

# Toward Perpetual Peace

## A Philosophical Sketch

Immanuel Kant

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[Brackets] enclose editorial explanations. Small ·dots· enclose material that has been added, but can be read as though it were part of the original text. Occasional •bullets, and also indenting of passages that are not quotations, are meant as aids to grasping the structure of a sentence or a thought. Every four-point ellipsis . . . . indicates the omission of a brief passage that seems to present more difficulty than it is worth. Longer omissions are reported between brackets in normal-sized type.

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## Two additions

### 1: Nature as a guarantor of perpetual peace

What guarantees perpetual peace is nothing less than that great artist Nature, who runs her mechanical course in a way that shows that she aims to produce a harmony among men, whether or not they want it. [In that sentence, ‘artist’ translates *Künstlerin*, in which the *-in* makes it female, like the ending of ‘heroine’;

but from now on the reading of nature as a person will be dropped, except in one place where it insists on itself.] Considering nature as a necessary course of events governed by laws that we don’t know, we call it **fate**. But when we consider its *design* in how the world goes, seeing in it the wisdom of a higher cause that predetermines nature’s course and directs it to mankind’s ultimate goal, we call it **providence**.<sup>5</sup> [‘Providence’ translates

<sup>5</sup> In the mechanism of nature, to which man as an empirically detectable object belongs, a basic *form* is exhibited which we can’t get our minds around except by thinking of it as depending on what the Author of the world aimed to achieve when he set this thing going. We have different names for this fact of being settled in advance. Thinking of it

- generally, we call it **divine providence**;
- as exercised at the beginning of the world, **founding providence**;
- as maintaining nature in its course by universal laws of design, **ruling providence**;
- as directing nature to ends that we don’t foresee and can only conjecture from the actual result, **guiding providence**.

With respect to single events as divine ends, it is no longer called ‘providence’ but **dispensation** [Kant adds Latin equivalents for all these names except the first]. But ‘divine dispensation’ indicates *miracles*. . .and it is stupid and pretentious on our part to describe any event in that way—claiming to know what the event is *for*—because it’s always possible that it’s a mechanical corollary of some other end that is wholly unknown to us. . . . [Kant goes on to sketch and condemn, as logically incoherent, a classification of instances of providence into **general** providence and **particular** providence; we can excuse ourselves from the details of this. He continues:] When people talk like that, presumably what they are trying to do is ‘something respectable, namely’ to distinguish

- ordinary** providence, e.g. the annual dying-out and rebirth of nature with the changes of the season; from
- special** providence, e.g. the way ocean currents carry wood to arctic lands where it can’t grow but where the people couldn’t survive unless they had it ‘as fuel’.

We can explain the plain **physical** causes of these ‘special’ cases (rivers in temperate lands have trees growing on their banks, trees fall into the rivers, and when they reach the sea they are carried along by the Gulf Stream); but we mustn’t overlook the **teleological** cause—the ‘what-it-is-for cause’—which indicates the foresight of a wisdom that has nature under its command.

The scholastics use the concept of God’s being involved in empirical events by •going along with them, •concurring in or •agreeing to their occurrence. This must be given up. It’s a self-contradictory attempt to pair two things that can’t go together: **(a)** God is the perfect cause of events in the world, and **(b)** God concurs in or goes along with the occurrence of events in the world—as though his initial causation wasn’t adequate and has to be supplemented later on! We fall into this self-contradiction, for example, when we say that ‘Second only to God, it was the physician who cured the illness’, as if he had been God’s **helper**. God is the sole creator of the physician and all his medicines. Although it isn’t intellectually available to us in our theorising about the world, we *can* float up to the level of the first cause, and at that level the effect must be ascribed to God alone. If we descend to the level of causally explaining events that happen in the course of nature, the effect is produced by the physician alone. Either way, it’s a single *unaided* cause, not one that needs **help!** [Continued on the next page]

*Vorsehung*. That is the standard German word for '(divine) providence', but it carries more strongly than the English does the idea of *looking ahead, planning*, etc. You'll see in a moment why this matters.] We don't observe this providence *in*—or infer it *from*—nature's cunning contrivances; but the analogy with human plans and designs enables us to supply it from our own minds, bringing this concept into our thinking about nature; indeed, we *have* to bring it in if we are to think of nature's intricacies as even possible. . . . We are dealing here with an idea that *reason* gives to us in our moral thinking, namely the idea of how actions relate to and harmonize with the purposes for which they are performed. Considered from a theoretical point of view, this idea is extravagant, out of bounds; but in practice, e.g. in using the mechanism of nature to achieve the ideal of perpetual peace, the concept has its feet on the ground, and can be used. In a context like the present one, dealing with theoretical issues that don't involve religion, •the word 'nature' is more modest and more fitting to the limits of human reason than •the word 'providence', which decks us out with wings like those of Icarus to take us toward the secret of providence's unfathomable purpose [in the ancient Greek myth, Icarus was equipped with wings by his father, flew too high, and fell to his death]. [A clause embedded in that sentence rests on the fact that for Kant a 'theoretical' question concerns what causes what, while a 'practical' one concerns what we should do, how we should act. The embedded clause simply reminds us of his view that] when human reason is dealing with questions about how effects relate to their causes, it must remain within the limits of possible experience.

•**Preliminaries: nature and *homo sapiens***•

We can't pin down nature's guarantee in detail until we have examined the situation in which she has placed the actors on her vast stage—the situation that will eventually assure peace among them. Then, but only then, we can see how she brings this off. Her preparatory arrangements are:

- (1) In every region of the world she has made it possible for men to live.
- (2) By war she has driven them even into the most inhospitable regions in order to populate them.
- (3) By the same means, she has forced men into more or less lawful relations with each other.

There are some wonderful facts about nature's arrangements. For example:

- (1) Moss grows in the frozen deserts around the Arctic Ocean; the reindeer dig it up from the snow and live on it; and the human inhabitants of those regions use the reindeer as pack-animals and as food.
- (2) Camels live in the salty sandy deserts near the equator; one might think that the camel was created just so as to provide a use for those deserts, so that nothing would be wasted!

