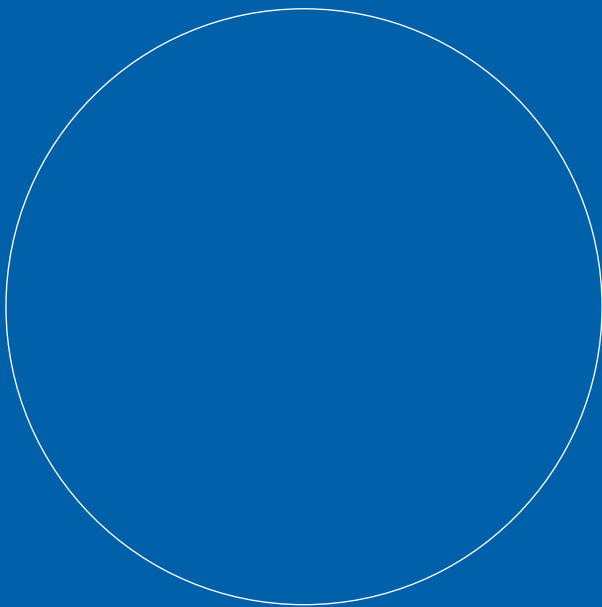


Perpetual Peace



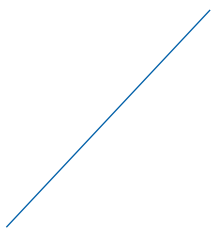
'Perpetual Peace:
A Philosophical Sketch' (1795)
Immanuel Kant



'The Perpetual Peace'

These words were once put by a Dutch innkeeper on his signboard, as a satirical inscription over the representation of a churchyard. We need not inquire whether they hold of men in general, or particularly of the rulers of States who seem never to be satiated of war, or even only of the Philosophers who dream that sweet dream of Peace. The author of the present Sketch, however, would make one remark by way of reservation in reference to it. It is well known that the practical politician looks down, with great self-complacency, on the theoretical Politician, when he comes in the way, as a mere pedant whose empty ideas can bring no danger to the State, proceeding as it does, upon principles derived from experience; and the theorizer may, therefore, be allowed to throw down his eleven skittle-pins at once, while the sagacious Statesman who knows the world, need not, on that account, even give himself a turn! This being so, should any matter of controversy arise between them, the practical Statesman must so far proceed consistently and not scent out a danger for the State behind the opinions of the theoretical thinker, which he has ventured in a good intent publicly to express. By which 'saving clause,' the Author will consider himself expressly safeguarded against all malicious interpretation.

First Section which contains
The Preliminary Articles of A Perpetual Peace
Between States.



'No conclusion of Peace shall be held to be valid as such, when it has been made with the secret reservation of the material for a future War.'

For, in that case, it would be a mere truce, or a suspension of hostilities, and not a Peace. A Peace properly signifies the end of all hostilities; and to qualify it by the addition of the epithet 'perpetual' or 'eternal' is pleonastic and suspicious. All existing causes for a future war — although they were perhaps unknown to the contracting parties at the time — are to be regarded as entirely removed, or annihilated by the Treaty of Peace, even if they could be picked out by the dexterity of an acute interpretation from the terms of documents in the public Archives. There may be a mental reservation of old pretensions or claims with the view of asserting them at a future time, of which, however, neither party makes any mention for the present because they are too exhausted to continue the war, while there remains the evil will to take advantage of the first favourable opportunity for this purpose; but this is illegitimate and belongs to the Jesuitical casuistry of Politics. If we consider the subject of reservation in itself, it is beneath the dignity of the Rulers of States to have to do with it, and, in like manner, the complacent participation in such deductions is beneath the dignity of their Ministers. But if the true glory of the State is placed in the continual increase of its power, by any means whatever — according to certain 'enlightened' notions of national policy — then this judgment will certainly appear to those who adopt that view, to be impractical and pedantic.

'No State having an existence by itself— whether it be small or large — shall be acquirable by another State through inheritance, exchange, purchase or donation.'

A State is not to be regarded as a property or patrimony, like the soil on which it may be settled. It is a society of men, over which no one but itself has the right to rule or to dispose. Like the stem of a tree it has its own root, and to incorporate it as a graft in another State, is to destroy its existence as a moral Person; it is to reduce it to a Thing, and thereby to contradict the idea of the original Compact without which a Right over a people is inconceivable.¹ Everyone knows what danger the prejudice in favor of thus acquiring States has brought to Europe, for in the other parts of the world it has never been known; and that this has gone on even up to our own times. It was considered that the States might marry one another; and hence, on the one hand, a new kind of industry in the effort to acquire predominance by family alliances, without any expenditure of power; and, on the other hand, to increase, in this way, by new possessions the extent of a Country. Further, the lending of the troops of one State to another on pay, to fight against an enemy not at war with their own State, has arisen from the same erroneous view; for the Subjects of the State are thus used and abused as Things that may be managed at will.

'Standing Armies shall be entirely abolished in the course of time.'

For, they threaten other States incessantly with War, by their appearing to be always equipped to enter upon it. Standing armies (*miles perpetuus*) excite the States to outrival each other in the number of their armed men which has no limits. By the expense occasioned thereby, Peace becomes in the long run even more oppressive than a short war; and Standing Armies are thus the cause of aggressive wars undertaken in order to get rid of this burden. Besides, it has to be considered that for men to be hired for pay to kill or to be killed, appears to imply the using of them as mere machines and instruments in the hand of another, although it be the State; and that this cannot be well reconciled with the Right of humanity in our own person. It is quite otherwise, however, as regards the voluntary exercise of the citizens in arms at certain appointed periods; for the object in view is thereby to protect themselves and their country from external attacks. The accumulation of treasure in a State would have the same sort of influence as regular troops, in so far as, being regarded by other States as a threat of war, it might compel them to anticipate such a war by an attack upon the State. For of the three powers known in the State as the Power of the Army, the Power of external Alliance and the Power of Money, the money-power might well become the most reliable instrument of war, did not the difficulty of determining its real force stand in the way of its employment.

'No National Debts shall be contracted in connection with the external affairs of the State.'

No objection can be taken to seeking assistance, either without or within the State, in behalf of the economical administration of the country; such as, for the improvement of highways, or in support of new colonies, or in the establishment of resources against dearth and famine. A loan, whether raised externally or internally, as a source of aid in such cases is above suspicion. But a Credit System when used by the Powers as a hostile antagonistic instrument against each other, and when the debts under it go on increasing to an excessive extent and yet are always secured for the present (because all the creditors are not to put in their claims at once), is a dangerous money power. This arrangement — the ingenious invention of a commercial people in this century — constitutes, in fact, a treasure for the carrying on of War; it may exceed the treasures of all the other States taken together, and it can only be exhausted by the forthcoming deficit of the taxes, which, however, may be long delayed even by the animation of the national commerce from the reaction of the system upon industry and trade. The facility given by this system for engaging in War, combined with the inclination of Rulers towards it (an inclination which seems to be implanted in human nature), is, therefore, a great obstacle in the way of a Perpetual Peace. The prohibition of it must be laid down as a Preliminary Article in the conditions of such a Peace, even more strongly on the further ground, that the national bankruptcy, which it inevitably brings at last, would necessarily involve many other States that are without debt in the loss; and this would be a public lesion of these other States. And, consequently, the other States are justified in allying themselves against such a State and its pretensions.

'No State shall intermeddle by force with the Constitution or Government of another State.'

For what could justify it in doing so? Mayhap the scandal or offence given by that State to the subjects of another State? Then the offending State should much rather serve as a warning by the example of the great Evils which peoples have drawn upon themselves through their lawlessness; and generally a bad example given by one free person to another (as a *scandalum acceptum*), is not a lesion of his Right. But it is a different case where a State has become divided in two by internal disunion, and when each of the parts represents itself as a separate State laying claim to the whole; for, to furnish assistance to one of them under these circumstances might not be reckoned as the intermeddling of an External State with the Constitution of another, as that other is then in a condition of Anarchy. Yet so long as this internal strife is not decided, such an interference on the part of external Powers would be a violation of the Rights of an independent people that is only struggling with an external evil. It would, therefore, itself be a cause of offence, and would make the Autonomy of all other States insecure.

'No State at war with another shall adopt such modes of hostility as would necessarily render mutual confidence impossible in a future Peace; such as, the employment of Assassins (*percussores*) or Poisoners (*venefici*), the violation of a Capitulation, the instigation of Treason and such like.'

These are dishonorable stratagems. For there must be some trust in the habit and disposition even of an enemy in War, otherwise no Peace could be concluded, and the hostilities would pass into an internecine war of extermination. War, however, is only a melancholy necessity of asserting Right by force — where, as in the state of Nature, there is no common tribunal with the rightful power to adjudicate on causes of quarrel. In such circumstances neither of the two parties can be declared to be an unjust enemy as this presupposes a judicial sentence: but the issue of the conflict — as in the so-called 'judgments of God' — has to decide on which side is the Right. As between States, however, a punitive war, according to the principle of punishment, is inconceivable; because there is no relation of subordination between them, as between Superior and Inferior. Hence it follows that a war of extermination, in which the process of annihilation would strike at both parties, and likewise at all Right at the same time, would reach Perpetual Peace only on the final Golgotha of the human race. Such a war, therefore, as well as the use of such means as might lead to it, must be absolutely unallowable. And that the means referred to inevitably lead to that result, is apparent from the fact that when these hellish arts, which are debasing in themselves, are once brought into use, they are not kept long within the limits of war. Such, for instance, is the employment of Spies. In this case it is only the dishonesty of others

that is employed, and as such practices and habits cannot be exterminated at once, they would be carried over into the state of Peace, and thus its very purpose would be entirely frustrated.

The Articles thus indicated, when viewed objectively, or as to the intention of the Powers, represent merely Prohibitive Laws. Some of them, however, are Strict Laws (*leges strictæ*); that are valid without distinction of circumstances, and press immediately for the abolition of certain things. Such are Nos. 1, 5, 6. Others, again — as Nos. 2, 3, 4, — have a certain subjective breadth (*leges latæ*) in respect of their application. Although they present no exceptions to the rule of Right, they imply a regard to circumstances in practice. They include permissions to delay their fulfilment without, however, losing sight of their end; for their end allows such delay. Thus, for instance, in regard to the restoration of certain States to the Liberty of which they have been deprived, it is allowable, according to the Second Article, to postpone it — not, indeed to 'the Greek Kalends,' as Augustus was wont to say, so that its time would never come; but only so as not to precipitate its coming, and thus by overhaste to act contrary to the very purpose in view. The prohibition in question, bears only upon a mode of Acquisition which is to be no longer valid, but not upon the state of possession which, although it may not hold the requisite title of Right, was, nevertheless, regarded as rightful and valid by all the States at the date of the putative acquisition, in accordance with the public opinion of the time.²

Second Section which contains
The Definitive Articles of A Perpetual Peace
Between States.



A state of Peace among men who live side by side with each other, is not the natural state. The state of Nature is rather a state of War; for although it may not always present the outbreak of hostilities, it is nevertheless continually threatened with them. The state of Peace must, therefore, be established; for the mere cessation of hostilities furnishes no security against their recurrence, and where there is no guarantee of peace between neighboring States — which can only be furnished under conditions that are regulated by Law — the one may treat the other, when proclamation is made to that effect, as an enemy.³



I.

First Definitive Article in the Conditions of Perpetual Peace. 'The Civil Constitution in every State shall be Republican.'

A Republican Constitution is one that is founded, firstly, according to the principle of the Liberty of the Members of a Society, as Men; secondly, according to the principle of the Dependence of all its members on a single common Legislation, as Subjects; and, thirdly, according to the law of the Equality of its Members as Citizens.⁴ The Republican Constitution is, thus, the only one which arises out of the idea of the Original Compact, upon which all the rightful legislation of a people is founded. As regards public Right, the republican principles, therefore, lie originally and essentially at the basis of the Civil Constitution in all its forms; and the only question for us now is as to whether it is also the only Constitution that can lead to a Perpetual Peace?

