



Kant's Treatise on Peace as a Draft for an International Peace Order

Ulrich W. Diehl

Heidelberg, Germany

uwdiehl@web.de

Abstract: Immanuel Kant's treatise on perpetual peace has been highly influential in international law, but it is hardly studied by politicians anymore. In his treatise, Kant has extended the idea of the social contract to relations among nations in order to contribute to lasting peace among them and their peoples. This essay outlines the key concepts and main principles Kant proposed, and I investigate how they could still be received and understood by the regimes and peoples of the three current hegemonic powers, China, Russia, and the United States. It is sometimes assumed that humanity is currently moving from a bipolar to a multipolar world order. However, there are two important factors that cause tensions around the idea of a so-called liberal world order governed by the rules of international law: Hegemonic powers do rarely follow these rules and instead adhere to historical myths about their own importance and special role among other nations. In the case of the United States, this historical myth is the rather messianic idea of American exceptionalism. Although the European Union is economically, militarily, and politically dependent on the United States, it tends to conceive of itself not as a mere vassal of the United States, but rather even as the vanguard of Western civilization.

Keywords: Kant, Immanuel; perpetual peace; international law; hegemonic powers; liberal world order; People's Republic of China; Russian Federation; United States of America.

The civil constitution of each state shall be republican.
Immanuel Kant, *Toward Perpetual Peace*

Immanuel Kant's 1795 treatise *Zum ewigen Frieden* is one of the most successful philosophical treatises of modern philosophy.¹ The founding of the United Nations (UN) can be traced back to Kant's ideas. Historians of ideas, historians of Philosophy, political philosophers, and many other intellectuals draw on it. In contrast to its former success in global politics, it is nowadays rarely read or consulted

by active politicians. This is probably due not only to its historical distance but also to a somewhat stilted linguistic style, with rather long, convoluted sentences.

It is quite normal for politicians, Chief Executive Officers, and managers to have little time or leisure to study such classic writings in the history of philosophy. This need not be regretted as long as there are enough academics and intellectuals to distill the essentials for a broader public. While most politicians prefer golf or other sports, have other hobbies, and have no personal interest in the laborious reading of classical writings in the history of philosophy,

¹ Immanuel Kant, "Toward Perpetual Peace," in *Immanuel Kant, Practical Philosophy*, transl. Mary Gregor, New York, NY: Cambridge University Press 1996, pp. 315-351. [Henceforth cited as P]

Helmut Schmidt (1918-2015), the former Chancellor of Germany, was certainly an exception in this respect. He was able to judge for himself the extent to which his philosophical interests were theoretically clarifying and practically relevant.

Connection to the Political Idea of the Social Contract

Kant initially drew on the political idea of the social contract, as did John Locke and Jean-Jacques Rousseau before him. The idea of the social contract originated with Thomas Hobbes. It is the practical concept of ending the state of nature in which humans find themselves from the beginning by voluntarily entering into a civil society. Of course, this is not a datable historical event that actually took place, but only a useful fiction and a practical idea for organizing coexistence in a civil society.

The term civil society is used here in the favorable republican sense to refer to citizens who, by birth, are formally free and equal "under the law." In this context, the term "citizens" is obviously not meant in the pejorative sense of the bourgeois as members of a class of wealthy idlers who own profitable means of production yet mainly let others work for them. The fact that such people have the say in a republic and, thanks to their prestige, wealth, and power, are able to organize and buy majorities contradicts the political idea of the social contract and was therefore already regarded by the United States Federalists as something deeply reprehensible that must be prevented by implementing political precautions, such as checks and balances, a supreme court, the right to vote, the right to civil disobedience, and so on.

In the state of nature, people pursue their vital interests in natural self-preservation and generative reproduction only. However, it is precisely because of their natural interests that people can come into conflict with one another, as their interests are sometimes contradictory and their conflicts of interest cannot always be resolved through rational cooperation, wise arbitration, or in court. In the worst case, this can lead to civil war, as Thomas Hobbes had to learn it the hard way when his life was endangered during the conflict between crown and parliament such that he had to leave for exile in France from 1640 until 1651.

In a civil war, people can become like beasts and every person can become a potential enemy of others.

The following characterization is applicable to it: *Homo homini lupus est*. This means literally that man is a wolf to man. Human life is then under the threat of being nothing but dangerous, cruel, and short. Consequently, people are dominated by their fear of the suffering of their bodies and souls, by the prospect of deprivation and existential emergencies, and by premature death. Their existential fear reinforces their natural egoism, yet human nature does not entirely preclude altruistic feelings and actions. As Bishop Butler successfully argued against Hobbes, humans do not, by their very nature, have to always pursue their own interests. For the same reason, Jean Jacques Rousseau, like Bishop Butler and Thomas Aquinas, distinguished between inappropriate selfishness (*amour propre*) and appropriate self-love (*amour de soi*). He defended the possibility and appropriateness of self-love and charity.

The idea of the social contract is that people decide to establish a republic, that is, a civil state, jointly for the benefit of all, in order to end the horrors of the state of nature. To this end, they renounce the use of force and cede all means of force to the sovereign. From then on, the state has a monopoly on the use of force. It is responsible for the legislative, judicial, and executive branches. It guarantees certain freedoms as civil rights but also requires certain civil duties in return (for example, obedience to the law, payment of taxes, and so on). It guarantees certain safeguards against internal and external enemies and ensures the public good beyond specific private interests (for instance, state institutions, public services, infrastructure, police, army, education, and healthcare).

In return, all citizens submit to their own state, since in any republic, the people are the true sovereign. The government is no longer a cosmic destiny, supposedly determined by God, by the constellations of the stars, or by natural forces (earthquakes, epidemics, floods, storms, tsunamis, volcanic eruptions, and so on) which must be appeased superstitiously. The government no longer derives its authority from the grace of God, as was still the case in absolute monarchies, but is legitimized by the rule of the people themselves.

