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On the Real Possibility of Establishing Perpetual Peace from Today's Perspective

Abstract: The text presents Kant's theory of perpetual peace, which it seeks to analyze, especially with regard to its applicability in the present day. In particular, it traces Kant's basic assumptions of perpetual peace – primarily a republican form of government and secondarily a federal community of states. Kant's idea of a republican form of government is analyzed as vague, and incomplete, and in tension with Kant's conception of sovereignty, which grants supreme power not to the people but to the head of state. Moreover, the conception of sovereignty put forward is at odds with modern conceptions of democratically understood sovereignty. The problems with the first condition of perpetual peace – a republican form of government – are consequently reflected in the possible practicability of the second condition of perpetual peace – a federation of free states. The text concludes, along with Kant, that the realization of both conditions is difficult, but is further complicated by the inconsistency of Kant's theory.

Keywords: Immanuel Kant, Peace, Sovereignty, Democracy, Republic

Introduction

Although Immanuel Kant was not primarily a political philosopher, his work *Toward Perpetual Peace* is also one of his major works that greatly influenced thinking about international relations. As Pierre Hassner puts it, Kant's contribution lies primarily in placing his reflections (even when building on his predecessors) within a broader and deeper philosophical framework.¹

Kant's idea can be simplistically characterized as “peace through law”. From the natural state between states, which was a state of war, to a legal

¹ Hassner, P., 1987. Immanuel Kant. In: Strauss, L., Cropsey, J., eds.. *History of Political Philosophy*. Chicago: The University of Chicago Press, pp. 581-621.

state (relationship),² i.e. peace, even “perpetual peace”.

Kant was a proponent of linking domestic and foreign policy, and the internal organization of the state was a condition for peaceful coexistence. The importance he attaches to this is already evident from the fact that the very first definitive article, “The civil system in every state is to be republican,” refers to it. In its popular version, the saying “democracies do not war with each other” is common, but the situation is more complicated.

However, some authors express that “foreign policy openly takes precedence over domestic: Particular civil constitutions must fail to bring peace internally while external threats to peace persist.”³ The aim of this article is to show the opposite approach of Kant, and also to examine the conditions of perpetual peace, their realism and adequacy, especially in the light of the political trends of the 21st century.

Conditions of Perpetual Peace

Immanuel Kant lists two definite articles, the fulfillment of which is necessary for perpetual peace. The first article is the *republican system*, and the second is the *federalism of free states*.

The two articles build upon each other, and the functionality of the second is conditional upon the first. But both steps are conditional on their successful establishment, which in reality is extremely difficult in practice. This, of course, complicates Kant's construction, and the deficiencies in the (separate) steps complicate the success of the outcome.

The Internal Political Condition of Perpetual Peace

Kant distinguishes between forms of ruling (*forma imperii*) and forms of government (*forma regiminis*), thus introducing his typology.

The forms of ruling depend on who rules (has the ruling power), and here Kant distinguishes autocracy, aristocracy and democracy. He thus essentially copies the classical scheme. (However, it should be noted at the outset that this copying of the classical scheme has its limits for Kant, since he probably means primarily executive power, as I will try to explain later.)

The forms of government depend on the way power is exercised and

² Ibid., pp. 581 – 621.

³ Ibid., pp. 581 – 621.

there are only two: republican and despotic. Despotism is the principle where the state implements the laws it has given itself. The republican form of government is characterized by the separation of the executive from the legislature. Furthermore republic is defined on three principles: “first on principles of the *freedom* of the members of a society (as individuals), second on principles of the dependence of all upon a single legislation (as subjects), and third on the law of their *equality* (*as citizens of a state*)”⁴

The republican form of government is thus defined in three ways:

- separation of powers
- the status of the citizen (which includes the freedom of members of society, subordination to a single legislature, and equality of citizens)
- the scope of citizenship.

The question that arises is whether these are cumulative conditions, i.e., they must all be fulfilled at once, or whether any one of the conditions, however privileged, and its fulfilment is already sufficient for declaring the form of government republican, and further whether partial fulfilment of at least some of the conditions is sufficient, i.e., whether it is a question of degree and only relative fulfilment is sufficient.

