

to the city and state, to the nation, and finally to the whole world. In order to accomplish this, we must end war as a means of resolving conflicts of interest. And if we would end war and bring about peace, we will have to combine the sense of personal meaning epitomized in soft nationalism with the global commitments embodied in both moral and institutional cosmopolitanism. How to get the balance right will be the challenge of the next decades.

If this hopeful Kantian vision of institutionalism is sound, moral cosmopolitans should become institutional cosmopolitans and commit themselves to end the Westphalian nation-state and bring into being a democratic world government dedicated to peace, justice, and well-being for all people everywhere.²

Endnotes

- ¹ The 10th amendment reads “The powers not delegated to the United States by the Constitution, nor prohibited by it to the state, are reserved to the states respectively, or to the people.”
- ² I am grateful to the participants of the Kant Conference held at Allemah Tabatabaei University in Tehran for comments on a previous version of this paper which led to this revised version. I am also grateful to Sterling Harwood, Stephen Kershner, and Hugh LaFollette for comments on an even earlier version of this paper.

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condition of perpetual peace enjoyed by free citizens living in a federation of republican states. It is approximate, since moral perfection is impossible for humanity. "Out of the crooked timber of humanity no straight thing can be constructed." (Kant, 1891) My argument has been that Kant's cosmopolitanism lays the philosophical foundation for a new, moral world order, but that he both underestimated the perversity of human nature and overestimated the importance of national sovereignty. In addition, I have argued that since Kant, the world has become even more interdependent, so that we have become, in effect, a Global Village. I have argued that his own prescription for an international federation of states bound by international law brings him close to the ideal of a republican form of world government.

Globalism makes World Government possible and the need for Perpetual Peace and the protection of Universal Human Rights makes it desirable: The Synthesis of these features may allow it become Actual.

Today, the ideas of a global economy, a planetary environment, a world health organization, and a world-wide web are accepted without much demur, but still to be accepted is a concept closely related to these concepts, that of *e pluribus unum* (i.e., 'out of many one') a single human society. Unless this universal idea is recognized and acted upon, the other concepts will not be able to be applied and the human species will continue to be threatened by unnecessary disease, famine, war, and terrorism.

Because nationalism offers us a special form of personal relationship that is so vital for personal identity, some form of nationalism may always be part of the human psyche, though it may be a less all-encompassing variety than what we now experience. In the future, nationalism will be balanced by a soft form of cosmopolitanism, either informally worked out between nations or by a formal world government that would still encourage and promote individual nation-state autonomy within its domain. Republican World Government (a Soft Leviathan) seems a viable solution to the problems that the eight forces moving us towards globalism are creating: environmental pollution, health hazards that can no longer be locally contained, increased ease of transportation, communication and migration, the need for international law, cultural and linguistic confrontations, the growth of multinational corporations in a world market and, especially, concerns about peace and security.

If human beings are to survive and flourish on this planet, we will have to expand the circle of our concern from the family to the community,

criminals across borders. A judiciary is also required, to prosecute criminals once apprehended, and a punitive system in order to punish the guilty and serve as a deterrent to would-be criminals. Such a system, made up of Kant's trilogy of separate powers (i.e., a legislative body to make law, an executive force to carry out the law and a judiciary to bring the guilty to justice) looks very much like a minimal state. It is a very short step from Kant's confederation of states to a minimal world government. And since Kant is a republican, we can grant him a republican form of world government. Of course, one might object that the scope of Kant's world legal institution isn't as wide as I have made it, since it is to be restricted to adjudicating conflicts of interest which threaten war. This is true, but even here a central authority is required that inclines towards wider governing powers. Moreover, the increase of international crime, genocide, ethnic cleansing, and terrorism in our age, make the desirability of a world government even more salient than it would have been in Kant's own day. Thus, on Kantian grounds, the best way to realize perpetual peace under international law is through a republican form of world government, one with adequate checks and balances to prevent abuse.

