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## **Kant's Theory of Peace**

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## 14 Kant's theory of peace

In the two centuries since its original formulation, Kant's theory of peace has lost none of its relevance. In fact, because of the recent resurgence of debates about globalization, about the role and mandate of the United Nations, and about the international order after the end of the Cold War, Kant's theory of peace has been steadily gaining attention since 1989.

Kant argues in *Perpetual Peace* and in the *Metaphysics of Morals* that true peace is possible only when states are organized internally according to "republican" principles, when they are organized externally into a voluntary league that promotes peace, and when they respect the human rights not only of their own citizens but also of foreigners. He regards these three main requirements as intrinsically connected and argues that they can be successfully met only jointly.

From the moment *Perpetual Peace* was published, Kant's ideal of a league of states was hotly disputed (when it was not rejected out of hand as wildly unrealistic). The formation of the League of Nations and later of the United Nations has not put an end to the debates. Points of contention persist as to whether the formation of a league of the kind envisioned by Kant is a good idea, and if so, what shape it should have; moreover, there is fundamental disagreement even on what exactly Kant's views are. Does he regard the league as the only form of international cooperation that is feasible and desirable, or does he actually see it as a step on the way toward a further goal, namely, that of an international federation of states with the authority to coercively enforce a common federal law?

More recently, there has been an upsurge in the attention paid to the other two requirements. Kant's claim that republics are more

peaceful than other kinds of states (nowadays usually discussed as the "democratic peace" thesis)<sup>1</sup> underwent renewed scrutiny when it was pointed out, in the 1980s, that the empirical record of the previous two centuries shows that democracies did indeed not wage war against each other during that time. Kant's theory of cosmopolitan right is enjoying growing interest because it addresses the rightful status of individuals vis-à-vis states of which they are not citizens. This is an issue that is increasingly relevant in a world full of individuals – from business travelers to refugees – who move (or attempt to move) across borders.

### I. HISTORICAL CONTEXTS

Kant was by no means the first to develop a proposal for international peace.<sup>2</sup> He himself mentions the Abbé de Saint-Pierre and Jean-Jacques Rousseau as his predecessors.<sup>3</sup> Saint-Pierre had proposed that the Christian rulers of Europe form a federation with a permanent senate and an international court of arbitration, backed up by an international military force, to settle disputes between member states. Other key requirements mentioned by Saint-Pierre are the reduction of standing armies and the prohibition of territorial expansion and intervention in the internal affairs of other states. Rousseau had summarized the contents of Saint-Pierre's work and presented them to a broader audience.<sup>4</sup>

The first published essay in which Kant himself articulates the normative ideal of international peace and its requirements is the "Ideas toward a Universal History from a Cosmopolitan Point of View" (1784). The ideal of an international federation of states that Kant formulates here returns many times in later writings, for instance, in the *Critique of the Power of Judgment* (1790), *Theory and Practice* (1793), *Conflict of the Faculties* (1798), and most notably *Perpetual Peace* (1795) and the *Metaphysics of Morals* (1797).

Kant's views on peace undergo important modifications over time and move further away from Saint-Pierre's proposals in the process. During the 1780s Kant advocated the establishment of a strong federation of states with coercive authority at the federal level, and like Saint-Pierre, he appealed to the enlightened self-interest of rulers to defend the feasibility of this ideal. During the 1790s, however, Kant began to defend the establishment of a league without coercive powers (although he continued to mention the stronger form of federation

as the ideal dictated by reason). Furthermore, he added the novel category of "cosmopolitan right" as the third kind of public right. To make the feasibility of his proposal plausible, Kant relied no longer merely on the self-interest of rulers. As he developed his republicanism, he mentioned a much broader set of natural forces that force humankind in the direction of peace, including the peaceful nature of republican states.

The changes in Kant's theory of peace are not unrelated to the historical developments at the time. Of the many events that could be mentioned here, the political events in France are probably the most important. During the French Revolution, the Ancien Régime was overthrown – or, according to Kant's preferred interpretation: Louis XVI handed sovereignty over to the people when he turned to them for financial help (*Morals*, 6:341–2). Subsequently, France was transformed into a republic, and from then on the republican ideal takes on a more and more central role in Kant's political thought. In the early 1790s, the new French republic employed an official rhetoric of wanting to "liberate" other peoples from their tyrants and form a fraternal alliance with the resulting states. Reality proved considerably more complicated, however. France was remarkably successful in its war against the large royalist alliance of European monarchies that aimed at reinstating the French monarchy. Yet it turned out that the people in most other countries did not regard the French invasion as their liberation. In 1795 France concluded peace with Prussia and Spain, but the end of the decade saw the rise of Napoleon and an increasingly successful French expansionism.

Kant seems to have always expected that the French republic would help the cause of international peace. This is implicit in his thesis, in *Perpetual Peace*, that republics are naturally more peaceful than despotic states. Moreover, he defends the feasibility of his own theory of peace by claiming that the French republic could become the center of a peace-promoting union that other states would then join (8:356). Toward the end of the decade he reportedly expressed the hope that Napoleon would bring about perpetual peace.<sup>5</sup>

Another historical process that is of importance for understanding Kant's views on peace is the spread of Europeans around the world. The European powers had of course been expanding their reach over the rest of the world for quite some time already, with different emphasis in different cases: from the establishment of trading posts

to the control over natural resources elsewhere, the establishment of colonies, the slave trade, the exploitation of slaves on plantations, or the famous voyages of "discovery." Kant knew about all of this and followed reports about other continents with enormous interest. Although his attitudes towards non-Europeans are characterized, at least through the 1780s, by a good deal of ignorance, inconsistency, and harmful prejudice,<sup>6</sup> Kant was – unlike many others of his time – concerned with establishing peace not merely in Europe, but across the entire globe.

## II. KANT'S THEORY OF PERPETUAL PEACE

In Kant's theory of international peace, all three parts of public right come into play. The rightful regulation of the interactions among individuals requires the rule of law within a rightful state; the rightful regulation of the interactions among states requires the rule of international right; and the rightful regulation of the interactions between states (or their representatives) and foreign individuals requires the rule of cosmopolitan right. Kant's theory of right is inherently cosmopolitan and includes not just a theory of the state, but also a *theory of international right and cosmopolitan right*.

All three parts of public right are grounded in the basic idea of external freedom. Kant argues that the notion of "right" derives from the concept of freedom as applied to the external relations among persons. *Right* is the "restriction of the freedom of each to the condition of its being compatible with the freedom of everyone, to the extent this freedom is possible in accordance with a general law; and *public right* is the sum of *external laws* that make such a universal harmony possible" (*Theory and Practice*, 8:289–90; see also *Morals*, 6:230.)

Public right requires, first of all, a state with just laws and the power to enforce them. In the absence of a just legal system with *coercive authority*, that is, in the state of nature, no one's right to external freedom can be secure against violence by others (*Morals*, 6:312). Kant is not here making the empirical assumption that people are in fact prone to violate the freedom of others (although he certainly believes they are); rather, he is assuming the *a priori* idea that people are free and that freedom implies the *possible* violation of the freedom of others. This possibility alone is enough to require a system of laws and their enforcement to protect rightful freedom.