While the division into monarchy, aristocracy and democracy/politheia (i.e. according to the criterion of who rules) has been a classical division since antiquity, Kant’s division into despotic and republican systems represents a modern element in his typology.

So is there such a thing as a Kantian table of good and bad forms of government? That is to say, an analogy to Aristotle’s table of good and bad forms of government, except that while the criterion of the form of government, i.e. who rules, remains the same, the other criterion differs – namely not good and bad government, but the form of government, i.e. whether it is a division into despotic or republican.

The division of forms of government into despotic and republican represents an element that is influenced by modern theories of the separation of powers, beginning with John Locke and especially Ch. L. de Montesquieu, from whom the road to the American Constitution of 1787 leads. Typical of the US Constitution is the strict separation of powers. And herein lies one of the pitfalls of Kant’s conception, namely the division into forms of government according to whether or not there

⁴ Kant, I., 2006. *Toward Perpetual Peace: A Philosophical Sketch*. In: Kleingeld, P., ed. *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*. New Haven: Yale University, p. 74.

is a separation of legislative from executive power. It is a well-known fact that such a separation of powers, which in effect implies a separation of the two, has not been subsequently applied nearly as strictly as it has been in the U.S. presidential system. Thus, although the separation of the executive and the legislature represents a new element in Kant's work, it is also an element that has become obsolete with the evolution of political practice. The evolution has not gone in the direction of the model familiar from the US becoming widespread and becoming a typical feature of stable democracies, but quite the opposite – the presidential model that has worked for over two hundred years in the US has rather failed elsewhere, and most established and stable democracies have either a semi-presidential or parliamentary system. In both cases, however, it is a model in which the two powers coexist and usually work together. It can even be said that the executive, especially in parliamentary systems, is constituted by the legislature and must act in accordance with it, being a kind of delegate (representative) rather than an independent actor. Hayek even points to the interconnection of powers, where the so-called legislators cooperate with the government in which they are either directly or indirectly involved, which is therefore also their government (the government of their party or coalition). The details vary from country to country, but a more detailed analysis is beyond the scope of this text.

Kant's position could be interpreted in two ways. Either as a separation in the sense that the two powers are not identical, even though they influence and cooperate with each other. In that case, modern democracies would satisfy this condition of republicanism, indeed they are considered mixed forms of government, not pure democracies.⁵ Indeed, the exercise of power by an elite is not considered contrary to the democratic choice of legislation. However, if Kant insisted on a real separation, as would be suggested not only by the then prevailing theory of Ch. L. de Montesquieu, but also the first significant application of these theoretical principles in practice one decade before the writing of the treatise, and moreover the author himself expresses himself in this way, then one can speak of the first reason for the practical impracticability of the first definitive article today, and probably also within a certain horizon in the future.

⁵ Novák, M., 2024. Proč jsou podle Aristotela demokracie a oligarchie nejdůležitější „ústavy“ a v čem se zásadně liší? *Sociologický časopis / Czech Sociological Review* 60(2), pp. 187 – 211. Only in Czech. This opinion, according to Novák, is also shared by Carl Schmitt and Bernard Manin.

The Relationship of the Republican Form of Government to Democracy

Kant talks about the fact that the republican system gives the best hope for perpetual peace because the citizens decide about war and peace.⁶

The question is, of course, who Kant includes among the citizens, i.e. who constitutes for him the political nation. In *Toward Perpetual Peace*, Kant talks about the fact that in an establishment that is not republican the subject is not a citizen of the state.⁷ Thus, in a republic, a subject is a citizen of the state, one might conclude. A republic could therefore be democratic in the sense that it would grant citizens civil rights, including participation in political power. One might consider that Kant is linking the republic to the democratic principle here, since he communicates the crucial information a little above that in a republican setup, citizens (i.e., freed subjects) have the right to express approval or disapproval of war. This would not be an option in a monarchical or aristocratic regime in the sense of monarchical despotism or aristocratic despotism.