Purposiveness in nature is even clearer when we know that the Arctic contains not only furry animals but also the seal, the walrus, and the whale—which provide the inhabitants with food from their flesh and warmth from their blubber. But nature's care is ultimately wonderful when we see

- (1) that she provides the inhabitants of those barren climates with *wood*; they don't know how it got there, but they need it for canoes, weapons, and huts; and when we see

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[In the third paragraph of this vast footnote, Kant says that the notion of God's 'concurrence', his going-along-with events, though it is useless in trying to explain why events happen, has a good and even necessary use in our moral thinking. (In his terminology: this notion has no 'theoretical' use but only a 'practical' one.) His explanation of this brings in materials from his moral philosophy, which we can't profitably go into here.]

(2) how these natives are so occupied with their battles against the animals that they live at peace with each other—though what herded them together into that peaceful group was presumably nothing but *war*.

Among the animals that man learned to tame, the first *weapon* was the horse (the elephant was a later luxury). Skill in cultivating certain types of grasses. . . .and adding to the quantity and quality of fruits by transplanting and grafting. . . ., could only happen in settled states where property was secure. After living in lawless freedom by hunting,<sup>6</sup> fishing, and sheep-herding, men were forced into an agricultural way of life. Then salt and iron were discovered. These may have been the first items traded among the various peoples, and they were sought far and wide. In this way the nations came to have peaceful inter-relations, so that a given nation could have understanding, agreements and peaceable relations with very distant peoples.

While seeing to it that men *could* live everywhere in the world, nature was at the same time despotically *requiring* them to do so, even against their will. This requirement—this ‘ought’—didn’t involve the concept of a duty to which they were bound by a moral law; rather, nature enforced this conduct through *war*. Here is an example:

The Samoyeds who live by the Arctic Ocean have much the same language as a people who live two hundred miles away in the Altai Mountains, which shows that they come from a single racial root. A third people, the warlike horse-riding Mongols, forced their way between these two, driving the Samoyeds into the most inhospitable arctic regions where they certainly wouldn’t have gone of their own accord.<sup>7</sup>

Similarly with Laplanders and Hungarians, closely related in language but far apart geographically, having been forced apart by the Goths and the Sarmatians. And consider the Eskimos, a race entirely distinct from all others in America (perhaps even descended from primeval European adventurers): what can have driven them so far to the north if not war, which nature uses to populate the whole earth? and what else can have driven the Pescherais as far south as Tierra del Fuego? War itself doesn’t need any causal explanation because it seems to be grafted onto human nature; it even counts as something noble to which men are drawn by their love of glory quite apart from any selfish motives. A warlike spirit is greatly valued

not only for itself during war (which is natural)

<sup>6</sup> Nothing is more opposed to a civilized constitution than the *hunting* lifestyle, because it isolates families so that they soon become strangers to one another, scattered as they are in extensive forests; and before long they are enemies, because each needs *space* in which to obtain food and clothing. Noah’s *ban on feeding on blood* [‘flesh with the life thereof, which is the blood thereof, ye shall not eat’ (*Genesis* 4:6)]. . . .seems to have been originally nothing but a ban on the hunting life-style, because in it raw flesh must often have been eaten; so forbidding the eating of bloody meat carried with it a prohibition on hunting.

<sup>7</sup> You might ask:

‘If nature wanted these icy coasts to be uninhabited, what’s to become of the inhabitants if nature fails to bring driftwood to them? It’s reasonable to believe that nature *will* fail in that, because as civilization develops, the occupants of the temperate zones will make better use of the wood along their rivers than to let it fall into the water and be carried out to sea.’

I answer: Those inhabitants of temperate lands will bring wood to the arctic regions *in trade*, exchanging it for animal products from the rich seas around the arctic coasts—if, but only if, nature has first forced these peoples to be at peace with one another.

but also

as something that is likely to start a war.

Who has that attitude? Well, American savages have it now, and European savages used to have it during the age of chivalry. Wars have often been started merely to show this warlike spirit; war has been regarded as having an inner dignity, so that even some philosophers have praised it as an ennoblement of humanity, forgetting the Greek saying that 'War is an evil because it creates more wicked men than it kills'. So much for the measures that nature takes, *for her own purposes*, in relation to the human race, considered as a class of animals.

**·The main topic: nature and perpetual peace·**

Our concern now—the central one when we are thinking about perpetual peace—is to find the answer to this:

Man's own reason sets the achievement of perpetual peace before him as a duty—what does nature do about this? That is, what does nature do to favour man's moral purpose, and how does it guarantee (by compulsion but without prejudice to his freedom) that he *will* do what he *ought to* do but *doesn't* do under the laws of freedom?

This question concerns all three levels of public law—namely, civil law, international law, and the law of world citizenship.

When I say that nature wills that such-and-such occurs, I don't mean that she imposes a duty on us to do it (because only free practical reason can impose duties); rather, I mean that she herself *does* such-and-such, whether or not we are willing.

·Now I have three things to say·.

(1) Even if a people weren't forced by internal discord to submit to constraint by public laws, war would compel them to do so, in the way I have described: nature places

each people near some other that presses on it, and it must form itself into a ·law-governed· state in order to defend itself against this neighbour. Now the only political constitution that entirely squares with human rights is the republican one; but it is the hardest to establish and even harder to preserve, so that it's often said that a republic would have to be a nation of *angels* because selfish *men* aren't capable of a constitution with such a sublime form. But nature turns this selfishness to a good end: the main thing is something that men *are* capable of, namely the establishment of a good organization of the state in which men's powers are arranged pairwise so that the ruinous effect of one power is reduced or cancelled by its opposite number. The moral upshot of this is the same as if none of these powers existed. Thus, man is forced to be a good citizen even if he isn't a morally good person. In doing this, nature is doing the work that properly belongs to *the rationally grounded general will*—which has all the members of a community *think* their way through to a common set of principles and purposes—this being something that is regarded with reverence but doesn't ever actually come into action.

It may seem difficult to organize a state, but it can be done—even for a race of devils, as long as they can think. Here is the problem:

'You have a multitude of thinking beings who all want universal laws for their preservation, but each of whom is secretly inclined to make an exception of himself. *Establish a constitution* in such a way that, although their private intentions conflict, they counteract each other so that the public conduct of these beings is the same as if they had no such intentions.'