The only political system that is fully compatible with the requirements of public right is a republic. By "republic" Kant means a political system that is based on the principles of the freedom and equality of the citizens, and, depending on which text one reads, their independence as co-legislators (*Theory and Practice*, 8:294) or their dependence on a common legislation (*Perpetual Peace*, 8:349). A republic is governed by the rule of law, not the caprice of a despot. The laws of a republic are enacted by the citizens through their representatives. In a republic, the legislative, executive, and judicial branches of government are properly separated from each other. Finally, neither the territory of a republic nor the offices associated with its government are the personal property of the officers in function.

The ideal of the individual's freedom being "compatible with the freedom of everyone" transcends the level of the state, however. It also calls for the regulation of the behavior of states among each other and of individuals and states toward foreign individuals. This is because protecting external freedom at the state level alone is not enough to protect it completely. The latter also requires that states subject themselves to the rightful regulation of their interactions with each other. As long as states (republics or not) remain in the state of nature, in their interactions with other states, there is the threat of war, and war is a fundamental threat to the freedom of individuals – after all, the question of who wins a war is decided by might, not right.

Thus, it is not surprising that Kant often discusses the rightful regulation at the state level and at the inter-state level in tandem and that he regards the two as equally necessary. Beginning with the "Ideas toward a Universal History," he regards the solution of the one problem as dependent on the solution of the other. In this essay, he claims that the achievement of a perfect state constitution is not possible until rightful external relations among states (in an international federation) have been achieved (8:24). In later essays he turns the order around and claims that international peace will not be achieved until after states have become republics (e.g., *Theory and Practice*, 8:311). In *Perpetual Peace*, he argues that the two requirements stand in a reciprocal relationship (along with cosmopolitan right, about which more below) and that the one cannot be fully achieved without the other (8:349, note).

The thesis that states should leave the state of nature raises the question, however, of what peace at the global level requires. Kant's view on this matter evolves over time. Initially, in the "Ideas toward a Universal History from a Cosmopolitan Point of View" (1784), he argues that the situation of states in the state of nature is entirely analogous to that of individuals in the state of nature, and that just as individuals ought to leave the state of nature by subjecting themselves to common laws and law enforcement, states ought to form a global federation with coercive powers at the federal level. In this essay, Kant advocates a "cosmopolitan situation," which will come about once states form a federation "similar to a civil commonwealth" (8:25). They should "abandon the lawless state of savagery and enter into a federation of peoples in which every state, even the smallest, could expect its security and its rights, not from its own power or its own legal judgment, but rather solely from this great federation of peoples . . . , from a united power and from decisions based on laws of a united will" (8:24).<sup>7</sup>

Later, most clearly in *Perpetual Peace* and the *Metaphysics of Morals*, Kant defends a more complex view. In *Perpetual Peace*, Kant introduces a new and detailed set of conditions for attaining peace among states. First of all, he mentions a series of six negative conditions, in the form of "preliminary articles": Peace treaties should not contain secret reservations (as the 1795 Basel peace treaty between France and Prussia had contained); states should not be able to acquire other states (through inheritance, barter, purchase, or gift); standing armies should be phased out; states should not assume debts for the sake of foreign policy; states should not intervene with violence in the internal affairs (the constitution and government) of other states; and practices that undermine the possibility of mutual trust among states should be banned (such as employing assassins and recruiting traitors) (8:343-7).

Furthermore, Kant mentions three positive conditions, or "definitive articles": that states be internally organized in accordance with the principle of republicanism; that they pursue and honor the establishment of a league of states externally; and that states and individuals respect the principle of hospitality in their dealings with foreigners. Kant claims that all three are necessary conditions for peace. I will comment on each of these three in order.

Republicanism is important not only because it is the only constitution that is fully in accordance with external right, but also because it is the only constitution that by its nature leads to peace. Despots can easily burden their subjects with the costs of warfare without incurring direct costs to themselves. In republics, by contrast, the citizens' consent is required for the decision to go to war, and citizens themselves shoulder the burdens of warfare (financial and otherwise). Therefore, Kant claims, citizens are naturally disinclined to vote for a war and a republic is naturally inclined to be peaceful (8:352).

Kant's position on the regulation of the interactions among states is considerably less clear. Is his ultimate ideal a league of states? Or is this merely apparent and does he actually advocate the establishment of a federative union of states, as a few commentators have claimed? Or does he regard a league as the necessary first step on the road toward a federation of states? The standard view is the first. A small minority of commentators defends the second position, on the basis of the logic of Kant's overall position.<sup>8</sup> I believe there are good reasons (both textual and philosophical) to believe that the third alternative better represents Kant's view, that is, that Kant advocates the establishment of a noncoercive league of states (at least in his mature political writings such as *Perpetual Peace* and the *Metaphysics of Morals*), but that he does so because he regards it as the only possible road to the ultimate ideal, a state of states.

In the second "Definitive Article" of *Perpetual Peace*, Kant claims that international right should be based on the "federalism of free states" (8:354). Read in isolation, the statement may seem ambiguous. It may seem unclear whether the term "federalism" refers to a federation with coercive powers over the member states (analogous to a state) or to a looser confederation of independent states. Kant uses the word "Bund" to refer to both. Similarly, the term "free states" could refer to states that are not under binding international laws, or to states that enjoy the kind of rightful freedom analogous to the freedom enjoyed by citizens in a republic. When Kant's accompanying comments are taken into account, however, it becomes clear that he here advocates the establishment of a voluntary league of states, a league without any highest legislative or coercive authority (8:356; also *Morals* 6:351).

In both *Perpetual Peace* and the *Metaphysics of Morals*, however, Kant claims also that reason demands the formation of a state of states. In a notorious passage in *Perpetual Peace* he writes:

As concerns the relations among states, according to reason there can be no other way for them to emerge from the lawless condition, which contains only war, than for them to relinquish, just as do individual human beings, their wild (lawless) freedom, and to accustom themselves to public, binding laws, and to thereby form a (continually expanding) *state of peoples* [*civitas gentium*], which would ultimately comprise all of the peoples on earth. But they do not want this at all, according to their conception of the right of peoples (thus rejecting *in hypothesi* what is right *in thesi*);<sup>9</sup> therefore, instead of the positive idea of a *world republic* (if not everything is to be lost) only the *negative* surrogate of a lasting and continually expanding *league* [*Bund*] that averts war can halt the stream of law-shunning and hostile inclination, but with a constant threat of its breaking out. (8:357)