Extending the Idea of the Social Contract to Relations between Nations

In his treatise *Toward Perpetual Peace*, Kant proposed the innovative idea of extending the already familiar

idea of the social contract to relations between nations. To this end, he treated nations as if they were individuals. This is so because entire nations behave toward each other in ways similar to humans in the state of nature, which has the potential to generate conflict. In the state of nature, it is only natural and therefore reasonable to expect that the stronger peoples will pursue their vital interests and try to dominate the weaker peoples or even try to annex them. Therefore, in the state of nature, the stronger peoples primarily clash and wage war against each other or against weaker peoples. For this reason, peoples, just as individuals, should emerge from the state of nature in order to establish a new social contract at a higher level, which should eliminate wars between peoples in the long term. Just as a peace treaty between two or more allied nations leads to peace and guarantees it through a mutually binding contract, so a peace alliance among nations should lead to a community of nations jointly deciding that there should be no more wars of aggression in the long run.

However, such a new social contract at a higher level would indeed require a world state. Formally, this would be analogous to the civil society of modern republics, namely, a world republic comprising all peoples and nations. Yet Kant shied away from this consequence for good reasons. Firstly, it is hardly realistic to expect that especially the stronger peoples would ever cede their sovereignty and power over weaker peoples entirely to such a global world state (or even to an international court of justice). Secondly, such a world state would be very dangerous, for even if all peoples did so, there would no longer be any power on earth left to resist such an all-encompassing world state if necessary and put it back in its place. And thirdly, such a world state could itself become a despotic Leviathan, since no one can guarantee that it would exclusively produce a particularly wise and always benevolent government.

Rather, it is to be expected that in any kind of world government or world parliament with representatives from all peoples and nations, as in the respective parliaments of the individual republics, there will always be certain conflicts, partisanship, and intrigue for power, which are inherent in majority decisions and can override or even suppress minorities, but which can never completely eliminate the natural conflicts between peoples, rather at best can contain them.

Nevertheless, Kant stuck to his innovative idea of a peace-making alliance between the entire international community, but formulated certain conditions and practical demands in the form of a series of normative articles that include:

- * All peoples should emerge from the state of nature and give themselves a republican constitution, that is, become republics, as republican peoples are far less likely to wage wars of aggression against their neighbors, as opposed to monarchical or aristocratic peoples, since monarchs can become autocrats or despots and aristocrats can become oligarchs or kleptocrats.
- * All republican peoples should then jointly decide in a peace alliance that wars of aggression are reprehensible and should be outlawed (including real or supposed preventive strikes) and that only defensive wars are permitted and approved.
- * Standing armies that serve not merely defensive purposes but also enable wars and make wars of aggression more likely should be reduced through mutual disarmament treaties and eliminated entirely in the long term.

Commentary on Kant's Treatise *Toward Perpetual Peace*

Already, the title, *Toward Perpetual Peace*, has a satirical character. According to Kant's ironic preliminary remark, it sounds more like an inn near a cemetery that awakens pious expectations of eternal peace in the beyond than genuine lasting peace on earth. Kant was indeed concerned only with the repeatedly arduous, long-term pacification of humanity in the earthly here-and-now, where humanity is afflicted by seemingly endless conflicts. In this sense, Kant was close to the prophets of ancient Israel, who were also hardly interested in a supposed afterlife. According to Kant, no perpetual peace is to be expected in this world.² On this point, Kant agreed with Hegel, who, with regard to the longing for peace, recalled Heraclitus' dictum that

War as father
of all things, and king,
names few

² Immanuel Kant, "The Metaphysics of Morals," in *Immanuel Kant, Practical Philosophy*, transl. Mary Gregor, New York, NY: Cambridge University Press 1996, pp. 353-603, here p. 487.

to serve as gods,
and of the rest makes
these men slaves,
those free.³

Kant made it clear in advance that he is aware of the popular prejudices of practical politicians, who believe that philosophers who merely think theoretically or even dream utopically have nothing useful to contribute to the political problem of peace. In an essay published in September 1973 in the *Berlinische Monatsschrift*, "Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis,"⁴ Kant discussed the relationship between theory and practice, drawing on the views of Christian Garve, Thomas Hobbes, and Moses Mendelssohn. Kant argued in it that nothing is as practical as a good theory. He therefore cautiously guarded against biased interpretations of his draft and his reflections on an international legal peace order stemming from popular prejudices.

Section I

In the first section of the treatise, Kant presented six "preliminary articles for perpetual peace among states" (P 317) as follows:

1. No treaty of peace shall be held to be such if it is made with a secret reservation of material for a future war. [P 317]

This article constitutes a commandment of sincerity or truthfulness. Kant explained that without this provision,

it would be a mere truce, a suspension of hostilities, not peace, which means the end of all hostilities. [P 317]

In other words, while hostile sentiments cannot be publicly controlled from outside, external causes and

possible causes for future wars must be eliminated as far as possible.

2. No state existing in its own right...shall be acquired by another state through inheritance, exchange, purchase, or gift. [P 318]

This constitutes a principle of autonomy, a prohibition of sale or transfer. Kant argued that

a state is not (like the land on which it resides) a belonging (*patrimonium*). It is a society of human beings that no one other than itself can command or dispose of. [P 318]

Ultimately, only the citizens themselves decide the fate of their state. Next,

3. Standing armies...shall be abolished in time. [P 318]

This commandment of demilitarization is established in the understanding that standing armies

incessantly threaten other states with war by readiness to appear always prepared for war; they spur states on to outdo one another in the number of armed men, which knows no limit; and inasmuch as peace, by the costs related to it, finally becomes even more oppressive than a short war, a standing army is itself the cause of an offensive war. [P 318]

The instrumentalization of human beings as mere machines and tools in the hands of a ruler is a violation of dignity and morally incompatible with the "right of humanity in our own person" (P 318), and as such, it would be contrary to the principle of autonomy. Furthermore:

4. No national debt shall be contracted with regard to the external affairs of a state. [P 319]

This prohibition of debt addresses a credit system of ever-increasing debt that can strengthen a particular state's financial power to the point that its wealth can enable and tempt it to wage war against its poorer and weaker neighbors. Since those in power are naturally inclined to wage war, this facilitates wars and hinders the path to lasting peace. Moving on:

5. No state shall forcibly interfere in the constitution and government of another state. [P 319]

This principle of sovereignty, or the requirement to respect the sovereignty of other states, establishes that even the poor government of an autocratic or even despotic state that scandalously violates the rights of its citizens does not justify violent interference as long as

³ Heraclitus of Ephesus, *Fragments: The Collected Wisdom of Heraclitus*, transl Brooks Haxton, New York, NY: Viking 2001, pp. 28-9. Πόλεμος πάντων μὲν πατήρ ἐστι πάντων δὲ βασιλεύς, καὶ τοὺς μὲν θεοὺς ἔδειξε τοὺς δὲ ἀνθρώπους, τοὺς μὲν δούλους ἐποίησε τοὺς δὲ ἐλευθέρους.

⁴ Immanuel Kant, "On the Common Saying: That May be Correct in Theory, but it is of No Use in Practice," in *Immanuel Kant, Practical Philosophy*, transl. Mary Gregor, New York, NY: Cambridge University Press 1996, pp. 273-309. [Henceforth cited as CS] <https://www.digitale-sammlungen.de/en/view/bsb10926861?page=218,219>.

the rights of other peoples are not violated. This state can serve as a deterrent to all other states through its bad example. Violent external intervention, on the other hand, would only lead to further scandal and undermine the autonomy of all states.

6. No state at war with another shall allow itself such acts of hostility as would have to make mutual trust impossible during a future peace; acts of this kind are employing *assassins...or poisoners...breach of surrender, incitement to treason...within the enemy state, and so forth.* [P 320]

These dishonorable strategies violate the commandment of moderation and honorability. A minimum of respectful basic trust in the honorability of one's enemies should remain even in the midst of war, for otherwise no peace treaty could be negotiated, and boundless hostility would lead to a war of total extermination.

Section II

Next, Kant stated three "definitive articles for perpetual peace among states" (P 322). He wrote that the state of peace among people living side by side is not a natural state but must first be established by a treaty. This can be a social contract, a peace treaty, or a peace alliance. The state of nature is a permanent state of potential war, in which underlying hostilities always threaten to break out into war, hence:

The civil constitution in every state should be republican. [P 322]

Only in a republican state do the supreme principles of the constitution arise from the originally established social contract itself, namely (1) the principle of freedom of the members of a society (of people), (2) the principle of the dependence of the members of a society (as subjects) on a uniform and common legislation, and (3) the principle of equality of the members of a society (as citizens).

Kant then posed the question, which is important for the modern era, of whether the republican constitution of states is also the only one capable of leading to lasting peace. He answered this question in the affirmative, for the republican constitution not only arises from the purely practical concept of law itself but also brings with it the prospect of the desired consequence of lasting peace. In a republican constitution, it is ultimately the citizens themselves who decide whether or not to wage war. They decide

for themselves whether they are willing to bear the high costs of war, such as fighting themselves, paying for these costs out of their own pockets, repairing damage caused after the war, taking on the debts incurred, and so forth. Thus, citizens will think very carefully about whether they really should start a war. In contrast, in a non-republican, monarchical, or autocratic constitution, where people are not citizens but only subjects, the head of state alone decides on war and peace, since he is, so to speak, the owner of the state and not just a fellow citizen. Furthermore, the head of state does not suffer any significant loss of private property or comforts of life as a result of his decision to go to war.

In an excursus, Kant distinguished between three forms of rule and two forms of government (republican and despotic) in states:

Autocracy	One person rules	power of a prince
Aristocracy	A few people rule	power of a nobility
Democracy	All citizens rule	power of a people

On the one hand, in a republican form of government, there is a functional separation of the legislative from the executive (and judicial) branches. The state is divided into various autonomous state organs to prevent the respective government from accumulating excessive political power.

In a despotic form of government, on the other hand, there is a dysfunctional fusion of the legislative and executive branches (and the judiciary). The state enforces the laws it has made itself, and the will of the people merges with the private will of those in power.

Although Kant defended the republican form of government, he criticized direct democracy: For a direct democracy is necessarily a despotic form of government, as it is based on an executive power in which all rule over all and often also over one, or a few, who do not agree, so that all, who are in fact not all, decide something that is in itself contradictory. The republican form of government, therefore, includes representative government with its delegates acting as representatives of the people, protection of minorities, and a constitutional guarantee of civil liberties of conscience, opinion, assembly, active and passive voting rights, with free press, sciences, arts, and religions, and so on.

A form of government that is not representative is a malformation, as it also makes the legislator the

executor of his own will. According to Kant, this can happen more easily in a direct democracy than in an aristocracy or autocracy, for in a democracy everyone wants to rule and execute, not just one or a few members of a society. The smaller the personnel of a state authority, the better the realization of the republican constitution. This uniquely perfect constitution is more easily achieved through a monarchy or aristocracy than through a direct democracy, as the latter could achieve it only by way of a "violent revolution" (P 325) rather than by implementing reforms.

The second definite article for perpetual peace among states demands that

The right of nations shall be based on a *federalism* of free states. [P 325]

Only when states, which in their natural state tend to harm and wage war against each other, submit to a legal order similar to that of individual citizens in a state, is it possible to secure lasting peace. But this can only be a surrogate for an ever-expanding federal League of Nations and not a people's state in the sense of a global world state of peoples (or world citizens). This is so because all powerful, hegemonic states tend to settle their conflicts of interest through wars and do not recognize any international court of justice, as is currently the case, for example, in the People's Republic of China, the Russian Federation, and the United States of America.