A problem like this must be soluble. It doesn't require •knowing how to make men morally better—•a problem with

that requirement *might* be insoluble!—but only •knowing the mechanism of nature; that knowledge is to be used on men, organizing the conflict of their hostile intentions in such a way that they *must* put themselves under the constraint of laws, thereby establishing a state of law-governed peace. We can see in actual states, even ones that are very imperfectly organized, that they approach foreign relations in something close to the way that the idea of right prescribes, •the idea of right being something provided by the source of all our moral knowledge, namely practical reason. But this conduct is not a product of an intrinsic element of morality. (You can't expect to get a good constitution from morality; the truth is the other way around—you can expect a people to have a good moral culture if they have a good constitution.) The mechanism of nature brings it about not through genuine morality but through •men's selfish inclinations. These naturally conflict with one another, outwardly, but they can be used by reason as a means for making room for its own end—i.e. reason's own end—namely the sovereignty of law, and through that to promote and secure, as far as the state can do this, a condition of internal and external peace. So here is the truth of the matter: Nature unstoppably wills that the right should finally triumph. What we neglect to do comes about by itself, though with great inconveniences to us. . . .

(2) The idea of international law presupposes the *separateness* of many independent but neighbouring states. Unless a federative union keeps these states at peace with one another, their very separateness is a state of war; but according to the idea of reason—i.e. from the strictly moral

point of view—this is better than having the states send roots and branches into each other until they turn into one superpower. Why is it better? Because the superpower will turn into a universal monarchy. And what is bad about that? The greater the extent of any government the weaker its laws; so a soulless despotism, after uprooting the seedlings of good, collapses into anarchy. Yet every state (or its ruler) wants to establish lasting peace in this way by itself *ruling the world*. But nature wills otherwise. She has two ways of keeping peoples separate and unmixed—•differences of language and •differences of religion.<sup>8</sup> These bring with them a tendency to mutual hatred and pretexts for war; but the growth of civilization and men's gradual approach to greater harmony in their principles finally lead to peaceful agreement. This is not like the 'peace' that despotism (in the graveyard of freedom) produces by sapping everyone's energies; rather, it is produced and maintained by lively level competition among those energies.

(3) Just as nature wisely **separates** nations that the will of every state would gladly unite by subtlety or by force, under the cover of international law, so also it **unites**, by harnessing everyone's self-interest, nations that couldn't have secured themselves against violence and war by means of any appeal to a law of world citizenship. Sooner or later in any state •the spirit of commerce will get the upper hand, and •it can't co-exist with war. Of all the levers a state can pull, *the power of money* is perhaps the reliable; so states find themselves forced—with no input from morality—to promote honourable peace, using mediation to head off war whenever it threatens to break out. . . .

<sup>8</sup> 'Difference of religion'—what an odd phrase! It's on a par with speaking of 'different moralities'. There may well be different kinds of historical faiths—[*Glaubensarten* = 'ways of believing']—associated with different ways of promoting religion. . . ., and different religious texts (Zendavesta, the Veda, the Koran etc.), but these don't involve differences *in religion*. There is only one universally valid religion. Those historical faiths and books are merely containers that religion happens to have had, and they can change with times and places.

That is how nature, using the mechanism of human inclinations, guarantees perpetual peace! Admittedly it doesn't do this reliably enough to entitle us to *predict* as a matter of •theory that this peace will come; but it's good enough from a •practical point of view, ensuring that this goal is not merely chimerical, and thus making it our duty to work toward it.

## 2: The secret article

[This next short section, added in the second edition, is a series of ponderous jokes. **(i)** The first, about the notion of a secret 'article' or clause in a contract or law, has nothing to do with the rest, but lets Kant retain the word 'secret' as he moves on into his treatment of the principle:

'States that are preparing for war should consult the opinions of philosophers about whether and how there might be public peace.'

Any government would be embarrassed to be known to accept and apply this, so a government will apply it secretly by 'calling upon the philosophers *quietly*' to give their opinions. **(ii)** The way to do this, Kant says, is simply for the government to allow philosophers to express their opinions, i.e. to refrain from any regulations that would shut them up;

as long as that is the situation, the philosophers *will* speak up, as they always do if they aren't stopped.

[Kant goes on to say that in affirming the above principle he isn't saying that the philosophers' opinions should be followed (in preference to those of the lawyers)—merely that they should be given a hearing. **(iii)** He then gives heavily jocose reasons why philosophers' views should indeed be given preference over those of lawyers, and muses on the fact that law, medicine and theology are wrongly ranked higher than philosophy because they are associated with *power* whereas philosophy is not. **(iv)** Of the old statement that 'philosophy is the handmaid to theology' he wryly asks: 'Does it walk in front of her with a torch, or go behind holding her train?' The section ends thus:]

We can't expect kings to philosophize, or philosophers to become kings. And it isn't desirable either, because the possession of power inevitably gets in the way of the uncluttered judgment of reason. But kings, and self-governing peoples shouldn't allow philosophers as a class to disappear or to fall silent. Rather, they should be allowed to speak openly, because •they can throw light on the business of government, and because •they aren't capable of the machinations that would be needed if they were to dish out propaganda for some cause.



## Two appendices

### 1: The friction between morality and politics regarding perpetual peace

Morality is. . . practical: it is the totality of unconditionally commanding laws that we ought to obey. [‘Unconditionally’: i.e. they say things of the form ‘Do x’ and ‘Don’t do y’, not things of the form ‘If. . . do f’ or ‘Unless. . . don’t do y’.] After granting authority to the concept of duty ·that is inherent in such laws·, it would obviously be absurd to plead ·on some occasions· that we *can’t* do our duty; no-one is obliged to do something he can’t do, so that plea amounts to dropping the concept of duty altogether. So there can’t be any conflict between

- politics, as an *applied* doctrine of right, and
- morality, as the theoretical doctrine of right.

There’s no conflict between practice and theory, therefore; unless the ‘theory’ in question is a general doctrine of *prudence*, i.e. a theory of the maxims for choosing the best means to achieve the purposes of self-interest. But that’s an entirely different thing from morality.

[Kant is about to quote two commands, taking them verbatim from Luther’s translation of the Bible, *Matthew* 10.16:

*Seid klug wie die Schlangen und ohne Falsch wie die Tauben,*  
literally meaning

Be clever (like snakes), and guileless (like doves),  
where ‘guileless’ means ‘straightforward, free of twisty cunning’. The King James version puts it this way:

Be ye wise as serpents and harmless as doves.

This version will use the literal meaning of Luther’s (and Kant’s) words.]