Kant is not a fan of radical (direct) democracy, which is a well-known fact.⁸ However, this type of democracy is not even relevant today, as there are only representative forms of democracy (with some elements of direct democracy mixed in, depending on the country, but this does not change the representative character of modern democracies).

The extent to which a republic could be democratic depends, in turn, on the definition of a citizen, i.e. who all is a citizen. And then on resolving the question of whether all citizens should have the right to participate in political power. (And even more consequential is the question of how far that right extends.)

On the question of who all is a citizen, it is possible to move between two limits, where on the one hand there is an establishment that is still aristocratic (oligarchic) and thus political power is held by a relatively narrow group of the population, and on the other hand a system with an inclusive citizenship, where all adult self-governing citizens are citizens with a stake in political power. The system of aristocracy fulfils Kant's condition that a narrow group rules (holds executive power), and this model is one of the two systems (the other is monarchy) that have

⁶ Kant, I., 2006. *Toward Perpetual Peace*, *ibid.*, p. 75.

⁷ *Ibid.*, p. 75.

⁸ Caranti, L., 2023. Why does Kant Think that Democracy is Necessarily Despotic? *Kantian Review* 28(2), pp. 167 – 183.

the potential to achieve a republican model, while “the democratic mode of government does not allow this” – it is therefore always despotic. But when does a model become democratic, i.e. necessarily despotic? While the line between monarchy and aristocracy is clear, at least in theory, there is a continuum between aristocracy (or oligarchy)⁹ and democracy in the radical sense of inclusive citizenship. There may be a percentage of aristocrats, but there may also be, say, 10 % – but that is already more than the proportion of citizens in Athenian democracy.

A thorough reflection in this direction is carried out by M. Novák, in the context of Aristotle's concept of democracy and the relationship between democracy and oligarchy.¹⁰ In this comparison, Aristotle's rather subtle distinction stands out, allowing us to scale the different variations and combinations of the two forms of government (in Aristotle's terminology, in Kant's we could speak of forms of the state). In the case of democracy alone, Aristotle distinguishes four types (in fact, probably five):

- the people consist of peasants and middle-class citizens who are so busy with work that they have no time for politics.
- the People composed of citizens of good birth.
- a society in which everyone lives freely
- a society in which all the free (as in the previous type) have a share in political power.

And Novak, in agreement with some other authors, finds a fifth type (fifth definition):

- all have an equal share in the government of the state.¹¹

With the exception of radical democracy (which is quite explicitly rejected), a combination of oligarchic and democratic principles is quite common to Aristotle's reasoning and is also more practically feasible and, above all, more stable. Kant does not elaborate the democratic form of state in any detail, nor does he define the republican form of government in any clear way. This, however, significantly complicates the understanding of his work.

In terms of the scope of citizenship, it may seem in *Toward Perpetual*

⁹ The difference between aristocracy and oligarchy is another topic. Kant uses the term of “aristocracy”, by which he means the government of a group – a definition that corresponds also to oligarchy because what Kant deals with is not a quality of governance, but the amount of persons in power.

¹⁰ Novák, M., 2024. Proč jsou podle Aristotela demokracie a oligarchie nejdůležitější „ústavy“ a v čem se zásadně liší?, *ibid.*, pp. 187 – 211. Only in Czech.

¹¹ Aristotle, 1998. *Politics*. Transl. C. D. C. Reeve. Cambridge: Hackett Publishing Company, pp. 109 – 110.

Peace that Kant's ideal is that all subjects become citizens. Since all citizens, not only the privileged classes were subjects, one might also consider the interpretation that all subjects would become citizens. Kant does not make any more precise definition in the present essay. However, he does make it in his earlier essay *Über ein Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis*, 1793. Kant makes a distinction between those who are unable to exercise the right of giving public laws (but are nevertheless under their protection); those who have this right are citizens (*citoyen*), which is a distinction from the bourgeois:

The one who has the right to vote in this legislation is known as the *citizen* (*citoyen*, that is, *citizen of the state*, not citizen of the city, *bourgeois*). The only quality required for this, beside the *natural* one (that it is neither woman nor child) is: that one is *one's own master* (*sui iuris*), and thus that one has some *property* (which also includes any skill, trade, fine art, or science) that provides for one. That is to say that in those cases where he must earn his livelihood from others, he earns it only by *selling* what is *his*, not by means of granting others the right to make use of his powers, thus that he not *serve* anyone, in the true sense of the word, but the commonwealth.¹²

Also later in *Metaphysische Anfangsgründe der Rechtslehre*, he distinguishes between active and passive citizens, counting “journeymen, servants, minors, women” among the passive citizens.¹³

Thus, if Kant uses a similar definition of who is a citizen in works written approximately two years before and after *Toward Perpetual Peace*, it can be assumed that at the time of his writing, between the two works mentioned above, he held the same principles, even if he does not explicitly state them, which greatly facilitates the interpretation of the scope of citizenship according to his ideas. If we exclude those persons who are merely co-participants in the protection they enjoy along with citizens, but who have the right to participate in rule-making,¹⁴ we find that the

¹² Kant, I., 2006. On the Common Saying: This May Be True in Theory, but It Does Not Hold in Practice. In: Kleingeld, P., ed. *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*. New Haven: Yale University, pp. 44 – 66.

¹³ Chotaš J., 2022. Immanuel Kant. Idea věčného míru. In: Kučera, R. – Chotaš, J., eds. *Dějiny politického myšlení, Svazek III/2, Politické směry a myslitelé 19. století*. Praha: Oikoyemenh, pp. 108 – 130. Only in Czech.

¹⁴ In this context, it is also appropriate to point out the interpretation that human dignity depends on the ability to participate in the creation of public laws. See Muránsky, M., 2023. Republikánska tradícia a ľudské práva: K Lohmannovej kritickej reflexii Immanuela Kanta a Karla Marxa. *Studia Philosophica Kantiana* 12(2), pp. 94 – 115.

range of citizens with a stake in power is very far from today's notions of democracy and inclusive citizenship (a judgment we can make even in the absence of accurate statistical data from Kant's time).

At the same time, however, we can hope that the range of participation in political power (lawmaking) is broad enough to be held by persons who will view war as a disadvantageous enterprise and will not approve of it. This problem could therefore be concluded by stating that, once a certain degree of extension of political rights has been achieved, Kant's assumption will no longer realistically hold, and that there is therefore no need to extend political rights with today's scale.

How Much Democracy for the Republic?

At the same time, it is worth noting that today's scope of political rights is probably not inconsistent with Kant's theory of Perpetual Peace. Kant would probably not have seen a problem in extending political rights to other social classes, in terms of the sustainability of a restrained attitude towards war, or even precisely because, rather, he could not imagine it in the reality of the time.

Indeed, the breadth of fundamental political rights is not in itself a problem if it were to be limited to legislation. In fact, Kant distinguishes between monarchy, aristocracy and democracy according to who holds executive power. If the same subject is also the holder of legislative power, it is no longer a form of state, but a form of despotic government (in the sense of the division of forms of government despotic versus republican). The division between despotism and republic, then, is whether a legislative power has been created in addition to the executive power.

In fact, the republican model of government is one that has not let the executive power out of its hands, but has allowed the people (the political nation) to legislate. In a democratic system, this division cannot be made; the people have earned the legislative power and also the executive power. In connotation to Aristotle's table of good and bad forms of government, the following classification could be attempted:

- Monarchy: despotic x republican
- Aristocracy: despotic x republican
- Democracy: despotic x despotic.

Aristotle's distinction between good and bad forms of government has persisted, as the criterion of governing for the good of society ver-

sus governing for one's own good still appears to be workable (albeit in light of the fact that concepts such as the "common good" have been subjected to radical criticism).

In contrast, Kant's conception may appear to be a contemporary answer to a then-vivid question, but one that has become exhausted over time. This is probably a consequence of the historical setting of the argument. This, however, reduces its value for today.