This passage has caused considerable consternation among readers, as it seems to be an entirely uncharacteristic concession to realism on Kant's part. It is usually read as reducing what is normatively required (a state of states) to something more feasible (a league) on the basis of what states can be expected to want to join. This is then judged to be an inconsistent move because of Kant's own vehement and explicit opposition to theories that reduce what is normatively required on the basis of empirical data of the past or speculation of what is practically realistic (see especially his arguments in *Theory and Practice*).<sup>10</sup> Thus, on the standard reading, Kant contradicts himself fundamentally and blatantly, within one and the same section, and with regard to one of the most important issues of the book. Many commentators have argued that to be consistent, Kant should have advocated (or better: should have advocated *only*) the establishment of a federation of states (with coercive authority at the federal level over the member states), and not a league, as the proper way to overcome the state of nature. They argue that the logic of the argument is the same, whether it is states or individuals who leave the state of nature, and hence that the result should be the same in both cases: a state in the case of individuals, a state of states in the case of states.<sup>11</sup>

It is not necessary to read the quoted passage in this way, however, and there is an alternative reading that makes more sense both

textually and philosophically. Note first of all that the quote is not a call to *reject* the ideal of a world republic. Furthermore, Kant does not say that states *will never* want to join a federation but, rather, that they *do not* want to do so because they (mis)interpret international right as a right to remain in the state of nature. As we shall see, it is possible to read the quoted passage as saying that the only way to leave the state of nature among states is by starting with a league of states, while the federation remains the ultimate ideal.

What is necessary to make this reading plausible is an account of how the states' not *wanting* to join a federation can be a valid reason, according to Kant, for advocating a league. It is possible to construct such an account, on the basis of an analysis of why the analogy posited between the state of nature among individuals and that among states is not in fact a perfect analogy. The considerable difference is the following. When individuals leave the state of nature to submit to the laws of a common state, the state they form may not be perfect, but it will be better, normatively speaking, than the state of nature that they left behind because before its creation there was no rule of law at all. This is not true, however, in the case of states leaving the state of nature.

In *Perpetual Peace* Kant explicates the difference, cryptically, by stating that "states already have an internal legal constitution, and thus they have outgrown the coercion of others to subject them to a broader legal constitution according to their [viz., others'] conceptions of right" (8:355-6). In the *Vorarbeiten* (drafts and notes) for *Perpetual Peace*, he writes that states are allowed to resist the attempt by others to force them to join a federative state of states "because within them public right has already been established, whereas in the case of individuals in the state of nature nothing of the kind takes place" (23:168). Why would having an internal legal constitution be a reason not to have to be forced into a state of states? The best explanation is that forcing an unwilling state into a federation would violate the autonomy of the individuals composing the state, collectively as co-legislating citizens. Kant defines the state as a union of individuals under laws of right, and ideally as a union of politically autonomous individuals (see *Morals*, 6:313). Forcing them into a state of states against their will would run counter to the basic idea of political autonomy. Forcing individuals into a state, by contrast, does not violate their political autonomy because, on the Kantian

account, they do not have political autonomy as long as they remain in the state of nature.

The problem with coercing unwilling states into a federation is not just that a despotic state of states could destroy the rights and freedoms that the citizens of a just republic had already secured internally (although this certainly is a problem too). The point is a deeper one. Even the individuals within currently despotic states may not want to join a federation of states if this has to happen on a conception of right that differs from their own.

One way to make this point clear is to think through what it would mean if we were to take the level of individuals and that of states in the state of nature as perfectly analogous. Most authors who claim that Kant should have argued in favor of the immediate establishment of a federative state of states do not themselves take this argument to its logical consequences; they inconsistently allow for voluntary joining and seceding. A few are more consistent, and then the results are propositions like the following:

[I]f . . . the creation of a world government would require that all nations have democratic or "republican" forms of government, then the prospects for the creation of a world government are not good. It may seem unlikely that all nations would ever agree to a particular form of a world government. But this is not necessary for the creation of a world government. It would be enough if all great powers (or all nuclear powers) agreed to the idea of a world state. They could then unite and compel other nations to join.<sup>12</sup>

Here the state of states is based on the sheer power of a few states with the weaponry that can compel all others, regardless of the others' "conception of right," to use Kant's words quoted above.<sup>13</sup> The despotic structure of this situation should be clear.

One might still wonder whether Kant should not make an exception for cases in which a state of states that is organized in accordance with principles of right coerces an oppressive despotic state into its organization, reorganizing the internal political structure of that state in the process and thereby improving the external freedom of the individuals within it. After all, it might seem that the freedom and political autonomy of these individuals would be only served in the process, as they would now receive rights and freedoms that they did not enjoy before. What is overlooked in this objection, however, is that this is an essentially paternalistic line of reasoning that passes

over the political autonomy of the people it purports to serve. The people may well want to get rid of their despot, but it does not follow that they will want to join a particular state of states. Perhaps what they want most of all is to have a say in the matter. An analogy might help here. Imagine a state policy to the effect that when one spouse has been criminally abusive of the other and the victim wants to have the marriage dissolved, the state imposes a new marriage on the abused spouse, but this time to someone who is believed to observe principles of justice. It is clear that this kind of procedure would fail to treat the abused spouse as a person capable of autonomy and would be wrong for that reason. An analogous problem would occur if an otherwise justly ordered state of states coerced despotic states into its organization against their will, thereby failing to treat the peoples<sup>14</sup> involved as capable of political autonomy. There is good reason, then, given Kant's assumptions, to advocate not the coercive formation of a state of states but a league instead and to hope that the federation will subsequently become established voluntarily.

Kant's fear of despotism at the global level is also expressed in his opposition to the so-called "universal monarchy," which emerges when all states "fuse together" (8:367) by being absorbed into a single hegemonic superpower. This form of world government, based on one state's ability to overpower all other states, leads to "soulless despotism" (8:367).

Kant's opposition to a universal monarchy, however, is not inspired by a general opposition against states giving up their sovereignty.<sup>15</sup> States are allowed to join a federation when this happens voluntarily and with the preservation of the lawful freedom of their citizens. In fact, Kant believes that reason requires them to do so (8:357) and that there consequently is a moral duty to promote the establishment of a federative state of states (but *via* the establishment of a league).

Read in this way, there is no tension between Kant's advocacy of the league of states and the many other, oft-overlooked passages in *Perpetual Peace* and the *Metaphysics of Morals* in which Kant expresses the ideal of a state-like federation. For example, he expresses the hope that "distant parts of the world can peaceably enter into relations with each other, relations which can ultimately become publicly lawful and so bring humanity finally ever closer to a cosmopolitan constitution" (*Perpetual Peace*, 8:358). He writes that

justice requires "an internal constitution of the state in accordance with pure principles of right, and then further, however, the union of this state with other neighboring or also distant states for the purpose of a lawful settlement of their conflicts" (*Perpetual Peace*, 8:379). And he writes in the *Metaphysics of Morals* that before states leave the state of nature all international right is merely "provisional," and that international right can come to hold definitively and establish a true perpetual peace only "in a universal union of states [*Staatenverein*] (analogous to that by which a people becomes a state)," a union that Kant on the same page refers to also as a "state of peoples" [*Völkerstaat*] (*Morals*, 6:350).