Politics says ‘Be clever (like snakes). . .’, and morality adds the limiting condition ‘. . . and guileless (like doves)’. If these two can’t hold together in a single command, then politics and morality really are in conflict; but if the two commands are both in force in any context, then the notion of a *conflict* between them is absurd, and the question ‘How

can we resolve the conflict between morals and politics?’ doesn’t even arise. Although the proposition ‘Honesty is the best policy’ contains a theory which practice alas! often refutes, there’s also a theory contained in ‘Honesty is better than any policy’ and that is beyond refutation and is indeed the indispensable condition of policy. . . . We can *hope* that the upshots of our actions will accord with our wishes, but we can’t *know for sure* what good or bad consequences will ensue through nature’s mechanism from any human action; to do that we would need to survey the whole series of predetermining causes, and our reason isn’t yet enlightened enough to do that. But reason gives us rules that tell us how to •stay on the path of duty (in accordance with the rules of wisdom) and thus to •achieve the ultimate end.

Now the practical man to whom morality is merely theory, while accepting that our good-natured hope ·for perpetual peace· **can** and **should** be realised, bleakly predicts that it never will be. He claims to infer from the facts of human nature that people never **will** do what is needed to put us on the road to perpetual peace. ·To discuss this, we need to note a distinction between (for example)

- distributively, every German wants x, meaning that each German person wants x, and
- collectively, every German wants x, meaning that there is a general agreement among Germans that x is desirable.

Applying that to our present topic: There may be a •distributive unity of desire such that each individual wants to live under a juridical constitution according to principles of

freedom; but that isn't sufficient to bring this about. What is needed for that result is a •collective unity of desire in which *all together* want that result—this collective unity being what creates a civil society as a single unit. To have this collective unity, there must be a cause that takes all the particular wills and makes a common will out of them; no one member of the group can do this; so we have to rely on *force* to do this, creating the conditions in which eventually a system of public law can be established. In practice we'll find wide deviations from this theoretical idea •of a unified society expressing a general will•; we can hardly expect that a lawgiver who has formed a nation from a horde of savages will have moral sensibilities prompting him to allow *them* to establish a constitution on the basis of their general will!

It will be said then that once a **ruler** gets power in his hands he won't allow the people to prescribe laws for him. •And what holds for the ruler of a state in relation to his subjects holds also for a state in relation to the world's other states•. Once a **state** is •independent, in the sense that it is not subject to any laws from outside it, it won't in seeking its rights in relation to other states allow *them* to set the rules for this process. And, •moving even further up the size-scale•, a **continent** that feels itself superior to another, even though the other isn't interfering with it, won't lose any chance to increase its power at the expense of the other, by robbery or even by conquest. Thus all the theoretical plans for civil and international laws and laws of world citizenship evaporate, turning into empty impractical ideas; and the only hope for solid foundations for a political structure must come from a practical approach that is based on empirical facts about human nature and isn't shy about drawing its maxims from facts about how things go in the •real human• world.

Of course if there's no such thing as freedom, and therefore no such thing as morality—if everything that does

or can occur is a mere mechanism of nature—then •the concept of right is an empty thought and •there's nothing to practical wisdom except *politics*, the art of using this mechanism for manipulating men. But if we find that we can't get out of •bringing the concept of *right* into politics, even •promoting it to the status of limiting condition on politics, then it must be admitted that the two are compatible. I can easily conceive of a **moral politician**, i.e. one who construes political principles in a way that makes them consistent with morality; but I can't conceive of a **political moralist**, one who constructs a morality so as to suit the purposes of the practical politician.

A moral politician will have this as a basic principle:

When a state's constitution or its relations to other states turn out to be defective in some way that couldn't have been headed off in advance, the rulers of the state have a duty to look into how this can be fixed, as soon as possible, in a way that squares with the ideal of the law of nature that reason presents to us; whether or not this involves self-sacrifice.

But it would be absurd to require anyone to deal with every defect that turns up by immediately rushing in to fix it; because that could involve tearing apart the tie between people in a civil society or between nations in the world—doing this before a better constitution is ready to take the place of the defective one; and no morally acceptable policy would allow *that*. But it can be demanded of those in power that they at least *take to heart* the maxim that such defects must be repaired, so as to move ever closer to the goal of the constitution that fits best with the laws of right. It can happen that a state whose present constitution ordains **despotic sovereignty** actually governs itself in the **republican** way; as time passes the populace will turn out to be its own legislator. . . . , •and thus able to move from

mere •government that is republican to a •constitution that is republican. What will bring it to this point is the influence of the mere *idea* of the authority of law; it's as though that idea had physical power! If a violent revolution is caused by a bad constitution, and out of its turmoil there *illegally* comes to be a more legal constitution, it would not be permissible to lead the people back to the earlier constitution; although while •the revolution was going on everyone who was openly or covertly involved in •it would rightly have incurred the punishment due to those who rebel. As for relations between states, a state can't be expected to renounce its constitution even if it is a despotic one (which has the advantage of being stronger in relation to foreign enemies) so long as it runs the risk of being swallowed up by other states. So it must be permissible to delay implementing any plans for constitutional reform, postponing them until a more propitious time.<sup>9</sup>

So it is always possible that practically clumsy •despotising moralists will make a mess of things by undue haste in adopting or proposing reforms; but experience will gradually bring them back from their collision with nature and lead them onto a better course. But the •moralizing politician, by excusing unjust political principles on the pretext that human nature isn't capable of the good as reason prescribes it, only makes reform impossible and perpetuates the violation of right.