Kant may be conflating two topics that he (seemingly) discusses in one. These are the question of the separation of legislative and executive power, i.e. the question of institutions, and secondly the question of the exercise of the (general) political will and its binding by legislation or laws. Here it is a different, more complicated issue. It is also, in fact, a return to a more traditional concept, namely the question of the binding of government by law (not government in the narrower sense as the executive, but in the broader sense as the governing power of the state). However, while Aristotle points to the problem of democracy as an establishment where citizens do not want to obey the law, and democracy puts itself above the law, for Kant it is a different problem, namely the problem of the enforcement of laws by those who enact them. This is not possible, according to him, if it is not to be a despotism. In a despotism, the ruler also enacts the laws. In a democracy, those who pass laws also rule – which is the same problem, only mirrored, and therefore democracy so conceived is only one variant of despotism. The difference that the autocrat is one and the people are all has no impact on the despotic nature of such a government.

The question is whether the principle of the rule of those who make laws at the same time can be applied in the same way to individuals as to the people, and with the same consequences.

In his typology, Aristotle proceeds towards the best realistically possible form of government, and concludes that it is a mixed government, combining the good elements of monarchy and aristocracy with the democratic principle (one cannot speak directly of democracy, since Aristotle used the word democracy to refer to one of the bad forms of government).

Kant's reasoning is somewhat different – his principle is to separate the will of the people, which is objectified in laws, from the exercise of power. The question is whether this is a different distinction, or whether it is an adoption, with a slight simplification, of the classical conception of Aristotle.

It would seem that Kant is about the same thing – the people decide the laws, but they do not rule directly, another group rules, Kant even

prefers it as narrow as possible, so that the formation of political will and its exercise overlap as little as possible. In his eyes, an aristocratic government is closer to a republic, and an autocratic one even closer. In a slightly later work, *Metaphysische Anfangsgründe der Rechtslehre*, he openly disbelieves in the ability of democracy in general to form a republican form of government,¹⁵ since “the reform of the state and its change into a republic is to be effected, according to Kant, by way of reforms from above”.¹⁶ In autocracy and aristocracy, it is possible that they will accept the principle of representation, since the smaller the number of rulers, the greater the representation, and therefore even in autocracy he assumes an easier implementation than in aristocracy.¹⁷

Who is the Sovereign?

Kant's pessimism about democracy, and his optimism about the rule of elites, however, contradicts the modern notion of popular sovereignty, which Kant mentions essentially in the connection with Rousseau. The first important difference, however, is that Rousseau was led by his concept of the general will to reject the institution of representation.¹⁸ And this in any form, including the democratic one. Belling points out that, according to Hobbes, democracy is not necessary for representation; one can represent/articulate the will of the people in a way independent of a democratic form of government, whereas for Rousseau, representation (any form, even a democratic one) is “incompatible with the idea of the sovereignty of the people”.¹⁹ Rousseau is very clear in *On the Social Contract* that “sovereign power can never be alienated because it is only the exercise of the general will, and that the sovereign, who is only a collective being, can only be represented by himself”.²⁰ Consequences of sovereign power²¹ is not only its inalienability, but also its indivisibility.²² The con-

¹⁵ Kant, I., 2006. *Metaphysics of Morals, Doctrine of Right*. In: Kleingeld, P., ed. *Toward Perpetual Peace and other Writings on Politics, Peace, and History*. New Haven: Yale University, pp. 110 – 149.

¹⁶ Chotaš J., 2022. Immanuel Kant. Idea věčného míru, *ibid.*, p. 121.

¹⁷ Kant, I., 2006. *Toward Perpetual Peace*, *ibid.*, p. 76.

¹⁸ Kant, I., 1988. *Metaphysische Anfangsgründe der Rechtslehre*. Ak. VI. Berlin: H. Kleiner, p. 321.

¹⁹ *Ibid.*, p. 128.

²⁰ Rousseau, J.-J., 1987. *On the Social Contract*. In: Rousseau, J.-J. *Basic Political Writings*. Cambridge: Hackett Publishing Company, pp. 153 – 154.

²¹ Belling states that he prefers to translate “souveraineté” as “sovereignty” rather than “supreme power”. See Belling, V., 2014. *Zrození suveréna: pojem suverenity a jeho kritika v moderní politické a právní filosofii*. Brno: Centrum pro studium demokracie a kultury, p. 128. Only in Czech.