Thus, Kant endorsed the idea of a federative "state of states" throughout the 1780s and 1790s, but during the 1790s he began advocating the establishment of a league of states as the means to promote this ultimate ideal. It is possible that Kant made this change while observing France's behavior: Here was a republic that coercively incorporated unwilling states into its republican (and according to Kant as such correct) framework. Even though France dethroned their "tyrants," the populations of the conquered states turned out to be quite resistant to their self-proclaimed liberators. There were also cases, however, in which the French were (initially) welcomed, as with the Dutch Republic in early 1795. It is possible that Kant had these latter cases in mind when he voiced the hope that when a "powerful and enlightened people" can transform itself into a republic (a reference to France), this provides a core for other states to join and form a federative union (*Perpetual Peace*, 8:356).

"Cosmopolitan right" is the third category of public right, presented as such for the first time in *Perpetual Peace* and also included in the *Metaphysics of Morals*. Its discussion takes up just a few pages and it was hardly mentioned at all in the Kant literature until fairly recently, but it now enjoys considerable attention. Cosmopolitan right regulates the interactions between states and foreigners, for example, regarding migration, commercial ties, or attempts at colonial settlements.

In cosmopolitan right, "individuals and states who stand in an external relationship of mutual influence are regarded as citizens of a universal state of humankind [*allgemeiner Menschenstaat*] (*ius cosmopolitanicum*)" (*Perpetual Peace*, 8:349, note). At its core is the right to hospitality. Despite the term, this right should not be understood

as the right to be a guest. It is not even the right to enter foreign territory; rather, it is merely the right to *attempt* to be granted entry or establish relations with others elsewhere, the right to present oneself and make a request. Such a request may be denied, but not with violence, and not if this leads to the death of the individuals involved (8:358). Cosmopolitan right thus requires, for example, that states provide a safe haven for refugees in peril and that they and their inhabitants not intrude into or settle upon the territory of others without their explicit agreement. Kant strongly criticizes the colonial and international trading practices of his era, as the European powers in their attitudes towards non-Europeans made no distinction between visiting and conquering other territories and "held the inhabitants for nothing" (8:358). With this theory, Kant grants humans anywhere on earth certain basic rights. In contrast to Lockean theories, for example, Kant's theory grants nomads a rightful claim to land.

Kant writes that cosmopolitan right is grounded in the "common possession of the surface of the earth" (*Perpetual Peace*, 8:358) or the "original community of the surface of the earth" (*Morals*, 6:352), but he leaves much unclear as to the precise foundation and justification of cosmopolitan right. One possible articulation of what might be implicit here is the following: Originally, the earth was held in common, and the acquisition of particular parts of it by particular persons happened only at a later point in time. This implies that all parts of the earth have to be regarded as in principle acquirable by others, even if they currently have owners. To be able to try to acquire a piece of land, however, one needs to be able to get in touch with its owner. Hence, the in-principle acquirability of land implies a right to present oneself to others elsewhere. This is at least how Kant's argument was explicated by some of his followers at the time.<sup>16</sup>

If the argument is construed in this way, however, it provides at best a partial grounding for cosmopolitan right because it does not cover all the cases that Kant mentions as examples. It does cover attempts at certain commercial transactions, but not, say, the case of shipwrecked sailors (mentioned by Kant in the *Vorarbeiten to Perpetual Peace*, 23:173). After all, they are not attempting to acquire the beach where they wash ashore, but just to use it temporarily to save their lives. If cosmopolitan right is grounded in a theory about the origin of property rights, it does not address the question as to

why and how cosmopolitan right would, in such cases, override the established property rights of the owners to determine the use of their land. Of course, the owner of the land would have a *moral* duty to help the hapless sailors, but when the question is what grounds the cosmopolitan *right* of the latter, Kant needs a different argument.

Kant could probably have developed such an argument from the "innate right to freedom" of which he speaks in the *Metaphysics of Morals* (6:237-8). This right includes the "right to be there where nature or chance (without [one's] will) has placed [one]" (6:262). Elsewhere, Kant motivates this by saying that being on land is necessary for the very existence of human beings, and thus, that people have a right to be on the land on which they are placed through no choice of their own, since denying them this right would mean denying them their existence and their freedom (23:318). As it stands, however, Kant does not use this argumentative strategy in his published discussion of cosmopolitan right.

### III. THE PROCESS TOWARD PERPETUAL PEACE

Kant claims that the achievements in the three areas of public right hang together such that peace is attainable only if all three positive conditions have been satisfied (*Perpetual Peace*, 8:349, note; *Morals*, 6:311). He does not stipulate a temporal sequence among them (as if the league of states were possible only after all states have become republics, and cosmopolitan right were possible only thereafter).

This raises questions as to how Kant envisions the practical realization of what is normatively required according to his legal theory. He regularly criticizes thinkers who ground their normative theories on empirical considerations of what is feasible, but this should not lead one to think that he finds unimportant the empirical question of whether and how the normative ideals can be achieved. It is a question that can be posed correctly, however, only *after* the normative ideals have been formulated. Kant does find it important to show that although his ideals are grounded in pure reason, they are not unrealistic. In order to show this, he provides a teleological account of history that revolves around the assumption that nature is organized teleologically in such a way as to support the cause of law-governed peace and moral development.<sup>17</sup> "Nature" here includes both human and nonhuman nature – the teleological

account encompasses everything from arrangements that enable humans to physically spread across the globe (driftwood that provides wood in icy regions, camels that can transport humans through the Sahara, etc.) to human psychological propensities, especially the "unsocial sociability" that drives humans to develop their rational potential.

As early as the *Critique of Pure Reason* Kant argues that teleological judgments can be justified as heuristic principles (A 687/B 715), and in the "Ideas toward a Universal History" he provides a teleological account of history on this basis. He proposes to regard history as progressing towards the "full development of all human predispositions" (*Universal History*, 8:27). A crucial part of this process is the development of a perfect internal state constitution as well as the establishment of an international federation of states. With these conditions in place, there will be room for moral education, culminating in the self-transformation of humanity into a "moral whole" (8:21). In the *Critique of the Power of Judgment*, Kant further develops his account of the epistemological status of teleological judgments and argues that all of nature can be regarded as teleologically oriented towards human "culture" (in its eighteenth-century meaning of "development"). This culture is itself subservient to the "final end of creation," which Kant determines as humans as moral beings (5:435-6). Finally, in the third *Critique*, too, we find the claim that legal progress will promote moral progress towards peace: Kant defends the assumption (not knowledge claim) that nature is organized in such a way that it "prepares (if not establishes) lawfulness combined with the freedom of states and thereby the unity of a morally grounded system of states" (5:433).

