

Toward Perpetual Peace: A Philosophical Sketch

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“To Perpetual Peace”¹

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We can leave open the question whether this satirical caption to the picture of a graveyard, which was painted on the sign of a Dutch innkeeper, applies to *human beings* in general, or specifically to the heads of state, who can never get enough of war, or even just to philosophers who dream the sweet dream of perpetual peace. The author of this essay shall, however, stipulate one condition: since the practical politician tends to look disdainfully upon the political theorist as a mere academic, whose impractical ideas present no danger to the state (since, in the eyes of the politician, the state must be based on principles derived from experience), and who may show his hand without the *worldly* statesman needing to pay it any heed; then, in case of a conflict with the theorist, the statesman should deal with him consistently and refrain from any allegations of perceived threat to the state in whatever views that the theorist might dare set forth and publicly express. With this *clausula salvatoria* the author of this essay is hereby invoking the proper form to protect himself from any malicious interpretation.

First Section, Which Contains the Preliminary Articles for Perpetual Peace among States

I. “No peace settlement which secretly reserves issues for a future war shall be considered valid.”

1. *Translator’s note:* The German preposition *zu* can mean both “to” and “toward.” In its citation in Kant’s text it has been translated as “to” in order to maintain the character of a dedication in the name of the inn. In the title of Kant’s essay it has been translated as “toward” since Kant sees perpetual peace as a state that should be approached, but not as one that can be attained.

8:344 For such a treaty would represent a mere cease-fire, a postponement of hostilities, and not peace. For *peace* signifies the end to all hostilities, and even merely adding the adjective *perpetual* to the term renders it a suspicious-looking pleonasm. The existing causes of a future war, even if perhaps not yet known to the parties themselves, are nullified without exception by a peace settlement, however acutely and shrewdly they might be ferreted out of archival documents. Each party might make a tacit reservation (*reservatio mentalis*) of old pretensions to be elaborated only at a later point in time, and not make any mention of them at present, since both parties are too exhausted to continue waging war but sustain the ill will to make use of the first good opportunity to this end. If, however, one considers the character of such an action in itself, such a tacit reservation belongs to Jesuitical casuistry and is beneath the dignity of a ruler, just as the compliance with such reasoning is beneath the dignity of this ruler's minister.

But if, on the basis of "enlightened" concepts of political prudence, the true honor of the state is thought to lie in the continual expansion of its power by any means whatsoever, then such a judgment will surely seem academic and pedantic.

2. "No independently existing state (irrespective of whether it is large or small) shall be able to be acquired by another state through inheritance, exchange, purchase, or gift."

For a state is not a possession (*patrimonium*), as is, for instance, the territory on which it exists. It is, rather, a society of human beings, whom no one but the state itself may command or dispose of. To annex a state, which, like a tree trunk, has its own roots, and thus to treat it as a graft onto another state, is to annul its existence as a moral person and to treat this moral person as a mere thing. Doing so hence contradicts the idea of the original contract, an idea without which no right over a people is conceivable.*

Everyone knows the danger that the presumptive right to this manner of acquisition has brought to Europe—for the custom is unknown in other parts of the world—, even in the most recent times. It is thought that even states can marry one another, in part as a new kind of industry by which one can effortlessly increase one's power through familial alliances, and in part as a means to expand one's land possessions.— The hiring out of the troops

*A hereditary kingdom is not a state that can be inherited by another state. Only the right to rule it can be inherited by another physical person. The state thus acquires a ruler, whereas the ruler as such (i.e., who already possesses another kingdom) does not acquire the state.

of one state to another for the purpose of fighting an enemy not common to both parties is a further instance of this. For the subjects are thus treated as objects to be used and used up at will.

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3. “Standing armies (*miles perpetuus*) shall gradually be abolished entirely.”

For they continually threaten other states with war by their willingness to appear equipped for it at all times. They prompt other states to outclass each other in the number of those armed for battle, a number that knows no limits. And since the costs associated with maintaining peace will in this way become more oppressive than a brief war, these armies themselves become the cause of offensive wars, carried out in order to diminish this burden. Moreover, being hired out to kill or be killed seems to constitute a use of human beings as mere machines and tools in the hand of another (the state), a use which is incompatible with the rights of humanity in our own person. The situation is quite different, however, when citizens of the state voluntarily and periodically undertake training in the use of weapons in order to protect themselves and their country from attacks from the outside. — It would be precisely the same in the case of hoarding riches, since this would be viewed by other states as a threat of war and would force other states to carry out preemptive attacks (since of the three types of power — *military power*, the *power of alliances*, and the *power of money* — the third may well be the most reliable tool of war), if it were not for the difficulty of assessing the extent of the wealth of a state.

4. “The state shall not contract debts in connection with its foreign affairs.”

There is nothing questionable about seeking financial assistance from sources either outside or within the state for the sake of the domestic economy (for the improvement of roadways, for new settlements, for the provision of food reserves for bad harvest years, etc.). But, as an instrument in the struggle of state powers with one another, the credit system, the ingenious invention of a commercially active people in this century, represents a dangerous monetary power. For while the holders of the debts thereby incurred are secured from present claims (since not all creditors demand payment at the same time), these debts can grow without limit. This credit system can be used as a war chest that surpasses in size the wealth of all other states combined and which can be fully exhausted only by the eventual loss of tax revenues (a loss which can nonetheless be staved off for a long period of time by the stimulation of the economy through the effects that the credit system has on industry and commerce). This ease with which

8:346 one can wage war, combined with the inclination of those in power to do so, an inclination which seems to be an essential aspect of human nature, is thus a great hindrance to perpetual peace. This hindrance ought therefore to be prohibited, and this prohibition ought all the more to serve as the basis of a preliminary article of perpetual peace, since the ultimately unavoidable bankruptcy of one state would necessarily involve other states in the loss, though at no fault of their own, which would thus cause them a public injury. Other states are therefore at least justified in allying themselves against such a state and its presumptuous behavior.

5. “No state shall forcibly interfere in the constitution and government of another state.”

For what can justify its doing so? The offense, perhaps, that it causes the subjects of another state? It can rather serve as a warning, by means of the example of the great ills that a people has brought upon itself through its lawlessness. And, in general, a bad example which one free person sets for another (as *scandalum acceptum*) does not constitute an injury of the latter. — It would be an altogether different matter if a state, through internal conflict, were divided into two parts, each of which regarded itself a separate state that laid claim to the whole. In this case, an external state could not be charged with interference in the constitution of the other by lending assistance to one of these parts, for in this case there is anarchy. But as long as this internal conflict is still undecided, the intervention of external powers would constitute a violation of the rights of a people, a people which is dependent on no other and is merely struggling with its own internal infirmity, and such an intervention would itself therefore be an offense and render the autonomy of all states insecure.

6. “No state shall allow itself such hostilities in wartime as would make mutual trust in a future period of peace impossible. Such acts would include the employment of assassins (*percussores*), poisoners (*venefici*), breach of surrender, incitement of treason (*perduellio*) within the enemy state, etc.”

These are dishonorable stratagems. For there must remain, even in the middle of war, some degree of trust in the enemy’s manner of thinking, since otherwise no peace could possibly be reached, and hostilities would degenerate into a war of extermination (*bellum internecinum*). For war is only the regrettable expedient in the state of nature (where there exists no court that could adjudicate the matter with legal authority) to assert one’s rights by means of violence. In war neither of the two parties can be de-

clared an unjust enemy (since such an assessment presupposes a judicial decision). It is rather the *outcome* of the war (or “divine judgment,” as it were) which decides whose side is in the right. A punitive war (*bellum punitivum*) between states is inconceivable (since there exists between them no relation of superior to subordinate). From this it follows that a war of extermination, in which both parties and, moreover, all right can be eradicated simultaneously, could bring about perpetual peace only over the great graveyard of humanity. Such a war, therefore, and hence the use of the means which would lead to it, must be utterly forbidden. — But it is clear that the means named above would inevitably lead to such a war of extermination, since once they were used, such diabolical arts, malicious in themselves, would not long hold themselves within the boundaries of war, as for instance with the use of spies (*uti exploratoribus*), where only the dishonorableness of *others* (which can never be fully eliminated) is used; instead, these malicious practices would be carried over into peacetime and thus destroy its purpose altogether.

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Although all the laws cited above are objectively — that is, in the intention of those in power — , purely *prohibitive laws* (*leges prohibitiveae*), some of them are nonetheless of a *strictly* valid kind, which are applicable irrespective of circumstances (*leges strictae*), and which require that violations thereof be abolished *immediately* (such as nos. 1, 5, and 6). But others (such as nos. 2, 3, and 4), although not exceptions to the legal rule, nonetheless allow for some subjective latitude with regard to their application, depending on circumstances (*leges latae*) and permit a *postponement* of their execution, as long as one does not lose sight of the end that allows this postponement. The restoration of freedom that has been taken from certain states in accordance with no. 2, for instance, may not be postponed to a nonexistent date (*ad calendas graecas*, as Augustus was in the habit of promising), which would amount to the nonrestoration of those states’ freedom. Rather, postponement is permitted only so that such restoration not be implemented too hastily, thus counteracting the very purpose of the legal rule. For the prohibition here concerns only the *manner of acquisition* that is henceforth to be prohibited, but not the *status of possession*. Although it does not have the required legal basis, this status was nonetheless, in public opinion at the time, considered lawful by all states (at the time of the putative acquisition).*

*One has previously doubted, and not without basis, whether there exist, beyond laws of commandment (*leges praeceptivae*) and laws of prohibition (*leges*

Second Section, Which Contains the Definitive Articles of Perpetual Peace Among States

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The state of nature (*status naturalis*) is not a state of peace among human beings who live next to one another but a state of war, that is, if not always an outbreak of hostilities, then at least the constant threat of such hostilities.

prohibitivae), laws of permissibility (*leges permissivae*) based on pure reason. For all laws imply a ground of objective practical necessity, whereas permission implies a ground of the practical contingency of certain actions. A law of permissibility would therefore imply an obligation to carry out an action to which one cannot be obligated. And this, if the object of the law has the same meaning in both respects, would be a contradiction. — But here the prohibition that is presupposed in the law of permission concerns only the future manner of acquiring a right (e.g., through inheritance), whereas the exemption from this prohibition, i.e., the permission, concerns the current status of possession. In accordance with the law of permissibility of natural right, the current state of possession can, in the transition from the state of nature into the state of civil society, continue to be preserved as an, although not lawful, nonetheless *honest possession* (*possessio putativa*). This obtains for such a putative possession as soon as it has been recognized as such in the state of nature, even though a similar manner of acquisition in the subsequent state of civil society (after the transition) is prohibited. This authorization of continued possession would not exist if such a putative acquisition had occurred in the state of civil society. For in the state of civil society such possession would constitute an injury and have to end immediately after the discovery of its unlawfulness.

I wanted only to draw the attention of teachers of natural law to the concept of a *lex permissiva* here, which inevitably offers itself to systematically classifying reason, primarily since it is frequently used in civil law (statutory law), but with the difference that the law of prohibition stands on its own, whereas the feature of permissibility is not introduced into the law as a restrictive condition (as it should be), but rather is counted among the exceptions. — Here it is said: this or that is forbidden, *unless* no. 1, no. 2, no. 3, and so on indefinitely, since permissions become part of law not in accordance with a principle, but rather by probing among actual cases. For otherwise the conditions would have to have been introduced *into the formulation of the law of prohibition*, which would have rendered it a law of permissibility. — Therefore it is regrettable that the profound but still unsolved problem of the prize competition of the wise and astute *Count von Windischgrätz*,² which insisted on precisely the latter, was abandoned so quickly.

