

TOWARD PERPETUAL PEACE

Frederick II, for example, at least *said* that he was only the highest servant of the state,* whereas a democratic constitution makes this impossible because there everyone wants to be ruler. It can therefore be said that the smaller the number of persons exercising the power of a state (the number of rulers) and the greater their representation, so much the more does its constitution accord with the possibility of republicanism, and the constitution can hope by gradual reforms finally to raise itself to this. On this basis it is already harder in an aristocracy than in a monarchy to achieve this sole constitution that is perfectly rightful, but in a democracy it is impossible except by violent revolution. The kind of government,[†] however, is of incomparably greater concern to the people than is the form of state (though a good deal also depends on how adequate the latter is to the former's end). But if the kind of government is to be in conformity with the concept of right, it must have a representative system, in which alone a republican kind of government is possible and without which the government is despotic and violent (whatever the constitution may be). None of the ancient republics, so called, knew this system, and because of this they simply had to disintegrate into despotism, which under the rule of a single individual is still the most bearable of all.

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SECOND DEFINITIVE ARTICLE FOR PERPETUAL PEACE

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The right of nations shall be based on a *federalism* of free states.

Nations, as states, can be appraised as individuals, who in their natural condition (that is, in their independence from external laws) already

* The exalted epithets often bestowed on a ruler ("the divinely anointed," "the administrator of the divine will on earth and its representative") have often been censured as gross and dizzying flattery, but, it seems to me, without grounds. Far from making the ruler of a country arrogant, they would rather have to humble him in his soul if he is intelligent (as must be assumed) and make him reflect that he has taken on an office too great for a human being – namely the most sacred office that God has on earth, that of trustee of *the right of human beings* – and that he must always be concerned about having in some way offended against this "apple of God's eye."

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† Mallet du Pan boasts,[†] in his pompous but hollow and empty language, of having at last, after many years of experience, become 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, he has, as Swift expressed it, cracked a nut that rewarded him with a worm; but if it means that the best administered government is also the best government, i.e., the best constitution of a state, then it is quite false; for examples of good governments prove nothing about kinds of government. Who governed better than a Titus or a Marcus Aurelius, and yet one left a Domitian as his successor and the other a Commodus; and this could not have happened if the state had had a good constitution, since their unsuitability for this post was well known early enough and the ruler's power was also sufficient to exclude them.

wrong one another by being near one another; and each of them, for the sake of its security, can and ought to require the others to enter with it into a constitution similar to a civil constitution, in which each can be assured of its right. This would be a *league of nations*, which, however, need not be a state of nations. That would be a contradiction, inasmuch as every state involves the relation of a *superior* (legislating) to an *inferior* (obeying, namely the people); but a number of nations within one state would constitute only one nation, and this contradicts the presupposition (since here we have to consider the right of *nations* in relation to one another insofar as they comprise different states and are not to be fused into a single state).

8:355 Just as we now regard with profound contempt, as barbarous, crude, and brutishly degrading to humanity, the attachment of savages to their lawless freedom, by which they would rather struggle unceasingly than subject themselves to a lawful coercion to be instituted by themselves, thus preferring a mad freedom to a rational freedom, so, one would think, civilized peoples (each united into a state) must hasten to leave such a depraved condition, the sooner the better; but instead each *state* puts its majesty (for the majesty of a people is an absurd expression) just in its not being subject to any external lawful coercion at all, and the splendor of its chief consists in his being able, without even having to put himself in danger, to command many thousands to sacrifice themselves for a matter that is of no concern to them;* and the difference between the European and the American savages consists mainly in this: that whereas many tribes of the latter have been eaten up by their enemies, the former know how to make better use of those they have defeated than to make a meal of them, and would rather increase the number of their subjects, and so too the multitude of their instruments for even more extensive wars, by means of them.

In view of the malevolence of human nature, which can be seen unconcealed in the free relations of nations (whereas in a condition under civil laws it is greatly veiled by the government's constraint), it is surprising that the word *right* could still not be altogether banished as pedantic from the politics of war and that no state has yet been bold enough to declare itself publicly in favor of this view; for Hugo Grotius, Pufendorf, Vattel,⁵ and the like (only sorry comforters) – although their code, couched philosophically or diplomatically, has not the slightest *lawful* force and cannot even have such force (since states as such are not subject to a common external constraint) – are always duly cited in *justification* of an offensive war, though there is no instance of a state ever having been moved to desist from its plan by arguments armed with the testimony of such important men. This hom-

* Thus a Bulgarian prince gave the following reply to the Greek emperor's benign offer to settle their dispute by a duel: "A smith who has tongs will not lift the glowing iron from the coals with his own hands."