Now, in point of fact, the Republican Constitution, in addition to the purity of its origin as arising from the original source of the conception of Right, includes also the prospect of realizing the desired object: Perpetual Peace among the nations. And the reason of this may be stated as follows. According to the Republican Constitution, the consent of the citizens as members of the State is required to determine at any time the question, 'Whether there shall be war or not?' Hence, nothing is more natural than that they should be very loath to enter upon so undesirable an undertaking; for in decreeing it, they would necessarily be resolving to bring upon themselves all the horrors of War. And, in their case, this implies such consequences as these: to have to fight in their own persons; to supply the costs of the war out of their own property; to have sorrowfully to repair the devastation which it leaves behind; and, as a crowning evil, to have to take upon themselves at the

end a burden of debt which will go on embittering peace itself, and which it will be impossible ever to pay off on account of the constant threatening of further impending wars. On the other hand, in a Constitution where the Subject is not a voting member of the State, and which is, therefore, not Republican, the resolution to go to war is a matter of the smallest concern in the world. For, in this case, the Ruler, who, as such, is not a mere citizen but the Owner of the State, need not in the least suffer personally by war, nor has he to sacrifice his pleasures of the table or of the chase or his pleasant palaces, court festivals and such like. He can, therefore, resolve for war from insignificant reasons, as if it were but a hunting expedition; and, as regards its propriety, he may leave the justification of it without concern to the diplomatic body, who are always too ready to give their services for that purpose.

The Republican Constitution is not to be confounded with the Democratic Constitution. But as this is commonly done, the following remarks must be made in order to guard against this confusion. The various forms of the State (*Civitas*) may be divided either according to the difference of the Persons who hold the highest authority in the State, or according to the mode of the governing of the people through its supreme Head. The first is properly called the form of the Sovereignty in the State (*forma imperii*). There are only three forms of this kind possible, according as one only, or as some in connection with each other, or as all those constituting the Civil Society combined together may happen to possess the governing power; and thus we have either an Autocracy constituted by the power of a Monarch, or an Aristocracy constituted by the power of the Nobles, or a Democracy constituted by the power of the People. The second principle of division is taken from the form of the Government (*forma regiminis*); and viewing the Constitution as the act of the common or

universal will by which a number of men become a People, it regards the mode in which the State, founding on the Constitution, makes use of its supreme power. In this connection, the form of government is either republican or despotic. Republicanism regarded as the constitutive principle of a State is the political severance of the Executive Power of the Government from the Legislative Power. Despotism is in principle the irresponsible executive administration of the State by laws laid down and enacted by the same power that administers them; and consequently the Ruler so far exercises his own private will as if it were the public Will. Of the three forms of the State, a Democracy, in the proper sense of the word, is necessarily a despotism; because it establishes an Executive power in which All resolve about, and, it may be, also against, any One who is not in accord with it; and consequently the All who thus resolve are really not all; which is a contradiction of the Universal Will with itself and with liberty.

Every form of Government, in fact, which is not representative, is properly a spurious form of Government or not a form of Government at all; because the Lawgiver in one and the same person, may, at the same time, be the executive administrator of his own Will. And although the other two political constitutions — Autocracy and Aristocracy — are always so far defective in that they afford opportunity for such a mode of government, it is at least possible in their cases that a mode of government may be adopted in conformity with the spirit of a representative system. Thus Frederick the Great was wont to say of himself that he was 'merely the highest servant of the State.'⁵ But the Democratic Constitution, on the contrary, makes such a spirit impossible; because under it everyone wishes to be master. It may, therefore, be said that the fewer the number of the Rulers or personal Administrators of the power of the State, and the greater the representation embodied in

them, so much the more does the political constitution harmonise with the possibility of Republicanism; and such a constitution may hope to raise itself, by gradual reforms, to the Republican Ideal. On this account, it is more difficult to attain to this one perfect constitution according to the principles of Right in an Aristocracy than in a Monarchy, and in a Democracy it is impossible otherwise than by violent revolution. As regards the people, however, the mode of Government is incomparably more important than the form of the Constitution, although the degree of conformity in the Constitution to the end of government is also of much importance. But if the mode of Government is to conform to the idea of Right, it must embody the representative system. For in this system alone is a really republican mode of Government⁶ possible; and without it, let the Constitution be what it may, it will be despotic and violent. In none of the ancient so-called 'Republics,' was this known; and they necessarily became resolved in consequence, into an absolute form of despotism, which is always most bearable when the supreme power is concentrated in a single individual.

II.

Second Definitive Article in the conditions of a Perpetual Peace. 'The Right of Nations shall be founded on a Federation of Free States.'

Peoples or nations regarded as States, may be judged like individual men. Now men living in a state of Nature independent of external laws, by their very contiguity to each other, give occasion to mutual injury or lesion. Every people, for the sake of its own security, thus may and ought to demand from any other, that it shall enter along with it into a constitution, similar to the Civil Constitution, in which the Right of each shall be secured. This would give rise to an International Federation of the Peoples. This, however, would not have to take the form of a State made up of these Nations. For that would involve a contradiction, since every State, properly so called, contains the relation of a Superior as the lawgiver to an Inferior as the people subject to their laws. Many nations, however, in one State, would constitute only one nation, which is contradictory to the principle assumed, as we are here considering the Right of Nations in relation to each other, in so far as they constitute different States and are not to be fused into one.

The attachment of Savages to the lawless liberty of rather being engaged in incessant conflict with each other than submitting to a legal constraint constituted by themselves, is well known. Hence their preference of wild freedom to rational liberty is looked upon by us with profound contempt, and characterised as barbarism, coarseness, and a brutal degradation of humanity. Thus it might be thought that civilized Nations, being each united into a State, would of necessity make all haste to advance as soon as possible out of any semblance to a condition that is so much condemned. Instead of this, however, we rather find that every State

founds its Majesty on not being subject to any external legal coercion; and the glory of its Ruler or Head is made to consist in the fact that without his requiring to encounter any danger himself, many thousands stand ready to be sacrificed at his command for a cause which may be no concern of theirs.⁷ Thus the difference between the white savages of Europe and the red savages of America consists mainly in this: that while some tribes of the latter have been entirely eaten up by their enemies, the former know how to make a better use of the vanquished than to eat them, by rather adding them to the number of their subjects, and thereby increasing the multitude of their instruments and means for still more extensive wars.

The depravity of human nature is exhibited without disguise in the unrestrained relations of the Nations to each other, whereas in the legalised state of Civil Society it is greatly veiled under the constraint of government. In view of it, we may well wonder that the word 'Right' has not yet been entirely banished from the policy of war as pedantic, and that no State has as yet ventured to declare itself publicly in favour of that doctrine. For Grotius, Puffendorf, Vattel and the others — miserable comforters all of them — are still always quoted cordially for the justification of an outbreak of war, although their philosophically or diplomatically composed codes has not, nor could have, the slightest legal force, since the States as such stand under no common legal constraint; and there is not an example of a State having been ever moved to desist from its purpose by arguments, although armed with testimonies of such important men. Yet the homage which every State thus renders — at least in words — to the conception of Right still proves that there is to be found in man a higher and greater moral capacity; though it may slumber for a time; and it is evidently felt that this capacity will yet attain the mastery over the evil principle in him, the

existence of which cannot be denied; and this gives a ground of hope to others. For the word 'Right' would otherwise never enter into the vocabulary of States desirous to go to war with each other, unless it were merely to make a jest of it, in the manner of the Gallic prince who declared that 'it is the prerogative of the strong to make the weak obey them.'

The means by which States prosecute their Rights at present can never be by a form of process — as if there were an external tribunal, — but can only be by War; but even the favorable issue of war in victory will not decide a matter of Right. A treaty of Peace may, indeed, put an end to a particular war, yet not to the general condition of war, in which a pretext can always be found for new hostilities. Nor can such a pretext under these circumstances be regarded as 'unjust;' for in that state of society, every nation is the judge of its own cause. At the same time, the position which, according to the Right of nature, holds of men in a lawless condition that 'they ought to advance out of that condition,' cannot according to the Right of Nations be directly applied to States; because as States they have already within themselves a legal Constitution and have thus outgrown the coercive Right of others to bring them under a wider legal constitution according to conceptions of Right. And yet Reason on the throne of the highest moral law giving power, absolutely condemns War as a mode of Right, and, on the contrary, makes the state of Peace an immediate duty. But the state of Peace cannot be founded or secured without a compact of the Nations with each other. Hence there must be a compact of a special kind which may be called a Pacific Federation (*foedus pacificum*), and which would be distinguished from a mere treaty or Compact of Peace (*pactum pacis*), in that the latter merely puts an end to one war, whereas the former would seek to put an end to all wars forever. This Federation will not aim at the acquisition

of any of the political powers of a State, but merely at the preservation and guarantee for itself, and likewise for the other confederated States, of the liberty that is proper to a State; and this would not require these States to subject themselves for this purpose — as is the case with men in the state of nature — to public laws and to coercion under them. The practicability and objective realization of this idea of Federalism, inasmuch as it has to spread itself over all States and thereby lead to Perpetual Peace, may be easily shown. For if happy circumstances bring it about that a powerful and enlightened people form themselves into a Republic — which by its very nature must be disposed in favour of Perpetual Peace — this will furnish a center of federative union for other States to attach themselves to, and thus to secure the conditions of Liberty among all States, according to the idea of the Right of Nations. And such a Union would extend wider and wider, in the course of time, by the addition of further connections of this kind.

It is intelligible that a People should say: 'There shall be no war among us: for we will form ourselves into a State, and constitute of ourselves a supreme legislative, governing and judicial Power which will peacefully settle our differences.' But if this State says: 'There shall be no war between me and other States, although I recognize no supreme legislative power which will secure me my Right and whose Right I will also secure;' then there is no intelligible basis upon which any security for such Rights could be founded unless it were a surrogate of the union embodied in Civil Society. And this can be nothing but a free Federation of the States, which Reason must necessarily connect with the idea of the Right of Nations if there is anything further to be thought in connection with it.

The notion of a Right to go to war, cannot be properly conceived as an element in the Right of Nations. For it would be equivalent to a Right to determine what is

just not by universal external laws limiting the freedom of every individual alike, but through one-sided maxims that operate by means of force. If such a Right be conceivable at all it would amount, in fact, to this: that in the case of men who are so disposed, it is quite right for them to destroy and devour each other, and thus to find Perpetual Peace only in the wide grave, which is to cover all the abomination of the deeds of violence and their authors! For States viewed in relation to each other, there can be only one way, according to reason, of emerging from that lawless condition which contains nothing but occasions of war. Just as in the case of individual men, Reason would drive them to give up their savage lawless freedom, to accommodate themselves to public coercive laws, and thus to form an ever-growing State of Nations, such as would at last embrace all the Nations of the Earth. But as the Nations, according to their ideas of international Right, will not have such a positive rational system, and consequently reject in fact (*in thesi*) what is right in theory (*in hypothesi*), it cannot be realized in this pure form. Hence, instead of the positive idea of a Universal Republic — if all is not to be lost — we shall have as result only the negative surrogate of a Federation of the States averting war, subsisting in an external union, and always extending itself over the world. And thus the current of those inclinations and passions of men which are antagonistic to Right and productive of war, may be checked, although there will still be a danger of their breaking out betimes.⁸ For as Virgil puts it:

'Furor

Impius intus fremit horridus ore cruento.'

III.

Third Definitive Article in the conditions of a Perpetual Peace. 'The Rights of men as Citizens of the world in a cosmo-political system, shall be restricted to conditions of universal Hospitality.'