Hence the state of peace must be *established*. For refraining from hostilities does not guarantee a state of peace, and when one neighbor does not guarantee the peace of the other (which can occur only in a *juridical* condition), the other neighbor who called upon the first to do so can treat him as an enemy.*

For the possibility of such a formulation (one similar to a mathematical formula) is the only genuine touchstone of a kind of legislation that remains consistent, without which the so-called *ius certum* will always remain a mere pious wish — Otherwise one will have nothing but *general* laws (which are valid *for the most part* [*im Allgemeinen*]), and no universal laws (which are valid *in all cases* [*allgemein*]), as the concept of law seems to require.

2. Joseph Nikolas von Windischgrätz (1744–1802) had proposed a question for a prize essay, namely, how property contracts can be drawn which will be entirely unambiguous and rule out any lawsuits.

*One generally assumes that I may treat no one with hostility except if the other has actively harmed me, and this is completely right, if both parties exist in the *civil juridical* condition. For by entering into this condition, one party guarantees another party the necessary security (by means of the authorities, which have power over both). — But a person (or a people) in a mere state of nature deprives me of this security and harms me through this very state by existing next to me, although not actively (*facto*), nonetheless through the lawlessness of his state (*statu iniusto*), by means of which he represents a constant threat to me. I can thus require of him that he either enter into a state of common civil law or remove himself from my vicinity. — Hence the postulate on which all of the following articles are based is that all people who can mutually exert influence on one another must be party to some civil constitution.

Yet any juridical constitution, with regard to the persons that are subject to it, takes one of the following forms:

1. one based on the right of *citizens of a state* governing the individuals of a people (*ius civitatis*),

2. one based on *international right* governing the relations of states among one another (*ius gentium*),

3. one based on *cosmopolitan right*, to the extent that individuals and states, who are related externally by the mutual exertion of influence on each other, are to be regarded as citizens of a universal state of humankind (*ius cosmopoliticum*). This classification is not arbitrary but necessary with respect to the idea of perpetual peace. For if only one party were able to exercise physical influence on the other and yet were in the state of nature, then this would amount to the state of war, and it is emancipation from precisely this state of war that is the aim here.

FIRST DEFINITIVE ARTICLE OF PERPETUAL PEACE:
THE CIVIL CONSTITUTION OF EVERY STATE
SHALL BE REPUBLICAN

8:350 The republican constitution is a constitution that is established, first, according to principles of the *freedom* of the members of a society (as human beings), second, according to principles of the *dependence* of all on a single, common legislation (as subjects), and third, according to the law of the *equality* of the latter (as *citizens of the state*).* The *republican* constitution

*Juridical (and hence external) *freedom* cannot, as one conventionally does, be defined as the authority to do anything that one wants, as long as one does no one any wrong. For what is meant by *authority*? The possibility of an action, insofar as one does no one any wrong in so acting. The definition of *freedom* would thus be as follows: freedom is the ability to act in ways in which one does no one any wrong in so acting. One does no one any wrong (one may do whatever one wants), only to the extent that one does no one any wrong: this is thus an empty tautology. — My external (juridical) *freedom* must rather be described in this way: it is the authority to obey no external laws than those to which I have been able to give consent. — In the same way external (juridical) *equality* in a state is that relationship among citizens of a state according to which no one can place another under a legal obligation without similarly submitting himself to a law according to which he *can* be placed under a similar obligation by the other. (There is no need to describe the principle of *juridical* dependence, since this principle lies in the concept of a state constitution as such). The validity of these innate rights, which necessarily belong to humankind and are inalienable, is confirmed and elevated by the principle of the juridical relations that a human being can have to higher beings (when he conceives of such beings), by imagining himself, in accordance with precisely the same principles, as a citizen of a supersensible world. For, as concerns my freedom, I have no obligation even with regard to the divine laws, which are known to me by means of mere reason, other than the laws I have myself been able to agree to (for I conceive of the divine will only by means of the law of freedom of my own reason in the first place). As far as the principle of equality is concerned, with regard to the most sublime being in the world that I can conceive of outside of God (a great Aeon, for instance), there is no reason why, if I do my duty in my position, as it does in its position, I should only have to the duty to obey, while the former is entitled to the right to command. — The reason that this principle of *equality* does not apply (as with the principle of freedom) to the relationship to God is that this being is the only one where the concept of duty ends.

But as concerns the right of equality of all citizens as subjects, answering the question of the coincidental nature of *hereditary nobility* is solely a matter of

is the only kind of constitution that follows from the idea of an original contract, upon which all laws legislated by a people must be based, and is therefore, as concerns right, itself the one on which all the civil constitutions are originally based. Now it is just a question of whether the republican constitution is also the only kind that can lead toward perpetual peace.

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Besides the purity of its origin, that is, its having sprung from the pure source of the concept of right, the republican constitution also offers the prospect for the desired consequence, namely, perpetual peace. The reason for this is as follows: if (as must be the case in such a constitution) the agreement of the citizens is required to decide whether or not one ought to wage war, then nothing is more natural than that they would consider very carefully whether to enter into such a terrible game, since they would have to resolve to bring the hardships of war upon themselves (which would include: themselves fighting, paying the costs of the war from their own possessions, meagerly repairing the ravages that war leaves behind, and, finally, on top of all such malady, assuming a burden of debt that embitters the peace and will never be repaid [due to imminent, constantly impending wars]). By contrast, in the case of a constitution where the subject is not a citizen of the state, that is, in one which is not republican, declaring war is the easiest thing in the world, because the head of state is not a fellow citizen, but rather the owner of the state, and hence forfeits nothing of his feasts, hunts, summer residences, court festivals, and such things due to the war. The head of state can decide to wage war for insignificant reasons as a kind of game for amusement and can, for the sake of decency, indifferently leave its justification up to his diplomatic corps, which always stands ready for such tasks.

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whether the *rank* granted by the state (of one subject above another) must precede *merit* or merit must precede rank. — So much is clear: that if rank is associated with birth, then it is not at all certain whether merit (skill in and loyalty to one's office) will also follow. This therefore amounts to the favored one being granted his position (to be commander) without any prior merit. This is something which the general will of the people would never agree upon in an original contract (which is, however, the principle of all rights). For a nobleman is not consequentially a *noble* man. — As concerns *nobility of office* (which one could call the rank of a high magistrate, and which one must acquire by means of one's merits), the associated rank does not adhere to the person like property, but rather to the position, and the law of equality is not thereby violated. This is so because when they resign from their office, they also resign from the rank assigned to it and return to the people.

8:352 The following clarifications must be offered, so that one does not (as often happens) confuse the republican constitution with the democratic constitution. The forms that a state (*civitas*) takes can be classified either according to the persons who hold the position of highest authority in the state or according to the *manner* in which the head of state *governs* the people (whoever the head of state may be). The former is properly called the *form of sovereignty* (*forma imperii*), and only three such forms are possible, since either only *one* person, a *group* of associated persons, or *everyone* who makes up the civil society can possess sovereign power (autocracy, aristocracy, and democracy; the authority of the monarch, of the nobility, or of the people). The second is the *form of government* (*forma regiminis*) and concerns the manner, based on the constitution (the act of general will by which a crowd becomes a people), in which the state makes use of its power. The state is, in this regard, either *republican* or *despotic*. *Republicanism* is the principle by which the executive power (the government) of a state is separated from the legislative power. *Despotism* is the principle by which the state executes, on its own authority, laws that it has itself made. Under despotism the public will is therefore treated by the monarch as his individual will. Among the three forms of state, *democracy* is, according to the proper sense of the term, necessarily a form of *despotism*, because it establishes an executive power whereby “all” make decisions over, and if necessary, against one (who therefore does not agree). Thus “all” who are not actually all make decisions, which means that the general will stands in contradiction with itself and with freedom.

Any form of government that is not *representative* is, properly speaking, without form. This is so because one and the same person can be legislator and executor of his will at the same time just as little as the universal of the major premise in a syllogism can at the same time be the subsumption of the particular under it in the minor premise. And although the two other forms of sovereignty [that is, autocracy and aristocracy] are always imperfect to the extent that they allow for a despotic form of government, it is at least possible that these two forms assume a form of government that is in accordance with the *spirit* of a representative system. Thus Frederick II³ at least *said* that he was merely the highest servant of the state.* The democratic

3. Friedrich II (“the Great”) (1712–86), king of Prussia from 1740 to 1786.

*The lofty designations often given to a ruler (that of one who is divinely anointed, of embodiment and representative of the divine will on earth) are often criticized as coarse, dizzying blandishments, but, I think, wrongly so.—It is far from the case that these should make the ruler of the land arrogant, rather they

form of sovereignty, by contrast, makes this impossible, because under it everyone wishes to be the ruler. — One can therefore say: the smaller the personnel exercising state power (the number of rulers), and the greater its representativeness, the more the constitution of the state tends toward republicanism, and the more it can hope to raise itself to republicanism through gradual reforms. For this reason it is more difficult under aristocracy than under monarchy, yet impossible under democracy, to achieve this, the only perfectly juridical constitution, by any means other than violent revolution. But the form of government* is of incomparably greater concern to the people than the form of state (although very much does indeed depend on the degree to which the latter is fit for the purpose of attaining the end of such a constitution). If it is to be in accordance with the concept of right, the form of government must include a representative system, the

necessarily humble him in his soul if he has intellect (which one must certainly assume) and considers that he has taken on an office that is too great for a human being, namely, to administer the holiest thing that God has on earth, the *rights of human beings*, and that he must be concerned at all times that he not offend God's most treasured possession.

*In his seemingly brilliant, yet ultimately hollow and meaningless words, Mallet du Pan boasts that many years of experience have finally led him to be convinced of the truth of the following well-known saying by *Pope*: "For forms of government let fools contest; whate'er is best administered is best."⁴ If this is meant to express that the best administered government is administered best, then he has, as Swift would say, bitten open a nut only to find a maggot therein. But if this is meant to say that the best administered government is also the best manner of governing, i.e., the best state constitution, then the saying is fundamentally false, since examples of good governments do not demonstrate anything about the manner of governing. — Who ruled better than a *Titus* and a *Marcus Aurelius*? Yet the former left *Domitian* as his successor, and the latter *Commodus*.⁵ This could not have happened had there been a good state constitution in place, since their unsuitability for the post was known from early on, and the ruler's power was also sufficient to exclude them.

4. Jacques Mallet du Pan (1749–1800), *Über die französische Revolution und die Ursachen ihrer Dauer*, trans. from the French by Friedrich Gentz (Berlin, 1794) [*Considérations sur la révolution de France et sur les causes qui en prolongent la durée* (Brussels, 1793)].

Alexander Pope, *Essay on Man* (London, 1734), Epistle 3, 303–4.