²² Rousseau, J.-J., 1987. *On the Social Contract*, *ibid.*, pp. 154 – 155.

temporary opposite is the theory of Montesquieu and the division of power into legislative and executive (including the judiciary).²³ It is also worth noting that Rousseau “regards representation as fundamentally hostile to sovereignty and the state itself”.²⁴

An important idea of Rousseau, which Kant probably does not develop, is the limitlessness of the sovereign’s will – if only the general will (which is identified with the sovereign) can be the source of laws,²⁵ then it is also true that “the sovereign may violate any law he has imposed”.²⁶ This could include the application of laws to individual cases, including the decision not to apply them or to apply them differently, which is considered by Kant to be a sign of despotism and therefore rejected.

In his work *Toward Perpetual Peace*, Kant follows Rousseau in certain aspects. He conceives of democracy primarily as a plebiscitary form of government, resulting in a critique of democracy, which he thus classifies as a despotism characterized by ignorance of the principle of the separation of powers between the legislative and executive.²⁷ This does not exclude the possibility of democracies with an established system of representation, as stated in Appendix I of *Toward Perpetual Peace*.²⁸

It is important to note that Kant’s conception of democracy and the sovereign underwent some development, and his conception in *Toward Perpetual Peace* and *Metaphysics of Morals* is different. In terms of our topic, however, the conception presented in *Toward Perpetual Peace* is relevant, since Kant’s conception of democracy and sovereignty is here combined with other components of his conception of *Perpetual Peace* into a single body of thought. It even forms its fundamental part – the first definitive article: “The civil constitution in every state shall be republican”.²⁹ It is worth noting here that while the view of democracy and the conception of the sovereign varied, Kant is consistent in his emphasis on the republican system, indeed, in his *Metaphysische Anfangsgründe der Rechtslehre*, two years later, he seems to emphasize it again and even more.³⁰

²³ Montesquieu, Ch., 1949. *The Spirit of the Laws*. New York: Hafner Publishing Company, pp. 151 – 152.

²⁴ Belling, V., 2014. *Zrození suveréna*, *ibid.*, p. 131.

²⁵ Bartoš, J., 2017. *Suverenita panovníka, lidu a státu v moderní politické filosofii*. Ústí nad Labem: Filozofická fakulta UJEP, p. 52 – 74. Only in Czech.

²⁶ *Ibid.*, p. 63.

²⁷ Belling, V., 2014. *Zrození suveréna*, *ibid.*, p. 140.

²⁸ Kant, I., 2006. *Toward Perpetual Peace*, *ibid.*, pp. 101 – 102.

²⁹ *Ibid.*, pp. 72 – 73.

³⁰ Kant, I., 2006. *Metaphysics of Morals, Doctrine of Right*, *ibid.*, p. 340 – 341.

Kant completely diverges with Rousseau not only on the question of the possibility of representation, but also on the question of the sovereignty of the people. Although Kant operates with terms such as “general will”, a closer analysis shows rather a great caution to entrust the people with supreme power. Kant’s text repeatedly addresses this question, and we find views that certainly do not grant supreme power to the people. For example, the people cannot “claim to themselves the right of power over the head of state,” who has “supreme power which cannot be resisted”.³¹ This is, of course, an admission of sovereignty to the sovereign (head of state) and such statements certainly cannot be considered as an adherence to the principle of the sovereignty of the people, but the sovereign is perceived here rather according to the Hobbesian model. In contrast, Kant states that in a republican form of government, “the consent of the citizens of the state is required whether there is to be war or not”.³²

The above two ideas can hardly stand side by side. How, according to Kant, would the dispute between the sovereign (who would be more war-like in principle) and the people, who in Kant’s theory represent the brake on such tendencies, be resolved? On the one hand, the people have the “task” of preventing the war into which the high-ranking elites are rushing, but on the other hand, they must not oppose these elites (the head of state).