In this as in the previous Articles, the question is not about a relation of Philanthropy, but one of Right. 'Hospitality' here indicates the Right of a stranger in consequence of his arrival on the soil of another country, not to be treated by its citizens as an enemy. As a stranger he may be turned away, if this can be done without involving his death; but so long as he conducts himself peacefully in the place where he may happen to be, he is not to be dealt with in a hostile way. The stranger may not lay claim to be entertained by right as a Guest, for this would require a special friendly compact to make him for a certain time the member of a household, he may only claim a Right of Resort or of visitation. All men are entitled to present themselves thus to society in virtue of their Right to the common possession of the surface of the earth, to no part of which anyone had originally more right than another; and upon which, from its being a globe, they cannot scatter themselves to infinite distances, but must at last bear to live side by side with each other. Uninhabitable portions of this surface are formed by seas and deserts; these present barriers to the fellowship of men in society; but they are of such a nature that the ship or the camel, 'the ship of the desert,' makes it possible for men to approach each other over these unappropriated regions, and thus to turn the Right, which the human species have in common to the surface of the earth, into a means for social intercourse. The inhospitality practiced, for instance, on the Barbary coasts, of plundering ships in the neighboring seas and making slaves of stranded

mariners, or that of the sandy deserts, as practiced by Arab Bedouins who regard their access to nomadic tribes as constituting a right to plunder them, is thus contrary to the Right of Nature. But this Right of Hospitality as vested in strangers arriving in another State, does not extend further than the conditions of the possibility of entering into social intercourse with the inhabitants of the country. In this way distant continents may enter into peaceful relations with each other. These may at last become publicly regulated by law, and thus the human race may be always brought nearer to a Cosmopolitical Constitution.

If we compare the barbarian instances of inhospitality referred to with the inhuman behavior of the civilized, and especially the commercial, States of our Continent, the injustice practiced by them in their first contact with foreign lands and peoples, fills us even with horror, the mere visiting of such peoples being regarded by them as equivalent to a conquest. America, the Negro Lands, the Spice Islands, the Cape of Good Hope, etc., on being discovered, were treated as countries that belonged to nobody; for the Aboriginal inhabitants were reckoned as nothing. In the East Indies, under the pretext of intending merely to plant commercial settlements, the Europeans introduced foreign troops, and with them oppression of the Natives, instigation of the different States to widespread wars, famine, sedition, perfidy, and all the litany of evils that can oppress the human race.

China⁹ and Japan, having had experience of such guests, therefore, did wisely in limiting their intercourse. China only permitted access to her coasts but not entrance into the country. Japan restricted access to one European people, the Dutch, and they were even treated like prisoners by being excluded from social intercourse with the Natives. The worst (or, regarded from the standpoint of a moral judge, the best) of all

this is that no satisfaction is derived from this violence, as all these commercial Societies are at present on the verge of ruin. The Sugar Islands — that seat of the cruellest and completest slavery — have thrown up no real profit, but have been only indirectly of account, and that in no praiseworthy relation. They have only furnished sailors for ships of war, and have thereby contributed to the carrying on of wars in Europe. And all this has been done by nations who make a great ado about their piety, and who, while drinking up iniquity like water, would have themselves regarded as the very elect of the orthodox Faith.

But the social relations between the various Peoples of the world, in narrower or wider circles, have now advanced everywhere so far that a violation of Right in one place of the earth, is felt all over it. Hence the idea of a Cosmo-political Right of the whole Human Race, is no fantastic or overstrained mode of representing Right, but is a necessary completion of the unwritten Code which carries national and international Right to a consummation in the Public Right of Mankind. Thus the whole system leads to the conclusion of a Perpetual Peace among the Nations. And it is only under the conditions now laid down that men may flatter themselves with the belief, that they are making a continual approach to its realization.

First Supplement Of the Guarantee of Perpetual Peace

The guarantee of Perpetual Peace is furnished by no less a power than the great artist Nature herself: *Natura Daedala rerum*. The mechanical course of Nature visibly exhibits a design to bring forth concord out of the discord of men, even against their will. This power as a cause working by laws which are unknown to us, is commonly called Fate; but in view of the design manifested in the course of the world, it is to be regarded as the deep wisdom of a Higher Cause directed towards the realization of the final purpose of the human race, and predetermining the course of the world by relation to it, and as such we call it Providence.¹⁰ This power we do not indeed perceive externally in the artistic formations of Nature, nor can we even infer from them to it; but as in all referring of the form of things to final causes generally, we not only can, but must conjoin this thought with them in order to make their possibility conceivable after the analogy of the operations of human art. The relation and accord of these things to the moral purpose which reason immediately prescribes to us, can only be represented by an idea which theoretically indeed transcends our experience, but which is practically determinable and is well founded in reality. Such for example is the idea of a Perpetual Peace being a duty when the mechanism of nature is regarded as conducing to its realization. The employment of the term 'Nature' rather than 'Providence' for the designation of this power, is more proper and more modest in view of the limits of human reason, when we are dealing with it merely from the theoretical and not from the religious point of view. For human reason, when dealing with the relation of effects to their causes, must keep within the limits of possible experience; and to speak of Providence as knowable by us in this relation, would be putting on

Icarian wings with presumptuous rashness in order to approach the mystery of His unfathomable purposes.

Before determining this guarantee more exactly, it will be necessary to look first at that state of things arranged by nature for those who live and act upon the stage of her great theatre, which ultimately gives the guarantee of Peace. Thereafter we shall consider the manner in which this guarantee is furnished. The provisory arrangements of nature in this relation consist mainly in these three things: 1st, she has provided so that men shall be able to live in all parts of the earth; 2nd, she has scattered them everywhere by means of war so that they might populate even the most inhospitable regions; and 3rd, by this same means she has compelled them to enter into relations more or less rightful with one another. The facts that come here into view are truly wonderful. Thus in the cold, icy wastes around the Arctic Ocean there grows the moss which the reindeer scrapes forth from beneath the snow in order that it may itself become food, or that it may be yoked to the sledge of the Ostiak or the Samojan. And in like manner, the wildernesses of sand, barren though they be, do yet contain the camel which appears to have been created for travelling through them, in order that they might not be left unutilised. Still more distinctly does design appear when we come to know how, along with the fur-clad animals on the shores of the Arctic Ocean, there are seals, walruses and whales that furnish food by their flesh, and warmth and light by their fat to the inhabitants around. But most of all does the provident care of nature excite our admiration by the driftwood which it brings to the treeless shores, even when it is not well known whence it comes; and yet without this material the dwellers in the region could neither construct their canoes, nor their arms, nor huts for their abode; and this too under such conditions as compel them to carry on war against the wild beasts, so that

they have to live at peace with each other. Moreover, it is remarkable that it was probably nothing but war that drove men into different regions. And the first instrument of war which man appropriated to himself from among all the animals was the horse, which he had learned to tame and to domesticate in the early period of the populating of the earth; for the elephant belongs to the later period of the luxury which arose with established States. In like manner, the art of cultivating certain grasses called 'cereals,' which are now no longer recognizable by us in their original condition, as well as the multiplication and improvement of species of fruits by transplanting and grafting them, could only arise under the conditions of regulated States when property in the soil had been rendered secure. These arts could only arise after men who had been previously existing in lawless freedom, had advanced from the mode of life of the hunter,¹¹ the fisher, and the shepherd to that of the cultivator of the land. Then in connection with the life of the agriculturist, salt and iron were discovered which were perhaps the first articles that were sought far and near, and which entered into the commercial intercourse of different peoples. Thereby they would be first brought into a peaceful relation to one another; and thus the most distant of them would come to mutual understanding, sociability and pacific intercourse.

Now as nature has provided so that men could thus be able to live everywhere on the earth, she has likewise at the same time despotically willed that they shall live everywhere upon it, although against their own inclination and even without any idea of duty being connected with this determination through a moral law. On the contrary, she has chosen War as the means of attaining to this end. In point of fact, we see certain peoples whose unity of descent is made known by the unity of their language, far divided from each other. Thus the Samojades on the Arctic Ocean are of

the same race as other tribes speaking a similar language a thousand miles away from them in the Altaian Mountains: another race of Mongolian origin equipped with horses and of a warlike character having pressed in between them and having thus driven the former apart from the latter into the most inhospitable regions, whither their own inclination would certainly never have carried them.¹² In like manner, the Finns in the northernmost tract of Europe, where they are called Lapps, have been separated by as great a distance from the Hungarians who are affiliated to them in language, by the intrusion of Gothic and Sarmatian races. Nor can anything else but war well account for the presence in the far north of America of the Eskimo, a race entirely distinct from all the other American tribes, and perhaps descended from early European adventurers; and the same may be said of the Pesheraë who have been driven into Tierra del Fuego, in the far south of America. Nature has thus used War as the means of getting the earth everywhere populated. War, however, requires no special motive for its explanation; it appears to be ingrafted on human nature and is even regarded as noble in itself, man being stimulated to it by the love of glory without regard to selfish interests. Thus martial courage, not only among the American savages but even among Europeans in the age of chivalry, was considered to be of great value in itself, not merely in time of war — as was right enough — but just because it was war; and thus war was often entered upon merely to show off this quality. An inherent dignity was thus attached to war itself, so that even philosophers have glorified it as giving a certain nobleness to humanity, unmindful of the Greek saying that 'War is bad in that it makes more bad people than it takes away.' So much then in reference to what nature does in carrying out her own design in regard to the Human Race as a class of her creatures.

The question then arises, as to what is the essential meaning and aim of this design of a Perpetual Peace. It may be put thus: 'What does Nature do in this respect with reference to the end which man's own reason presents to him as a duty; and, consequently, what does she do for the furtherance of his moral purpose in life? And, further, how does she guarantee that what man ought to do according to the laws of his freedom, and yet does not do, shall be done by him without prejudice to his freedom even by a certain constraint of nature; and how does she secure this in all the three relationships of Public Right as Political Right, International Right and Cosmopolitan Right?' When I say of nature that she wills a certain thing to be done, I do not mean that she imposes upon us a duty to do it, for only the Practical Reason as essentially free from constraint, can do this; but I mean that she does it herself whether we be willing or not. '*Fata volentem ducunt, nolentem trahunt.*'

1

Even if a people were not compelled by internal discord to submit to the coercion of public laws, War as an external influence would effect this. For, according to the arrangement of nature already indicated, every people finds another pressing upon it in its neighborhood, and it must form itself internally into a State in order to be equipped as a Power so as to defend itself. Now the Republican Constitution is the only one which perfectly corresponds to the Rights of man; but it is at the same time the most difficult to found, and still more so to maintain. So much is this the case that many have asserted that the realization of a true Republic would be like a State formed by angels, because men with their selfish inclinations are incapable of carrying out a constitution of so sublime a form. In these circumstances, then, nature comes to the aid of the rational and universal will of man, which, however honoured

in itself, is impotent in practice; and it does this just by means of these selfish inclinations. Thus it comes that the chief interest turns only upon a good organization of the State, which is certainly within the power of man, whereby the powers of the human will shall be so directed in relation to each other, that the one will check the destructive effects of the other, or nullify them; and hence the result will be as regards reason the same as if these forces did not exist when their evil effects are thus neutralized; and man, although not possessed of real moral goodness, yet becomes constrained to be a good citizen.

The problem of the institution of a State, however hard it may appear, would not be insoluble even for a race of devils, assuming only that they have intelligence, and it may be put as follows: 'A multitude of rational beings all requiring laws in common for their own preservation, and yet of such a nature that each of them is inclined secretly to except himself from their sway, have to be put under order, and a constitution has to be established among them so that, although they may be antagonistic to one another in their private sentiments, they have yet to be so organized that, in their public relations, their conduct will have the same result as if they had no such bad sentiments.'

Such a problem must be capable of solution. For it does not turn directly upon the moral improvement of men, but only upon the mechanism of nature; and the problem is to know how men can use the conditions of nature in order so to regulate the antagonism of the hostile sentiments at work among the people that the individuals composing it shall have to compel each other to submit to common compulsory laws, and that there shall thus be brought about a state of peace in which the laws will have full power. This process may be seen going on in the actually existing, although still very imperfectly organized States. For, in their external relations to

one another, they already approach what the idea of Right prescribes, although the essential principle of Morality is certainly not the cause of it; and indeed a good political constitution is not so much to be expected from that principle but rather conversely the good moral culture of a people from such a constitution. Hence the mechanism of nature as it works through selfish inclinations which are externally and naturally antagonistic in their operation to each other, may be used by reason as a means of making way for the realization of her own end by the application of a Rule of Right, and thereby of furthering and securing Peace both internal and external, so far as it may lie within the power of the State to do so. It may then be said that Nature irresistibly wills that Right shall at last obtain the supremacy. What men may here neglect to do will at length be done of itself, although through much inconvenience, and as Bouterwek says: - 'Bend but the reed too strong, it breaks; Who wills too much, but nothing makes.'