5. Titus (39–81; ruled 79–81) and Marcus Aurelius (121–180, ruled 161–180), Roman emperors with a reputation of beneficence; Domitianus (51–96; ruled 81–96) and Commodus (161–192; ruled 180–192), Roman emperors with a reputation of cruelty.

only kind of system in which a republican form of government is possible, and without which the government will be despotic and violent (whatever form the constitution may be). This system was not known to any of the old, so-called republics, and it is for this reason that they simply had to dissolve into despotism, which, under the rule of a single individual, is still the most tolerable kind of all.

8:354 SECOND DEFINITIVE ARTICLE OF PERPETUAL PEACE:
INTERNATIONAL RIGHT SHALL BE BASED ON THE
FEDERALISM OF FREE STATES

Peoples, as states, can be judged as individual human beings who, when in the state of nature (that is, when they are independent from external laws), bring harm to each other already through their proximity to one another, and each of whom, for the sake of his own security, can and ought to demand of others that they enter with him into a constitution, similar to that of a civil one, under which each is guaranteed his rights. This would constitute a *federation of peoples*, which would not, however, necessarily be a state of peoples. Herein would lie a contradiction, because every state involves the relation between a *superior* (who legislates) and a *subject* (who obeys, namely, the people), whereas many peoples within one state would make only one people, which contradicts the presupposition (since we are to consider the right of *peoples* in relation to one another here insofar as they make up so many different states and are not to be fused together into one state).

We view with great disdain the way in which savages cling to their lawless freedom, preferring to fight continually amongst one another rather than submit to a lawful coercion that they themselves establish, and thereby favoring mad freedom over rational freedom. We consider this a barbaric, unrefined, and a brutish denigration of humanity. One would thus think, then, that civilized peoples (each united into a state) would be in a hurry to emerge from such a depraved condition as soon as possible. Instead, however, each *state* sees its majesty (for it would be nonsensical to speak of the majesty of the people) in its being subject to no external legal coercion, and the splendor of its head as consisting in his having many thousands at his disposal to have sacrificed for a cause that does not concern them at all, without him being required to place himself in jeopardy.* The main differ-

*In this spirit a Bulgarian prince gave the following answer to the Greek emperor, who had good-naturedly offered to settle their quarrel by means of a duel:

ence between the European and the American savages is that while many of the tribes of the latter have been entirely eaten by their enemies, the former know how to put their conquered to better use than to consume them, and prefer to increase the numbers of their subjects and hence also the number of tools at their disposal for even more extensive wars.

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The maliciousness of human nature, although quite concealed by the coercion of government in the state of civil law, can be observed openly in the free relations between the peoples. It is therefore astonishing that the word *right* has not yet been able to be fully banished from war politics as pedantic, and that no state has yet dared to publicly endorse doing so. For while *Hugo Grotius*, *Pufendorf*, *Vattel*⁶ and many others (all tiresome comforters) are still faithfully cited to *justify* an offensive war, even though their codex, whether formulated philosophically or diplomatically, does not have the least amount of *legal* force and cannot have such force (since states as such are not subject to common external coercion), there is no example of a state having ever been moved by arguments armed with the testimony of such important men to desist from its intentions. — This homage paid by every state to the concept of right (at least through their words), demonstrates, however, that there is an even greater, although presently latent, moral predisposition to be found in the human being, to eventually overcome the evil principle within himself (the existence which he cannot deny) and also to hope that others do the same. For otherwise of states who wish to feud with one another would never utter the word *right*, except to use it in jest, as a Gallic prince once declared: “It is the prerogative that nature has given the stronger that the weaker ought to obey him.”

Although states can pursue their rights only through war, and never by means of a trial before an external tribunal, war and its favorable conclusion — *victory* — never determines right. And while a *peace treaty* achieves an end to the present war, it does not achieve an end to the state of war (always allowing a pretext to be found for a new war). The state of war cannot

“A blacksmith who has tongs will not use his own hands to grab the red-hot iron from the embers.”

6. Hugo Grotius (1583–1645), *De jure belli ac pacis libri tres* [Of the Law of War and Peace] (1625); Samuel von Pufendorf (1632–94), *De iure naturae et gentium* [Of Natural Law and the Law of Nations] (1672); Emerich de Vattel (1714–67), *Le droit des gens ou Principes de la loi naturelle appliqués à la conduite et aux affaires des nations et des souverains* [The Law of Nations, or Principles of the Law of Nature, Applied to the Conduct and the Affairs of Nations and Sovereigns] (1758).

8:356 exactly be declared unjust, however, since in this situation each state acts as judge in its own case. Yet what applies under natural law to human beings in the lawless condition, namely, that they “ought to emerge from this condition,” cannot also apply to states under international right (since, as states, they already have an internal legal constitution and have thus outgrown the coercion by which others subject them to a broader legal constitution according to others’ conception of right). Nonetheless, from the throne of the highest moral legislative authority, reason looks down on and condemns war as a means of pursuing one’s rights, and makes peace an immediate duty. But peace can be neither brought about nor secured without a treaty among peoples, and for this reason a special sort of federation must be created, which one might call a *pacific federation* (*foedus pacificum*). This federation would be distinct from a *peace treaty* (*pactum pacis*) in that it seeks to end not merely *one* war, as does the latter, but rather to end *all* wars forever. This federation aims not at the state’s acquisition of some sort of power, but rather at its securing and maintaining the *freedom* of a state for itself and also the freedom of other confederated states without these states thereby being required, as are human beings in the state of nature, to subject themselves to public laws and coercion under such laws. It can be shown that the idea of *federalism*, which should gradually encompass all states and thereby lead to perpetual peace, is practicable (that is, has objective reality). For if fortune so determines that a powerful and enlightened people can constitute itself as a republic (which according to its nature necessarily tends toward perpetual peace), then this republic provides a focus point for other states, so that they might join this federative union and thereby secure the condition of peace among states in accordance with the idea of international right and gradually extend this union further and further through several such associations.

It is understandable that a people would say: “There shall be no war among us, for we desire to form ourselves into a state, that is, to establish a supreme legislative, executive, and judicial authority over ourselves that will settle our disputes in a peaceful manner.” But when this state says: “There shall be no war between myself and other states, even though I acknowledge no superior legislative authority that guarantees me my rights and to which I guarantee them theirs,” then it is not at all clear what the confidence in my own rights is based on, if not on a surrogate for the compact of civil society, namely, a free federalism, which reason must necessarily connect with the concept of international right, if the latter is to mean anything at all.

One cannot conceive of international right as a right *to* war (since this would be a presumptive right to determine what is right, not according to universally valid external laws that restrict the freedom of every individual, but rather by means of violence, according to one-sided maxims); one would have to mean by it that it is perfectly just that people who are so disposed annihilate each other and thereby find perpetual peace in the vast grave that covers all the horrors of violence together with their perpetrators. As concerns the relations among states, according to reason there can be no other way for them to emerge from the lawless condition, which contains only war, than for them to relinquish, just as do individual human beings, their wild (lawless) freedom, to accustom themselves to public binding laws, and to thereby form a *state of peoples* (*civitas gentium*), which, continually expanding, would ultimately comprise all of the peoples of the world. But since they do not, according to their conception of international right, want the positive idea of a *world republic* at all (thus rejecting *in hypothesi* what is right *in thesi*),⁷ only the *negative* surrogate of a lasting and continually expanding *federation* that prevents war can curb the inclination to hostility and defiance of the law, though there is the constant threat of its breaking loose again (*Furor impius intus — fremit horridus ore cruento*. Virgil).^{8*}

*It may not be at all improper for a nation to announce, when concluding peace, a day of repentance to follow the festival of thanksgiving for the victory in war, during which it would appeal to the heavens in the name of the state for mercy for the great sin that the human race commits again and again by not desiring to submit to a legal constitution governing the relations among states, and instead, proud of its independence, making use of the barbaric means of war (which does not even achieve what is sought after, namely, the rights of each individual state).—The festivals of thanksgiving for a *victory* during a war, the hymns sung (in the style of the Israelites) to the *Lord of Hosts*, stand in no less sharp a contrast to the moral idea of the Father of mankind, because they, beyond their indifference toward the manner in which peoples seek to attain their mutual rights (which itself is lamentable enough), also take pleasure in having annihilated a great number of human beings or their fortune.

7. In “On the Common Saying” Kant explains this terminology: *in thesi* means “in theory,” *in hypothesi* is equivalent to “in practice,” TP 8:276.

8. “Within, impious rage . . . roars savagely with bloody lips,” Virgil, *Aeneid* 1.294–96.

THIRD DEFINITIVE ARTICLE OF PERPETUAL PEACE:
*COSMOPOLITAN RIGHT SHALL BE LIMITED TO THE
 CONDITIONS OF UNIVERSAL HOSPITALITY*

8:358 As in the previous articles, we are concerned here with *right*, not with philanthropy, and in this context *hospitality* (a host's conduct to his guest) means the right of a stranger not to be treated in a hostile manner by another upon his arrival on the other's territory. If it can be done without causing his death, the stranger can be turned away, yet as long as the stranger behaves peacefully where he happens to be, his host may not treat him with hostility. It is not the *right of a guest* that the stranger has a claim to (which would require a special, charitable contract stipulating that he be made a member of the household for a certain period of time), but rather a right to visit, to which all human beings have a claim, to present oneself to society by virtue of the right of common possession of the surface of the earth. Since it is the surface of a sphere, they cannot scatter themselves on it without limit, but they must rather ultimately tolerate one another as neighbors, and originally no one has more of a right to be at a given place on earth than anyone else. — Uninhabitable parts of this surface, the sea and the deserts, separate this community, but in such a way that the *ship* or the *camel* (the ship of the desert) makes it possible to come into contact with one another across these regions that belong to no one, and to use the right to the *surface*, which is common to the human species, to establish commerce with one another. The inhospitableness of the sea coastlines (for example, of the Barbary Coast), where ships in nearby seas are pirated or stranded sailors are made into slaves, or the inhospitableness of the sand deserts (of the Arabic Bedouins), where contact with the nomadic tribes is regarded as a right to plunder them, is contrary to natural right. The right of hospitality, that is, the right of foreign arrivals, pertains, however, only to conditions of the possibility of *attempting* interaction with the old inhabitants. — In this way, remote parts of the world can establish relations peacefully with one another, relations which ultimately become regulated by public laws and can thus finally bring the human species ever closer to a cosmopolitan constitution.

If one compares with this the *inhospitable* behavior of the civilized states in our part of the world, especially the commercial ones, the injustice that the latter show when *visiting* foreign lands and peoples (which to them is one and the same as *conquering* those lands and peoples) takes on terrifying proportions. America, the negro countries, the Spice Islands, the Cape, etc., were at the time of their discovery lands that they regarded as belong-

ing to no one, for the native inhabitants counted as nothing to them. In East India (Hindustan) they brought in foreign troops under the pretext of merely intending to establish trading posts. But with these they introduced the oppression of the native inhabitants, the incitement of the different states involved to expansive wars, famine, unrest, faithlessness, and the whole litany of evils that weigh upon the human species.