As the third definite article for perpetual peace, Kant proposed that

Cosmopolitan right shall be limited to conditions of universal *hospitality*. [P 328]

In other words, all people have an unrestricted right to visit, but there is no enforceable legal right to permanent naturalization. For when we speak of law and not of philanthropy, hospitality can only mean the right not to be treated with hostility in a foreign country, but not the right to be granted all the enforceable civil rights of a country (such as the right to vote). Nevertheless,

the idea of a cosmopolitan right is no fantastic and exaggerated way of representing right; [P 330]

rather, it is a necessary addition to unwritten constitutional and international law on general and public human rights, which contributes to lasting peace in the sense of future rapprochement.

These three definite articles are followed by

two supplements entitled "On the Guarantee of Perpetual Peace" and "Secret Article for Perpetual Peace." In the longer first supplement, Kant discussed whether human beings and nature (when viewed as providence) tend to favor war over peace. In the shorter second addendum, he explained why even the governments of states capable of waging war and defending themselves should seek the advice of philosophers regarding the conditions for the real possibility of lasting peace.

The treatise then closes with two appendices. In the longer first appendix, "On the Disagreement Between Morals and Politics with a View to Perpetual Peace," Kant addressed common prejudices against moral principles in politics, both in general and specifically regarding the establishment of lasting peace. In the shorter second appendix, "On the Agreement of Politics with Morals in Accord with the Transcendental Concept of Public Right" he finally discussed the relationship between morality as the epitome of moral duties and the mere doctrine of prudence in constitutional law and international law.

Kant's Treatise on Peace in View of a Multipolar World Order

The fact that the current three greatest nuclear and hegemonic superpowers, China, Russia, and the United States, are economically, politically, and militarily rivals, deterring each other with nuclear weapons and threatening each other militarily, is neither new nor unusual. This rivalry has gradually developed and persisted since the end of World War II in 1945 and especially since the Soviet Union and its vassal states collapsed in 1990, and since China rose from an agrarian developing country to an economic and military superpower over the last thirty years. Unlike the political romantics, pacifists, and climate doomsayers in Western nations, who are driven not only by facts about the climate, but also by increasing feelings of shame and guilt, neither the American, nor the Russian, nor the Chinese government has misjudged the constantly changing dynamic constellations, political conflicts, and military rivalries. The upshot is that the world seems to be shifting from its postwar bipolar world order to a new multipolar one.

However, as long as only these three large hegemonic nations which are also atomic superpowers are being considered, one can easily overlook the fact that a stabile cooperation between China, Russia and

currently nine additional other nations belonging to the intergovernmental organization BRICS is leading to a confrontation with the so-called West, namely, the currently thirty-two countries from Europe and North America belonging to the military and political alliance of the North Atlantic Treaty Organization (NATO). This new balance of coalitions of the large hegemonic superpowers with their partners seems to be becoming bipolar again. Hence, much depends on the future development, economic, and military strength of a united Europe, India, and the Arab nations for the rise of a real and lasting multipolar world order.

What does it take for Kant's treatise on peace to be appreciated not merely as a philosophical and historical document for educational purposes, one that is read by students and understood by the more gifted ones? What does it take for it also to meet with widespread approval and even to be taken to heart by politicians in order to be put to good use in government policy under favorable circumstances? In both cases adduced, certain cultural and intellectual prerequisites are needed as fertile ground for a favorable reception and potential realization. The answer will be provided in the subsequent pages.

Based on Kant's preliminary considerations on the relationship between theory and practice in general and on his moral and legal philosophy in particular, these cultural prerequisites seem perhaps to exist to a lesser extent in China and Russia than in Europe, Canada, the United States, and other nations in the Western hemisphere. The reasons for this situation lie in deeper, more fundamental structures of the religious and ideological mindsets of the people living in these cultures.

The Philosopher Christian Garve and the Chinese Dragon

The ethical and political thought in Chinese culture arguably is more in line with the pragmatic thinking of the popular philosopher Christian Garve (1742-1798), whom Kant criticized for being completely unfamiliar with altruistic moral motives, maxims, and principles. Like Aristotle and Cicero, Garve advocated merely a hedonistic ethics of the pursuit of happiness and an exclusively pragmatic and consequentialist approach to politics. This can lead to mere utilitarianism, according to which politics is solely about the greatest happiness of the greatest number, devoid of protection for minorities' interests

against the dominant interests of the majority.

The differences between Daoist nature-mysticism and Confucian wisdom, along with the traditional worship of their ancestors, do not alter what Kant considered to be a fundamental lack of moral respect for individual persons who are free to set their own goals in life and who possess an inalienable dignity based on their presumed likeness to God or solely on grounds of their moral capacity.

Chinese culture neither shares nor supports the normative values presented in the Abrahamic religions or in the teachings of the Gospels. These beliefs are largely foreign to them and often appear to be regarded by them as being dangerous, namely, as a form of harassment or invasion by a foreign culture. Given the foundations of Chinese culture, one can, therefore, hardly expect Kant's philosophical treatise on peace, which was influenced by early modern Protestantism, to fall on fertile ground, and that the intellectual seeds he sowed in it could bear fruit and be disseminated. Today, roughly two to three per cent of the Chinese population self-identify as Christians. The severe suppression of Christianity in China from the 1960s to the mid-1970s was followed by rapid growth until the 1990s. After 2010, it has leveled off.⁵

It is no coincidence that Chinese culture and mentality in the twentieth century were very receptive to the dialectical materialism of Karl Marx and Friedrich Engels. This is due to the close connection between Chinese mentality and Chinese language. Other than in Indo-European languages there is no intrinsic connection between the bivalence of propositional logic and the principle of the excluded middle as in Aristotelian and modern formal logic. Even today, philosophically educated scholars in China are more interested in Hegel's dialectical idealism than in Kant's critical philosophy.