2

The idea of International Right presupposes the separation of several neighboring States that are independent of each other; and such a condition of things is of itself already one of war, unless by their federated union they can prevent the outbreak of hostilities. Such a condition of things is, however, better, according to the idea of reason, than the fusion of all the States into a Universal Monarchy by one Power that has overgrown the rest and subjected them to its sway. This is so because the laws lose always something of their definiteness as the range of a government becomes enlarged; and soulless despotism when it has choked the seeds of good, at length lapses into anarchy. Nevertheless there is a desire on the part of every State, or of its Sovereign, to attain to a lasting condition of Peace by subjecting the whole world, were it possible, to its sway.

But nature wills it otherwise. She employs two means to prevent the peoples from intermingling, and to keep them apart. These are the differences of their Languages and of their Religions,¹³ which bring with them a certain tendency to mutual hatred, and furnish pretexts for war. However, as civilization increases, there is a gradual approach of men to greater unanimity in principles, and to a mutual understanding of the conditions of peace even in view of these differences. This pacific spirit, unlike that despotism which revels upon the grave of liberty, is developed and secured, not by the weakening of all the separate powers of the States, but by an equilibrium which is brought forth and guaranteed through their rivalry with each other.

3

Nature wisely separates the nations which the will of each State, even according to the principles of International Right, would fain combine into one by fraud or force. But, on the other hand, she again unites the nations whom the idea of a universal Cosmopolitan Right would not have secured from violence and war by regard to their mutual interests. This is effected by the commercial spirit which cannot exist along with war, and which sooner or later controls every people. Among all the means of power subordinate to the regulation of the State, the power of money is the most reliable, and thus the States find themselves driven to further the noble interest of peace, although not directly from motives of morality. Hence wherever war threatens to break out in the world, the States have an interest to avert it by mediations, just as if they stood in a constant league with each other for this purpose. Thus great combinations with a view to war can but very rarely occur from the very nature of things, and still more rarely can they succeed.

In this way Nature guarantees the conditions of Perpetual Peace by the mechanism involved in our human inclinations themselves; and although this is not realized with a guarantee that is sufficient to enable us to prophesy the future theoretically, yet the security involved is sufficient for all practical relations. And thus it becomes a duty to labor for the realization of this purpose as not at all chimerical in itself.



Second Supplement Secret Article relating to Perpetual Peace

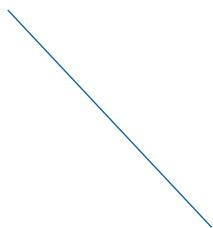
A secret Article in transactions relating to Public Right when viewed objectively or as to its matter, is a contradiction. Viewed subjectively, however, and considered in reference to the quality of the Person who dictates it, it is possible that there may be a secret contained in it which it may not be compatible with his dignity to have publicly announced as originating with him.

The only Article of this kind is contained in the following proposition: 'The maxims of the philosophers regarding the conditions of the possibility of a public peace, shall be taken into consideration by the States that are armed for war.'

It appears, however, to detract from the dignity of the legislative authority of a State — to which we must naturally attribute the highest wisdom — to have to seek for instruction regarding the principles of their practical relations to other States from subjects, even though they be philosophers. Hence the State will rather encourage them silently, making a secret of the matter, than deal with them directly. This amounts to saying that it will allow them to speak forth freely and publicly their universal maxims regarding the carrying on of war and the establishment of peace; for this they will do of themselves if they are not prohibited from doing it. Nor is there any particular agreement of the States with one another required in this connection in order to their harmonizing on this point; for it lies already in the obligations imposed by the common human Reason as a moral lawgiver. It is not however meant that the State must give a preference to the principles of the philosopher over the dictates of the jurist, who is a representative of the political authority; it is only meant that the philosopher ought to be heard. The jurist, who has taken for his symbol the scales of right and the sword of justice,

commonly uses the latter not merely to keep away all foreign influences from the former, but (should the one scale not sink) to throw his sword into it; and then *Vae victis!* The jurist, who is not at the same time a moral philosopher, is under the greatest temptation to do this, because the function of his office is only to apply existing laws, and not to enquire whether they may be in need of improvement. And further he reckons this really lower order of his faculty as belonging by its functions to a higher rank, because it is accompanied with power; as holds also of the other two faculties of Medicine and Divinity. Philosophy thus stands on a very humble stage below these allied authorities. Hence it is said of Philosophy that she is the handmaid of Theology; and the same has been said of her relation to Medicine and Law. But it is not easy to see, as has been remarked, 'whether she bears the torch before these gracious ladies, or carries their train.'

That 'kings will philosophise or philosophers become kings,' is not to be expected. Nor indeed is it to be desired, because the possession of power inevitably corrupts the free judgment of reason. But kings or king-like nations, who govern themselves according to laws of equality, should not allow the philosophers as a class to disappear, or to be silenced; rather should they be allowed to speak forth their maxims publicly. Nay, this is even indispensable to both for the mutual enlightenment of their functions. Nor should this process of communicating enlightenment be jealously regarded as a kind of Propagandism, because as a class the philosophers are by their nature incapable of combining into political clubs and factions.



On the Discordance between Morals and Politics in reference to Perpetual Peace

The Science of Morals relates directly to practice in the objective sense, inasmuch as it is a system of unconditionally authoritative laws, in accordance with which we ought to act. It is therefore a manifest absurdity, after admitting the authority of this conception of duty, to assert, notwithstanding, that we cannot so act; for, were it so, this conception would have no value. '*Ultra posse nemo obligatur.*' Hence there can be no conflict between Political Philosophy as the practical science of right, and Moral Philosophy as the theoretical science of right; and consequently there can be no opposition in this relation between practice and theory. An opposition can only arise between them when the science of morals is regarded as a general doctrine of prudence, or expediency, or a theory of the maxims by which we are to choose the means most conducive for the attainment of useful and advantageous objects; and this amounts to denying generally that there is a Science of Morals. Politics may be regarded as saying, 'be wise (i.e. prudent) as serpents'; Morals adds as a limiting condition, 'and harmless (i.e. guileless) as doves.' If the two maxims cannot co-exist in one commandment, there is really an incongruity between Politics and Morals: but, if the two can be combined throughout, any idea of antagonism between them is absurd, and any question about harmonizing them, as if they were in conflict, need not be even raised. It is true that the saying, 'Honesty is the best policy,' contains a theory which unhappily is very often contradicted by practice; and yet the equally theoretical proposition, 'Honesty is better than policy,' is infinitely removed above all objection, and it is even to be held that honesty or honor is the indispensable condition of all true policy. The tutelary divinity who is

the guardian of the boundaries of morals, does not yield to the Jupiter who is the limiting divinity of force, for he still stands under the sway of fate. In other words, reason is not sufficiently enlightened to foresee the series of the pre-determining causes, which, with certainty, would enable it to predict the happy or unhappy consequences that would follow from the conduct of men according to the mechanism of Nature, however much our wishes and hopes may be directed to it. But what we have to do in order to continue on the path of duty according to rules of wisdom, reason shows us everywhere clearly enough in the light of the final End which we have to pursue.

The practical man, however, who regards morals as a mere theory, rejects our generous hopes of attaining to that end, even while admitting the distinction between what ought to be and what can be. He finds his unbelief specially upon the fact that he pretends to be able to foresee from the nature of man that men will never resolve to do what is required to bring about the result that leads to Perpetual Peace. Now it is admitted that the voluntary determination of all individual men to live under a legal constitution according to principles of liberty, when viewed as a distributive unity made up of the wills of all, is not sufficient to attain to this end, but all must will the realization of this condition through the collective unity of their united wills, in order that the solution of so difficult a problem may be attained; for such a collective unity is required in order that civil society may take form as a whole. Further, a uniting cause must supervene upon this diversity in the particular wills of all, in order to educe such a common will from them, as they could not individually attain. Hence, in the realization of that idea in practice, no other beginning of a social state of right can be reckoned upon, than one that is brought about by force; and upon such compulsion, Public Right is afterwards founded.

This condition certainly leads us from the outset to expect great divergences in actual experience from the idea of right as apprehended in theory. For the moral sentiment of the lawgiver cannot be relied upon in this connection to the extent of assuming that, after the chaotic mass has been united into a people, he will then leave it to themselves to bring about a legal constitution by their common will. This amounts to saying that, when anyone has once got the power in his hands, he will not allow the people to prescribe laws for him. Similarly, a State which has once entered into possession of its power so as to be subject to no external laws, will not bring itself to submit to the judgment of other States as to how it shall seek to maintain its rights in relation to them; and even a continent, when it realizes its superiority to another which may not be at all in its way, will not neglect to use the means of strengthening its own power, even by spoliation or conquest. Thus it appears that all the theoretical plans relating to the realization of the ends of right, whether it be National Right, or International Right, or Cosmopolitical Right, dissolve into empty unpractical ideas. And on the other hand, a mode of practice, founded upon the empirical principles of human nature and considering nothing in the world too low for furnishing guidance for its maxims, seems as if it alone could hope to find a sure foundation for its system of political expediency.

Now, certainly, if there is no freedom nor any moral law founded upon it, so that all that happens or can happen is mere mechanism of nature, this would hold true, under that supposition; and Politics viewed as the art of applying the mechanical arrangements of Nature to the government of men, would constitute the whole of practical wisdom, and the conception of right would be an empty and unreal thought. But, on the other hand, it may be the case that it is indispensably necessary to combine the arrangements of nature with

the method of politics, and even to raise them to the position of conditions limiting its practice, and on this ground the possibility of uniting them must be admitted. I can thus easily enough think of a moral politician, as one who holds the principles of political expediency in such a way that they can co-exist with morals; but I cannot conceive of a political moralist who fashions a system of morality for himself so as to make it subordinate and subservient to the interest of the statesman. The moral politician will adopt the following as his principle: 'If certain defects which could not be prevented, are found in the political constitution, or in the relations of the State, it becomes a duty especially for the heads of the State to apply themselves to correct them as soon as possible, and to improve the constitution so that it may be brought into conformity with natural right, which is presented to them as a model in the idea of reason.' Now it would manifestly be contrary to that political expediency which is in agreement with morals, to destroy the existing bonds of National and Cosmopolitical Union before there was a better constitution ready to take their place; and hence it would be absurd to demand that every imperfection in the constitution should be at once violently removed. It may, however, be reasonably required that the maxim of the necessity of such an alteration should be consciously recognized by the supreme Power, in order that it may continue to make constant approximation to the end of realizing the constitution that is best according to the laws of right. A State may thus govern itself even in a republican manner, although it may still possess a constitution grounded upon despotic power. And this may go on until the people gradually become capable of being influenced by the mere idea of the authority of the law, as if it possessed the physical power of the State; and consequently came to be capable of legislating for themselves, which is the mode of

government originally founded upon right. But if, through the violence of a revolution caused by the evils in the constitution, a more lawful constitution were attained even in a wrong way, it would no longer be proper to hold it permissible to bring back the people again to the old constitution, although every one who took part in the revolution by violence, or intrigue, may have been subjected by law to the penalties attached to rebels. As regards the external relations of the States, however, one State, cannot be called upon by another to give up its constitution, although it may be a despotic one, and is likely therefore to be the stronger in relation to external enemies, so long at least as that State runs a danger of being suddenly swallowed up by other States. Hence when any such proposal is made, it must at least be allowed to defer the execution of it till a more opportune time.¹⁴

It may well be that those moralists who are inclined to despotism and who are deficient in practice, may often come into opposition with political prudence, by measures which have been precipitately adopted and overestimated; but experience will gradually bring them from this position of antagonism to nature into a better groove. On the other hand, those politicians who are guided by morality, may make improvement impossible by embellishing principles of government that are contrary to right, on the pretext that human nature is not capable of realizing good according to the idea prescribed by reason, and thus they may do their best to perpetuate violations of right. Instead of dealing with practice in this prudential way, they take up certain practical measures and only consider how these are to be impressed upon the ruling Power in order that their private interest may not be balked, and how the people, and, if possible, the whole world, may be delivered up to this interest. This is the manner of the mere professional jurists (acting after the fashion of a tradesman

rather than of a legislator), when they betake themselves to politics. For, as it is not their business to refine upon legislation itself, but only to carry out the existing laws of the country, every legal constitution as it exists, and any subsequent one taking its place, when it is altered by the higher power, will always appear to them to be the best; and everything will be regarded as in proper mechanical order. This dexterity of being able to sit upright on any saddle, may fill them with the conceit that they are likewise able to judge about the principles of a political constitution which will be in accordance with the ideas of right, and which, therefore, will be rational and not merely empirical in itself. And, in addition to this, they may put much importance upon their knowledge of men, which may indeed be expected, because they have to do with many of them, without their yet truly knowing the nature of man and what can be made of it, for which a higher standpoint of human observation is required. Now, if, provided with such ideas, they address themselves to the subject of political and international right as prescribed by reason, they cannot do otherwise than carry the spirit of chicanery with them in thus stepping beyond their sphere. For they will naturally continue to follow their usual method of mechanically applying compulsory laws that have been despotically laid down, whereas the conceptions of reason will only recognize a lawful compulsion which is in accordance with principles of freedom and by which a rightly existing political constitution only becomes possible. The politician, who thus professes to be wholly practical, accordingly believes that he is able to solve the problem in question by ignoring this rational idea, and proceeding merely by experience seeing that it shows how the previously existing constitutions have been established and in what respects even the best of them may have been contrary to right.