Of course this teleological account of history, developed in the "Ideas toward a Universal History" for the sake of presenting history as an orderly whole, can be put to use *also* in the service of moral theory. The assumption of progress is encouraging for the moral agent because it presents the normative ideals as not unrealistic. This does not of course mean that the moral subject can therefore become inactive and let nature do all the work. Duty remains duty even if natural forces lend a hand. What is more, nature *cannot* do all of the work. The full attainment of the final end requires morality itself, and morality can be the product only of genuinely free agency. Nature can, according to Kant, produce certain kinds of behavior in people,

and insofar as right concerns the behavior of people (not their motivation), nature can bring about that which right requires and thus lead all the way to peace as defined in terms of right. For peace to be truly *perpetual*, however, it needs to be supported by *moral* dispositions (and this is of course also what morality requires). The fragile "natural" peace is itself conducive to its gradual and never-ending transformation into a perpetual "moral" peace, and this is how nature paves the way for morality without eliminating freedom, duty, and virtue.

With regard to the goal of peace specifically, Kant argues that self-interest drives humans in the direction of peace. Modern warfare is becoming so costly that states will find it prudent to strive for peace; and despotic states that fail to realize this and keep waging war will exhaust themselves. During the 1790s Kant begins to stress that when this happens, it opens up room for republicanization. Kant saw France as a good example of how despotic states are their own worst enemy. On his interpretation, Louis XVI, having exhausted all financial resources, had been forced to turn to the people and cede power in the process, thereby giving the people room to transform the state into a republic. Kant adds the view also that republics, because citizens decide whether there will be war or not, are by nature more peaceful. It is easy for despots to declare war because they hardly bear the consequences personally, shifting the actual dangers and burdens to their subjects. In a republic, by contrast, citizens will realize that war means higher taxes, personal risks, loss of liberties, and so on, and that this goes against their own interests. Either way, it is in every state's interest to avoid war, and hence it is in their interest to join a league that promotes peace.

Exactly how the league of states is supposed to promote further progress toward peace from there on is not particularly clear. Kant conceives of the league on the model of a congress of states, where delegates from the member states can bring complaints and submit conflicts to mediation and arbitration (*Morals*, 6:350). The league could, of course, encompass more than just a focus on conflict resolution, by, say, supporting other kinds of international programs that are conducive to mutual understanding and peace, such as educational programs, cultural cooperation, or mutual aid. Kant himself does not specify any of this, although these proposals would be compatible with his other views.

With regard to the mechanisms that further the realization of cosmopolitan right, Kant mentions the "spirit of trade." He maintains that this is essentially a force for peace because trade encourages people across the globe to entertain friendly relations with each other for the sake of mutually beneficial commercial interactions (*Perpetual Peace*, 8:368).

The peace that is established on the basis of self-interest is fragile, of course, and Kant is the first to admit this (8:357),<sup>18</sup> but he expects the legal peace (external freedom) to have a positive effect for morality (inner freedom). Even a peace based on sheer self-interest, he believes, makes it possible to expand human rights and interests and to divert resources to education and enlightenment instead of armament. In Kant's eyes this becomes a self-reinforcing process. When states improve internally as a consequence of peace, they provide even better environments for further political and even moral development. As a result, Kant believes, people gradually come to see the rightness of what they initially consented to only on the basis of self-interest. They will then come to accept peace as not merely prudent but right, and this will make the peace more and more stable. He expects that as a result of cultural development within states, people will gradually converge on moral and juridical-political principles, and that this will eventually yield an agreement to a peace that is durable (8:367; see also the earlier references to similar statements in *Universal History* and *Judgment*).

The most salient passage is probably the one found in the *Vorarbeiten* to the *Metaphysics of Morals*. Here Kant writes that when laws secure freedom externally, inner freedom (morality) will "come alive" and this, in turn, will enhance obedience to the laws. This self-reinforcing process gradually makes the legal peace ever more secure because peace becomes less a matter of mere self-interest and more a matter of moral disposition:

A firmly established peace, combined with the greater interaction among people [*Menschen*] is the idea through which alone is made possible the transition from the duties of right to the duties of virtue. Since when the laws secure freedom externally, the maxims to also govern oneself internally in accordance with laws can come alive; and conversely, the latter in turn make it easier, through their dispositions for lawful coercion to have an influence, so that peaceful conduct [*friedliches Verhalten*] under public laws and pacific dispositions [*friedfertige Gesinnungen*] [to also end the inner war

between principles and inclinations), i.e., legality and morality find in the concept of peace the point of support for the transition from the Doctrine of Right to the Doctrine of Virtue.

(23:353-4, *Vorarbeiten to the Metaphysics of Morals*)

In the *Metaphysics of Morals* Kant emphasizes that this process will never completely reach its goal. He assumes that when the state of states becomes very large, it will no longer be able successfully to protect all of its members against other states. This problem cannot be solved by allowing multiple (smaller) states of states to keep the peace because these would themselves still exist in the state of nature. The political principle to *strive for* and *approximate* a state of states is not unfeasible, however, and therefore it remains a duty to continually approximate the idea of a single state of states.

#### IV. RECEPTION AND RESPONSE

Kant's first positive requirement for peace, namely, that every state be a republic (in Kant's sense of the term) because republics are naturally more peaceful, has provoked much discussion. It has led some theorists to assume that international peace, in the ideal at least, does not require any international institution with coercive powers to enforce international right. After all, if all states are republics (or, in current usage, democracies), and these do not wage war against each other, then international peace can be achieved via democratization.<sup>19</sup>

In its generality Kant's thesis has proven to be too strong, however. Democracies turn out not to be any less war-prone toward nondemocracies than nondemocracies are toward each other.<sup>20</sup> One explanation of why democracies wage war despite the fact that the citizens, who shoulder the burdens, have a say in the decision whether to go to war, may have to do with the role of power and the possibility of using ideology and manipulation to mobilize a civilian population to rally behind a war. Kant did not sufficiently take these factors into account. If the disinclination toward war, on the part of democracies, is merely an effect of their calculation of risks and benefits, then differences in power among the various states may lead to different results than Kant thought. The citizens of a very powerful state may well come to the conclusion that a successful war against a

weaker state will serve their own long-term interests. Such citizens may feel comfortable undertaking war if they believe they are the strongest and they assess the risks as outweighed by the expected gains. Also, even in a representative democracy the decision to wage war is not necessarily made by those who shoulder the heaviest burdens (e.g., the representatives may not generally be from the same social class as those who risk their lives). Furthermore, citizens can be convinced by effective rhetoric or distorted information: Powerful interests may persuade them that war is a necessity to prevent a greater disaster in the future, that war will bring honor or take away shame, or that war is required to serve justice or God. Finally, perhaps part of the explanation of why democracies wage war is also that democracies more easily regard nondemocracies as a threat or an outrage.

When limited to the narrower thesis that democracies do not start wars against other democracies, however, the empirical evidence seems quite strong. As Michael Doyle has argued on the basis of a study of two centuries worth of wars, it does appear that democracies have started wars only against non-democracies.<sup>21</sup> Of course, one could wonder whether counterexamples to the thesis of the peacefulness of democracies towards each other could be found in acts of violence like, say, the 1973 assassination of Salvador Allende in Chile. Still, there is at least a striking pattern. Moreover, Kant's claim is not that republics *will never* wage war, but that they are significantly less likely to do so (not because they generally tend to act more in accordance with moral requirements, but because the citizens need to be convinced that war is necessary and they will have to shoulder the burdens of the war). And when narrowed to the behavior of democracies toward each other, this claim seems to have the statistics on its side.