Thomas Hobbes and the Russian Bear

Since the collapse of the Soviet Union, the ethical and political thinking of the succeeding Russian governments has been more in line with the political philosophy of Thomas Hobbes (1588-1679). Although Hobbes had justified the necessity of an absolute

⁵ <https://www.pewresearch.org/short-reads/2023/12/12/chinas-christian-population-appears-to-have-stopped-growing-after-rising-rapidly-in-the-1980s-and-90s/>.

monarch who rules over the common people with the help of the spiritual power of an absolutist church, jointly controlling the fate of a country in an authoritarian and centralistic manner. And although Russia officially has become a secular federal republic with a freely elected president, the government of the Kremlin is generally perceived as being authoritarian and is influenced by a powerful economic oligarchy that is supported by the Russian Orthodox Church.

A staunch materialist and strict determinist, Hobbes justified his modern absolutism against the objections of Aristotelian scholasticism through his pessimistic view of human nature and through his psychological egoism, according to which, due to human nature, every human being can only ever seek his own advantage, which is why seemingly altruistic actions for the benefit of others or in the service of the community are in reality not possible at all. His opponent, Bishop Butler, defended the psychological possibility of altruistic motivations, decisions, actions, and omissions against this Hobbesian view.

Karl Marx (1818-1883) expressed doubts about the possibility of a lasting socialist revolution in Russia during his lifetime, despite the presence of early supporters of Marxism in Russia. For Marx had realized that, unlike France and other European nations, Russia had not previously experienced a civic revolution against the ruling Holy Alliance of throne and altar in its Catholic and Protestant forms. According to the tenets of his Historical Materialism, Russian feudal rule by the nobility and the tsars would first have to be followed by a civic revolution before a socialist revolution could even take place and succeed.

One does not need to be an expert on Russian history to accept its truth and recognize traces of the former czarist regime in the current rule of the Kremlin and its oligarchs. After all, the civic and capitalist interlude following the Gorbachev era of glasnost and perestroika under transitional president Boris Yeltsin had been initiated and supported by overly business-minded Americans. However, a fundamental change toward republican structures and a democratic mentality was still lacking in Russian culture, mentality, and government. As a result, civic, republican, and democratic dissidents still have a very hard time in Russia today to voice their grievances against the government. And the members of the State Duma, the lower house of the Federal Assembly of Russia, also appear unmotivated to change the status quo.

Given the nature of Russian culture, one should therefore also not in this instance expect Kant's philosophical treatise on peace to fall on fertile ground and disseminate successfully. Although there is a university bearing Kant's name in modern Kaliningrad, formerly Königsberg, and although productive Kant research with international connections has been based there for almost thirty years, the cosmopolitan and republican spirit of Kantian philosophy is diametrically opposed to Russia's autocratic and patriotic regime with its modern media hegemony, its secret service actions against dissidents, its political show trials without sufficient separation of powers, and without a largely self-sufficient and honest constitutional state.

It is difficult to imagine how, in a foreseeable future, a civil constitution could be established in Russia through a change of mind or even through gradual reforms, based on the American, French, or German models of a liberal republic. According to Kant, such a civil constitution would have to be based on three practical principles in terms of the rule of law:

1. The *freedom* of every member of the society as a human being.
2. His *equality* with every other as a *subject*.
3. The *independence* of every member of a commonwealth as a *citizen*. [CS 291]

Since these three practical principles, according to Kant, are epistemologically *a priori*, they cannot be derived solely from empirical understanding based on experience of the natural, cultural, and historical world. Furthermore, they remain incomprehensible against the backdrop of a purely naturalistic, reductionist, and deterministic view of humanity. The United States' attempt, during Bill Clinton's presidency, to establish a modern democracy with civil rights in Russia during the Yeltsin era, primarily by promoting economic liberalism, was doomed to fail. The mainly American project of Westernizing Afghanistan with the help of some NATO-partners was not the only failed attempt at regime change and of exporting so-called freedom and democracy to other nations with quite a different culture and mentality. Both were bound to fail on principle. On the ethically and morally truncated basis of their mostly hedonistic ethics, of their utilitarian legal pragmatism, and their anthropological naturalism, it is impossible to arrive at the practical principles

envisaged by Kant for a civil constitution of freedom, legal equality, and the potential independence of citizens and individuals in a liberal republic based on the rule of law.

Instead, European philosophers, theologians, and constitutional lawyers could have reminded Russian intellectuals of their own Russian philosophy of religion, inspired by Kant and Husserl, as exemplified by Vladimir Solovyov (1853-1900), Nikolai Berdyaev (1874-1948), and Simon L. Frank (1877-1950). They were brilliant minds, far superior to the nationalist ideologues Ivan Ilyin (1883-1954), mainly inspired by Hegel, and Alexander Dugin (*1962), mainly inspired by Martin Heidegger, who upheld political ideas regarding the creation of a Eurasian superpower and the historical destiny of Russia, which influenced Vladimir Putin. Arguably, mainly American ignorance of Russian culture contributed to the war in Ukraine. However, it was principally the continued expansion of NATO to Eastern Europe and Ukraine that threatens the security interests of the European part of Russia, and the seemingly arrogant neglect of Putin's warnings at the Munich security conference in 2008, which provoked the Russian attack on Kyiv and the following invasion of the Donbas region of eastern Ukraine.

Even though one cannot think any more of Ukraine as being merely a part of Russian culture or even as a mere political appendage of Russia, a culturally fruitful reception of Kant's philosophy in Ukraine does not seem very likely in the foreseeable future either. It is more likely that such a reception could only be achieved after the end of this terrible war, leading to a lasting and fair peace treaty, and to a longer period of reconstruction of Ukrainian society, culture, and nation, and perhaps also to Ukraine's future integration into the European Union.

Due to their acute suffering from this war, most Ukrainians seem to long for peace. Yet they apparently do not yet seem to have a concrete and realistic idea of how all of this could be achieved in the foreseeable future without an unexpected victory or a complete withdrawal of Russian troops from Ukrainian territory occurring. Both of these options Putin wants to avoid at all costs. As long as Putin wants to keep the Crimea and the Donbas under his control and add them to Russian territory, and since Ukraine's president, Volodymyr Zelensky does not want to accept any loss of former territories, it is difficult to imagine how this war of attrition could end with a fair and lasting peace treaty.