At this point, we might want to compromise, and recognize the validity of both cosmopolitanism and nationalism. Nationalists may be divided into two groups: soft nationalists and hard nationalists. Hard nationalists hold that the nation is altogether justified as the ultimate locus of political obligation, so that internationalism is simply confused or immoral. Even as we have a natural duty to prefer our family to other people and strangers, we have a duty to prefer our nation, to be patriotic. Nationalistic concerns override all other loyalties or obligations. On the other hand, soft nationalists maintain that while we do have some obligations to people everywhere and that we need an adjudicating overseer to enforce treaties and prevent war, these considerations do not completely override the need for nation states. While soft nationalists agree with hard nationalists that we do have special obligations to our own country, soft nationalists feel that the needs or rights of others may sometimes override our familial obligations, and that our nationalistic obligations may be overridden at times by obligations to mankind at large or to people not citizens of our own nation.

Conclusion

The goal of history according to Kant is for humanity to approximate a

States are roughly analogous to individuals in a Hobbesian state of nature, where life is precarious, predatory, and violent, "a war of all against all." Given nuclear weapons and other weapons of mass destruction, ever more destructive, and ever more available to increasing numbers of nations, and to terrorist groups (like Al Qaeda), the possibility for these groups and rogue nations to inflict enormous damage on the rest of humanity is growing exponentially, making the world a more dangerous place. Just as individuals give up some liberty to the commonwealth in order to attain peace and security, the nations of the world may need to give up a degree of sovereignty in order to attain peace, security and justice in a world in which we interact in ever-closer ways. The advantages of a world government are:

- (1) a central agency to maintain the peace, adjudicating between rival claims;
- (2) contrary to Kant, an international standing army and a police force to enforce the peace;
- (3) a central legislative agency to construct and judicial agency to enforce international law, including devising environmental regulations necessary for health; and
- (4) a central agency to collect taxes and redistribute wealth to where it will do most good.

Ideally, nation-states within a world federation would be analogous to the fifty states within the United States of America, possessing local autonomy but not absolute sovereignty. From my revised Kantian cosmopolitan point of view, there is nothing sacred about nations. To paraphrase Jesus when he broke the Sabbath to serve people's need, "Governments were made for man, not man for government." It is purely a matter of practical considerations. If the nation-states serve humanity best, fine. Then they are justified. But if a better, more just arrangement comes along, we should adopt it.

Peace is the long-term goal of all people of good will. If war and terrorism are to be abolished, there must be a central mechanism for resolving international conflicts of interests. If international criminals and aggressors are to be deterred and brought to trial, there must be an international legal system. Kant calls for such an international system, but wants to stop short of world government. However, it is doubtful that he can do so. A legal system requires a set of laws that are enforced. To enforce the law, a police force is required with powers to apprehend

call on multinational corporations and nations to voluntarily tax themselves for the good of the worst-off people of the planet. Asking capitalists to act against their perceived economic interests seems doomed to failure. What is needed is a universally agreed upon universal taxation system that redistributes marginal wealth from the super rich to the desperately poor. Similarly, asking companies to sacrifice profits through control pollution is futile. What is needed are mutually coercive laws with stiff penalties.

The problem with Kant's grandchildren, the United Nations and the International Criminal Court in the Hague, is that they are toothless tigers. They may provide a forum for rhetorical persuasion on the protection of human rights, but nations will violate the edicts of these institutions if they can profitably get away with doing so.

Kant was one of the first intellectuals to notice that the world was beginning to shrink and require closer international cooperation. This has surely happened in our lifetimes. National borders have become porous, as millions of refugees and migrant workers cross borders into different countries every year. Environmental pollution knows no national boundaries. International crime is ubiquitous, demanding both a central global police force and an international legal system able to prosecute and incarcerate criminals. Multinational corporations spread their tentacles far and wide, in some ways by-passing the nation-state. Most of the richest institutions in the world today are not nations, but transnational corporations (TNC). Wal-marts, the leading TNC, had revenues of \$363 billion in 2003, far more than most nations. Only the U.S.A., Japan, and four other nations had gross domestic products larger than the revenues of Wal-Mart, Exxon-Mobile, General Motors, Ford Motors and several other TNCs. Most of the companies on the list of Fortune Magazine's 100 largest corporations are richer than many nations of the world. Yet these TNCs are largely decentralized and unregulated, moving like predators from country to country, wherever comparative advantage exists. A global authority is required to regulate such institutions and to protect workers from the irresponsible transactions of TNCs.