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China* and Japan (*Nipon*), which have attempted dealing with such

*In order to call this great empire by the name it gives itself (namely, *China*, not Sina, or any other sound similar to this), one need only refer to Georgius's *Alphabetum Tibetanum*, pp. 651–54, note b in particular. Actually it uses no particular name to refer to itself, according to Professor *Fischer* from Petersburg:⁹ the most common is the word *Kin*, which means gold (the Tibetans express this with *Ser*), which explains why the emperor is called the King of *Gold* (of the most magnificent land in the world). In the empire itself, however, this word probably sounds like *Chin*, which is pronounced by the Italian missionaries as *Kin* (due to their inability to pronounce the guttural consonant *ch*). — This leads one to conclude that the Land of the People of *Ser*, as it was referred to by the Romans, was China, but silk was transported via *Greater Tibet* to Europe (presumably through *Lesser Tibet*, Bukhara, Persia, and so on), which has led to many speculations about the age of this astonishing state in comparison to that of Hindustan by means of its association with *Tibet* and, through the latter, with Japan. The name *Sina* or *Tschina*, on the other hand, which neighboring territories give this land, leads to no such connection. — Perhaps the ancient, although never widely known connection between Europe and Tibet also can be explained by what has been passed on to us by *Hesy chius* regarding this, namely, the Hierophant's call (*Konx Ompax*) in the *Eleusinian Mysteries* (cf. *Journey of the Young Anacharsis*, part 5, p. 447 et seq.). For according to Georgius's *Alphabetum Tibetanum*, the word *concioa* means *God*, which bears a striking similarity to *Konx*, whereas *Pah-cio* (ibid., p. 520), which the Greeks may well have pronounced like *pax*, means *promulgator legis*, the divinity that suffuses all of nature (also called *Cencresi*, p. 177). — But *Om*, which La Croze translates as *benedictus* (*blessed*), applied to divinity, can hardly mean anything other than the *beatific* (p. 507). Yet given that Father Francisco Orazio, having often asked the Tibetan *Lamas* what they understood God (*Concicioa*) to be, always received the following answer: “*It is the gathering of all blessed ones*” (i.e., of all the blessed souls that have returned to the deity through rebirth as the lama after many migrations through all manner of bodies, and thus as *Burchans*, souls transformed into beings worthy of adoration [p. 223]), the mysterious word *Konx Ompax* is likely to mean the *holy* (*Konx*), *blessed* (*Om*), and *wise* (*Pax*) highest beings existent throughout the entirety of the world (personified

8:360 guests, have therefore, wisely, limited such interaction. Whereas the former has allowed contact with, but not entrance to its territories, the latter has allowed this contact to only one European people, the Dutch, yet while doing so it excludes them, as if they were prisoners, from associating with the native inhabitants. The worst part of this (or, from the standpoint of a moral judge, the best part) is that they do not even profit from this violence, that all of these trading companies stand near the point of collapse, that the Sugar Islands, that seat of the cruelest and most premeditated form of slavery, do not yield any real return, but rather serve, only indirectly, a not very commendable purpose, namely, of training sailors for the navies, and hence ultimately serve the warfare in Europe, doing this for powers which make much ado about their piety, and who, while drinking injustice like water, consider their being the chosen ones to be a matter of orthodoxy.

The growing prevalence of a (narrower or wider) community among the peoples of the earth has now reached a point at which the violation of right at any *one* place on the earth is felt in *all* places. For this reason the idea of cosmopolitan right is no fantastic or exaggerated conception of right.

nature) and, as used in the Greek *Mysterias*, likely referred to the *monotheism* of the epopts in contrast to the *polytheism* of the people, even though Father *Orazio* (loc. cit.) detected a variety of atheism here.¹⁰—But how that mysterious word came to the Greeks via Tibet can be explained in the aforementioned manner and, conversely, make a case for Europe's early contact with China through Tibet (a connection perhaps even more likely than that with Hindustan).

9. Antonio Agostino Giorgi (1711–97), *Alphabetum Tibetanum missionum apostolicarum commodo editum* [Tibetan Dictionary Published for the Convenience of Apostolic Missions] (Rome, 1762), a Latin-Tibetan dictionary, based in part on works of Francesco Orazio (see below).

Johann Eberhard Fischer (1697–1771), *Quaestiones Petropolitanae* [Questions from St. Petersburg] (Göttingen, 1770).

10. Hesychius of Alexandria, fifth- or sixth-century grammarian who compiled a Greek dictionary.

Hierophant: in ancient Greece, leader of the Eleusinian cult.

Jean-Jacques Barthélemy, *Voyage du jeune Anacharsis en Grèce, dans le milieu du quatrième siècle avant l'ère vulgaire*, 5 vols. [Travels of the Young Anacharsis through Greece, in the Middle of the Fourth Century before the Beginning of the Common Era] (Paris, 1788).

Mathurin Veyssière de La Croze (1661–1739), Benedictine monk and historian.

Francisco Orazio (1680–1747), Capuchin monk who provided descriptions of life in Tibet, where he lived from 1716 to 1732.

Rather it is a necessary supplement to the unwritten code of constitutional and international right, for public human right in general, and hence for perpetual peace. Only under this condition can one flatter oneself to be continually progressing toward perpetual peace.

First Supplement: On the Guarantee of Perpetual Peace

What *guarantees* perpetual peace is nothing less than the great artist *natura* (*natura daedala rerum*). The mechanical course of nature visibly reveals a purposive plan to create harmony through discord among people, even against their own will. Thus, if understood to be the compelling force of a cause whose laws of operation are unknown to us, this plan is called *Fate*. But if, upon consideration of nature's purposiveness in the course of the world, it is understood as the underlying wisdom of a higher cause which is directed toward the objective final end of the human species and which predetermines this course of events in the world, this plan is called *Providence*. * To be sure, we do not actually *cognize* it as such based on the

*In the mechanism of nature, to which the human being (as a sensible being) belongs, a form is evident which is fundamental to its existence, and which we can make comprehensible in no other way than by attributing it to the design of an author of the world who determined it in advance. We call this predetermination (divine) *providence*. To the extent that it is ascribed to the *beginning* of the world, we call it *founding providence* (*providentia conditrix; semel iussit, semper parent, — Augustine*).¹¹ Insofar as it is understood to maintain this design through the *course* of nature in accordance with purposive universal laws, we call it *ruling providence* (*providentia gubernatrix*). Furthermore, with regard to particular ends which cannot be foreseen by human beings, but rather can only be presumed on the basis of the result, we call it *guiding providence* (*providentia directrix*). Finally, with regard to specific events as divine ends, we no longer call it *providence* but rather *dispensation* (*directio extraordinaria*). But to identify it as such is a foolish presumption of humankind (since it points to miracles, even though the events themselves are not called this). For to infer a particular principle of the effective cause from an individual event (i.e., to infer that this event itself is the end and not merely the side effect, by the mechanism of nature, of another end that is completely unknown to us) is illogical and displays self-conceit, however piously and humbly one may speak about it. — It is equally false and self-contradictory to distinguish between *general* and *particular* providence (considered *materially*) in terms of ob-

artifices of nature or *infer* its existence on the basis of such artifices, but rather (as in all relations in general between the form of things and ends) can and need only *add it in thought* in order to conceive of their possibility according to the analogy of human acts of artifice. To imagine the relation between these acts and their movement in concert toward the end that

jects in the world (e.g., to argue that providence takes care to preserve the species of creatures but surrenders individuals to chance). For the point of calling providence general is that no single thing be considered to be excepted from it. — Presumably one intended to distinguish providence (considered *formally*) according to the manner in which it seeks its ends, namely, between *ordinary* (e.g., the annual death and rebirth of nature after the change of the seasons) and *extraordinary* providence (e.g., the transport of wood by sea currents to Arctic coasts where it cannot grow, but where it is needed by the inhabitants there, who could not live without it). Although we can readily explain the physical-mechanical cause of these events (e.g., by the wooded riverbanks of the temperate lands, where trees fall into the water and are carried away by the Gulf Stream, for instance), we may not overlook the teleological cause, which points to the provisions of a wisdom that holds sway over nature. — But the conception widespread in the academic world of a divine *concurrence* or collaboration (*concursum*) with effects in the sensible world must be discarded. For to conjoin dissimilar kinds of things (*gryphes iungere equis* [coupling griffins with horses]) by saying that the one who himself is the complete cause of changes in the world would need to *complete* his own predetermining providence during the course of the world (which must therefore have been incomplete), e.g., to say that in addition to God the doctor healed the patient, that is, was present as assistant, is *first of all* self-contradictory. For *causa solitaria non iuvat* [a solitary cause does not help]. God is the originator of the doctor and all of his remedies, and therefore, if we wish to ascend to the highest but theoretically incomprehensible first cause, we must attribute the effect *fully* to him. Or we can ascribe the effect *fully* to the doctor, to the extent that we track the event in the chain of causes in the world as explicable according to the natural order. *Second*, this manner of thinking denies us any definite principles for judging effects. But from a *moral-practical* perspective (which refers exclusively to the transcendent world), e.g., in the belief that, if only our disposition is genuine, God will supplement our imperfect justice even by means incomprehensible to us, and that we therefore ought not flag in our striving toward the good, then the concept of divine *concursum* is quite fitting and even necessary. It is self-evident, however, that no one must try to *explain* a good action (as an event in the world) in these terms, since such an explanation would allegedly be theoretical cognition of the supersensible, which is an incongruous claim.

11. "It commands once and they obey forever." The quote may actually stem from

reason dictates to us immediately (the moral end) is an idea that is transcendent from a *theoretical* perspective. From a practical perspective, however (for example, in view of the concept of *perpetual peace* and the duty to work toward it by using that mechanism of nature), this idea is dogmatic and its reality is well established. — The use of the word *nature* is also, when speaking here merely of theory (not of religion), more appropriate for denoting the limits of human reason (as reason, regarding the relation of effects to their causes, must confine itself within the limits of possible experience) and *more modest* than the expression of a *providence* that is knowable to us. With an expression such as Providence one presumptuously fits oneself with the wings of Icarus, in order to approach the secret of its inscrutable intention.

Before we describe this guarantee in more detail it will be necessary first to examine the state in which nature has placed the actors on her vast stage which ultimately makes securing peace necessary, — only then will we look at how this guarantee is provided.

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Nature has made the following provisional arrangements:

1. She has made it possible for human beings to live in all the regions of the earth that they populate;
2. Through *war*, she has driven humankind in all directions, even into the most inhospitable regions, in order to populate them;
3. And through war she has compelled them to enter into more or less legal relations with one another.

It is remarkable that moss grows even in cold wastelands of the Arctic, which the *reindeer* digs out from under the snow, only to serve the Ostiaks or Samoyeds in turn as nourishment or as draft animal, or that the salty, sandy deserts are home to the *camel*, which seems virtually made for traversing the same, in order to not leave them unused. But nature's end becomes even more apparent when one becomes aware that in addition to the furry animals that live along the coastlines of the Arctic waters, seals, walrus, and whales provide the inhabitants of those regions, by means of their flesh and their fat, with nourishment and fuel. But the most astonishing sign of the provisions that nature makes is the driftwood that she brings to these barren regions (while it is unclear precisely where it comes from), without which the inhabitants would be able to build neither their car-

Seneca, instead of Augustine. Cf. Seneca, *De Providentia* 5.8, “*semper paret, semel iussit*,” which has a slightly different meaning: “he obeys forever, he commanded once.”

riages and weapons nor their huts for dwelling in. Occupied enough with their struggle against the animals that live there, the inhabitants coexist peacefully. — What originally *drove* them *into* these regions, however, is presumably nothing other than war. But the first *tool of war* among the animals that humankind learned to tame and domesticate in the time that it has populated the earth, is the horse (the elephant came at a later time, a time of luxury for previously established states), just as the art of cultivating certain types of grass — the original composition of which is no longer knowable to us — known as *grains*, or the production and refinement of *species of fruit* by means of transplanting and grafting (in Europe this was done with perhaps only two species, crab apples and pears), was possible only with previously established states in which ownership of land was secure, — after humankind had earlier made its way from the lawless freedom of *hunting*,* fishing, and shepherding to a life sustained by *agriculture*, and then *salt and iron* had been discovered, which perhaps became the first widely sought after articles of trade among the different peoples. It was trade that first brought them into *peaceful relations* with one another and thereby into relationships based on mutual consent, community, and peaceful interactions even with remote peoples.