These politically adept men talk in praise of **Praxis** [= something like: high-level theory about human conduct and how to

govern it], but they don't have any! All they have are **Praktiken** [= tricks, dodges, manoeuvres] that they employ to further their own selfish purposes; they tell the rulers what they want to be told, and •for them, no price is too high for their objectives: they are willing to sacrifice the nation—indeed the whole world. This is like what happens when lawyers go into politics (I mean lawyers for whom law is a business or profession, not a matter of legislation). Their task is not to worry over details in the laws but merely to apply the law as it now stands; so the legal constitution that strikes them as the best is the current one; and when that is amended from above, the new constitution seems to them to be the best; and their procedures consist all along in mechanical applications of stated law. Their skill in being all things to all men gives them the illusion that they can judge constitutional principles in terms of moral **concepts** (and thus not empirically but *a priori*). They make a great show of understanding •human beings (and so they should, given how many of them they have to deal with!); but they don't understand •human nature, and what can be made of it, because that requires a higher anthropological vantage-point •which they don't have. If they do what reason says they should do, namely carry these **concepts** into civil and international law, they have to be bluffing, because they are still following their usual routine of mechanically applying constraining laws handed down from the rulers, whereas really only concepts of reason can establish legal constraints according to the principles of freedom, this being the absolutely rock-bottom requirement

<sup>9</sup> This is a permissive law of reason: an unjust legal system must be allowed to stay in place until it is ripe for complete reform, having been brought to that state either by its own development or by peaceful pressures from outside it. Why? Because it is better to have even very unjust public law than to have none at all, i.e. to have the anarchy that would result from *hasty* reform. So political wisdom will make it a duty. . . . •to introduce reforms that square with the ideal of public law, and not •to use revolutions, even ones produced by nature itself, as an excuse for still greater oppression, but rather •to treat them as nature's call for fundamental reforms to produce a lawful constitution based upon principles of freedom—the only kind of constitution that can last.

for a just and durable constitution. The supposedly ‘practical man’ thinks that to solve the problem of establishing such a constitution he doesn’t need the ideas of reason, but only his own experience of which constitutions have been most durable in the past—although plenty of those have been quite unjust. The maxims that he secretly makes use of are something like the following. [Kant states each of these in Latin.]

**(1)** *Act first, then justify.* Take every chance you can get to usurp the state’s right over its own people or over a neighbouring people; the justification of this will be easier and more elegant after the fuss is over. . . . It is much harder to use force when one has *first* to think up convincing arguments and then wait for the counter-arguments. The very boldness of this performance gives an appearance of inner conviction that the deed was legitimate, and the great God Good Outcome is afterward the best advocate.

**(2)** *If you did it, deny that you did.* Whatever wrong you have done, deny that it was *your* fault. If for example you have brought your people to despair and hence to rebellion, say that this came about through *their* obstinacy. If you have conquered a neighbouring nation, blame this on human nature, saying that you have to use force because otherwise the neighbouring state will get in first and use force to

conquer you.

**(3)** *Divide and conquer.* That is, if you are your nation’s ruler, but only because a class of top people have *chosen* you as their leader, break up the unity of that class and set them at odds with the people, giving the people visions of greater freedom. Before long everything will •unconditionally depend on your will, •whereas when you had your position only because you were *chosen* for it by the top people, your retaining it was •conditional on their continuing consent•. And dealing with foreign states, it is a pretty safe means to sow discord among them so that by seeming to protect the weaker you can conquer them one after another.

Certainly no-one will now be taken in by these political maxims, because everyone knows them; and one needn’t blush at applying them, as though their injustice were too glaring. Why not? Because great powers blush only at the judgment of other great powers but not at that of the common masses. It is not that they are ashamed of revealing such principles (for they’re all in the same boat regarding the morality of their maxims); they are ashamed only when these maxims fail, for they can still rely on political prestige, which consists in the expansion of their power by whatever means they choose.<sup>10</sup>

<sup>10</sup> Even if we aren’t convinced that men who live together in a state have a certain wickedness in their nature, and blame the criminal elements in their thinking on barbarism, i.e. the fact that they haven’t yet reached a high level of civilisation, this viciousness is clearly and indisputably shown in the relations amongst states. *Within* each state it is veiled by the constraint of the state’s laws, because the citizens’ inclination to violence towards one another is countered by the stronger power of the government. This relationship not only gives a moral veneer . . . to the whole •life of the state• but, by stamping on any outbreak of unlawful inclinations, it actually makes it easier for the citizens to develop a moral attitude of immediate respect for the law, •i.e. respect for it just because it is the law•. Everyone thinks that *he* would venerate the concept of law and follow it faithfully if only he were sure that others would do the same; the government does in part give him that assurance, thereby taking a long step *towards* morality. It isn’t yet a moral step—i.e. it doesn’t go the whole way—because morality is attachment to this concept of duty for its own sake, not depending on the hope of a similar response from others. But since each one accompanies his good opinion of himself with the assumption that everyone else has a malicious disposition, the over-all judgment of the whole group is that they are all pretty worthless. This is a matter of *fact*; I shan’t try to explain it, except to say that it can’t be blamed on the *nature* of man as a free being. •Anyway, things aren’t as bad as they might seem•: No-one can be absolutely without respect for the concept of right; this respect solemnly confirms the theory that the person who has it *is capable of conforming to it, and must act according to it, however others may act.*

\* \* \* \*

From all these twistings and turnings of a non-moral doctrine of prudence in leading men from their natural state of war to a state of peace, at least one thing emerges clearly: men •can't do without the concept of right in their private relationships any more than they can in their public ones, •shouldn't venture openly to base politics on the elementary rules of prudence, and •can't refuse obedience to the concept of public law (this is especially conspicuous in the case of international law). On the contrary they should give it all the honour due to it, even when they're inventing dozens of pretences and cover-ups to escape from it in practice and claiming that its authority as the source and union of all laws is due to a skillful use of force. Let us put an end to this sophistry (if not to the injustice it protects), and force the false representatives of power to admit that they are advocating not *right* but *might*. . . . Let us get rid of the hocus-pocus by which they are deceiving themselves and others, and discover the supreme principle from which the intention to perpetual peace stems. Let us show that everything evil standing in its way derives from the fact that the **political moralist** begins where the **moral politician** rightly ends, and that since he thus subordinates principles to the goal (putting the cart before the horse), he defeats his own purpose of bringing politics into agreement with morality.

If we are to bring practical philosophy into harmony with itself, we must first answer this:

In problems of practical reason, where should we begin? With practical reason's **(i)** material principle or with its **(ii)** formal principle? That is, should we start with **(i)** the goal that we have chosen? or with **(ii)** the principle (concerned solely with freedom in

outer relations) which reads 'Whatever goal you have chosen, act in such a way that you can will that your maxim could become a universal law'?