The Maxims which he adopts for his guidance, although he may not give them open expression or avowal, run out into something like the following sophistical propositions:

1

Fac et excusa

Seize the opportunity that is favorable for taking into your own possession what is either a right of the State over the people, or over a neighboring State; and the justification of the act will be much more easily and gracefully presented after the fact so as to palliate its violence. This holds especially in the first case, where the supreme power in the State is also the legislative authority which must be obeyed without reasoning about it, as it is not held that it is desirable to think out convincing reasons first and then to await the counter reasons afterwards. This very hardihood gives a certain appearance of internal conviction of the rightfulness of the act, and the divinity of success (*bonus eventus*) becomes then the best advocate of the cause.

2

Si fecisti, nega

What you may have wrongly done yourself, such as may even bring the people to despair and to rebellion, should be denied as being any fault of yours; and, on the other hand, assert that it was owing to the refractoriness of the subjects; or, in the case of an aggression upon a neighboring State, say that it was the fault of human nature; for, if others are not anticipated by violence, we may safely calculate that they will anticipate us and appropriate what is ours.

Divide et impera

That is to say, there are certain privileged heads among the people who have chosen you merely for their sovereign as *primus inter pares*. See, then, that you embroil them with each other and put them at variance with the people; next, work upon the latter by holding out the prospect of greater liberty; and everything will then depend upon your absolute will. Or again, if it be a question about other States, then exciting of suspicion and disagreement among them, is a pretty safe means of subjecting them to yourself, one after the other, under the pretence of assisting the weaker.

It is true that nobody is now taken in by these political maxims, as they are universally understood. This is not so because men have become ashamed of them, as if their injustice was much too evident. The Great Powers are never put to shame before the judgment of the common people, as they are only concerned about one another. And as regards these principles, it is not the fact of their becoming known, but only their failing of success that causes shame; for, as regards the morality of their maxims, they are all at one. Hence there is nothing left but the standpoint of political honour upon which they can safely count; and this just comes to a question of the aggrandizement of their power in whatever way they may be able to do so.¹⁵

With all these serpentine windings of this immoral doctrine of expediency, the idea is still maintained of educating a state of Peace among men from the warlike elements of the state of Nature. And so much at least becomes clear that men can as little escape from the conception of right in their private as in their public relations; and that they do not venture to found politics openly on the mere manipulations of expediency, or to renounce all obedience to the conception of public right,

as is most strikingly seen in the sphere of international right. On the contrary, they allow all proper honor to this conception in itself, although they may have to devise a hundred evasions and palliations in order to escape from it in practice, and to attribute to a subtle statecraft the authority of the origin and the bond of all right. It will be well to put an end to this sophistry, if not to the injustice it veneers, and to bring the false advocates of the mighty ones of the world to confess that it is not in the interest of Right but of Might that they speak, and in a tone, too, as if they had themselves acquired the right to command. In order to do so it is necessary to point out the deception by which they mislead themselves and others. In their attempt to discover and exhibit the supreme principle from which the tendency towards a Perpetual Peace takes its rise, they try to show that all the evil which comes in the way of it, springs from the fact that the political moralist begins just where the moral politician properly ends; and thus by subordinating their principles to their end — or as the common saying goes, by putting the cart before the horse — the politician frustrates his own intention of bringing Politics into accordance with Morals.

But in order to bring practical philosophy into harmony with itself, it is necessary first of all to decide a preliminary question. That question is: Whether, in dealing with problems of the Practical Reason, we ought to begin from its material Principle, as the end which is the object of the activity of the will, or from its formal Principle, as that which is founded merely upon freedom in its external relation. This formal principle is expressed as follows: 'Act so that thou canst will that thy maxim shall become a universal Law whatever may be its End.'

It cannot be doubted that the latter principle must take the precedence; for, as a principle of right, it has unconditional necessity, whereas the former is obligatory only under the presupposition of the empirical conditions of the proposed end so existing that it can

be realized; and if the end, as in the case of Perpetual Peace, should also be a duty, the duty would itself have to be deduced from the formal Principle which regulates external action. Now the material principle is the principle of the political moralist, and it reduces the questions of national, international, and universal Right to the level of a mere technical problem. On the other hand, the formal principle is the principle of the moral politician, and the question of right becomes with him a moral problem. Their different methods of procedure are thus wide as the poles asunder, in regard to the problem of bringing about Perpetual Peace which, in the view of the moralist, is not merely to be desired as a physical good, but also as a state of things arising out of the recognition of duty.

The solution of the problem in question by the method of political expediency, requires much knowledge of nature in order to be able to employ her mechanical arrangements for bringing about the end in view, and yet the result of them is wholly uncertain so far as regards the realization of Perpetual Peace. This holds true whichever of the three departments of public right we consider. It is uncertain under any circumstances, whether the people would be better kept in obedience, and at the same time, in prosperity, by severe treatment or by alluring baits of vanity; whether they would be better kept in order by the sovereignty of a single individual or by a combination of several heads; whether this would be best secured merely by an official nobility or by the exercise of popular power within the constitution; and also whether any such result, if attained, could be upheld for long. There are examples of the opposite result presented in history by all the different forms of Government, with the exception of genuine Republicanism only, which system, however, can alone be accepted by a moral politician. A form of International Right professedly established

upon statutes devised by foreign ministers is still more uncertain; for it is in fact but a thing of words without substantial reality and it rests upon compacts which, in the very act of their ratification, admit the secret reservation of the right to transgress them. On the other hand, the solution of the problem by the method of true political wisdom presses forward, so to speak, of itself; it becomes apparent to every one; it brings all artifice to nought; and it leads straight to the proper end. However, it must be accompanied with a prudent warning that it is not to be brought about in a precipitate manner, nor with violence, but it must be unceasingly approached as the favour of circumstances will allow.

All this may be summed up in the exhortation: 'Seek ye first the Kingdom of pure Practical Reason and its righteousness, and then will your object, the benefit of Perpetual Peace, be added unto you.' For the principle of morals has this peculiarity in itself, and it applies to the principles of public right, and it consequently pertains to the system of politics that is knowable a priori, that the less it makes the conduct depend upon the proposed end and the physical or moral advantage related to it, so much the more does it nevertheless coincide in general with these. The reason of this is that it is just the universal will as it is given a priori whether in one people or in the relation of different peoples to each other, which alone determines what is just and right among men. This union of the will of all, however, when it proceeds in practice consistently, and, according to the mechanism of Nature, may at the same time be the cause of bringing about the effect intended, and of thus realizing the ideas of right. Thus it is a principle of moral politics that a people ought to unite into a State only according to conceptions of liberty and equality as forms of right, and this principle is not founded upon prudence but upon duty.

Political moralists, on the other hand, deserve no hearing, however much they may rationalize about the natural mechanism of a multitude of men conjoined in society, which, if a fact, would weaken those principles and frustrate their purpose; or however much they may seek to prove their assertion by adducing examples of badly organized constitutions in ancient and modern times, such as democracies without a system of representation. And this has to be particularly noted, since such a pernicious theory tends of itself to bring about the evil which it foretells; for, according to it, man is thrown into one class with the other living machines, which only need the consciousness of their not being free creatures to become, in their own judgment, the most miserable of all beings.

Fiat justitia, pereat mundus. This proverbial saying may indeed sound somewhat pompous, and yet it is true. It may be popularly rendered thus: Let righteousness prevail though all the knaves in the world should perish for it. It is thus a bold principle of Right cutting through all the crooked ways that are shaped by intrigue or force. It must not, however, be misunderstood as allowing anyone to exercise his own right with the utmost severity, which would be contrary to ethical duty. It is to be understood as signifying the obligation incumbent upon those in power, not to refuse anyone his right, or to take from it, out of favor or sympathy towards others. This requires above all, an internal political constitution, arranged according to pure principles of right, and further, the union of it with other neighboring or distant States, so as to attain a legal settlement of their disputes by a constitution that would be analogous to a universal State. This proposition just means that political maxims must not start from the prosperity and happiness that are to be expected in each State from following them, nor from the end which each of them makes the object of its will as the highest empirical principle of politics;

but they must proceed from the pure conception of the duty of Right or Justice, as an obligatory principle given a priori by pure reason. And this is to be held, whatever may be the physical consequences which follow from adopting these political principles. The world will certainly not perish from the fact that the number of the wicked thus becomes less. Moral evil has this quality inseparable from its nature that, in carrying out its purposes, it is antagonistic and destructive to itself, especially in relation to such others as are also under its sway; and hence it must give place to the moral principle of goodness, although the progress to this may be slow.

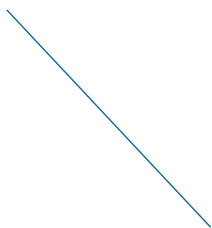
There is therefore objectively in theory no antagonism at all between morals and politics. But subjectively, in consequence of the selfish propensity of men (which, however, as not grounded upon rational maxims cannot properly be called practice) such an antagonism is found and it will perhaps always continue to exist, because it serves as a whet to virtue. According to the principle *tu ne cede malis sed contra audentior ito*, the true courage of virtue in this case does not consist so much in setting itself with fixed purpose to meet the evils and sacrifices which must thus be encountered, but rather in facing and overcoming the wiles of the far more dangerous, lying, treacherous, yet sophisticated principle of evil in ourselves, which holds up the weakness of human nature as a justification of every transgression of right.

In fact, the political moralist may say that the ruler and people, or nations and nations, do no wrong to each other if they enter on a mutual war by violence or cunning, although they do wrong generally in refusing to respect the conception of right and justice which alone could establish peace for all time. For since the one transgresses his duty towards the other who cherishes just as wrong a sentiment towards him, it may be said that nothing but what is just happens to both of them

when they exhaust each other, yet so that there still remains some of their race to carry on this play of force to the most distant times that the latest posterity may take a warning example from them. In all this, indeed, there is a justification of the Providence that rules the course of the world; for the moral principle in man is never extinguished, and his reason, pragmatically trained to realize the ideas of right according to this principle, grows without ceasing through its constantly advancing culture, while the guilt of such transgressions also comes more clearly into light. Yet the process of creation, by which such a brood of corrupt beings has been put upon the earth, can apparently be justified by no theodicy or theory of Providence, if we assume that it never will be better, nor can be better, with the human race. But such a standpoint of judgment is really much too high for us to assume, as if we could be entitled theoretically to apply our notions of wisdom to the supreme and unfathomable Power. We shall thus be inevitably driven to a position of despair in consequence of such reasonings, if we do not admit that the pure principles of right and justice have objective reality and that they can be realized in fact. Accordingly, we must hold that these principles are to be treated from the standpoint of the people in the State, and likewise from the relations of the States to one another, let the advocates of empirical politics object to this view as they may. A true political philosophy, therefore, cannot advance a step without first paying homage to the principles of morals; and, although politics taken by itself is a difficult art, yet its union with morals removes it from the difficulties of art. For this combination of them cuts in two the knots which politics alone cannot untie, whenever they come into conflict with each other.