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By ensuring that human beings *could* live anywhere on earth, nature has also willed in a despotic fashion that they *ought* to live all over the earth, even against their own inclination, without any assumption that this *ought* implies a duty to do so in order to comply with a moral law. — Rather, nature has chosen war in order to attain this end. — We can observe peoples for whom the uniformity of their extraction can be established on the basis of the uniformity of their language, as is the case, for instance, with the Samoyeds of the Arctic Ocean, on the one hand, and a people with a similar language that lives two hundred miles away in the Altai Mountains, on the other. In this case another people, specifically the Mongolians, a mounted

*Of all ways of life, *hunting* is doubtless the most contrary to a civilized constitution. This is so because here the families must separate and they soon become estranged and, consequently, scattered about in extensive forests, *hostile* toward one another, since each of them requires a great deal of space in order to secure sustenance and clothing for themselves. — The *prohibition of eating blood* that was issued to Noah (Genesis 9:4–6), which, often reiterated, was imposed upon the heathens newly converted to Christianity by Jewish Christendom, albeit with a different intention (Acts 15:20, 21:25), seems to have originally been nothing other than a prohibition of the *hunter's way of life*, since the hunter must often eat raw meat, and the prohibition of eating raw meat would thus imply a prohibition of hunting.

and hence warlike people, has thrust itself in between and thus has scattered the one part of the tribe from the other into the most inhospitable, icy regions, where it certainly would not have ventured out of its own inclination.* — The same is true of the Finns that live in the northernmost region of Europe, the Lapps, with regard to the equally remote Hungarians, whose language is related to theirs, but from whom they are separated by Gothic and Sarmatic peoples, who forced themselves between the two. And could there be any other explanation for the situation of the Eskimos (perhaps ancient European adventurers, a race fully distinct from all Americans) in the north, and that of the Pescharais in the south of America, down to Tierra del Fuego, than that nature has used war as the means to populate all of the regions of the earth? Yet war has no need of a particular motivating reason, but rather seems to have been embedded in human nature, and seems even to count as something noble, something which the human being is animated to pursue by the lust for honor without any self-serving motivation. This would explain why the *warlike spirit* (in the case of the native American savages as well as in the case of those in Europe during the age of chivalry) is judged to be of immediate and great value, not only *during* war (as is rightly expected), but also *in order that* there may be war. Often enough war has been started only in order to demonstrate this military courage, from which follows that an inner *dignity* is attributed to war as such. Even philosophers have been known to eulogize war as a form of ennobling humankind, disregarding the Greek saying: “What makes war such a bad thing is that it creates more evil people than it does away with.” So much for what nature does to pursue *its own end* with regard to the human species as a class of animal.

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The question now at hand concerns the essence with regard to perpetual peace: what nature does in this regard, or to be precise, with regard to the end that their own reason makes into a duty for human beings, and hence to

*One could ask: if nature has willed that these Arctic coastlines should not remain uninhabited, what will become of its inhabitants, when nature stops supplying them (as is to be expected) with driftwood? For it is reasonable to assume that in the wake of the advance of culture the inhabitants of the temperate zones of the earth will make better use of the wood that grows on its river banks, not letting it fall into the rivers and float away into the sea. My answer to this question is as follows: those who inhabit the regions along the Ob, the Yenisei, the Lena, etc., will supply it to them by means of trade, in exchange for products from the animal kingdom, of which the sea in the Arctic regions has such a great wealth, but only after nature has first compelled them to establish peace among themselves.

further their moral aim; and how nature guarantees that that which human beings *ought* to do in accordance with the laws of freedom, but which they do not do, can be secured without injuring this freedom even through nature's compelling them to do so, and specifically with regard to all three types of public right, *constitutional right*, *international right*, and *cosmopolitan right*. — When I say that nature *wills* that this or that ought to happen, I do not mean that she imposes a *duty* upon us to act thus (for this can only be done by practical reason acting free of compulsion), but rather that she *does* it herself, regardless of whether we will it so or not (*fata volentem ducunt, nolentem trahunt*).¹²

8:366 1. Even if a people is not compelled by internal differences to submit itself to the compulsion of public laws, then war from outside would submit it to such a compulsion by means of that arrangement of nature mentioned above, according to which every people is confronted with another neighboring people that presses it, and against which it must form itself into a *state*, in order to be prepared, as a *power*, to defend itself against the other. The *republican* constitution is the only form thereof that is in perfect accordance with the right of humankind, but it is also the most difficult constitution to establish, and even more so to preserve, and to such an extent that many assert that it would have to be a state of *angels*, because human beings would be incapable of a constitution of such a sublime nature, given their selfish inclinations. But nature comes to the aid of that revered, but practically impotent general will that is rationally grounded, and does so by means of precisely the same selfish inclinations, such that what is of paramount importance in organizing the state well (an organization which lies with the capacity of humankind, to be sure) is that the state directs the forces within it against each other in such a way that the one hinders or nullifies the destructive effects of the other. Thus, the result for reason turns out as if neither existed and the human being, if not exactly a morally good person, is nonetheless forced to be a good citizen.

Establishing a state, as difficult as it may sound, is a problem that can be solved even for a nation of devils (if only they possess understanding). The problem is as follows: “To form a group of rational beings, which, as a group, require universal laws for their preservation, of which each member is, however, secretly inclined to make an exception of himself, and to organize them and arrange a constitution for them in such a way that, although they strive against each other in their private intentions, the latter

12. “The Fates lead the willing but drag the unwilling.” Seneca, *Epistles* 107.11. Also quoted in TP 8:313.

check each other in such a way that the result in their public conduct is just as if they had no such evil intentions.” It must be possible to *solve* such a problem. For it is not precisely how to attain the moral improvement of the human being that we must know, but rather only how to use the mechanism of nature on human beings in order to direct the conflict between their hostile intentions in a people in such a way that they compel each other to submit themselves to coercive laws and thereby bring about the condition of peace in which laws are in force. In the case of actually existing, however imperfectly organized states one can also observe this, in that in their external conduct they already closely approximate what the idea of right prescribes, although an inner morality is certainly not the cause of this conduct (and it should not be expected that a good state constitution would arise from an inner morality, but rather conversely that the good moral education of a people would follow the former). Hence reason can use the mechanism of nature, in the form of selfish inclinations, which by their nature oppose one another even externally, as a means to make room for reason’s own end, legal regulation, and to thereby promote and secure, insofar as it is within the power of the state to do so, both internal and external peace. — This is the essence of the matter: Nature wills irresistibly that right ultimately attains supreme authority. Whatever one neglects to accomplish in this regard will ultimately take care of itself, although with a great deal of trouble. “If you bend a cane too much, it will break; and if you attempt too much, you attempt nothing” (*Bouterwek*).¹³

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2. The idea of international right presupposes the *separation* of several independent, neighboring states from one another. And although such a state of affairs in itself is already a state of war (if a federative union of these states does not prevent the outbreak of hostilities), even this state of war is, according to the idea of reason, better than the blending of these states into a power that overgrows the existing ones and ultimately turns into a universal monarchy. This is so because laws increasingly lose their force as the borders of a government are extended, and a soulless despotism, after having eliminated the seeds of good, ultimately declines into anarchy. Yet this is the aim of every state (or of its leader), to enter into a condition of lasting peace in this way, such that it might eventually rule the entire world. But nature *wants it* differently. She avails herself of two means of keeping peoples from intermixing and of separating them: differences in *languages*

13. Friedrich Bouterwek (1766–1828), philosopher and author of literary works. The source of the quote has not (yet) been determined.

and *religions*.* These kinds of difference have the tendency to lead to mutual hatred and serve as a pretext for war, but in the wake of increasing culture and humankind's gradually coming within reach of an agreement regarding their principles, they lead to mutual understanding and agreement to peace. Yet this peace is not, as with the aforementioned despotism (in the graveyard of freedom), brought about and secured by the weakening of all
8:368 energies, but rather by means of the liveliest competition among the same.

3. Just as nature has wisely divided the peoples from one another, whom the will of any state would seek to unite under it through deception or violence, even on the basis of international right, it also unites, by means of mutual self-interest, peoples whom the concept of cosmopolitan right would not have secured against violence and war. It is the *spirit of trade*, which cannot coexist with war, which will, sooner or later, take hold of every people. Since, among all of the powers (means) subordinate to state authority, the *power of money* is likely the most reliable, states find themselves forced (admittedly not by motivations of morality) to promote a noble peace and, wherever in the world war threatens to break out, to prevent it by means of negotiations, just as if they were therefore members of a lasting alliance. For the great alliances for the purpose of waging war, as is the nature of the matter, can arise only very rarely, and even more seldom can they succeed. — In this way nature guarantees perpetual peace through the mechanism of human inclinations itself. To be sure, it does this with a certainty that is not sufficient to *foretell* the future of this peace (theoretically), but which is adequate from a practical perspective and makes it a duty to work toward this (not simply chimerical) goal.

Second Supplement: Secret Article Toward Perpetual Peace

In treaties of public right, a secret article is, objectively, that is, with regard to its content, a contradiction; but subjectively, that is, judged according to the position of the person who dictates it, a secret provision may well have a

**Difference of religions:* a perplexing expression! As if we were also speaking of different *moralities*. There may certainly be different kinds of historical *confessions*, but this difference has nothing to do with religion itself, but rather only with the historical means used to promote religion and these are the domain of scholarly research. There may likewise be a variety of *religious texts* (*Zendavesta*,

place in such an article, since that person may find it beneath his dignity to publicly announce himself as its author.

The sole article of this kind is contained in the following clause: *the maxims of the philosophers concerning the conditions of possibility of public peace should be consulted by states prepared for war.*

But it seems belittling to the legislative authority of a state, to which we must naturally attribute the greatest wisdom, to seek instruction from its own *subjects* (philosophers) on the principles of its conduct with regard to other states; yet at the same time it seems very prudent to do so. The state will thus *call upon* the latter *quietly* (by making a secret of it) to do so, which means as much as: the state will *let them speak* freely and publicly about the general maxims of waging war and making peace (for they will do this of their own volition, as long as one does not forbid it), and the agreement among states on this point does not require any special arrangement to this effect on the part of the states, rather it is based already on the obligation by universal (moral-legislative) human reason. — I do not mean to say that the state must favor the principles of the philosopher over the pronouncements of the lawyer (as a representative of state authority), but rather only that one *listen* to the philosopher. The lawyer, who has made not only the *scales* of right, but also the *sword* of justice into his symbols, commonly avails himself of the latter, not simply in order to prevent any foreign influence on right, but rather, if the scale does not tip the way he wishes, also to add the sword's weight to the scale (*vae victis* [woe unto the defeated]), something which the lawyer, unless he is also a philosopher, at least in moral matters, is greatly tempted to do. This is so because his office requires only that he apply existing laws, but not that he examine whether these are in need of improvement. He considers his faculty to be among the "higher" ones, since it is coupled with power (as is the case with the other faculties, medicine and theology), whereas its rank is actually lower. — Compared to this allied power, the philosophical faculty has a very low rank indeed. It is said of philosophy, for example, that it is the *handmaiden* of theology (and this is said of the other two as well). — One is not able to see clearly, however, "whether she bears a flambeau in front of her lady or carries her train behind her."