There's no doubt that **(ii)** has precedence. As a moral principle it is unconditionally necessary—it says flatly how you *must* behave—whereas any course of action demanded in **(i)** is merely something we must do if, in the given empirical conditions, we are to achieve our chosen goal. If the goal (in our present case, perpetual peace) is one that we have a duty to pursue, then it must be derived from **(ii)** the formal principle of the maxims of external actions. The **(i)** principle of the political moralist, concerning civil and international law and the law of world citizenship, is a merely technical problem—a problem in political engineering, one might say—whereas **(ii)** the problem of the moral politician for whom it is an ethical problem is worlds away from the other in its approach to perpetual peace, which is sought not merely •as a material good (comparable with seeking increased trade or reduced air-pollution) but also •as something we have a duty to achieve.

Any solution to **(i)** problems of political prudence require a great deal of knowledge of nature, so that its mechanisms can be used to get the chosen goal; yet there's no certainty here about how to get perpetual peace, whichever of the three spheres of public law we come at it through. To keep the people obedient and prosperous over a long period, is it better

to use •discipline or •baits to tempt their vanity?

Is it better have government by

•one man, •a committee, •a titled aristocracy, or •the whole people?

We can't be certain of any answers to these questions. As regards the second of them: History provides us with examples of failure for every kind of government (except for truly

republican government, but only a moral politician would even think of *that*). There's even more uncertainty about international law considered as established by the statutes of the individual states. Actually, all this is mere words, based as it is on contracts that are signed by people who are secretly resolving to break them whenever it suits them to. [This connects with the serious point about secret reservations on page 1, not with the mildly flippant mis-hit on page 18.] In contrast with that, the solution of **(ii)** the problem of political wisdom virtually forces itself on us; it throws light that puts all pretence to shame, and thus leads directly to the goal. Prudence, however, tells us not to rush this, using force, but rather to move towards the goal of perpetual peace gradually, as favourable conditions permit.

We could put it like this:

'Seek ye first the kingdom of pure practical reason and its righteousness, and your end (the blessing of perpetual peace) will necessarily follow.'

[Kant is there adapting Luther's version of *Matthew* 6:33, which in the King James Bible reads: 'Seek ye first the kingdom of God, and his righteousness; and all these things shall be added unto you.' Remember that for Kant pure practical reason is the sole source of absolutely basic morality.]

That is because morality has a unique feature, especially with respect to its basic principles of public law (and hence in relation to the *a priori* approach to politics), namely:

the less it makes your conduct depend on your proposed end (i.e. the material or moral advantage you aim to get), the more conducive it is to your achieving that end.

That's because what determines the law among men—whether the law within a nation or international law governing relations among different nations—is nothing but the universal will given *a priori*; and if this will is consistently

followed, it can through nature's mechanism cause the desired result and make the concept of law effective. [The phrases in bold type in what follows echo the distinction that Kant has drawn on pages 20–21.] For example: it is a principle of **moral politics** that a people should unite into a state according to juridical concepts of freedom and equality, and this principle is based not on prudence but on duty. However much **political moralists**

- quibble with this on the grounds that the natural mechanism of a mass of men forming a society will work in such a way as to undercut the principles and the goal I have been talking about, or
- try to prove their assertions by examples of poorly structured constitutions, ancient and modern (e.g. democracies without any representative [see note on page 8] system),

**they don't deserve to be heard**—especially because such a pernicious theory may itself cause the evil that it prophesies, throwing •human beings into the same class as all other living machines, differing from the others (•i.e. the non-human animals•) only in •their awareness that •they are not free, which makes •them in their own judgment the most miserable beings in the world.

[In what follows, Kant offers a colourful rendering of something that soberly means 'Let justice be done, even if the world perishes'.] There's a saying that has become proverbial:

*Fiat iustitia, pereat mundus*

which means

'Let justice reign even if it wipes out all the villains in the world'.

It sounds a bit like posturing, but it is true; it's a solid principle of *right* that bars access to any of the paths that wind through thickets of deceit or force. But it shouldn't be misunderstood: it doesn't permit anyone to press his

own right in an utterly inflexible way (which would conflict with ethical duty); what it should be understood to do is to oblige those in power not to limit or to extend anyone's right because of sympathy or disfavour for others. This requires **(a)** an internal constitution for the individual state, based on pure principles of right, and **(b)** a constitution uniting this state with others, near or far, for the legal settlement of their differences (analogous to a universal state). This proposition **(b)** will say just this:

The political maxims mustn't be derived from the benefit or happiness that any individual state expects to get from obeying them, and thus not from the goal that any one of them *chooses* to adopt as its supreme (though empirical) principle of statesmanship; but rather from the pure concept of the duty of right (from the *ought* whose principle is given *a priori* by pure reason), regardless of what the physical consequences may be.

There's no way the world will perish because the number of evil men is reduced! Moral evil has the inescapable property of being opposed to and destructive of its own purposes (especially in the relationships between evil men); thus it gives place to the (moral) principle of goodness, even if it does so in slow steps.

\* \* \* \*

Thus objectively (i.e. in theory) there's no conflict between morals and politics. Subjectively, however, in men's propensity for selfishness. . . ., this conflict remains. May it always remain! Why? Because it serves as a whetstone of virtue—i.e. something for virtue to scrape against and thus become sharper. The true courage of virtue. . . .consists not so much in •resolutely confronting the evils and sacrifices that are

encountered along the way as in •tackling the principle of evil in ourselves, the much more dangerously deceitful and treacherous one that pleads the weakness of human nature as an excuse for every transgression—•facing this head on and defeating its crafty dishonesty.

In fact, the political moralist can say: Ruler and people, or nation and nation, don't wrong *each other* when they attack each other by violence or fraud (though they do a general wrong by refusing to respect the concept of right, which is the only possible basis for perpetual peace). Because they have both acted lawlessly, each gets what it (or he) deserves when they destroy each other, provided that enough of the human race still remains to let this game continue into the remotest ages so that posterity can some day take these •combatants• as a warning example. Thus providence is justified in having the course of events in the world go like this; for the moral principle in man is never extinguished, and as civilization advances, reason increases its ability to get hold of ideas of law—though at the same time the guilt of the transgressions also increases. The Creation as such—i.e. the fact that a race of such corrupt beings ever was on earth—seems not to be defensible by any theodicy (i.e. any theory seeking to reconcile God's power and goodness with the world's obvious evils), if we assume that humanity won't and can't be improved. But we don't have the elevated standpoint from which to make any such judgment: *our* concepts (e.g. our concept of wisdom) don't put us in a position to theorize about the supreme power that is inscrutable to us.