The rights of men must, therefore, be regarded as holy, however great may be the sacrifice which the maintenance of them lays upon the ruling power.

We cannot divide right into halves, or devise a modified condition of right intermediate between justice and utility. Rather must all politics bow the knee before the principle of right; but in doing so it may well cherish the hope that it will yet attain, however slowly, to that stage of progress at which it will shine forth with lasting splendor.



II.

Of the Accordance of Politics with Morals according to the Transcendental Conception of Public Right.

We may think of Public Right in a formal way after abstracting from all the matters to which it is applied in detail, such as the different relations of men in the State, or of the States to each other, as presented in experience; and this is the way in which jurists usually think of it. But apart from the matter of public right, there remains only the form of publicity, the possibility of which is implied in every expression of right; for without such publicity there would be no justice, this being thinkable only as what is publicly declarable, and hence without this publicity there would be no right, as right is only administered or distributed by it.

This character of publicity must belong to every mode of right; and, as it can easily be judged whether it accompanies any particular case, and whether it can therefore be combined with the principles of an agent, it furnishes a criterion, which is at once presented a priori in reason and which it is easy to use in experience. Where it cannot be combined with the principles of an agent, the falsity and wrongness of a pretended right can thus be immediately recognized, as if by an experiment of the pure reason.

Abstraction being thus made from everything empirical that is contained in the conceptions of national and international right, (such as the evil disposition of human nature which makes coercion necessary) the following proposition arises, and it may be called the transcendental formula of Public Right. 'All actions relating to the rights of other men are wrong, if their maxim is not compatible with publicity.'

This principle is not to be regarded merely as ethical, and as belonging only to the doctrine of virtue, but it is

also to be regarded as juridical and as pertaining to the rights of men. For a maxim cannot be a right maxim which is such that I cannot allow it to be published without thereby at the same time frustrating my own intention, which would necessarily have to be kept entirely secret in order that it might succeed, and which I could not publicly confess to be mine without inevitably arousing thereby the resistance of all men against my purpose. It is clear that this necessary and universal opposition of all against me on self-evident grounds, can arise from nothing else than the injustice which such a maxim threatens to everyone. Further, it is a merely negative maxim, in so far as it only serves as a means of making known what is not right and just towards others. It is like an axiom which is certain without demonstration. And, besides all this, it is easily applicable; as may be seen from the following examples and illustrations of Public Right.

1

Public Right of the State

As regards the right of the State, and in particular its internal right, we may look at the application of this formulated principle to a question which many hold it difficult to answer, but which the transcendental principle of Publicity quite easily resolves. The question we refer to is as to whether Insurrection is a right means for a people to adopt in order to throw off the oppressive power of a so-called tyrant? *Non titulo sed exercitio talis*. The rights of the people are violated in the case supposed, and no wrong would be done to the tyrant by his dethronement. Of this latter position there may be no doubt, and yet it is wrong in the highest degree, on the part of the subjects, to pursue their rights in this way; and if they did so, they would have as little right on their side to complain of injustice should they fail in this conflict and were afterwards subjected to the severest punishment in consequence.

In this case much may indeed be advanced for and against either position if the attempt is made to establish it by a dogmatic deduction of the principles of right. The transcendental principle of the Publicity of public right can alone spare us all this prolixity of discussion. For, according to that principle the people would only have to ask themselves before the institution of the civil contract whether it would dare to make the maxim of the proposal of an occasional insurrection publicly known. We easily see that were it made a condition at the founding of a political constitution that force was in certain circumstances to be exercised against the supreme authority, the people would have to arrogate to themselves the right of power over that authority. But were it so, that would no longer be the supreme authority, or if both powers were made a condition in the constitution of the State, the establishment of such an authority would really not be possible, although this was the intention of the people. The wrongness of rebellion therefore appears plain from the fact that the maxim upon which it would proceed, were it to be publicly professed as such, would make its own purpose impossible. It would therefore necessarily have to be kept secret. This latter condition, however, would not be at all necessary on the part of the head of the State. The sovereign power may freely announce that every form of insurrection or revolt will be punished with the death of the ringleaders, however the latter may believe that it was the sovereign who first violated the fundamental law. For if the sovereign is conscious of possessing irresistible supreme power (and this must be assumed in every civil constitution, because he who has not power enough to protect any member of the people against every other has no right to command him), he need have no anxiety about frustrating his own purpose by the publication of his maxim. And it is quite consistent with this position to hold that, if the people succeed in a

rebellion, the sovereign must then return to the position of a subject. But he will not then be entitled to begin a new rebellion with a view to his own restoration; and neither should he have to fear that he will be called to account for his former administration.

2

International Right

There can only be a system of International Right on the assumption that there is really a state of right as the external condition under which right can become real among men. And this is so because, as public right, it already implies the publication of a common will assigning to every one what is his own. This *status juridicus* must arise out of some sort of compact which, unlike that from which a State springs, cannot be founded upon compulsory laws, but it may, in all cases, assume the form of a permanent free association; and this we have already indicated as assuming the form of a Federation of the different States. Without some jural organization to connect the different persons, moral or physical, in an active form, and therefore in the state of nature, there can be no other right but private right. Here again comes in a conflict of Politics with Morals when the latter is regarded as a doctrine of right; and the criterion of the publicity of maxims again finds an easy application to it, but only on the condition that the States are bound by a compact with the object only of maintaining themselves in peace with each other, and not at all in the intention of acquiring new possessions. The following instances of antinomies arising between Politics and Morals may be here given, along with their solution.

(1) 'If one State has promised something to another, whether it be assistance, or a cession of country, or subsidies, or such like, the question may arise as to whether in a case on which the well-being of the State is

dependent, it may withdraw from keeping its promise, on the ground that it would have itself to be regarded as a double person: first, as a sovereign, from being responsible to no one in the State, and, secondly, merely as the highest political official, from having to give account to the State; and then the conclusion is drawn that what it had become responsible for in the first quality, it may be discharged from in the second.' But if the sovereign of a State should proclaim openly such a maxim, it is evident that every other State would naturally avoid it, or would unite with others to resist such pretensions; and this proves that politics, with all its craftiness, would frustrate its own purpose by such an application of the principle of publicity; and consequently any such maxim must be wrong.

(2) 'If a neighboring Power that has grown formidable by its aggrandizement, excites anxiety, it may be asked whether, because it is able, it will also resolve to oppress others, and whether this gives to the less powerful States a right to make a united attack upon it, although it may as yet have committed no injury?' A State which would affirmatively proclaim such a maxim, would only bring about more certainly and rapidly the evil that is dreaded. For the greater power would anticipate the lesser; and, as regards their union, it would be but a weak bundle of reeds against it, if it knew how to practice the rule *divide et impera*. Such a maxim of political prudence if publicly declared, would therefore necessarily frustrate its own purpose; and it is consequently wrong.

(3) 'If a small State, by its geographical position divides the connection of a greater State which requires this connection in order to its own preservation, is such a State not entitled to subject the smaller State to itself, and unite it to its own territory?' Here again it is easily seen that the greater State cannot possibly let the maxim of such a procedure be previously known; for either the

lesser States would combine early against it, or other powerful States would contend with it for this prize, and so the maxim would make itself impracticable by its very publicity. This would be a sign of the wrongness of the maxim, and it would be so in a very high degree; for the smallness of the object of an injustice does not prevent the injustice manifested by it from being very great.

3

Cosmopolitical Right

As regards Cosmopolitical Right, I may pass it over in silence here, because on account of its analogy with International Right its maxims may, in a similar manner, be easily indicated and estimated.

The principle of the incompatibility of certain maxims of International Right with their publicity, thus furnishes us with a good criterion relative to the non-agreement of Politics with Morals viewed as the Science of right. But it is necessary also to be informed as to the condition under which its maxims agree with the Right of Nations. For it cannot be inferred conversely, that those maxims which are compatible with publicity are on that account also right, because he who has a decided supremacy does not need to conceal his maxims. The condition of the possibility of a Right of Nations generally, is that there does exist a prior state of right. For without this there is no public right, but every kind of right which could be thought as existing without it (as in the state of nature) is merely private right. Now we have seen above that a federative union of States, having for its sole object the removal of war, is the only condition compatible with their freedom, and in which their rights can have existence in common. Hence the agreement of Politics with Morals is only possible in this connection, by means of a federative union, a union which is also necessarily and really involved a priori in the principles of right.

And all public policy can have a rightful basis only by the establishment of such a union in its greatest possible extent; and apart from this end, ingenuity is but unwisdom and disguised injustice. Yet there is such an ingenuity, and its bastard policy has a casuistry of its own that might defy the best Jesuit school to outrival it. It has its mental reservation, as in the composition of public treaties by using such expressions as may at will be interpreted to suit the occasion and in any interest: such as the distinction between the status quo of fact and the status quo of right. Again it has its probabilism, when it construes evil intentions in others, or even the probabilities of their possible superiority into a justifiable reason for undermining other peaceful States. And, finally, it has its philosophical sin (*peccadillo* or *bagatelle*) when it maintains that the absorption of a small State is an easily pardonable triviality, if a much larger State thereby gains to the supposed greater advantage of the whole.¹⁶

A pretext of all this is furnished by the double-dealing of Politics in relation to Morals, according as it employs one or other of its departments for its own purposes. Now, in fact, both philanthropy and respect for the rights of men are obligatory as duties. But the former is only a conditional duty, the latter is unconditioned and absolutely imperative; and he who would give himself up to the sweet feeling of well-doing, must first be fully assured that he has not transgressed it. Now Politics easily accords with Morals in the former sense (as Ethics) by making it incumbent on men to give up their right to their superiors, but it is otherwise when Morals is taken in the second sense (as Jurisprudence or the Science of Right) before which politics must bow the knee. Here Politics finds it advisable not to trust at all to any compact, but rather to take away from right all reality, and to reduce all duties to mere benevolence.

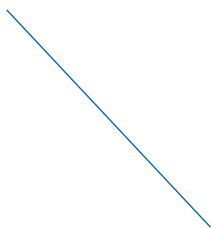
This artifice of a mode of policy that shuns the light would be easily frustrated by publicity being given to such maxims, if it only dared allow the philosophers to give publicity to their maxims.

From this point of view, I shall now propose another principle of Public Right, which is at once transcendental and affirmative, and whose formula would be as follows:

'All Maxims which require Publicity in order that they may not fail of their end, are in accordance with both right and politics united with each other.' For if these maxims can only attain their end by publicity, they must be conformable to the common end of the public, which is happiness; and it is the special problem of politics to put itself into agreement with the public, and to make the people contented with their condition. But if this end is to be attained only by publicity, as the means of removing all distrust of political maxims, these maxims must also be in harmony with the right of the public; for the union of the ends of all is only possible in the harmony established by right. I must, however, defer the further development and explanation of this principle till another occasion. But it may be already seen that it is a transcendental formula from the fact that all the empirical conditions of happiness, as the matter of the law, are removed from it; and it merely has regard to the form of a universal legislation.

If it is a duty to realize a state of public right, and if at the same time there is a well-grounded hope of its being realized — although it may only be by approximation to it that advances ad infinitum — then Perpetual Peace is a fact that is destined historically to follow the falsely so-called Treaties of Peace which have been but cessations of hostilities. Perpetual Peace is, therefore, no empty idea, but a practical thing which, through its gradual solution, is coming always nearer its final

realization; and it may well be hoped that progress towards it will be made in more rapid rates of advance in the times to come.