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One cannot expect that kings philosophize or that philosophers become kings. Nor is this desirable, for holding power unavoidably corrupts the free

the *Vedas*, *Koran*, etc.), but only one *religion* that is valid for all human beings and in all times. Those texts can contain nothing but the vehicles of religion, which are accidental and can vary according time and place.

judgment of reason. Yet both kings and king-like peoples (those which rule over themselves in accordance with laws of equality), should not allow the class of philosophers to diminish or fall silent, but rather should have them speak publicly, for this enlightens the business of government, and, because by its very nature it is incapable of forming mobs and clubs, this class is beyond suspicion of being mere *propagandists*.

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Appendix

I. ON THE DISAGREEMENT BETWEEN MORALITY AND POLITICS WITH RESPECT TO PERPETUAL PEACE

Morality in itself belongs to the practical sphere, in the objective sense, as the totality of the unconditionally commanding laws according to which we *ought* to act. It is therefore obviously inconsistent, after having acknowledged the authority of this concept of duty, to want to say that one *cannot* carry out one's moral duties. For if this were so, the concept of duty would altogether disappear from the realm of morality (*ultra posse nemo obligatur* [no one is obliged beyond what is possible]). Therefore there can be no dispute between politics as the applied doctrine of right and morality as a theoretical doctrine of right (and hence no dispute between theory and practice), unless one were to regard morality as a universal *doctrine of prudence*, that is, to regard it as a theory of maxims according to which one selects the most effective means to attain ends to one's own advantage, that is, to deny that morality exists at all.

Politics says: "*Be ye as prudent as serpents,*" and morality adds to this, as a limiting condition, "*and as innocent as doves.*" If both cannot coexist in a command, then there is really a conflict between politics and morality. If both coexist entirely, however, then the idea of their opposition is absurd, and the question as to how that conflict is to be resolved does not even present itself as a task to be pursued. Although the proposition that "*honesty is the best policy*" implies a theory which — unfortunately! — is often contradicted in practice, the equally theoretical proposition that "*honesty is better than any policy*" is infinitely superior to any refutation, and indeed is the necessary condition of the former.¹⁴ The divine guardian of morality

14. *Translator's note:* Because the German word *Politik* can mean both "policy" and "politics," Kant's play on words here can not be rendered in English. When Kant writes that "honesty is the best policy" and "honesty is better than any policy" the implication is also that honesty is the best politics and honesty is better than any politics.

does not yield to Jupiter (the divine guardian of violence), for the latter is still subject to Fate, that is, reason is not enlightened enough to survey the entire series of predetermining causes that foretell with certainty the happy or unhappy consequences of humankind's activities in accordance with the mechanism of nature (although it does let us hope that these will be in accord with our wishes). But reason does provide us with sufficient enlightenment to know what one has to do in order to stay on the path of duty (in accordance with the rules of wisdom) and thus on the path toward our final end.

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Now the practical person, for whom morality is mere theory, actually bases his miserable refutation of our well-intentioned hope on the following claim: that he can predict on the basis of human nature that no one will want to do what must be done in order to bring about the end that leads to perpetual peace, even while he concedes that it *can* and *ought* to be done. — Certainly the will of *all individual* human beings to live under a legal constitution in accordance with principles of freedom (the *distributive* unity of the will of *all*) is not sufficient to attain this end. For civil society to become a whole, it is also necessary that *all individual* human beings *together* want this condition (the *collective* unity of the general will), that they all want this solution of a difficult task. And since a unifying cause needs to be added to the differences among the particular wills of all in order to bring into being a common will, something of which no single individual, however, is capable, the *implementation* of this idea in practice can rely on nothing but *violence* to establish the juridical condition, and it is hence the coercive force of violence upon which public right will subsequently be based. One can expect that such public right will thus admittedly deviate vastly in lived experience from the (theoretical) idea of the juridical condition, since we cannot assume that the moral convictions of the legislator will move him to leave it up to the people that was newly created out of the disorderly masses to bring into being a juridical constitution through a common will.

At that point it would be said that whoever has attained power will not allow the people to dictate the laws to him. A state that has reached the point at which it is subject to no external laws will not subject itself to the judgment of other states with respect to the way that it seeks to defend its rights against them. And even a continent that considers itself superior to another will not fail, even if the latter otherwise in no way stands in its way, to plunder or even conquer it in order to increase its own power. In this way all of the plans of the theory for political, international, and cosmopolitan right vanish, turning into empty and unrealizable ideals, whereas a practice

8:372 based on the empirical principles of human nature that does not consider it beneath its dignity to take instruction from the way of the world when formulating its own maxims, is the only practice that can hope to find solid ground on which to build its edifice of political prudence.

Admittedly, if there is no freedom and no moral law based upon it, and everything that happens or could happen is a mere mechanism of nature, then politics (understood as the art of using this mechanism in order to govern humans) makes up the entirety of practical wisdom and the concept of right is an empty thought. Yet if we regard it as necessary to couple the concept of right with politics, and even to regard the former as a limiting condition of the latter, then one must concede that they are compatible with one another. I can imagine a *moral politician*, that is, one who interprets the principles of political prudence in such a way that they can coexist with morality, but not a *political moralist*, who fashions himself a morality in such a way that it works to the benefit of the statesman.

8:373 The moral politician will make the following into a basic principle: if a flaw that could not have been foreseen is found in the constitution of the state or in its relations with other nations, then it is a duty, in particular for heads of state, to focus on remedying it as soon as possible and bringing it into compliance with natural right, as the latter presents itself as a model to us in the idea of reason, even if this should require sacrifices of their egoism. Since severing the bond of a political or cosmopolitical union before a better constitution is prepared to replace it would be contrary to all political prudence that in this regard is in agreement with morality, it would be nonsensical to demand that such a flaw immediately and hastily be changed. But at a minimum one can demand that the ruler wholeheartedly endorses the maxim that such a change is necessary, so that the end of attaining the best constitution according to laws of right is constantly pursued. A state can *govern* itself in a republican manner, even if it still possesses a despotic *ruling power* according to its present constitution, until the people gradually become able to be influenced by the mere idea of the authority of the law (as if it exerted physical force) and hence are found capable of their own legislation (which is originally based on right). Even if the impetuosity of a *revolution* provoked by a bad constitution were to bring about a more lawful one illegitimately it should no longer be deemed permissible to return the people to the previous constitution, even though under the old constitution any person who had violently or maliciously participated in that revolution would have rightly been subject to the punishment accorded rebels. But as concerns the relation to other states, one cannot demand of a state that it abandon its constitution, even if the latter is

despotic (which indeed makes it a stronger one with regard to foreign foes), as long as the danger exists that it could be swallowed up by other states. It must therefore be permissible to delay the carrying out of such a change of constitution until a more fitting opportunity arises.*

It may well be that the despotizing moralists (those who fail in practice) defy political prudence in a variety of ways (by hastily taking or recommending measures), yet their experience with defying nature must gradually lead them to follow a better course; whereas moralizing politicians seek to gloss over unlawful principles of the state with the excuse that human nature is *incapable* of good in the way that the idea of reason dictates it, and the only effect that they have is to make progress *impossible* and to perpetuate the violation of right.

Instead of the practice [*Praxis*] that these politically prudent men boast about, they employ *practices* [*Praktiken*] intent on betraying the people and, if possible, the entire world, by flattering those in power in order to secure their own benefit. In so doing they are just like lawyers (those who practice law, not those who *legislate*) who presume to practice politics. For since it is not their business to argue about legislation itself, but rather only to carry out the current laws of the land, every already existing legal constitution, or if it is changed by a higher authority, the one that follows, is necessarily the best one in their eyes, and then everything follows in proper mechanical order. But this skill at being able to turn their hand to anything deludes them into believing that they are also able to judge any *constitutional principles* whatsoever in accordance with principles of right (thus *a priori*, not empirically). And they make a great show of knowing human beings (which is certainly to be expected, since they have business with many of them), without, however, knowing *human nature* and what can be

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*These are laws of permissibility. They allow for leaving in place a condition of public right that is tainted with injustice until everything has either itself developed to the point at which it is ripe for a complete change or been brought closer to ripeness by peaceful means. For any kind of *juridical* constitution, even if it is only to a small degree in conformity with right, is better than no constitution at all. The latter fate, anarchy, is precisely what a *hasty* reform would lead to.—Political wisdom will thus make it a duty to pursue reforms in accordance with the ideal of public right under existing circumstances, but will not use revolutions brought about by nature as excuses in order to engage in an even greater oppression, but rather take it to be an appeal of nature to bring about a lawful constitution based on principles of freedom, the only enduring kind of constitution, by means of thorough reforms.

made out of it (which requires a higher anthropological vantage point). If they nonetheless employ these concepts in their approach to civil and international right as reason would dictate it, they cannot but take this step in the spirit of chicanery, by using their familiar method of applying despotically given coercive laws in a mechanical manner, even where the concepts of reason provide only for a lawful coercion in accordance with the principles of freedom, the type of coercion which first makes possible a just and lasting constitution. The allegedly practical person believes that he is able to solve this problem by circumventing that idea, empirically, through his familiarity with how the constitutions that have survived the best to date, even though they were for the most part unlawful, were arranged. — The maxims of which he avails himself to this end (even though he may not speak them out loud) essentially come down to the following sophistic maxims:

1. *Fac et excusa* [act and make excuses]. Seize any promising opportunity to arbitrarily take possession of either the right that a state has over its people or over a neighboring people. The justification for it can be made much more easily and elegantly *after the fact* and the use of force more readily glossed over (particularly in the former case, where the supreme power in the state is also the legislative authority that one must obey without debate), than if one were to seek to offer convincing reasons in advance and wait for counter-arguments before acting. This brazenness itself gives the appearance of the inner conviction that the act is right, and the god of success (*bonus eventus*) is one's best advocate afterwards.

2. *Si fecisti, nega* [if you did it, deny it]. Deny that *you* are responsible for any misdeed that you have committed, one committed, for instance, in order to make your people desperate and thereby cause them to revolt. Claim instead that it is the unruliness of your subjects, or if you are seizing power over a neighboring people, claim that it is the fault of human nature that if one does not anticipate the violence of the other by resorting to violence oneself, then one can be assured of being subjugated by the other.

3. *Divide et impera* [divide and rule]. This means that if there are certain privileged figures among your people who have merely elected you to be their leader as *primus inter pares* [first among equals], then disunite them from one another and cause them to fall out with the people. Come to the aid of the people by holding up the prospect of greater freedom, and then everything will depend unconditionally on your will. And if you are dealing with foreign states, then sowing dissent among them is a quite reliable means of subjecting others to your will while appearing to come to the aid of the weaker.