Since the terrorist attacks of September 11, 2001, the U.S. A. has had to rely on allies in Europe, especially England and France, the Middle East, and Asia, to arrest, deport, and try suspected terrorists. But the "war against terror" will only be won when there is universal cooperation in combating it, as well as by ameliorating the desperate economic conditions that give rise to terrorists.

merely by their coexistence in the state of nature (i.e., while independent of external laws). Each of them, may and should ... demand that the others enter with it into a constitution similar to the civil constitution, for under such a constitution each can be secure in his right. This would be a league of nations, but it would not have to be a state consisting of nations. That would be contradictory, since a state implies the relation of a superior (legislating) to an inferior (obeying), i.e., the people, and many nations in one state would then constitute only one nation. This contradicts the presupposition, for here we have to weigh the rights of nations against each other so far as they are distinct states and not amalgamated into one.

Kant seems to suppose that states are by definition completely sovereign, so that the idea of states under the authority of a super-state is contradictory, an oxymoron. The argument seems to go like this:

1. The state is necessarily sovereign.
2. World Government requires the state to give up its sovereignty.
3. But this is a contradiction, for then the state would not be a state.
4. Therefore there cannot be a World Government.

Here we may question Kant's logic. Kant is unduly absolutistic. Sovereignty (a kind of autonomy) may come in degrees. That is, what seems important for Kant's moral vision is *autonomy*, not complete sovereignty. If this is so, then as long as states voluntarily relinquish complete sovereignty in favor of limited sovereignty (autonomy), no contradiction obtains. For example, the U.S.A. consists of fifty semi-autonomous states within a meta-state, and because of demarcations between federal and state powers (especially the 10th amendment), the system works well.¹ So I suggest the logic of Kant's argument leads beyond his own prescription in *Perpetual Peace*.

6. The Logical Completion of Kant's Project

Kant's Cosmopolitan Project Requires Institutional Completion.

If we apply Kant's cosmopolitan thesis to the Hobbesian global predicament, we may see, contrary to Kant's own conclusion, that the logic of his argument leads to a commitment to world government. Moral cosmopolitanism is unstable, needing institutional instantiation for the protection and advancement of human rights. Kant's theory leaves too much to voluntary goodness, even though he has expressly delegated law as the corrective to human frailty. Examples of such attempts at moral cosmopolitanism are provided by cosmopolitan reformers who

judgment of Right, but only on this great League of Nations (Foedus Amphictionum), on its combined power, and on the decision of the common will according to laws. (Kant, 1891, p. 104)

Kant envisions a federation of states united in a covenant around international law. Each nation state will agree to settle disputes via an international court, in a world congress. This world congress must be “a voluntary gathering of various states that can be dissolved at any time, not an association which like that of American states, is based on a political constitution and is therefore indissoluble.” (Reiss, 1970, p. 171).

Perpetual Peace will arise as the progress of reason in the species develops a Federation of Republican States. In *Perpetual Peace* Kant sets forth four specific theses on the necessary and sufficient conditions for perpetual peace.

1. Standing armies must gradually be abolished. Nations must disarm, so that violence is exponentially reduced. If nations have standing armies, they will have to spend scarce resources maintaining them and will be tempted to use them, if only to keep them in good fighting condition. (Kant, 1891, 94)

2. All governments must become Republican. We noted this point in proposition 3 (above).

The republican constitution guarantees equality of citizenship and is, therefore, the original basis of every form of civil constitution.

Kant rejects both direct Rousseauian democracy, majority rule, and aristocracy, as tending towards Leviathan despotism. Freedom can best be preserved by representational forms of government.

3. No State shall forcibly interfere with the constitution or governance of another state. States are to be considered sovereign over their internal affairs. “Such interference would be an active offence and would make the autonomy of all other states insecure.”

4. A Federation of Nations must be established.

“The Law of Nations shall be founded on a Federation of Free States.” There must be international cooperation, transparency, and, most of all, international law. Kant suggests that a “world republic” would be a solution to the problem of international strife, but he dismisses this idea as unworkable. He cannot conceive of such an abdication of sovereignty. He takes the idea of state sovereignty as a given. Kant goes still further, and argues that a world government is a contradiction in terms.