That is the sort of despairing conclusion that we are driven to if we don't assume that •pure principles of right have objective reality, i.e. **that they can be followed**, and that •they should govern relations amongst people within states and amongst states within the world, whatever empirical politics may say to the contrary. Thus *true* politics

can't take a step without paying homage to morality. Politics in itself is a difficult art, but there's no such difficulty when politics is united with morality, because this combination cuts the knot that politics couldn't untie when it was in conflict with morality.

The rights of men must be held sacred, whatever the cost of that may be to the ruling power. There's no room

for compromise here, no place for thinking up a system of rights-constrained-by-practicality that can steer down the middle between *right* on one side and *expedient* on the others. All politics must bend its knee before the right; but this gives it a hope of eventually, slowly, reaching the stage where it will shine with an immortal glory.

## 2: How the transcendental concept of *public law* harmonizes morality with politics

If like a law professor I abstract from all the *matter* of public law (i.e. abstract from all the empirically given facts about how men relate to one another in the state and how states relate to one another in the world), all that is left is the *form of publicness*. The possibility of being public is implied by every legal claim, because justice can only be conceived as open-to-everyone's-knowledge, so that without publicness there can be no justice—and thus no *right*, because rights can be conferred only through justice.

[When Kant describes his 'principle of the publicness of the law' as 'transcendental' he means:

It is to be accepted because it is required for the very possibility of something that certainly *is* possible

—namely, required for the possibility of justice. This stands in contrast to something that is to be accepted because it can be logically derived from secure premises—proved 'dogmatically', to use Kant's technical term for this (we'll meet that just once, less than a page further on). In his *Critique of Pure Reason*, for example, Kant argues that the proposition *Every event has a cause*

•can't be proved by a routine derivation from secure premises, but •has to be accepted because if it weren't true we couldn't have knowledge of an objective world;

meaning that the case for it is transcendental, not dogmatic.]

Every legal claim must be capable of going public. Since it is easy to judge whether a given claim is thus capable (i.e. whether the principles the claimant is relying on could be made public), we have here a criterion—easily applied and found *a priori* in reason—by which to test the legitimacy of any legal claim. . . .

When we have performed this abstraction, setting aside everything empirical in the concept of civil or international law (such as the wicked streak in human nature that makes coercion necessary), we are left with what may be called *the transcendental formula of public law*:

'All actions that affect the rights of others are unjust if their maxim is not consistent with publicness.'

This principle is to be regarded not merely as •ethical (as belonging to the doctrine of virtue) but also as •juridical (concerning people's rights). A maxim

- that I can't openly proclaim without defeating my own purpose,
- that must be kept secret if it is to succeed,
- that I can't publicly avow without inevitably arousing universal opposition to my project,



is unjust. Why can we see *a priori* that it is bound to be opposed by everyone? Because it obviously threatens everyone with injustice. This principle is like an axiom in being indemonstrably certain and—as will be seen in the following examples of public law—easily applied. Notice, though, that it is merely **negative**, i.e. it only enables us to recognise what is *not* just to others. A **positive** partner of it will be introduced on page 29.

**(1) Regarding the law of the state**, i.e. domestic law, a question arises that many hold to be difficult to answer, yet it is easily solved by the transcendental principle of publicness. The question is:

‘Is rebellion a legitimate means for a people to employ in throwing off the yoke of an alleged tyrant?’

Well, there’s no doubt that •the rights of the people have been injured, and that •when the tyrant is deposed this doesn’t subject him to any injustice. But it is utterly wrong for the subjects to seek their rights in this way. If they fail in the struggle and are then severely punished, they won’t be suffering injustice any more than the tyrant would if they succeeded.

If you try to sort out the rights and wrongs of this matter by dogmatically deducing legal conclusions from legal premises, you’ll go on for ever. The only way to avoid all that verbiage is through the transcendental principle of the publicness of the law. According to this principle, the crucial question is this:

On the way to establishing a civil contract, would the people dare to make public the maxim of their intention to rebel occasionally?

It is clear that if in establishing a constitution the people stipulate that in certain conditions they will use force against the chief of state, they are claiming to have a legitimate power over him, which means that he won’t *be* the chief of state. Or

if the state is to be established on the basis that the people and the chief of state have equally balanced powers over each other, no state will be possible—though the purpose of the people was precisely to establish a state. So the rebellion’s illegitimacy is made clear by the fact that its maxim would have to be kept secret because if it were openly acknowledged it would make its own purpose impossible.

But the chief of state doesn’t need secrecy in this way. He can openly say that he will punish every rebellion with the death of the ring leaders, however fervently they believe that he violated the basic law before they did; for when he realizes that he has irresistible power he won’t worry that publishing his maxims may defeat his purposes. (Irresistible power? Yes, that must be assumed in every civil constitution; because a ruler without it doesn’t have enough power to protect his subjects from one another, and in that case he has no right to command them.) It is consistent with all this to say that if a revolt of the people succeeds, the chief of state returning to the status of a subject can’t start a new revolt to return himself to power, but he needn’t fear being called to account for his earlier administration of the state.

**(2) Regarding international law:** There can be no question of international law except in the context of a law-governed state of affairs (without which no-one can be awarded any of his human rights). [Kant characterises the ‘domestic’ status **(1)** as *innere* = **inner** and the international status of **(2)** as *äussere* = **outer**.] That is because international law, just because it is •public, contains in its concept the •public recognition of a general will that assigns to each person his rights. This law-governed status

must result from some contract, but not necessarily from one that is based, as the contract establishing a single state must be, on laws of coercion. [This use of ‘based on’ (*gegründet*) is misleading. Kant presumably means

that a contract establishing a single state must specify penalties for individuals who break the state's laws, whereas a system of international law might exist without any way of forcing punishment onto individual states that break the law.] It might instead be the work of a free and enduring association, like the federation of states that I discussed earlier [page 9].

But for there to be international law there must be *some* law-governed state of affairs, actively binding together the different signatories to the contract; for without that there is only the state of nature in which there are no public rights. This brings us to a conflict of politics with morality (regarding the latter as a doctrine of right), and the criterion of publicness easily resolves it, though only if the states drew up their contract •with the purpose of preserving peace among themselves and not •for conquest. Here are three cases of conflict, each stated along with its solution.