No one is deceived by these political maxims, however, for they are all well known. And one need not be ashamed of them, as if their injustice were all too obvious. Great powers are never embarrassed by how the common masses might judge them, only by how other great powers might judge them, and, as concerns these principles, it is not their becoming evident, but rather their *failure* that is an embarrassment, since everyone is in agreement concerning the morality of the maxims themselves. For this reason the great powers can always count on *political honor*, which is to say the honor associated with the *augmentation of their power* in whatever way it may be attained.*

* * *

*When considering individuals who live together in a state, one might still doubt that it is a certain maliciousness rooted in *human nature* and suppose instead that it is apparently their lack of a sufficiently developed culture (i.e., their brutishness) which causes the illegal manifestations of their way of thinking. But in the case of the external relation of *states* toward one another this maliciousness becomes entirely apparent and undeniable. Within each state this maliciousness is concealed by the coercion of civil laws, because the inclination of citizens to use violence against one another is countered by a greater power, namely, that of the government. This not only gives a moral air to the whole (*causae non causae*),¹⁵ but also provides much better for the development of the moral predisposition to immediate respect for right by erecting a barrier to outbreaks of inclinations that go against the law. — For everyone now believes of himself that he would hold sacred and follow faithfully the concept of right, if he could only be assured that everyone else would do the same, something which the government guarantees him in part. This would represent a great step *toward* morality (although not yet a moral step), toward a devotion to the concept of duty for its own sake, and not with a regard to reciprocity. — But since everyone, with his good opinion of himself, still presumes a malicious disposition in all others, they mutually come to the conclusion that they all are, in point of *fact*, worth very little. (We will not discuss at this point why this is so, since it cannot be blamed on the *nature* of humans as free beings.) But since respect for the concept of right, which the human being simply cannot escape, solemnly sanctions the theory that he can conform to it, everyone sees that he must act in accordance with it, however others may happen to act.

15. Probably from the *fallacia non causae ut causae*, the fallacy of presenting a noncause as a cause, in this case the fallacy of explaining the law-abiding conduct of the citizens as the result of their moral goodness, where in fact it is the result of the coercive power of the state.

8:376 From all of the turns and twists that an amoral doctrine of prudence makes in trying to show that the state of peace among human beings can be brought forth from the warlike state of nature, at least the following is clear: that human beings are no more able to fully abandon the concept of right in their private relationships than they are in their public relationships, and that they would not dare to openly base politics on the machinations of prudence. They therefore cannot foreswear allegiance to the concept of public right (this is especially striking with regard to the concept of international right), but rather pay this concept all the honor due to it, even when they invent hundreds of excuses and deceptions in order to avoid it in practice and to ascribe to brute force the authority of being the source and unifying bond of all right. — In order to bring an end to this sophistry (if not to the injustices which it glosses over) and to compel the false *representatives* of those who wield power on earth to confess that they advocate might, not right (which is apparent from the tone that they adopt in doing so, as if they themselves had the authority to command), it will be good to expose the illusion with which they deceive themselves and others and discover the highest principle from which the end of perpetual peace is derived. Let us show that all of the evil that stands in the way of this end stems from the fact that the political moralist begins where the moral politician rightly leaves off, and by thereby subordinating the principles to the end (that is, putting the cart before the horse), thwarts his own intent to bring politics and morality into agreement with one another.

8:377 In order to bring practical philosophy into harmony with itself, one must first of all decide whether, in problems of practical reason, one should start from the *material principle* of practical reason, the *end* (as the object of choice), or rather start from its *formal principle*, that is, the principle concerned solely with freedom in external relations, and which reads: act so that you can will that your maxim should become a universal law (whatever the end may be).

Without doubt this latter, formal principle must precede the material principle, for as a principle of right it is unconditionally necessary. The former, material principle necessitates only if one assumes that the empirical conditions that allow for the realization of the intended end are satisfied; and if this end (as with the end of perpetual peace) were also a duty, then this duty would itself have to be derived from the formal principle of the maxims governing external actions. — The former principle, that of the *political moralist* (the problem of *constitutional, international, and cosmopolitan right*) presents us with a merely *technical task* (*problema technicum*), whereas the second, as the principle of the *moral politician*, for

whom it is a *moral task* (*problema morale*), differs vastly in its method of pursuing perpetual peace, which is in this case desired not merely as a physical good, but rather also as a condition that arises from the recognition of duty.

The solution of the first problem (that is, the problem of political expediency) requires a great deal of knowledge of nature, so that nature's mechanism can be employed to promote the desired end, and yet the result of all this with regard to perpetual peace is uncertain. This applies equally to all three types of public right. Whether the people can better be kept obedient and prosperous in the long-term through discipline or through appeals to their vanity, whether this is better achieved by means of the supreme authority of one individual, through an assembly of several leaders, perhaps also merely through an aristocracy of office, or by means of a self-government of the people, is uncertain. One has in history examples to the contrary for all the types of government (except for the genuinely republican form of government, which can come to mind only to the moral politician, however). — Even more uncertain is the status of alleged *international right* that is created on the basis of ministerial statutes, which is in fact only a word without substance and is based on treaties, where in the same act by which they are concluded the right to violate them is also secretly reserved. — By contrast, the solution of the second problem (that is, the problem of *political wisdom* in the state), impresses itself upon us automatically, so to speak, is apparent to everyone, and puts all artificiality to shame, leading as it does directly to the end. But keeping prudence in mind, one should not seek to realize this end prematurely through use of force, but rather to approach it steadily, as circumstances become favorable for doing so.

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Here it is said: “Seek ye first the kingdom of pure practical reason and its *justice*, and your end (the blessing of perpetual peace) shall be added unto you.” For it is a unique feature of morality with regard to its principles of public right (and hence in relation to a political code that can be known *a priori*), that the more it makes conduct independent from the desired end, whether the intended advantage is physical or moral, the more it is in overall agreement with this end. This is so because it is precisely the general will (within a people, or in the relation of various nations among each other) that is given *a priori* which determines what is right among human beings. This unity of the will of all, however, if only one proceeds consistently in practice, can, in accordance with the mechanism of nature, also be the cause that brings about the desired result and makes the concept of right effective. — Thus it is a basic principle of moral politics, for example, that a people ought to unite itself into a state in accordance with the ideas of freedom and

equality as the sole concepts of right, and this principle is not based on prudence, but rather on duty. Now political moralists may argue against this, however, by speaking of the natural mechanism of a mass of people who enter into society with each other, a mechanism which refutes these principles and thwarts their intent, or they may seek to disprove them by citing examples of badly organized constitutions from both ancient and modern times (for example, by citing democracies without a representative system), but their arguments do not deserve any attention. This is so primarily because such a pernicious theory itself leads to the evil that it foresees, putting the human being in a class together with the other living machines that are attributed only the awareness that they are not free beings, in order to make them in their own judgment the most miserable of all beings in the world.

8:379 The proposition *fat iustitia, pereat mundus* (“let justice reign, even if it may cause all the rogues in the world to perish”)¹⁶ may seem to be an overstated proverb, but is nonetheless true, and is a solid principle of right that cuts off access to all the crooked paths laid out by deceit or force. One must only take care that it is not misinterpreted as permitting one to merely pursue one’s own right with the greatest vigor (which would conflict with ethical duty), but rather understand it as the obligation of those who wield power to never refuse someone their right or diminish it out of disfavor or out of sympathy with others. The primary way of providing for this is an inner constitution of the state organized according to pure principles of right, but it also requires a constitution that unites this state with other neighboring or also distant states, in order to legally reconcile conflicts between them (in a way analogous to a universal state). — This proposition amounts to nothing other than the following: the political maxims must not be based on the welfare and happiness that an individual state can expect to derive from following such maxims, which is to say that they should not be based on the end that each of them will set for themselves (on what one *wants* to pursue), as the supreme (but empirical) principle of political wisdom, but rather should be based on the pure concept of the duty of right (on what one *ought* to pursue, the principle of which is given *a priori* by pure reason), whatever the physical consequences may be. The world will certainly not come to an end by there being fewer evil people. An immutable feature of moral evil is that it is self-contradictory and self-destructive in its

16. “Let justice be done even if the world should perish.” Note that Kant’s rendering of the saying is not a literal translation.

intentions (above all in the relationship to other like-minded persons), and it thereby makes room for the (moral) principle of the good, even if it does so in slow steps.

* * *

There is therefore *objectively* (in theory) no conflict at all between morality and politics. *Subjectively*, on the other hand (in the human being's propensity toward selfishness, a propensity which, however, need not be called practice, since it is not based on maxims of reason), this conflict will and may remain in force, because it serves as the whetstone of virtue. The true courage of virtue (according to the basic principle: *tu ne cede malis, sed contra audentior ito*)¹⁷ in the present case does not so much consist in taking on the troubles and sacrifices which must be encountered, but rather in facing and conquering the deception of the far more dangerous, untruthful, and treacherous principle of evil within us that seeks to rationalize and justify all violations of right by appealing to the weakness of human nature. 8:380

The political moralist can in fact say that the people and their ruler, or one people and another, do *one another* no injustice by feuding with one another by means of force or deceit, even though they do commit the more general injustice of denying all respect to the concept of right, which is the sole possible basis for perpetual peace. For since the one transgresses in his duty to the other, who is just as wrongfully disposed toward the former, both parties get precisely what they deserve if they destroy each other, but in such a way that enough of this race remains to continue with this game until far into the future, so that their distant descendants will at some point take a lesson from their example. Providence is justified in so disposing the course of events in the world, for the moral principle in the human being is never extinguished, and reason, which is pragmatically able to realize ideas of right according to that principle, grows through the continuing progress of culture, but the guilt for those transgressions grows accordingly as well. Creation itself, that is, that such a brood of corrupt beings ever should have appeared on the face of the earth, seems impossible to justify if we assume that the human race never can or will be any better off. But this standpoint of judgment is much too high for us to attribute, for theoretical purposes, our concepts (of wisdom) to the most supreme, unfathomable power. — We are inevitably forced to come to such desperate conclusions if we do not

17. "Do not yield to misfortunes, but go and face them more boldly." Virgil, *Aeneid* 6.96.

assume that the pure principles of right in fact have objective reality, that is, that they can be realized, and that, for this reason, the people in a state and states among themselves must act in accordance with these principles, whatever empirical politics may have to say against this. True politics can take no steps forward without first paying tribute to morality, and although politics in itself is a difficult art, the union of politics and morality is no art at all. For morality cuts through the Gordian knot that politics is unable to untie whenever the two come into conflict with one another. — The rights of humankind must be held sacred, whatever it may cost those in power. One cannot pursue a half measure here and devise a hybrid, pragmatically conditioned right (between right and utility). Instead all politics must bend its knee before right but can hope to arrive at the point, however gradually, where it can shine perpetually.

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II. ON THE AGREEMENT BETWEEN POLITICS AND MORALITY ACCORDING TO THE TRANSCENDENTAL CONCEPT OF PUBLIC RIGHT

If I abstract from all the *material* aspects of public right (regarding the various empirically given relations among individuals in a state or between states), as the teachers of law customarily conceive of it, then I am left with the *form of publicity*, the possibility of which is implied in any legal claim, since without it there would be no justice (which can only be thought of as *publicly proclaimable*), and thus no right, since right can be conferred only by justice.