Peoples, as states, like individuals, may be judged to injure one another

duty to adhere to his office and pass the estate on to the man's heirs is the only one relevant to his office as a trustee. He must not yield to the temptation to provide for his family. Morality, Kant argues, is uncompromising and enjoins the transfer of the estate as the contract requires.

This seems unduly rigid. We want to provide for the destitute family as well as fulfil our contractual obligations. Here is where Kant's idea of institutional progress enters. A moral society will institute a fair welfare system so that the trustee need not be tempted to siphon off funds for his family. Good institutions are the product of moral considerations and enhance our moral interests. A good society will provide adequate resources for its needy, deserving, citizens, approximating the maxim that the good is good for you.

But note, this institutional addition may actually militate against moral virtue. Without a welfare scheme the trustee must resist the strong temptation to abridge his duty and siphon off some of the estate for his needy family. But the welfare system now obviates that temptation. He need not violate his duty, for the state will help support his family when it is in dire need.

So Kant's thesis on the moral force of Law has been repeatedly vindicated.

5. The Federalist Thesis

The development of history's purposive dialectic will result in a federation or league of nations.

[History] works through wars, through the strain of never relaxed preparation for them, and through the necessity which every State is at last compelled to feel within itself, even in the midst of peace, to begin some imperfect efforts to carry out her purpose. And, at last, after many devastations, overthrows, and even complete internal exhaustion of their powers, the nations are driven forward to the goal which Reason might have well impressed upon them, even without so much sad experience. This is none other than the advance out of the lawless state of savages and the entering into a League of Nations. It is thus brought about that every State, including even the smallest, may rely for its safety and its rights, not on its own power or its own

systems and informal social sanctions to promote reason's goals. We often take these rules for granted. For those of us who have been adequately socialized, the moral rules have become deeply ingrained within our psyches, so that they are an inextricable part of our personality. Similarly, institutions like etiquette and rituals provide common behavioral patterns to lubricate our social interactions. The Law provides a more powerful instrument for behavior control, since it assigns penalties for infractions.

Institutions don't change people's hearts directly, but they provide powerful incentives to refrain from prohibited behavior. For instance, when unlawful killing is punished by death or long prison sentences, stealing by imprisonment, and traffic violations by monetary payments, the institution of law that enforces these punishments generally becomes part of the common consciousness of the population. During the Civil Rights Movement in the U.S.A. during the 1960s, it was often said, "You can't legislate morality." That is, you can't change people's hearts through making laws. But this proved false, for the resulting civil rights laws provided sanctions for racist behavior, so that violators were prosecuted and victims of unjust discrimination could sue those who practiced such behavior. Segregation-state governors like Orville Faubus of Arkansas and George Wallace of Alabama performed a cost-benefit analysis of the policy of supporting segregation against the sanctions imposed by federal civil rights laws and decided it was cost-effective to comply with the laws. Today, the grandchildren of former racist Southerners live in peace with blacks and attend the same schools and live in the same neighborhoods. They cringe at the thought of being labeled racist.

A similar story could be told with regard to sexism (some males may still be lecherous, but they refrain from harassment through fear of prosecution). Honor codes on college campuses serve in a similar manner to reduce cheating and dishonesty on college campuses. Institutions are a powerful tool for promoting moral behavior. They ensure that it is advantageous to conform to the external form of the Moral Law.

Let us illustrate this point with an example from Kant's own work. In Kant's reply to some objections by Professor Garve, entitled "On the Relationship of Theory to Practice" he gives an example of a trustee of a large estate who has a destitute family. The owner of the estate has died, so it is the trustee's duty to pass the estate on to the owner's undeserving, wasteful children. The trustee has conflicting duties, but the

are kept separate, as checks upon one another to prevent abuse. Kant rejected democracy (such as Rousseau promoted) because it collapsed the legislative and executive branch and lent itself to despotism. The American and French democratic revolutions were still only recent social experiments, whose success was not guaranteed. Kant seemed to favor a republican monarchy with the monarch serving the efficient executive function but a parliament and an independent judiciary carrying out the legislative and judicial functions.

