Elements and Political Principles* (Dissertation, Cornell University, 1989), ch. 5.

³² This is one of the instances where I agree with Axinn, "World Government," 251.

³³ Hegel and Nietzsche are two outstanding examples after Kant's death. Cf. Hegel, *Grundlinien der Philosophie des Rechts* (1821) (Frankfurt am Main: Suhrkamp, 1986), par. 324. [492f.]; Engl. trans. (Chicago: University of Chicago Press, 1952), 107; Nietzsche, *Also Sprach Zarathustra* (1883–85). *Werke in vier Bänden*, ed. Gerhard Stenzel (Salzburg, 1983), "Vom Krieg und Kriegsvolke" (325f.); Engl. trans., *The Portable Nietzsche*, ed. Walter Kaufmann (New York: Viking Press, 1968), 158–60.

drunken wretches bludgeoning each other in a china-shop" (ibid.; VII, 93–94; 190). Sad experiences like two world wars do not seem to have made the human species wiser. Moral hope, however, is not based on what human beings do; it is based on what they ought to do. Moral hope is not rooted in past experience, but directed towards the future. *Sero sapiunt Phryges*: it might be late, but, hopefully, it's not too late.

Vienna