Any legal claim must be capable of publicity. The capability of publicity can therefore, since one can quite easily judge whether it obtains in a given case, that is, whether or not it is consistent with the basic principles of the agent, provide an easily applicable criterion that is found *a priori* in reason. If it is not consistent with the agent's principles one can recognize through an experiment of pure reason, as it were, the falseness (opposition to the law) of any given claim (*praetensio iuris*).

In accordance with such an abstraction from all empirical elements contained in the concept of political and international right (including from the evil element of human nature that makes coercion necessary), one can cite the following proposition as the *transcendental formula* of public right:

“All actions that affect the rights of other human beings, the maxims of which are incompatible with publicity, are unjust.”

This principle is to be understood as being not only *ethical* (as belonging to the doctrine of virtue), but also *juridical* (as concerning the rights of

humans). If I may not *utter* my maxim explicitly without thereby thwarting my own aim, if it must rather be *kept secret* if it is to succeed, if I cannot *admit it publicly* without thereby inevitably provoking the resistance of all others to my plan, then the necessary and universal and hence *a priori* understandable opposition to me can be due to nothing other than the injustice with which my maxim threatens everyone. — Furthermore this principle is only *negative*, that is, it serves only as a means for recognizing what is *not right* with regard to others. — As with any axiom it is indemonstrably certain and, moreover, it is easily applicable, as is clear from the case of the following examples of public right.

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1. *In the case of the internal constitutional right (ius civitatis)* the following question arises, which many find difficult to answer, yet which the transcendental principle of publicity quite easily answers: “Is rebellion a rightful means for a people to cast off the oppressive authority of a so-called tyrant (*non titulo, sed exercitio talis* [not on the basis of the title but the practice (of a tyrant)])?” The rights of a people have been injured and it would be no wrong to him (the tyrant) to be dethroned, there is no doubt about that. Nonetheless it is wrong in the highest degree for the subjects to pursue their rights in this way, and they therefore would have no cause to complain of injustice if they were defeated in their endeavor and subsequently subjected to the most extreme punishment.

Now one may argue for and against this in a variety of ways if one wishes to resolve the question through a dogmatic deduction of the principles of right. Only the transcendental principle of the publicity of public right can avoid this circuitous route in addressing the question of right. In accordance with this principle, the people asks itself, before establishing a civil contract, whether it ought dare to make public the maxim of the intention to revolt on certain occasions. One can easily see that if in the process of creating a state constitution, one wanted to allow for the use of force against the head of state in certain cases, then the people must be claiming for itself a lawful power over the latter. But then the latter would not be the head, or, if both were to be made conditions of the establishment of the state, then no such establishment would be possible, although this had been the aim of the people. The injustice of revolt thus becomes apparent by virtue of the fact that its maxim, if one were to *admit to it publicly*, would thereby make one’s aim impossible. One would therefore have to conceal it. — Such concealment by the leader of a state would not be necessary, however. He can say openly that he will punish any rebellion by killing its ringleaders, even if the latter believe that he was the first to violate the fundamental law. For if he is aware that he is in possession of

8:383 *irresistibly* supreme authority in the state (which one must assume under any civil constitution, since whoever does not have sufficient power to protect each individual against others in the population does not have the right to give it orders), then he need not be concerned that the announcement of his maxim will thwart his aim. And it is fully consistent with this view that, if the revolt of the people succeeds, then that head of state will withdraw to the position of subject, and will thus likewise not be permitted to initiate any attempt to regain power, but also ought not fear being held accountable for his earlier government.

2. *As concerns international right*: only under the presupposition of some sort of juridical condition (that is, only under the external condition under which a person can really be accorded a right) does it make sense to speak of international right. This is so because as a form of public right the very concept of international right implies that a general will publicly assigns to each his rights, and this *status iuridicus* must proceed from some sort of contract, which may not (as in the case of the individual state) be based on coercive laws but can, if necessary, also be a contract establishing an *enduring and free* association, like the aforementioned one of the federation of distinct states. For without some kind of *juridical condition* that actively binds together the various (physical or moral) persons, that is, in the state of nature, there can be nothing other than private right. — And here there also arises a conflict of politics with morality (to the extent that the latter is taken as a doctrine of right), and here the criterion of the publicity of maxims can similarly be applied readily, yet only in such a way that the contract binds the states together only in their aim to preserve peace among each other and with other states, but by no means in order to make acquisitions. This brings us to the following antinomies between politics and morality, which are presented here together with their solutions.

8:384 a. “If one of these states has promised something to another, be it the provision of assistance, or the transfer of certain territories, subsidies, or the like, it can be asked whether it is permissible for the state to break its word in a case where its own welfare is at stake, by considering itself a double person, on the one hand as a *sovereign*, since it answers to no one within the state, and on the other hand merely as the highest *official of the state* who is in turn accountable to the state. The conclusion would then be that in the latter capacity he can absolve himself of responsibility for what he has obligated himself to in the former capacity.” — But if a state (or its head) were to utter this maxim explicitly, then naturally everyone else would either flee from it or would unite themselves with others in order to resist its presumptuousness, which demonstrates that politics, with all its cleverness,

would thwart its own aims if it operated in this way (by being open about them), and that that maxim must therefore be unjust.

b. “If a neighboring state that has grown to a formidable size (*potentia tremenda*) becomes cause for concern, can one assume that it will want to oppress others simply because it can, and does this give a less powerful state the right to an (allied) attack on the former, even without prior offense?” A state that would affirmatively state its maxim *out loud* in this regard would bring about the imagined ill even more quickly and certainly. For the greater power would anticipate the actions of the smaller powers, and as concerns the alliance of smaller powers, that would be a feeble reed against a larger state which knows how to avail itself of the tactic of *divide et impera* [divide and rule]. — This maxim of political prudence, declared publicly, thus necessarily thwarts its own aim and is therefore unjust.

c. “If a smaller state is situated in such a way that it divides the territory of a larger state, and the smaller territory is necessary for the preservation of the larger one, is the larger state not justified in subjugating the smaller one and appropriating it?” — One can readily see that the larger state may not declare such a maxim in advance, for either the smaller states would ally themselves early on, or other powerful states would fight over this booty. The public announcement of this maxim would therefore make it ineffective. This is a sign that this maxim is unjust and can indeed be unjust in a very great degree, for the fact that the object of an unjust action is small does not prevent the injustice done to it from being very great indeed.

3. As concerns *cosmopolitan right*, I will pass over this silently here, for due to its analogy with international right, its maxims can readily be stated and appreciated.

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With this principle of the incompatibility of the maxims of international right with publicity we have a good indication of the *disagreement* between politics and morality (as a doctrine of right). But we must also inquire under what condition the maxims of politics are in fact in agreement with the right of peoples. For one may not draw the converse conclusion that those maxims that are compatible with publicity are for that same reason also just, since whoever has decisive authority need not make a secret of his maxims. — The condition of the possibility of international right as such is that a prior *juridical condition* exists. For without such a condition there is no public right, but rather any right which one may conceive of except public right (that is, in the state of nature) is merely private right. We have seen above that a federative condition of states, which has as its sole aim the

prevention of war, is the only *juridical* condition that is compatible with the *freedom* of those states. The agreement of politics with morality is hence possible only in a federal union (which is given *a priori* and necessary according to principles of right). And the legal basis of all political prudence is the establishment of such a federal union to the greatest extent possible, for without this end all of its sophisms are false wisdom and veiled injustice. This false politics has a *casuistry* that surpasses even the best of Jesuit schools. First, it uses the *reservatio mentalis*: in drawing up public contracts with expressions that one can interpret on occasion as one wants to one's own advantage (for example, the difference between the *status quo de fait* and *de droit*). Second, this politics also has its probabilism: it invents evil aims which it attributes to others, or makes claims with regard to the likelihood of their gaining predominance and takes these as legal grounds for undermining other peaceful states. Finally, it has the *peccatum philosophicum* [philosophical mistake] (*peccatillum, bagatelle*): it holds the swallowing up of a smaller state to be a readily pardonable and minor offense if a larger state gains thereby, to the purported advantage of the world as a whole.*

The duplicity of politics with regard to morality, in using one or the other branch to pursue its ends, promotes such sophistry. Both philanthropy and the respect for the rights of humankind are duties. The former is, however, only a *conditional* duty, whereas the latter is *unconditional* and absolutely obligatory, and one must first be fully certain that one has not violated the

*Examples of such maxims can be found in Hofrat Garve's treatise: "Über die Verbindung der Moral mit der Politik" [On the Connection between Morality and Politics], 1788. This worthy scholar confesses right at the outset that he is unable to give a satisfactory answer to this question. But to approve of this connection while admitting that one cannot adequately address the objections that can be raised against it seems to give more room to those who would be strongly inclined to misuse such a connection than it would seem to be advisable to do.¹⁸

18. Christian Garve (1742–98), well-known philosopher at the time, in his book, *Abhandlung über die Verbindung der Moral mit der Politik oder einige Betrachtungen über die Frage, inwiefern es möglich sei, die Moral des Privatlebens bei der Regierung der Staaten zu beobachten* [Treatise on the Connection between Morality and Politics or Some Observations on the Question to what Extent it is Possible to Observe the Morality of Private Life in the Government of States] (Breslau, 1788). At the beginning of the treatise, Garve states that a satisfactory answer to the question is beyond his scope. Kant also polemicised against Garve in the first section of TP, on the relation between theory and practice in morality.

latter if one wishes to surrender oneself to the sweet feeling of beneficence. Politics is readily in agreement with morality in the first sense (as ethics), in order to surrender an individual's rights to their leaders. But with regard to morality in the second sense (as a doctrine of right), before which it must bend its knee, politics finds it preferable to not enter into any contract at all, and rather to deny it any reality at all and to interpret all duties as mere acts of goodwill. This ploy of secretive politics would readily be thwarted, however, if philosophy were to make the maxims of politics public, if only politics would dare to allow the philosopher to make public his own.

With this aim I propose another, transcendental and affirmative principle of public right, which would be formulated as follows:

“All maxims that *require* publicity (in order that they not miss their aim) are in agreement with both politics and right.”

For if they can attain their end only when that end is made public, then they must also conform to the general end of the public (happiness), and it is the proper task of politics to attain this harmony (to make the population satisfied with its condition). But if this end can be reached *only* through publicity, that is, by dispelling all mistrust toward the maxims of politics, then these maxims must also be in harmony with the right of the public, for it is in public right alone that the ends of everyone can be unified. — I must postpone the further explanation and discussion of this principle for another occasion, but the fact that it is a transcendental formula can be seen from the removal of all empirical conditions (of the doctrine of happiness) as the matter of the law, and from the regard only for the form of universal lawfulness.

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If it is a duty to realize a condition of public right, and if there is well-founded hope that this can be attained, even if only in the form of an endlessly progressing approximation of it, then the perpetual *peace* that follows the peace treaties that have been concluded up to now (although they have wrongly been designated so, since they actually are mere cease-fires) is not an empty idea, but rather a task which, carried out gradually, steadily moves toward its goal (since the periods in which equal advances are made will hopefully grow shorter and shorter).