One side effect of narrowing Kant's thesis in this way, however, is that it invalidates his general confidence in the pacific role of republics in the greater process of achieving worldwide peace. If democracies are no longer regarded as more pacific in general, just more peaceful toward fellow democracies, then it is no longer clear how the enlightened self-interest of the citizens of democracies helps to promote world peace, even if it helps reduce warfare among democracies themselves. After all, the narrowed thesis is compatible with the existing democracies jointly subjugating or exploiting the rest

of the world. It might then still be true that a world of democracies would be peaceful, or in any event more peaceful, than the present world. But it would no longer be clear that democracies naturally play a crucial role in the process of bringing worldwide peace closer.

It is an indication of the importance of Kant's theory of international right, especially his advocacy for a league of states, that it has been the subject of intense debate for more than two centuries. "Realists" strongly reject it because they regard the normative principles expounded by Kant as inapplicable to the international arena. Kant's views have also found many supporters, however, and when states in the twentieth century moved to form first the League of States and then the United Nations, his defense of a league of states was often invoked – even if the resulting bodies only partially corresponded to the league proposed by Kant (most notably perhaps, standing armies were not abolished). Among recent political theorists, John Rawls is one who defends a voluntary league via an explicit appeal to Kant. Rawls often claims that he is "following Kant's lead" in his defense of a confederation of free and independent states ("peoples," in his terminology) and in his opposition against any form of world government.<sup>22</sup>

Kant's theory of international right has also, however, faced several criticisms from very early on. One point of contention has been whether Kant allows the league too much or too little coercive power to enforce its laws. From Johann Gottlieb Fichte to Jürgen Habermas, critics have asserted that Kant wrongly fails to extend coercive military powers to the league of states. Romantics, by contrast, starting with the young Friedrich Schlegel, have criticized Kant for including *any* power to coerce in his ideal of the good state.

According to the first tradition of critics, Kant is inconsistent in advocating the establishment of a voluntary league rather than a stronger form of federation of states. As explained above, the perception is that he reduces the normative requirement of a strong federation to the weaker requirement of a league, on the basis of the assessment that states are unlikely to *want* to join a federation that has the authority to coerce member states into compliance with its laws. This is just the kind of realist-empiricist move that Kant himself regularly denounces.

One reaction among Kantian theorists has been to try to rectify the perceived inconsistency by using Kant's own arguments against

Kant to advocate the establishment of an international federation with the authority and means to enforce its laws. Already in his *Grundlage des Naturrechts* of 1796, Fichte insists that the federation of states should have the power to enforce member compliance coercively because this is the only way to end war and provide a way to adjudicate conflicts in accordance with just laws. Member states in the federation ought to recognize each other through treaties, regard each other as equals, and treat each other's citizens rightfully. If a member state violates these rules, however, it is the task of the federation to punish this state.<sup>23</sup> In recent Kantian political theory one can similarly find appeals to strengthen the military powers of the United Nations, for example, in the work of Jürgen Habermas and Otfried Höffe.<sup>24</sup> If one reads Kant's texts according to the interpretation outlined earlier, however, there is actually no inconsistency to be corrected and the "amendment" appears in a different light. Given the standard reading, however, Kant has of course influenced the debate as one who advocates a voluntary league and opposes a stronger federation of states.

To more romantic readers, such as Friedrich Schlegel in his 1796 review of *Perpetual Peace*, the problem with Kant's theory is rather an empirically tainted and unduly pessimistic model of the state that carries over into his theory of international relations. Schlegel claimed that a truly pure concept of the state should not depend on the assertion that people will act against the law, and hence that the *ideal* of the state should not include "political power and dependence," for these are introduced into the concept of the state only on the assumption that people violate the law. "Therefore," says Schegel, "not every state includes the relationship between a superior and a subordinate, but only the state that is empirically determined by that actual fact." The ideal state, by contrast, is non-hierarchical and noncoercive. By extension, the same is true at the international level: The ideal should be a noncoercive, nonhierarchical republic of republics, characterized by the freedom and equality of the individual member states, who freely obey common laws.<sup>25</sup>

Interestingly, and perhaps even in response to Schlegel, Kant points out in the *Metaphysics of Morals* that it is "not experience" and "not a fact" that necessitates the coercive powers of the state, but rather the mere *possibility* that people violate each other's spheres of freedom. On Kant's own view this possibility is implicit in the

very concept of the state of nature (*Morals*, 6:312). By extension, the same argument could be used with regard to the coercive powers of the federation of states.

A further standard criticism of Kant's theory in *Perpetual Peace*, likewise voiced already by early critics, such as Friedrich Gentz, is that the league of states would be *unable* to bring about peace. The charge is that if the league is merely voluntary and devoid of the authority to enforce compliance, states will join only if and as long as they are interested in peace. As soon as their perception of their interests changes, they will simply walk away from their "commitment" to peace, which therefore is no real commitment. Hence, the league makes no practical difference at all.<sup>26</sup>

While it is certainly true that Kant says surprisingly little about how he envisions the league to work, he does not actually claim that the league will by itself bring about durable peace (see, e.g., *Perpetual Peace*, 8:357), but rather that it is an important step on the way to a perpetual peace. If this is granted, the burden of proof can be shifted to the side of the critics, as they would now need to show that opening up channels of communication and negotiation does not help at all to further the cause of peace.

Finally, with regard to Kant's claim that peace at the legal level will have beneficial effects that will reinforce the stability of this peace over time, few if any current Kantians share all of Kant's views regarding the moral development of humankind. Yet significant aspects of Kant's view that legal peace is conducive to moral learning can still be found in the work of Kantian theorists. For instance, Rawls maintains that the more the "law of peoples," as specified in his own work, is observed, the more moral learning will take place. By the latter he means a psychological process by which peoples will tend to accept the law of peoples as an ideal of conduct. He expects this process to transform what once was a mere *modus vivendi* into something much more stable. Thus, Rawls too works with the assumption that a peace that is initially agreed to on the basis of self-interest can itself be conducive to a process that leads to its further stabilization, namely, the development of dispositions on the basis of which the peace is regarded as right, not just prudent.<sup>27</sup>

As for Kant's theory of cosmopolitan right, perhaps the most striking fact about its reception is the lack of it. Fichte gave cosmopolitan right a place in his *Grundlage des Naturrechts*, published between

Kant's *Perpetual Peace* and the *Metaphysics of Morals*. He transformed it into the most basic human right – the right to have and acquire rights. Anyone, stranger or not, has “the right to have all human beings presuppose that they can enter into a legal relationship with him through treaties.”<sup>28</sup> Cosmopolitan right includes the conditions for the possibility of requesting entrance into a legal relationship with others anywhere on earth.<sup>29</sup> During the first decades of the nineteenth century, too, there were some Kantians who formulated their own versions of cosmopolitan right.<sup>30</sup> After that, interest waned, however, and in the reception of Kant's theory of peace cosmopolitan right generally stood in the shadow of his advocacy of the league of states.