1. An hereditary kingdom is not a state which can be inherited by another state, but one whose sovereign power can be inherited by another physical person. The state then acquires a ruler, but the ruler as such (that is, as one already possessing another realm) does not acquire the state.

2. It has been hitherto doubted, not without reason, whether there can be laws of permission (*leges permissivae*) of pure reason as well as commands (*leges praecetivae*) and prohibitions (*leges prohibitivae*). For law in general has a basis of objective practical necessity: permission, on the other hand, is based upon the contingency of certain actions in practice. It follows that a law of permission would enforce what cannot be enforced; and this would involve a contradiction, if the object of the law should be the same in both cases. Here, however, in the present case of a law of permission, the presupposed prohibition is aimed merely at the future manner of acquisition of a right — for example, acquisition through inheritance: the exemption from this prohibition (i.e. the permission) refers to the present state of possession. In the transition from a state of nature to the civil state, this holding of property can continue as a *bona fide*, if usurpatory, ownership, under the new social conditions, in accordance with a permission of the Law of Nature. Ownership of this kind, as soon as its true nature becomes known, is seen to be mere nominal possession (*possessio putativa*) sanctioned by opinion and customs in a natural state of society. After the transition stage is passed, such modes of acquisition are likewise forbidden in the

subsequently evolved civil state: and this power to remain in possession would not be admitted if the supposed acquisition had taken place in the civilized community. It would be bound to come to an end as an injury to the right of others, the moment its illegality became patent.

I have wished here only by the way to draw the attention of teachers of the Law of Nature to the idea of a *lex permissiva*, which presents itself spontaneously in any system of rational classification. I do so chiefly because use is often made of this concept in civil law with reference to statutes; with this difference, that the law of prohibition stands alone by itself, while permission is not, as it ought to be, introduced into that law as a limiting clause, but is thrown among the exceptions. Thus 'this or that is forbidden,' as in the case of Nos. 1, 2, and 3, and so on in an infinite progression, while permissions are only added to the law incidentally: they are not reached by the application of some principle, but only by groping about among cases which have actually occurred. Were this not so, qualifications would have had to be brought into the formulation of the prohibitive laws which would have immediately transformed them into laws of permission. Count von Windischgratz, a man whose wisdom was equal to his discrimination, urged this very point in the form of a question propounded by him for a prize essay. One must therefore regret that this ingenious problem has been so soon neglected and left unsolved. For the possibility of a formula similar to those of mathematics is the sole real test of a legislation that would be consistent. Without this, the

so-called *ius certum* will remain forever a mere pious wish: we can have only *general laws*, valid on the whole, but no universal laws possessing the universal validity that the concept of law requires.

3. It is usually accepted that a man may not take hostile steps against any one, unless the latter has already injured him by act. This is quite accurate, if both are citizens of a state governed by *civil law*. For, in becoming a member of this community, each gives the other the security he demands against injury, by means of the supreme authority exercising control over them both. However, the individual (or nation) who remains in a mere state of nature deprives me of this security and does me injury, even if by mere proximity. There is perhaps no active (*facto*) molestation, but there is a state of lawlessness (*status iniusto*), which, by its very existence, offers a continual menace to me. I can therefore compel him, either to enter into relations with me under which we are both subject to law, or to withdraw from my neighborhood. So that the postulate upon which the following articles are based is: 'All men who have the power to exert a mutual influence upon one another must be under a civil government of some kind.' A legal constitution is, according to the nature of the individuals who compose the state, one of the following three:

(1) A constitution formed in accordance with the right of citizenship of the individuals who constitute a nation (*ius civitatis*).

(2) A constitution formed in accordance with international law which determines the *rights of nations* (*ius gentium*).

(3) A constitution formed in

accordance with the *rights of world citizenship*; in as far as both individuals and nations, standing in an external relation of mutual reaction, may be regarded as citizens of one world-state (*ius cosmopoliticum*).

This classification is not an arbitrary one, but is necessary with reference to the idea of perpetual peace. For, if even one of these units of society were in a position physically to influence another, while yet remaining a member of a primitive order of society, then a state of war would be joined with these primitive condition; and from this it is our present purpose to free ourselves.

4. *Lawful*, which is to say, external freedom cannot be defined, as it so often is, as the right 'to do whatever one likes, so long as this does not wrong anyone else.' For what is this right? It is the possibility of actions which do not lead to the injury of others. So the explanation of a 'right' would be something like this: 'Freedom is the possibility of actions which do not injure anyone. A man does not wrong another — whatever his action — if he does not wrong another.' This is a mere tautology. My external (which is to say, *lawful*) freedom is rather to be explained in this way: it is the right through which I require not to obey any external laws except those to which I could have given my consent. In exactly the same way, external (which is to say, *lawful*) equality in a state is that relation of the subjects in consequence of which no individual can legally bind or oblige another to anything, without at the same time submitting himself to the law which ensures that he can, in his turn, be bound and obliged in like manner by this other.

The principle of lawful independence requires no explanation, as it is involved in the general concept of a constitution. The validity of this hereditary and inalienable right, which belongs of necessity to mankind, is affirmed and ennobled by the principle of a lawful relation between man himself and higher beings, if indeed he believes in such beings. This is so, because he thinks of himself, in accordance with these very principles, as a citizen of a transcendental world as well as of the world of sense. For, as far as my freedom goes, I am bound by no obligation even with regard to Divine Laws — which are apprehended by me only through my reason — except insofar as I could have given my assent to them; for it is through the law of freedom of my own reason that I first form for myself a concept of Divine Will. As for the principle of equality, in so far as it applies to the most sublime being in the universe next to God — a being I might perhaps figure to myself as 'mighty emanation of the Divine spirit' — there is no reason why, if I perform my duty in the sphere in which I am placed, as that aeon does in his, the duty of obedience alone should fall to my share, the right to command to him. That this principle of equality, (unlike the principle of freedom), does not apply to our relation to God is due to the fact that, to this Being alone, the idea of duty does not belong.

As for the right to *equality* which belongs to all citizens as subjects, the solution of the problem of the admissibility of an hereditary nobility hinges on the following question: 'Does social rank — acknowledged by the state to be higher in the case of one subject than another — stand

above desert, or does merit take precedence of social standing?' Now it is obvious that, if high position is combined with good family, it is quite uncertain whether *merit*, that is to say, skill and fidelity in office, will follow as well. This amounts to granting a commanding position on some favored individual without any question of deserving; to this, the universal will of the people, expressed in an original contract which is the fundamental principle of all right, would never consent. For it does not follow that a nobleman is made of *noble* character. In the case of *official nobility*, as one might term the rank of higher magistracy that one must acquire by virtue of merit and is not attached like property to the person, equality is not thereby disturbed; for, if a man gives up office, he lays down with it his official rank and falls back into the rank of his fellows.

5. The lofty appellations which are often given to a ruler — such as the 'the Lord's Anointed One,' 'executor of the Divine Will upon earth,' or 'Vicar of God,' have been many times censured as flattery gross enough to make one giddy. But this seems to me without cause. Far from making a prince arrogant, names like these must rather make him humble at heart, if he has any intelligence (which we take for granted he has) and reflects that he has undertaken an office too great for any human being. For, indeed, it is the holiest one that God has established on earth; namely, the guardian of *the rights of mankind*, and he must always live in fear of injuring God's secret treasure on earth in some respect or another.

6. Mallet du Pan boasts in his seemingly brilliant but shallow and superficial language that, after many years experience, he has come at last to be convinced of the truth of Pope's well known saying: 'For Forms of Government let fools contest; Whate'er is best administered is best.' If this means that the best administered government is best administered, then, in Swift's phrase, he has cracked a nut to find a worm in it. If it means, however, that the best conducted government is also the best kind of government, that is, the best form of political constitution, then it is utterly false: for examples of wise administration are no proof of the kind of government. Who ever ruled better than Titus and Marcus Aurelius, and yet the one left Domitian, the other Commodus, as his successor. This could not have happened where the constitution was a good one, for their absolute unfitness for the position was known early enough, and the power of the emperor was sufficiently great to exclude them from it.

7. Thus a Greek Emperor who magnanimously volunteered to settle by a duel his quarrel with a Bulgarian Prince got the following answer: 'A smith who has tongs will not pluck the glowing iron from the fire with his hands.'

8. Upon concluding peace at the end of a war, it might not be unseemly for a nation to appoint a day of atonement after the festival of thanksgiving, in order to invoke the mercy of Heaven for the terrible sin which the human race are guilty of in their continued unwillingness to submit to a law-governed constitution in their

relations with other states, but preferring instead the pride of their independence to use the barbarous method of war, which after all does not really settle what is wanted, namely, the right of each state in a quarrel. The feasts of thanksgiving during a war for a victorious battle, the hymns which are sung 'to the Lord of Hosts' (to use the Israelite expression) could not be in stronger contrast to the ethical idea of a father of mankind; for, apart from the indifference these customs show to the way in which nations seek to establish their rights (sad as it is) these rejoicings bring in an element of exultation in the destruction of great number of human beings and their happiness.

9. In order to call this great empire by the name which it gives itself — namely, China, not Sina or a word of similar sound — we have only to look at Georgii: *Alplab. Tibet.*, pp. 651-654, particularly note b., below. According to the observation of Professor Fischer of St. Petersburg, there is really no particular name which it always goes by: the most usual is the word *Kin*, i.e. gold, which the inhabitants of Tibet call *Sir*. Hence the emperor is called the king or gold, i.e. the king of the most splendid country in the world. This word *Kin* may probably be pronounced '*Chen*' in the empire itself, but was pronounced *Kin* by the Italian missionaries (on account of the gutturals). Thus, we see that 'the Land of Seres, often mentioned by the Romans, was China: the silk, however, was dispatched to Europe across *Greater-Tibet* (probably through *Lesser Tibet*, Bucharica, Persia and so on). This leads to many reflections as to the antiquity of

this amazing nation, as compared with Hindustan, at the time of its union with Tibet and Japan. On the other hand, the name Sina or Tschina, which is said to be given to this land by neighboring peoples leads to nothing. Perhaps we can explain the ancient intercourse of Europe with Tibet, a fact at no time widely known, by looking at what Hesychius has preserved on the matter. I refer to *Konx Ompax*, the cry of the Hierophants in the Eleusinian mysteries (cf. *travels of Anacharsis the Younger*, Part V., p. 447, seq). For, according to Georgi's *Alph. Tibet*, the word *Concioa* means God and bears a striking resemblance to *Knox*. *Pah-cio* (*ib.* p. 520), which might easily be pronounced like *pax* by the Greeks, means *pronulgator legis*, the divine principle permeating all of nature (called also, on p. 177, *Cencresi*). *Om* however, which La Croze translates by *benedictus*, i.e. *blessed*, can when applied to the Deity mean nothing but *beatified* (p. 507). Now P. Franz. Horatius, when he asked the Lhamas of Tibet, as he often did, what they understood by God (*Concioa*) always got the answer: 'It is the assembly of all the saints,' i.e. the assembly of those blessed ones who have been born again according to the faith of the Lama and, after many wanderings in changing forms, have at last returned to God, or *Burchane*: that is to say, they are beings to be worshipped, souls which have undergone transmigration (p. 223). So the mysterious expression *Knox Ompax* ought probably to mean the holy (*Knox*), blessed, (*Om.*) and wise (*Pax*) supreme Being pervading all the universe, the personification of nature. Its use in the Greek mysteries probably

signified monotheism for the Epoptes in contrast to the polytheism of the people, although Horatius detected the presence of an *atheism* here. How that mysterious word came by way of Tibet to the Greeks may be explained in the foregoing manner, and in this way is made probable by an early intercourse between Europe with China through Tibet, earlier perhaps than the commerce with Hindustan.