4. The Species-Institutionalization Thesis

While there has been no moral progress in the individual human being, there has been moral progress in the species. Individuals are basically the same self-centered beings with both good and evil within, as they have always been, but the species, as a whole has made progress, increasingly embodying the moral law through its institutions, especially positive law.

Throughout history, people have been self-centered social beings with limited sympathies. With some notable exceptions, they will generally act in accordance with their perceived self-interest, not the greater good of the community. But "even for a race of devils, assuming only that they have intelligence..." will realize that government is necessary to coordinate behavior (traffic patterns are an obvious example) and to constrain our actions.

A multitude of rational beings all requiring laws in common for their own preservation, and yet of such a nature that each of them is inclined secretly to except himself from their sway, have to be put under order, and a constitution has to be established among them so that, although they may be antagonistic to one another in their private sentiments, they have yet to be so organized that, in their public relations, their conduct will have the same result as if they had no such bad sentiments.' (Kant, 1891)

The creation of institutions in order to further our purposes may be the most advantageous *invention* of the human species. It is Reason's cumulative work, having distilled the experience of countless generations into social rules and practices. Law is the prime example of such an invention. For Kant, morality is Reason internalized, while law is Reason externalized. The Moral Law is *discoverable* by reason, but we *invent* legal

But in such a complete growth as the Civil Union, these very inclinations afterwards produce the best effects. It is with them as with the trees in a forest; for just because everyone strives to deprive the other of air and sun, they compel each other to seek them both above, and thus they grow beautiful and straight, whereas those that in freedom and apart from one another shoot out their branches at will, grow stunted and crooked and awry. All the culture and art that adorn humanity, and the fairest social order, are fruits of that unsociableness which is necessitated of itself to discipline itself and which thus constrains man, by compulsive art, to develop completely the germs of his Nature. (Kant, 1891)

3. The Republican State Thesis

Civilization is made possible by the state, which is society under the rule of law. Just as morality is reason internalized, the law is reason externalized. It makes it unprofitable to disobey the commands of reason. The law is a kind of Hobbesian Leviathan. The problem for Kant was how to escape the Hobbesian predicament with its tragic state of nature without accepting Hobbes's absolute Leviathan. He does so by the notion of Republican government with separation of powers. "The Civil Constitution of Every State Should Be Republican"

The only constitution which derives from the idea of the original compact, and on which all juridical legislation of a people must be based, is the republican. This constitution is established, firstly, by principles of the freedom of the members of a society (as men); secondly, by principles of dependence of all upon a single common legislation (as subjects); and, thirdly, by the law of their equality (as citizens). The republican constitution, therefore, is, with respect to law, the one which is the original basis of every form of civil constitution. (Kant, 1891)

Every state contains three powers. That is, the universally united will is made up of three separate persons. Kant expresses his theory of the separation of powers in the form of a syllogism. The major premise is that the sovereign legislator makes the law. The minor premise is that the executor of the law issues the command to act in accordance with the law. The conclusion is that the judiciary imposes the verdict regarding rights and wrongs on each individual case in accordance with the law. (Kant, 1891) In a Republican form of government these three powers

invention of his own covering and shelter from the elements, and the means of providing for his external security and defense,—for which nature gave him neither the horns of the bull, nor the claws of the lion, nor the fangs of the dog,—as well as all the sources of delight which could make life agreeable, his very insight and prudence, and even the goodness of his Will, all these were to be entirely his own work. (Kant, 1891)

Kant seems to have held that Providence was working in the affairs of human history. This theist thesis, was probably the underlying basis for his optimism. As a mere teleology it is found in Aristotle's work.

This Aristotelian/theistic teleological thesis is problematic in a post-Darwinian world. But Kant would want to reconcile evolution with the idea of a Providential hand that guides the affairs of men and nations.

2. The Hobbesian Thesis

Man in the *State of Nature*: war of all against all.

Although Kant admired and was inspired by Rousseau's political philosophy, he rejected Rousseau's naive model of the noble savage existing in an Arcadian, pastoral state of nature. Instead, Kant thought that humans possessed the capacity for both good and evil. He accepted Hobbes's more pessimistic analysis that in the state of nature life is "solitary, poor, nasty, brutish and short... A war of all against all." War and preparation for war is the perennial problem for human society. War makes civilization impossible, as its consequences forces us to invent government, which entails a more peaceful social existence.