Strikingly enough, however, developments in twentieth-century international law have gone quite far in the direction of implementing the requirements of Kant's cosmopolitan right. In particular, the status of individuals under international law has been expanded in an unprecedented way. International law now grants individuals certain rights as humans (i.e., rights that are not tied to a particular nationality). Examples of these are the refugee rights that were codified in the twentieth century.<sup>31</sup>

Moreover, Kant's introduction of cosmopolitan right into his theory of right shows that he realized that world peace requires not merely peace between states, but also peaceful behavior of states and foreign individuals towards each other. In this context, Kant himself referred, on the one hand, to the imperialism and colonialism of European states toward people who had not formed states yet, and, on the other hand, to what he regarded as the rightful prohibition by some foreign states against European trading companies entering their territories. In our own time, the international terrorist attacks by groups who are not acting as representatives of states but who direct their attacks against states and their citizens painfully underscore the truth of Kant's claim that world peace, that is, the security of the external freedom of all persons, requires more than peace among states.

Kant's confidence in the pacific nature of the “spirit of trade” (which he believes to show that cosmopolitan right can be realized) has proven to be too optimistic. Despite his claim that international commerce “cannot coexist with war” (*Perpetual Peace*, 8:368), the term “trade war” is not an oxymoron. Although commercial

interests run counter to war sometimes, they do not always do so. Kant failed to take account of the struggles that develop in the competition over access to and control over markets or raw materials. As long as there are individual states, their interests can be expected to clash on occasion, and as a result states will be motivated to use the means at their disposal to get their way (when the issue is merely one of self-interested calculations). Second, the international arms trade has developed into a sizeable economic force (also in democracies, which house some of the world's largest arms producers). The production and sale of weapons are directly or indirectly a source of income and influence for a state, as well as employment for its citizens, which means that states have strong incentives to keep this going, but of course this supports exactly the kind of arms races that Kant regarded as so pernicious. This is not the same as saying that trade is necessarily a force for the worse. There are of course cases in which commercial interests avert a war or in which greed prompts a dictator to enact liberal reforms in order to attract foreign investment. Nevertheless, the relationship between international trade and peace is more complicated than Kant assumed.

The fact that Kant's views regarding the forces that promote peace are subject to considerable critique, however, does not mean that peace should be regarded as "unrealistic" and that the state of nature among states should simply be accepted. For one thing, none of what has been said earlier rules out that the ideal of peace can be approximated. From the Kantian point of view, this possibility in principle is all that is required to keep the striving for peace from turning into an empty irrational gesture. Thus, contemporary theorists in the Kantian tradition may be even less confident than Kant himself (who, in the *Metaphysics of Morals*, called perpetual peace an idea that could not be realized completely), but this need not affect their view that it *can* and *ought to be* a political principle to strive for peace. The interactions between states, as well as the interactions between states and foreign individuals, ought to conform to principles of justice and hence should be subject to proper regulation. The feasibility of increased transnational regulation is also underscored by the fact that it has in fact already increased enormously over the past century or so – think of the United Nations, the World Trade Organization, the International Criminal Court, and many other international organizations. What is more, rather than making Kant's theory of

peace obsolete, the very difficulties that stand in the way of the realization of peace *underscore* the importance of proper international regulation. For those who do not just want to say that in the international arena might makes right, Kant's theory of peace represents a classic theoretical framework for developing a set of normative ideals concerning international relations and the human rights of individuals.

## NOTES

1. The issue is nowadays discussed as a claim about democratic (rather than republican) states. This terminology is appropriate when what is meant is indirect, representative democracy. Kant ranked direct democracy as a form of despotism for lack of a proper separation of powers (*Perpetual Peace*, 8:352).
2. See the texts collected in Kurt von Raumer, ed., *Ewiger Friede: Friedensrufe und Friedenspläne seit der Renaissance* (Freiburg: Karl Alber Verlag, 1953).
3. *Universal History*, 8:24; *Theory and Practice*, 8:313.
4. Abbé Charles-Irénée Castel de Saint Pierre, *Projet pour rendre la paix perpétuelle en Europe* (1713). Jean-Jacques Rousseau, *Extrait du projet de paix perpétuelle de Monsieur l'Abbé de Saint Pierre* (1761) (*Oeuvres Complètes*, eds. Bernard Gagnebin and Marcel Raymond, vol. 3, 561–89). Rousseau did present some of his own thoughts as Saint-Pierre's: For a discussion of the differences between Saint-Pierre's account and Rousseau's presentation of it, see von Raumer, *Ewiger Friede*, 127–50. Rousseau's *Jugement sur la paix perpétuelle*, written around the same time as the *Extrait*, was first published posthumously in 1782 (*Oeuvres Complètes*, vol. 3, 591–600). Given that Rousseau distances himself clearly and explicitly from the Abbé's proposals in the *Jugement*, it does not seem that Kant had read this second text.
5. Rudolf Malter, ed., *Immanuel Kant in Rede und Gespräch* (Hamburg: Felix Meiner Verlag, 1990), 459. Despite the fact that Kant denounced the execution of Louis XVI and the horrors of the period of Terror, he did not give up his admiration for the ideals of the French republic. See also *Conflict* 7:86, note.
6. Although most of the texts in which Kant stipulates racial hierarchies (with "whites" having the most talents and abilities) are from the pre-critical period (probably including the relevant passages in the lectures on physical geography), there are also later statements that refer to the inferior natural abilities of non-white races. An example of this is found

in the 1788 essay "On the Use of Teleological Principles in Philosophy" 8:174, including the note on that page. However, Kant seems to have developed a more egalitarian position during the 1790s, as can be seen in the discussion of cosmopolitan right in the present chapter.