The current hope of some European governments and senior European Union officials that Ukraine can and will be transformed into a modern republic or democracy with a civil constitution based on liberal principles like the rule of law simply through integration into the European Union, or even into NATO, by means of strong financial support, but without a radical change in mentality lasting at least two or three generations, could also prove illusory. After all, the somewhat rapid expansion of the European Union has not even been successful in some southern and eastern European countries, especially since nationalist and right-wing populist counter-movements are growing throughout Europe. Unfortunately, not only violent extremists, but also ordinary left-wing and right-wing populists are using democratic and demagogic means throughout Europe to transform or even dismantle liberal republics based on the rule of law, from the legislative to the executive branches.

Moses Mendelssohn and the American Eagle

The third part of Kant's essay, "On the Common Saying: That May Be Correct in Theory, but it is of No Use in Practice," addresses

the relation of theory to practice in the right of nations considered from a universally philanthropic, that is, cosmopolitan point of view. [CS 304]

This treatise presents the philosophical premises of Kant's treatise on peace.

Kant posed the first question of the philosophy of history as follows:

Is the human race as a whole to be loved, or is it an object such that one must regard it with vexation, for which one indeed wishes everything good (so as not to become misanthropic) but of which one must never expect this, so that one must prefer to avert one's eyes from it? [CS 304-5]

According to Kant, the answer to this question depends on the answer one would give to a second question, namely:

Are there in human nature predispositions from which one can gather that the race will always progress toward what is better and that the evil of present and past times will disappear in the good of future times? For in that case we could still love the race, at least in its constant approach to the good; otherwise, we should have to hate or despise it, whatever might be

said to the contrary by the affectations of universal philanthropy (which would then be at most only a love of benevolence, not of delight). For, however one may try to exact love from oneself, one cannot avoid hating what is and remains evil, especially in deliberate mutual violation of the most sacred human rights not exactly so as to inflict troubles upon him but still so as to have as little as possible to do with him. [CS 305]

Kant opposes the fatalistic and resigned philosophy of history of Moses Mendelssohn, who had also spoken out against Gotthold Ephraim Lessing's enthusiastic "hypothesis of a divine education of the human race" (CS 305), that Lessing developed in 1780 in his treatise *Die Erziehung des Menschengeschlechts*. Kant quoted Mendelssohn, for whom divine education is merely a figment of imagination, by elaborating

that the whole, humanity here below, should in the course of time, always move forward and perfect itself. We see...the human race as a whole make small oscillations, and it never takes a few steps forward without soon afterwards sliding back twice as fast into its previous state...An individual makes progress, but humanity constantly vacillates between fixed limits; regarded as a whole, however, it maintains in all periods of time roughly the same level of morality, the same measure of religion and irreligious, of virtue and vice, of happiness (?) and misery. [CS 305]

Kant disagreed with Mendelssohn and found Mendelssohn's rather stoic view not convincing, that world history is nothing but an endless series of ups and downs, that there is no moral progress whatsoever, and that, in the course of world history, everything will ultimately balance out in moral terms and remain equally good or equally bad. Therefore, Kant took the somewhat more optimistic view that, beyond mere technical progress, which is indeed ambivalent in moral terms, there can at least be moral progress in the development of the moral consciousness of citizens and human beings, which can be expressed, reflected, and preserved in the gradual improvement of legal and political institutions.

However, unlike Lessing, Kant did not consider this moral progress to be the miraculous result of a divine education of the human race, in which humans remain merely passive recipients of divine grace or even passive recipients of artificial, namely ecclesiastical, means of grace. Kant considered moral progress, which is conditioned by moral goodwill, to be a rather rare result of human moral efforts as

moral subjects, who remain constantly endangered by ever-changing circumstances.

For example, people can use moral commitment and legitimate political means to promote civil and human rights in their own country. However, the noble cause of achieving civil and human rights does not justify the deliberate use of illegitimate political means, or even immoral decisions and actions by secret services, politicians, or military commanders in order to establish civil and human rights institutionally, either in their own country or in other countries.

In addition, the use of military force is never an appropriate means of establishing civil and human rights institutionally. This is all the more true when the sovereignty of other nations is disregarded and when the cultural and political conditions are not in place, so that there is no chance of establishing a modern democracy with a legitimate constitutional state and a modern constitution that guarantees and realizes civil and human rights in the legislative, judicial, and executive branches.

From American Messianism to Pragmatic Politics of Recovery and Self-Defense

Over the past half-century, various worldviews, philosophies, religions, and denominations have been engaged in a rather sporting competition in the United States. For about two decades, however, this competition appears to have turned into a merciless culture-war that even a commonly shared American patriotism can no longer bridge. One can therefore find various irreconcilable contrasting views such as a hedonistic pragmatism à la Christian Garve and the Chinese dragon, or an anthropological pessimism à la Thomas Hobbes and the Russian Bear. In view of these deep divisions and a simultaneous rise of dangerous tribalism, the question arises whether a multi-religious and multi-cultural country such as the United States can still be a role model for other nations? The scale of its recent military actions in the Middle East has prompted Western nations to reconsider whether the United States can still be viewed as the intellectual and moral vanguard of the entire humanity, which it has been for many nations since the end of World War II.