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age that every state pays the concept of right (at least verbally) nevertheless proves that there is to be found in the human being a still greater, though at present dormant, moral predisposition to eventually become master of the evil principle within him (which he cannot deny) and also to hope for this from others; for otherwise the word *right* would never be spoken by states wanting to attack one another, unless merely to make fun of it, as a certain Gallic prince defined right: "It is the prerogative nature has given the stronger over the weaker, that the latter should obey him."

The way in which states pursue their right can never be legal proceedings before an external court but can only be war; but right cannot be decided by war and its favorable outcome, *victory*; and by a *peace pact* a current war can be brought to an end but not a condition of war, of always finding pretexts for a new war (and this cannot straightaway be declared wrong, since in this condition each is judge in his own case); however, what holds in accordance with natural right for human beings in a lawless condition, "they ought to leave this condition," cannot hold for states in accordance with the right of nations (since, as states, they already have a rightful constitution internally and hence have outgrown the constraint of others to bring them under a more extended law-governed constitution in accordance with their concepts of right); yet reason, from the throne of the highest morally legislative power, delivers an absolute condemnation of war as a procedure for determining rights and, on the contrary, makes a condition of peace, which cannot be instituted or assured without a pact of nations among themselves, a direct duty; so there must be a league of a special kind, which can be called a *pacific league* (*foedus pacificum*), and what would distinguish it from a *peace pact* (*pactum pacis*) is that the latter seeks to end only *one* war whereas the former seeks to end *all war* forever. This league does not look to acquiring any power of a state but only to preserving and securing the *freedom* of a state itself and of other states in league with it, but without there being any need for them to subject themselves to public laws and coercion under them (as people in a state of nature must do). The practicability (objective reality) of this idea of a *federalism* that should gradually extend over all states and so lead to perpetual peace can be shown. For if good fortune should ordain that a powerful and enlightened people can form itself into a republic (which by its nature must be inclined to perpetual peace), this would provide a focal point of federative union for other states, to attach themselves to it and so to secure a condition of freedom of states conformably with the idea of the right of nations; and by further alliances of this kind, it would gradually extend further and further.

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It is understandable for a people to say, "There shall be no war among us; for we want to form ourselves into a state, that is, to establish for ourselves a supreme legislative, executive, and judicial power, which settles our disputes peaceably." But if this state says, "There shall be no war

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between myself and other states, although I recognize^j no supreme legislative power which secures my right to me and to which I secure its right," it is not understandable on what I want to base my confidence in my right, unless it is the surrogate of the civil social union, namely the free federalism that reason must connect necessarily with the concept of the right of nations if this is to retain any meaning at all.

8:357 The concept of the right of nations as that of the right *to go to war* is, strictly speaking, unintelligible (since it is supposed to be a right to determine what is right not by universally valid external laws limiting the freedom of each but by unilateral maxims through force); one would have to mean by it that it is quite right if human beings so disposed destroy one another and thus find perpetual peace in the vast grave that covers all the horrors of violence along with their authors. In accordance with reason there is only one way that states in relation with one another can leave the lawless condition, which involves nothing but war; it is that, like individual human beings, they give up their savage (lawless) freedom, accommodate themselves to public coercive laws, and so form an (always growing) *state of nations* (*civitas gentium*) that would finally encompass all the nations of the earth. But, in accordance with their idea of the right of nations, they do not at all want this, thus rejecting *in hypothesi* what is correct *in thesi*; so (if all is not to be lost) in place of the positive idea of a *world republic* only the *negative* surrogate of a *league* that averts war, endures, and always expands can hold back the stream of hostile inclination that shies away from right, though with constant danger of its breaking out.* (*Furor impius intus – fremit horridus ore cruento*. Virgil.)^k

THIRD DEFINITIVE ARTICLE FOR
PERPETUAL PEACE

"Cosmopolitan right shall be limited to conditions of universal *hospitality*."

Here, as in the preceding articles, it is not a question of philanthropy but of *right*, so that *hospitality* (hospitalableness) means the right of a foreigner

* At the end of a war, when peace is concluded, it would not be unfitting for a nation to proclaim, after the festival of thanksgiving, a day of atonement, calling upon heaven, in the name of the state, to forgive the great sin of which the human race continues to be guilty, that of being unwilling to acquiesce in any lawful constitution in relation to other nations but, proud of its independence, preferring instead to use the barbarous means of war (even though what is sought by war, namely the right of each state, is not decided by it). Festivals of thanksgiving during a war for a *victory* won, hymns that (in the style of the Israelites) are sung to the *Lord of Hosts*, stand in no less marked contrast with the moral idea of the father of human beings; for, beyond indifference to the way nations seek their mutual rights (which is regrettable enough), they bring in joy at having annihilated a great many human beings or their happiness.

^j *erkenne*

^k Within, impious rage – shall roar savagely with bloody mouth. *Aeneid* 1.294–6.