10. In the mechanical system of nature to which man belongs as a sentient being, there appears, as the underlying ground of its existence, a certain *form* which we cannot make intelligible to ourselves except by thinking into the physical world the idea of an end preconceived by the Author of the universe: this predetermination of nature on the part of God we generally refer to as (divine) *Providence*. In so far as this providence appears in the origin of the universe, we speak of a *grounding providence* (*providentia conditrix; semel iussit, semper parent*, Augustine). Where this purposiveness in the course of nature is maintained through universal laws of adaptation to preconceived ends [*i.e.* teleological laws], we call it a *ruling providence* (*providentia gubernatrix*). However, we name it *guiding providence* (*providentia directrix*) when applied to specific ends, which we could not foresee, but only infer from the result. Finally, with regard to particular events as divine ends, we speak no longer of providence, but rather of *dispensation* (*directio extraordinaria*). However, this term really suggests the idea of miracles, although the events are not spoken of by this name,

and the desire to fathom dispensation, as such, is a foolish presumption in men.) For, from one single occurrence, to jump at the conclusion that there is a particular principle of efficient cause and that this event is an end and not merely the natural [*naturmechanische*] sequence of a design quite unknown to us is absurd and presumptuous, however pious and humble a spirit we may speak of it. In the same way, to distinguish between a universal and a particular providence when regarding it *materially*, in its relation to actual objects in the world (to say, for instance, that there may be, indeed, a providence for the preservation of the different species of creation, but that individuals are left to chance) is false and contradictory. For providence is called universal for the very reason that no single thing may be thought of as shut out from its care. Probably the distinction of two kinds of providence, *formally* considered, had reference to the manner in which its purposes are fulfilled. So that we have ordinary providence (e.g. the yearly decay and awakening to new life in nature with change of season) and what we may call unusual or special providence (e.g. the bringing of timber by ocean currents to Arctic shores where it does not grow, and where without this aid the inhabitants could not live). Here, although we can quite well explain the physico-mechanical cause of these phenomena (in this case, for example, the banks of the rivers in temperate countries are over-grown with trees, some of which fall into the water and are carried along, probably by the Gulf Stream) we must not overlook the teleological

cause which points to the providential care of a ruling wisdom above nature. But the concept, commonly used in the Schools, of a *divine participation*, or a concurrence (*concursum*) with every effect experienced in the world of sense, must be abandoned. For it is, firstly, self-contradictory to attempt to conjoin dissimilar things together (*gryphes iungere equis*) and to let Him who is Himself the entire cause of the changes in the universe make good on any shortcomings in His own predetermining providence (which is to imply that providence must have already been defective); for example, to say that *after God* the physician has assisted with curing the illness. For *causa solitaria non iuvat*. God created the physician as well as his medicines; therefore, we must ascribe the result wholly to Him if we will go back to the supreme First Cause which, theoretically, is beyond our comprehension. Or, we can ascribe the result entirely to the physician, insofar as we follow up this event as explicable in the chain of physical causes, according to the order of nature. Secondly, moreover, such a way of looking at this question destroys all the fixed principles by which we judge an effect. Nevertheless, from a *morally-practical* point of view, which looks entirely to the transcendental side of things, the idea of a divine concurrence is quite proper and even necessary; for example, in the faith that God will make good the imperfection of our human justice, if only our feelings and intentions are sincere; and that He will do this by means beyond our comprehension, and therefore we should not slacken our effort after what is good. Whence it follows, as a

matter of course, that no one must attempt to *explain* a good action as a mere event in time by this *concursum*, for that would be to pretend a theoretical knowledge of the supersensible and be absurd.

11. Of all modes of livelihood, the *life of the hunter* is undoubtedly most incompatible with a civilized constitution. Because, to live by hunting, families must isolate themselves from their neighbors, soon becoming estranged and spread over widely scattered forests, to be before long on terms of hostility, since each requires a great deal of space to obtain food and raiment. God's command to Noah not to shed blood (Gen., IX. 4-6) is frequently quoted, and was afterwards (in another connection it is true) made a condition by baptized Jews to which Christians, newly converted from heathendom, had to conform (Cf. Acts 15:20, 21:25). However, this command seems originally to have been nothing else than a prohibition of the *life of the hunter*; for here the possibility of eating raw flesh must often occur, and in forbidding the one custom, we condemn the other.

12. The question might be posed that if it is nature's will that these Arctic shores should not remain unpopulated, what will become of their inhabitants, if, as is to be expected, at some time or other no more driftwood should be brought to them? For we may believe that, with the advance of civilization, the inhabitants of temperate zones will utilize better the wood which grows on the banks of their rivers, and not let it fall into the stream and so be swept away. I answer: the

inhabitants of the shores of the River Obi, the Yenisei, and the Lena will supply them with it through trade, and take in exchange the animal produce in which the seas of Arctic shores are so rich, that is, if nature has first brought peace among them.

13. *Differences in religion*: a strange expression! Just as if one were to speak of different kinds of morality. There may indeed be different historical forms of belief, that is to say, the various means which have been used in the course of time to promote religion, but they are mere subjects of learned investigation, and do not really lie within the sphere of religion. In the same way there are many religious works (the *Zendavesta*, the *Vedas*, *Koran*, etc.) but there is only one *religion* binding for all men and for all times. These are each no more than the accidental mouthpiece of religion, and may be different according to differences in time and place.

14. These are *permissive* laws of reason which allow us to learn a system of public law, when it is tainted by injustice, to remain just as it is until everything is entirely revolutionized through an internal development, either spontaneous, or fostered and matured by peaceful influences. For any legal constitution whatsoever, even although it conforms only slightly with the spirit of law is better than none at all — that is to say, anarchy, which is the fate of a precipitate reform. Hence, as things now are, the wise politician will look upon it as his duty to make reforms on the lines marked out by the ideal of public law. He will not use revolutions, when these

have been brought about by natural causes, to extenuate still greater oppression than caused them, but will regard them as the voice of nature, calling upon him to make such thorough reforms as will bring about the only lasting constitution, a lawful constitution based on the principles of freedom.

15. It is still sometimes denied that we find in members of a civilized community an inherent depravity rooted in the nature of man; and it might, indeed, be alleged with some show of truth that not an innate corruptness in human nature, but the barbarism of men, the defect of a not yet sufficiently developed culture, is the cause of the evident antipathy to law which their attitude indicates. In the external relations of nations, however, human wickedness shows itself incontestably, without any attempt at concealment. Within the state, it is covered over by the compelling authority of civil laws. For, working against the tendency every citizen has to commit acts of violence against his neighbor, there is the much stronger force of the government which not only gives an appearance of morality to the whole state (*causae non causae*), but, by checking the outbreak of lawless propensities, actually aids the moral qualities of men considerably, in their development of a direct respect for the law. For every individual thinks that he himself would hold the idea of right sacred and follow faithfully what it prescribes, if only he could expect that everyone else would do the same. This guarantee is in part given to him by the government; and a great advance is made by this step which is not deliberately

moral, towards the ideal of fidelity to the concept of duty for its own sake without thought of return. As, however, every man's good opinion of himself presupposes an evil disposition in everyone else, we have an expression of their mutual judgment of one another, namely, that when it comes to hard facts, none of them are worth much; but whence this judgment comes remains unexplained, as we cannot lay the blame on the nature of man, since he is a being in the possession of freedom. The respect for the idea of right, of which it is absolutely impossible for man to divest himself, sanctions in the most solemn manner the theory of our power to conform to its dictates. Hence, every man sees himself obliged to act in accordance with what the idea of right prescribes, whether his neighbors fulfill their obligation or not.

16. We can find the voucher for maxims such as these in Herr Hofrichter Garve's treatise, *On the Unity of Morals with Politics*, 1788. This worthy scholar confesses at the very beginning that he is unable to give a satisfactory answer to this question. But his sanction of such maxims, even when coupled with the admission that he cannot altogether clear away the arguments raised against them, seems to be a greater concession in favor of those who show considerable inclination to abuse them, than it might perhaps be wise to admit.

Statement

Aaron Levy, Gregg Lambert, Martin Rauchbauer

'The maxims of the philosophers regarding the conditions of the possibility of a public peace, shall be taken into consideration by the States that are armed for war.'

— Immanuel Kant, "Secret Article relating to Perpetual Peace," in 'Perpetual Peace: A Philosophical Sketch' (1795)

The Perpetual Peace Project begins from the understanding that for many politicians and policy experts, today 'peace' is a poorly defined word that has many meanings in different contexts. Similarly, when used in public discourse, peace is often dismissed as an empty rhetorical gesture, or as an abstract and unsustainable concept. It persists more pragmatically through short-term processes to mitigate suffering or end ongoing hostilities, or as the desired outcome of supposedly necessary wars. Yet this resigned acceptance of strife, and this dismissal of peace as an esoteric or irrelevant exercise, seems paradoxical in a world that has long dreamed for things to be otherwise.

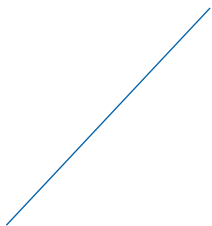
This project is a partnership between the European Union National Institutes of Culture, the International Peace Institute, Slought Foundation, Syracuse University Humanities Center, and the United Nations University. It joins theorists and practitioners in revisiting 21st century prospects for international peace. The project finds its public form in symposia, exhibitions, workshops, as well as a film organized around Immanuel Kant's foundational essay 'Perpetual Peace: A Philosophical Sketch' (1795), which itself takes the form of an international treaty exploring the possibility of permanent peace. Positing peace as an unnatural state that must be enforced by international laws and governing bodies,

Kant effectively anticipates multilateral institutions like the United Nations and the European Union. Though the essay's ironic tone suggests the impossibility of this vision, one of its ultimate goals is to nevertheless challenge the politicians who mock the concept as 'a childish and pedantic idea,' and to create in their place a newly discursive space for discussing peace and international law.

This project also has a seemingly unattainable goal — namely, international peace. But what it aspires to do at its simplest is begin, as Kant himself proposed, a conversation with those philosophers who engage with the idea of peace, with those practitioners who participate directly in the world of geopolitical conflict, and with those governing bodies who have the power to truly make peace a sustainable reality. This conversation begins with a traditional definition of international peace as a relationship between states, but also acknowledges contemporary realities of intrastate conflicts, issues of global governance, and human security. Whether this conversation happens in the public halls of cultural institutions or governmental offices, in cafes or living rooms, newspapers or blogs, our project seeks to restart this discourse without worrying where it will end.

Though traditionally organized around conferences, exhibitions, and publications, the Perpetual Peace Project does not define its successes through measured outcomes alone, but also finds value in continued dialogue, collaboration, and research. Moreover, in the spirit of the secret article contained in the second supplement to Kant's essay, this curatorial intervention encourages untraceable outcomes. Alongside the public programs, the project brings theorists and practitioners together at the same table for sessions behind closed doors in the conference rooms of the United Nations and other governmental institutions.

By bringing institutions and individuals together who trace their origins and identities to Kant's essay in this way, we like to think that the project has in a sense already begun. If the project can be thought to succeed, it will take the form of a continued conversation among these individuals, within these institutions, and in the public sphere more generally, without our assistance and beyond our prompting, long after our last events have been staged.



Partner Institutions:
European Union National Institutes of Culture
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Syracuse University Humanities Center
United Nations University

For more information
www.perpetualpeaceproject.org

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For many politicians and policy experts, 'peace' is a poorly defined word that has many meanings in different contexts. With this in mind, the Perpetual Peace Project brings various disciplines and communities together to explore 21st century international priorities and prospects for reducing geopolitical conflict. Organized around Immanuel Kant's foundational essay 'Perpetual Peace: A Philosophical Sketch' (1795), the project finds its public form in a series of initiatives including symposia, exhibitions, a film, and this blank book that has been designed with your participation in mind. Kant's text takes the form of an international treaty exploring the possibility of permanent peace and serves as the starting point for these considerations.

Historically, 'Perpetual Peace' inspired democratic peace theory and anticipated multilateral and supranational institutions such as the original League of Nations, as well as today's United Nations and European Union — both partners in this project. In light of this legacy, the Perpetual Peace Project seeks to promote contemporary discourse with leading theorists and practitioners in cultural institutions, governmental halls, and the public sphere, without planning where these conversations lead.