Already, the proxy wars, especially in Vietnam from 1965 up to 1975, were turning points. Although the United States had lost its status as the shining

leader of the so-called free world in the aftermath of the Vietnam War, even among its Western allies, the official doctrine of the United States foreign policy remained the liberal hegemony against communism at least until the breakdown of the Soviet Union and its allies between 1989 and 1991. Even in 1998, the Secretary of State, Madelaine Albright, still insisted on the idea of American Exceptionalism in her remarks regarding the United States being "the indispensable nation." In an interview that has been broadcast on NBC-TV in 1998, Albright proclaims:

Let me say that we are doing everything possible so that American men and women in uniform do not have to go out there again. It is the threat of the use of force and our line-up there that is going to put force behind the diplomacy. But if we have to use force, it is because we are America; we are the indispensable nation. We stand tall and we see further than other countries into the future, and we see the danger here to all of us. I know that the American men and women in uniform are always prepared to sacrifice for freedom, democracy and the American way of life.⁶

What may sound like a political myth supporting the motivation of the United States military forces does have a rational kernel of truth to it. If Kant was smart enough to shy away from the political idea of a single world government for all of humanity, and if the United Nations should not be considered to be such a single world government because of their representational form, then there has to be some hegemony that is able and willing to control and enforce international law. On the one hand, the blue helmet troops of the United Nations have repeatedly proved too weak to do the worldwide policing job as peacekeepers. On the other hand, the United States had been entangled in too many proxy wars and regime changes without a mandate from the United Nations, following their own political interests, in order to be accepted worldwide as a kind of world police.

Although there is no other hegemony that is able and willing to do the job of defending liberty and democracy, the republican rule of law, as well as civic and human rights, it seems that the United States

has also run itself into the ground doing the job as well as possible. It is not the first time in the history of mankind that an empire has run the high risk of collapsing from overextension. However, what kind of democracy is it if money reigns supremely and if every individual is supposedly the architect of his or her own fortune? Although, the United States are formally and politically still a large democracy with at least some division of powers and the rule of law, some critics such as Bernie Sanders, Alexandria Ocasio-Cortez, and Michael Moore think that it has become rather a plutocracy and it is currently on the way to become an authoritarian theocracy according to the goals of so-called Christian nationalism. Last but not least, it is highly questionable whether or not the consumerist American way of life can still serve as a model for all of humanity at a time when concerns regarding the onset of an ecological crisis prevail. When Madeleine Albright declared that American men and women should always be prepared to sacrifice their lives for freedom, democracy, and the American way of life, she was not only talking about defending her own country against external or internal aggressors. She was also concerned with political interference in foreign regions and nations, such as those in Afghanistan and Libya, in Iraq and Syria, or most recently in Venezuela and Iran.

There is no question that the United States has been the leading hegemonic power of the so-called West after World War II. For the United States, the liberal hegemony has been the main doctrine of foreign policy for more than forty-five years. China and Russia, as the two other hegemonic powers, also tend to elevate themselves through some kind of nationalist historical myth, in order to justify their hegemonic ambitions at least in neighboring regions. Although their historical nationalist myths also tend to weaken and override the moral and legal concerns of international law and objections, they are not on the same level, as John Mearsheimer, a renowned international relations theorist who upholds a realist approach keeps suggesting.

Even when upholding a realist point of view, assuming a disposition that could be perceived as one by a neutral sports reporter who observes the never-ending conflicts of international politics, one has to admit that the long-standing dual role of the United States as a hegemonic political player and as a kind of international police force at the same time has not only been highly ambivalent but also

⁶ Madeleine K. Albright, Interview on NBC-TV The Today Show with Matt Lauer, Columbus, Ohio, 19 February 1998, As released by the Office of the Spokesman U.S. Department of State. <https://web.archive.org/web/20260130090421/https://1997-2001.state.gov/statements/1998/980219a.html>.

nearly impossible to fulfill. The realist point of view accurately portrays how all hegemonies tend to forget international law in conflicts in order to control their surroundings and protect their own security. In the case of China, this concerns Taiwan and the Pacific region; in the case of Russia, Georgia, Syria, and Ukraine. In the case of the United States, this primarily concerns all nations in the Middle East that hold an antagonistic stance toward Israel. Currently, the greatest threats to world peace are the proxy wars between the rival nuclear powers of the United States and the Russian Federation, such as those in Syria or in Ukraine. The Republic of China pursues its expansionist ambitions by way of economic cooperation and investments in Africa, South America, and even in Europe by means of its Silk Road railway initiative and other infrastructure-building efforts.

American patriotism is still alive, and Donald Trump's MAGA movement is based on the idea of overcoming the main signs and tendencies of America's decline and fighting its alleged reasons and causes. Its slogan "Make America great again" had already been coined during Ronald Reagan's 1980 election campaign.⁷ The United States, as the leading hegemon of the so-called West, used to conceive of itself as a kind of advocate and judge of all other cultures and nations. Due to its political sense of mission, the United States assumes superiority of its culture and nation over other cultures and nations.

Trump deserves respect for his intention to end the hypocritical justifications of political interventions while breaking international law justified by American Exceptionalism. Although he ended this missionary attitude of former United States foreign policy, rather for economic reasons than out of a pure respect for international law, his pragmatic priority for national interest was timely, and it is still politically reasonable, for the former overextension of foreign policy, apart from its closer surroundings, had damaged the United States internally for many years.

For example, Trump justified his recent intervention in Venezuela only pragmatically with

respect to American security interests in the region. In Europe, Trump's pragmatic abdication of this former kind of ideological justification has hardly been recognized and is not yet sufficiently welcomed. While the United States was previously often charged with an ideological sense of superiority, it is now criticized for its honest, more modest, but robust political pragmatism. It seems that for many Europeans, President Trump just cannot make it right with respect to foreign policy, as he is judged mainly as an opponent of the Democratic Party and for his domestic policies.

What it Takes to Make America Really Great Again

The former hegemonic self-image as being the greatest nation on earth had been usually accompanied by a lack of self-criticism, especially since the United States has serious shortcomings, not so much in terms of its democratic institutions as in terms of the realization of human rights within its own borders, as elected leaders in both parties often point out: growing poverty and homelessness, persistent decline of the middle class, massive drug abuse problems, declining quality of public educational systems, inadequate healthcare, high crime rates, overcrowded prisons, insufficient regulation regarding the acquisition of weapons of war, upholding Federal death penalty, outdated infrastructure, and so on. Not only do Europeans tend to agree with this analysis of how the United States could become truly great again, but they also argue that these shortcomings would have to be largely overcome. Yet this is by far more than just a new safety strategy or just a national project for economic growth through the development and use of emerging new technologies.