7. See the lectures on anthropology from 1775-6: "Wir sehen daß sich Kriege erheben, und ein Staat den andern niederreißt, mit der Zeit werden die Fürsten den Nachtheil empfinden müssen, indem sie selbst im Frieden mit der Zurüstung eben solche Kräfte zu verwenden genöthiget sind, als im Kriege. Damit aber alle Kriege nicht nöthig wären, so müste ein Völkerbund entspringen, der alle Streitigkeiten der Völcker durch ihre Deputirte einen allgemeinen Volcker Senat constituirten, der alle Streitigkeiten der Völcker entscheiden müste, und dieses Urtheil müste durch die Macht der Völcker executirt werden, denn stünden auch die Völcker unter einem foro und einem bürgerlichen Zwange. . . . Wenn aber das ein Ende nimmt, so wird die Verbeßerung der inneren Regierung erfolgen" (25:676).
8. See Sharon B. Byrd, "The State as a Moral Person," in *Proceedings of the Eighth International Kant Congress*, ed. Hoke Robinson (Milwaukee: Marquette University Press, 1995), vol. 1.1., 171-89, esp. pp. 178-9; Sidney Axinn, "Kant on World Government," in *Proceedings of the Sixth International Kant Congress*, eds. G. Funke and Th. Seebohm (Washington, DC: University Press of America, 1989), 245-9.
9. In *Theory and Practice* Kant explains this terminology: "in thesi" means "in theory," "in hypothesi" is equivalent to "in practice" (*Theory and Practice* 8:276). On the states' interpretation of international right as a right to remain in the state of nature, see the *Vorarbeiten to Perpetual Peace*, 23:169.
10. For example, Allen Wood claims that the argument of *Perpetual Peace* would seem to require a state of states but that the account is riddled with perplexities. Thomas Pogge similarly calls Kant's account "extremely unsettled" and portrays Kant as experimenting with one argument after another without developing a single one successfully, trying to evade the demand for a world state that his theory commits him to. Thomas W. Pogge, "Kant's Theory of Justice," *Kant-Studien* 79 (1988): 407-33, esp. 427-33; Allen W. Wood, "Kant's Project for Perpetual Peace," in *Proceedings of the Eighth Kant Congress*, ed. Hoke Robinson (Milwaukee: Marquette University Press, 1995), vol. 1.1., 3-18, here p. 11. See also Thomas Carson, "Perpetual Peace: What Kant Should Have Said," *Social Theory and Practice* 14 (1988): 173-214; Georg Cavallar, *Kant and the Theory and Practice of International Right* (Cardiff: University of Wales Press, 1999), 113-32, esp. 123; Kevin Dodson, "Kant's Perpetual Peace: Universal Civil Society or League of

States?," *Southwest Philosophical Studies* 15 (1993): 1-9; Habermas, "Kant's Idea of Perpetual Peace with the Benefit of Two Hundred Years' Hindsight," in *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, eds. James Bohman and Matthias Lutz-Bachmann (Cambridge, MA: MIT Press, 1997), 113-53; Otfried Höffe, "Some Kantian Reflections on a World Republic," *Kantian Review* 2 (1998): 51-71; Otfried Höffe, "Völkerbund oder Weltrepublik?," in *Immanuel Kant: Zum ewigen Frieden*, ed. Otfried Höffe (Berlin: Akademie Verlag, 1995), 109-32; Matthias Lutz-Bachmann, "Kant's Idea of Peace and the Philosophical Conception of a World Republic," in Bohman and Lutz-Bachmann, eds., *Perpetual Peace*, 59-77.

11. Kevin Dodson's formulation is representative: "This argument, however, explicitly accepts the subordination of considerations of justice to empirical judgments of what is realistic in the near future. . . . In putting forth this argument, Kant succumbs to the very same weakness that he so often warns us against" ("Kant's Perpetual Peace," 7).
12. Carson, "*Perpetual Peace*," 211. The world government would have "military forces sufficient to dismantle and defeat any national army in the process of creation" (185 - note also the "far reaching intelligence network" of the world government, and Carson's assumption that one can prevent a military takeover just by having rules against it, 203-4). See also Axinn, "Kant on World Government," 249: "We may use violence to compel membership in an international federation. Things seem quite unKantian, yet we have merely put together Kant's own positions."
13. Commentators who criticize Kant's defense of the league of states on the grounds that the league is likely to have many flaws and who argue that only a state of states would be able to solve these problems often overlook the fact that the state of states itself, if pursued instead of a league, is also likely to be flawed.
14. "Peoples" here in the political, not nationalist sense.
15. I have argued this point at length in "Approaching Perpetual Peace: Kant's Defense of a League of States and his Ideal of a World Federation," *European Journal of Philosophy* 12 (2004): 304-25.
16. For example, Johann Heinrich Tieftrunk, *Philosophische Untersuchung über das Privat- und das öffentliche Recht zur Erläuterung und Beurtheilung der metaphysischen Anfangsgründe der Rechtslehre vom Herrn Prof. Imm. Kant* (Halle: Rengersche Buchhandlung, 1798), vol. 2, 575-7.
17. See especially "Ideas toward a Universal History from a Cosmopolitan Point of View," the third essay in *Theory and Practice*, and of course the section "On the Guarantee of Perpetual Peace" in *Perpetual Peace*.

18. For further discussion, see Paul Guyer's explanation of why a republic is not sufficient for peace, in "Nature, Morality, and the Possibility of Peace," in Guyer, *Kant on Freedom, Law, and Happiness*, (Cambridge: Cambridge University Press, 2000), 408-34, here pp. 415-23.
19. Rawls defends a version of this view; see John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 1999), 8.
20. Michael W. Doyle, "Kant, Liberal Legacies, and Foreign Affairs," *Philosophy and Public Affairs* 12 (1983): 205-35 (part I) and 323-53 (part II).
21. *Ibid.*
22. See Rawls, *Law of Peoples*, pp. 10, 19, 21, 22, 36, 54.
23. *Fichtes Werke*, ed. Immanuel Hermann Fichte, vol. 3 (Berlin: Walter de Gruyter, 1971), 379.
24. Jürgen Habermas, "Kant's Idea of Perpetual Peace"; Otfried Höffe, "Völkerbund oder Weltrepublik?" and "Some Kantian Reflections on a World Republic."
25. "Versuch über den Begriff des Republikanismus" [1796], in Ernst Behler, ed., *Kritische Friedrich-Schlegel-Ausgabe* (München: Schöningh, 1966), vol. 7, 11-25, here p. 13.
26. Friedrich Gentz, "Über den ewigen Frieden," *Historisches Journal* 2 (#3, Sept.-Dec. 1800), 710-90. Reprinted in Kurt von Raumer, ed., *Ewiger Friede: Friedensrufe und Friedenspläne seit der Renaissance* (Freiburg: Karl Alber, 1953), 461-97, here p. 479.
27. Rawls, *Law of Peoples*, 44-5.
28. Johann Gottlieb Fichte, *Grundlage des Naturrechts*, in *Fichtes Werke*, ed. Immanuel Hermann Fichte (Berlin: Walter de Gruyter, 1971), vol. 3, here p. 384.
29. *Ibid.* Fichte changed his view dramatically in 1800 with the publication of *Der geschlossene Handelsstaat*, in which he severely restricts individual mobility.
30. See, for example, Johann Heinrich Tieftrunk, *Philosophische Untersuchungen über das Privat- und öffentliche Recht zur Erläuterung und Beurtheilung der metaphysischen Anfangsgründe der Rechtslehre vom Herrn Prof. Immanuel Kant* (Halle, 1798), 583-4.
31. I have argued this point at greater length in "Kant's Cosmopolitan Law: World Citizenship for a Global Order," *Kantian Review* 2 (1998): 72-90. For other recent discussions, see Sankar Muthu, "Justice and Foreigners: Kant's Cosmopolitan Right," *Constellations* 7 (2000): 23-45; Seyla Benhabib, "Of Guests, Aliens, and Citizens: Rereading Kant's Cosmopolitan Right," in *Pluralism and the Pragmatic Turn: The Transformation of Critical Theory*, eds. William Rehg and James Bohman (Cambridge, MA: MIT Press, 2001), 361-87.