"Even for a race of devils, assuming only that they have intelligence..." will realize that government is necessary to coordinate behavior (traffic patterns are an obvious example) and to constrain our actions

Humanity is constituted with a dialectical "unsocial sociability," opposing tendencies towards either social cooperation or the egoistical pursuit of one's own good. As social animals we desire to belong to groups, while as individuals we are self-interested egoists, free from the constraints of a group. Egoism is juxtaposed with cooperation. But it is our capacity to learn from experience that leads us to cooperate for our own long-term advantage, which in turn leads to law and, thence, to civilization. That is, an Invisible Hand (pace Adam Smith) works to transform even our selfish acts into the good of the whole, for the competitive urge to excel results in new inventions and the development of better modes of existing.

nevertheless... according to a determinate plan of Nature.” (Kant, 1891).

Kant was the first philosopher to set forth a systematic argument for perpetual peace as the full development of Nature’s inherent purpose. Nature’s Invisible Hand is wending its way through human history, ineluctably converting the individual egoistic, competitive, even violent, war-like, actions of man into a higher state of peace. The occasion of his theory was Moses Mendelssohn’s contention that while individuals have made moral progress the race had stagnated and would not progress. (Mendelssohn, 1783). Kant, rejecting such pessimism, argues just the reverse. While individuals have remained the same over time, the species as a whole is making moral progress. Individuals have the same challenges as always, of submitting their wills to the moral law, but the species as a whole gradually comes to embody the moral law through its institutions, namely positive law. Morality is reason internalized. Law is reason externalized. That is, Morality judges intentions, while the Law judges actions. In his later works, the *Idea for a Universal History and Perpetual Peace*, Kant envisioned a loose confederation or League of Nations obedient to universal law (voluntary, institutional cosmopolitanism), but he rejected the idea of a World Government (Federation of Nations), deeming it a despotic *Hard Leviathan*.

In this paper I will outline Kant’s optimistic argument for a cosmopolitan vision of perpetual

peace. Then I will suggest that, contrary to Kant’s own conclusions, his argument requires the implementation of World Government: Universal moral principles and legal institutions can only be fully successful within the framework of an overriding *Soft Leviathan* (i.e., a Republican form of World Government). I will organize my argument around six theses rooted in Kant’s political writings.

1. The Teleological Thesis

Nature is purposive. “All the capacities implanted in a Creature by nature are destined to unfold themselves completely and conformably to their End, in the course of time.” (Kant, 1891).

Nature, according to this view, does nothing that is superfluous, and is not prodigal in the use of means for her Ends. As she gave man Reason and Free Will on the basis of Reason, this was at once a clear indication of her purpose in respect of his endowments. With such equipment, he was not to be guided by instinct, nor furnished and instructed by innate knowledge; but rather must he produce everything out of himself. The

Kant's Perpetual Peace and World Government

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Abstract

I can predict from the aspects and signs of our times that the human race will... progressively improve without any more total reversals. ... The profit which will accrue to the human race as it works its way forward will not be an ever increasing quantity of morality in its attitudes. Instead the legality of its attitudes will produce an increasing number of actions governed by duty, whatever the particular motives behind these may be.... Violence will gradually become less on the part of those in power and obedience towards the laws will increase... and this will ultimately extend to the external relations between the various peoples, until a cosmopolitan society is created. Such developments do not mean, however, that the basic moral capacity of mankind will increase in the slightest, for this would require a kind of new creation or supernatural influence. For we must not expect too much of human beings in their progressive improvements.” (Reiss, 1970, 187)

Keywords: Kant, Perpetual Peace, Comopolitiamins, State

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Introduction: Kant's Newtonian Project

Kant thought that his metaphysical philosophy mirrored Copernicus' revolution of inverting our perspective on the world. Analogously, he thought that his political philosophy mirrored the work of Kepler and Newton. Just as they described the laws governing physics and the orbits of the planets, Kant thought that he had discovered the moral law, the Categorical Imperative which is reason's guide to action. He sought to "discover a universal purpose of Nature ..., [and] in view of this purpose, a history of creatures who proceed without a plan of their own, [but]

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