The European Union and probably most Europeans would welcome it if making America great again included overcoming these shortcomings. Even the America First! Movement would be fine with them if the American empire were no longer in decline, as former empires have suffered from overextension as well. After all, the Europeans and the Americans depend on each other, economically and politically.

The historical record shows that empires suffer from debt and other economic problems due to prolonged overextension into their periphery, which leads to growing problems back home. If the United

⁷ Ronald Reagan, Nomination acceptance speech, 17 July 1980, Republican National Convention, Detroit, Michigan, <https://millercenter.org/the-presidency/presidential-speeches/july-17-1980-republican-national-convention>, 27:50.

States were to genuinely overcome its shortcomings within its own territory, it could regain its former status as a shining hope for humanity. Then it would not be one hegemony among others, but the only country hitherto in the world with some moral right to act as an advocate of progress for other peoples and nations. However, this qualification depends on demonstrating its own progress in upholding democracy, the republican separation of powers, the rule of law, and actively supporting the universal validity of civil and human rights.

Nonetheless, while it would still be one thing to support other peoples and nations in becoming democracies that respect and realize civil and human rights, it would be quite a different matter trying to achieve this goal through political intervention and military force. For, at first, it is questionable whether democracy, republican separation of powers, the rule of law, and human rights can be imposed on other nations from the outside. And secondly, it is even more questionable whether this can be achieved at all by military force, without a long-term, profound change in the respective mentality, culture, and society.

Even if it takes much longer, most peoples will need to develop into democracies based on their own mentality, culture, and religion, with constitutional states that guarantee civil and human rights. But perhaps the mentalities, cultures, and religions of some peoples and nations, handed down over several centuries, are not at all suited to this. China, India, Russia, South Africa, and some Arab countries might turn out to be such countries. Then the current Western hope for worldwide democratization and liberalization would prove unrealistic, an act of wishful thinking.

Furthermore, these idealistic goals of bringing freedom, democracy, and human rights to a culturally different nation have often been used as a pretext to secure economic interests in fossil fuels, especially natural gas and oil, and numerous other resources needed for securing industrial and military might. Ultimately, the political ideals of freedom, democracy, civil rights, and human rights should always and everywhere be complemented by the equally important political ideals of social responsibility, legitimate rule of law, and national sovereignty in order to preserve peace, justice, and the environment and to realize them for all of humanity in the long term.

In addition, Western liberalism in everyday political life, civil and human rights, is oftentimes perceived in an individualistic manner. Although most articles in the 1948 Universal Declaration of Human Rights afford specific human rights equally to all humans to do something specific, regardless of one's

race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.⁸

However, the bio-psycho-social conditions of embryonic, child, and adolescent development were not yet or insufficiently considered in this declaration. Civil and human rights should therefore not be understood in an overly individualistic way, but rather in a personalistic way that respects the relevance of relationships with others. This is because children also have diverse relationships from the very beginning and need them in order to live, develop, and unfold their personalities (UD A26.2). When being understood in an overly individualistic way, everyone's fundamental duties (UD A29), the protection of the family (UD A6), the rights to work, equal pay, and social security (UD A22, A23) would be disregarded. This is so because they can also conflict with legitimate rule of law, as republican constitutional states need legal institutions whose authority and legitimacy are based on the sovereign will of the people and which are allowed to impose laws and sanctions on all citizens and people within their national territory in order to impose legitimate penalties in the form of fines, imprisonment, and so on (UD A21.3).

And if the laws of the constitutional state can no longer be enforced with sufficient effective and legitimate means, then there is a risk not only of an increase in ordinary crime, but also of foreign mafia activity, clan crime, acts of violence by extremist political groups, along with the formation of lawless areas or anarchic zones controlled by such actors, with the rule of law losing its practical authority and legitimate control. One's fundamental right to social security (UD A22) could then no longer be guaranteed.

⁸ United Nations General Assembly, *Universal Declaration of Human Rights*, 183rd Plenary Meeting, Paris, France, 10 December 1948, [https://docs.un.org/en/A/RES/217\(III\)](https://docs.un.org/en/A/RES/217(III)), Article 2. [Henceforth cited as UD A and article number]

Of course, ethical conflicts can arise when individual citizens' consciences or convictions clash with state responsibilities or the rule of law. For example, Sophocles described these ethical conflicts in ancient Greece in his tragedy, *Antigone*; Plato recounted in his dialogues how his revered teacher Socrates had encountered conflicts with Athenian democracy; the Gospels describe the tribulations of Jesus with both the religious authorities of ancient Israel and their Roman occupiers. In modern times, Kant and Hegel addressed these conflicts in their specific ways, and after the Second World War, Jean Anouilh and others did so again. But the price of resolving these conflicts is the authority and superiority of the modern constitutional state, which guarantees its citizens certain fundamental rights but, in return, demands the civil legal obligation to recognize its authority and its monopoly on the use of force. This also applies to dissidents, minorities, and citizens who demand reforms for specific reasons. They, too, must take the legal route of political reform

and may not simply disregard applicable laws when seeking acceptance in a community governed by them. Where they believe they must resist established orders for reasons of conscience, they must accept the criminal consequences.

Hence, neither citizens nor politicians are above the rule of law, including powerful presidents and the wealthy donor class; the rule of law must stand above them, in order to guarantee the common good and social peace for all citizens and people in their enlightened interest and in accordance with the self-determined will of the people. The rule of law must not be allowed to be determined or used by extremist agents or movements, or by members of the billionaire class. In a decent republic, the rule of law must never become a mere instrument of specific interests and political activities, destroying its institutions. It must always function as the most effective public institution representing the common interest of the entire people.