**(a)** 'If one of these states has promised something to another—aid, ceding a particular province, subsidies, or the like—and a case arises where the former state's fundamental welfare depends on its being relieved of its promise, it might seek relief by considering itself as having two roles: **(i)** as a sovereign, not answerable to anyone else in the state; **(ii)** as merely the highest official, who is answerable to the state. In this dual capacity the state in role **(ii)** could relieve itself of the obligations it undertook in role **(i)**. Is it permissible for it to do this?'

•Certainly not•! If a state (or its chief) went public with this policy, other states would naturally keep their distance from it, and even ally themselves with others so as to resist such pretensions. This is a case where politics with all its cunning would defeat its purpose if it were conducted openly; so that maxim must be illegitimate.

**(b)** 'If a neighbouring power becomes formidable by its acquisitions and thus causes anxiety, can one assume that because it could oppress other states it will want to? And does this give lesser powers a right to team up and attack it before it has done them any harm?'

A state that *announced* that its policy was the one suggested here for the lesser powers would bring the feared evil down on it even more certainly and quickly, for the greater power would get in first. As for the alliance of smaller powers—this would be a feeble defence against a state that knew how to apply the maxim *Divide and conquer!* The proposed maxim of political expediency, if made public, would necessarily defeat its own purpose, so it is illegitimate.

**(c)** 'If a smaller state is located so that it breaks up the territory of a larger one, which can't survive unless its territory is continuous, doesn't that justify the larger state in subjugating the smaller and absorbing it?'

It's easy to see that the larger state couldn't afford to let this maxim become known; because if it did, the smaller states would very early unite •against it•, or other powers would fight over the prey, and thus publicness would vitiate this policy. That's a sign that it is wrong—and perhaps extremely wrong, for the degree of wrongness isn't proportional to the size of the item that is wronged.

**(3) Regarding the law of world citizenship**, I shall say nothing. Its analogy with international law makes its maxims easy to state and evaluate.

\* \* \* \*

So this principle concerning the disagreement between the maxims of international law and publicness provides a good criterion for recognizing •cases of• the nonconformity of politics with morality (as a science of right). The next task is

to discover what is needed for these maxims to agree with the law of nations. (We can't get that by running our principle backwards, saying that any maxim that *can* survive being made public is therefore just, because if someone is powerful enough he doesn't need to conceal his plans, however unjust they are.) The condition that has to be satisfied if there to be international law of any kind is that there should be a law-governed state of affairs. Without that, there is no public law—only private law such as may obtain in the state of nature. We have seen [starting at page 9] that the only legal set-up that is compatible with the freedom of the individual states is a federation of states whose sole purpose is the maintenance of peace. So politics can be in harmony with morality only in a federal union, and that is something that is necessary and given *a priori* by the principles of right. And the legal basis for all exercises of 'political skill' is the establishment of this union to its greatest possible extent. If that is not the goal, then the political theorists' sophisms are mere folly and veiled injustice. This false politics outdoes the best Jesuit school in casuistry! [See the note on page 1.] It has 'mental reservation': wording public contracts in such a way that they can be interpreted to one's own advantage (relying for example on the distinction between 'status quo of fact' and 'status quo of right'). It has probabilism: attributing hostile intentions to others; or even destroying other states, peaceful ones, claiming as legal grounds the supposed probability of their rising to ascendancy. Finally, it has the *peccatum philosophicum*: regarding it as only a trifle when a small state is swallowed up to enable a much larger one to get nearer to some alleged greater good for the world as a whole. [The other two are also given Latin names, but '*peccatum philosophicum*' is retained because there is no good English for it. Literally it means 'philosophical wrong-doing': a sin against reason but not explicitly against God, and

therefore supposedly less wicked than sins against God.]

Politics gets a lot of help from its double-tongued use of morality, bringing in whichever branch of it suits its own purposes in a given context. The branches are **(i)** philanthropy and **(ii)** respect for the rights of men, and both are duties—**(i)** a conditional duty and **(ii)** an unconditional and absolutely binding one. If you want to bathe in the sweet feeling of **(i)** benevolence, make sure first that you haven't failed in your **(ii)** absolute duty. Politics communicates smoothly with **(i)** morality in its first branch. . . ., endorsing the surrender of men's rights to their superiors. But any contact with **(ii)** the second branch of morality (as the doctrine of *right*) would involve politics not in smoothly negotiating, but in bending its knee; so politics finds it advisable not to have any dealings with **(ii)** the doctrine of right, denying that it even exists and reducing all duties to **(i)** mere benevolence. This underhand procedure of secretive politics would soon be unmasked if philosophy went public with its maxims (if they—the powers that be—dared to allow this to happen).

With this aim, I propose another transcendental principle of public law, this time an **affirmative** one [compare the **negative** principle on page 27]; it is to be formulated thus:

'Any maxim that *needs* to be made public if it is to achieve its aim agrees with both **(a)** politics and **(b)** right.'

Here is why. **(a)** A maxim that can attain its goal only by going public must accord with the public's universal end, happiness; and the proper task of politics is to promote this (i.e. to make the public satisfied with its condition). **(b)** And if this goal can be reached only by means of publicness (i.e. by removing all distrust in the maxims of politics), politics must conform to the rights of the public, because otherwise it wouldn't be possible for everyone's goals to be achieved, in which case there wouldn't, after all, be a general trust in

politics. I must postpone to another occasion the further development and discussion of this principle. Here I will just say this: You can see that it is a transcendental formula from the fact that it involves *form* but not matter, i.e. refers through its use of the word 'maxim' to the form of universal lawfulness, but says nothing about any empirical conditions (concerning happiness) as material of the law.

[Kant's line of thought here seems to go like this:

- (1) P is a transcendental formula, so
- (2) P's truth is required for the very possibility of something x, so
- (3) P has to do with the abstract concept of x, x's 'form', not empirical facts about how x works out in the real world.

You'll notice that this may allow us to infer (3) from (1); it doesn't allow

us to infer (1) from (3), which is what Kant seems to claim.]

\* \* \* \*

If it's a duty to bring about a state of public law, and if there is well-grounded hope that this can actually be done, even if only through an endless process of ever closer approximations, then perpetual peace—not to be confused with the outcome of wrongly so-called 'peace-treaties' (which are really only armistices)—is not an empty idea. On the contrary, as ways and means are gradually found, we hope at an ever-increasing pace, perpetual peace is a task that grows ever nearer to achievement.