One may consider that this is an example of the immaturity of the theory put forward, which on the one hand works with Rousseauian motifs, on the other hand adopting a certain legacy of absolutism. The result, however, is an unworkable whole whose problems can hardly be bridged if we are to stay on Kant’s theories.

Democracy and Sovereignty

In interpretations of Kant’s theory, many authors are convinced that Kant does not condemn democracy in all its forms, but only direct democracy. Kant’s republic could then, according to some, be interpreted as a liberal democracy of the modern type.³³ Similarly, Byrd and Hrushka argue that representative democracy is Kant’s ideal political system.³⁴

³¹ Kant, I., 2006. *Toward Perpetual Peace*, *ibid.*, p. 105.

³² *Ibid.*, p. 75.

³³ Hoffe, O., 2006. *Kant’s Cosmopolitan Theory of Law and Peace*. New York: Cambridge University Press.

³⁴ Byrd, S. B., Hrushka, J., 2010. *Kant’s Doctrine of Right: A Commentary*. New York: Cambridge University Press, p. 167.

However, Caranti, for example, thinks of Kant as „his criticism, properly reconstructed, (a) does not rest on any institutional peculiarity of direct democracies and (b) applies to representative democracies too, including the ones we live in“.³⁵ This view must be taken seriously if it is based on a relevant argument, as then the possibility of modern democracies to come closer to the realization of a peaceful order could be called into question. It is not certain whether Kant was also referring to representative democracy; it is more likely that he was not, but the question is whether the same arguments could not be applied to it. This would mean that the complications Kant saw in the theory presented in *Toward Perpetual Peace* would still apply today, in the application of a different conception of democracy. Caranti believes that “Kant evidently calls ‘democracy’ the whole political system of a state that adopts the democratic form of sovereignty”.³⁶

Basically, it is about the fact that discussions regarding the acceptability and unacceptability of a certain concept of democracy are secondary, if Kant does not grant sovereignty to the people, which is considered one of the basic features of the modern form of democracy - a democratic legal state. Kant can therefore, by today’s standards, be considered an opponent of democracy of today’s type, which greatly complicates the possible contribution of his theory to the present.

Egoism of the People as a Guarantee of Peace

Although Kant is skeptical of democracy, and even more of the principle of the sovereignty of the people, at the same time, for him, the republican form of government presupposes the strongest aversion to war, and is therefore an internal political guarantee of perpetual peace, because he assumes that resistance to the hardships of war comes from the people. In Kant’s view, the people are egoistic, and Kant hopes that this egoism leads them to create a state of law and peace, since war would expose them to hardships they do not want to undergo.

There are two questions that Kant does not ask:

1) What if other, more egoistic motives prevail? Kant does not assume such (im)rationality of citizens that would lead them to prefer war. However, both theoretically and practically, it is possible to imag-

³⁵ Caranti, L., 2023. Why does Kant Think that Democracy is Necessarily Despotic?, *ibid.*, p. 167 – 183.

³⁶ *Ibid.*, p. 167 – 183.

ine or empirically find situations that reduce the mentioned optimism. Throughout history, there have been entire tribes or nations whose egoism led them to aggression.

2) If egoism would lead to the creation of government and rules domestically (the continuity with Hobbes' motives for concluding a social contract is obvious), how can it be concluded that the same egoism does not necessarily lead to a preference for good decisions in international relations? After eliminating the war of all against all, which immediately threatens all, and establishing the state, the egoistic motive of self-preservation and hedonism can be fulfilled. Foreign aggression does not have to threaten (even if only hypothetically) the lives or the pleasures of the group that decides on war and peace, or it may even appear to be advantageous. Kant limits citizens to a relatively narrow group of persons in the state, which can lead to speculation as to how much they will be fundamentally affected by the state of war. His preferred principle of representation, which Kant requires in a very disproportionate variant, where he prefers as few representatives as possible (i.e. autocracy over aristocracy), as a principle leading to the right results, can also significantly distort the will of the people in favor of the elites, who may not be so severely affected by the war.

3) At the same time, it is necessary to take into account a fundamentally different task, which is deciding on war and peace. Kant actually demands that the citizenry (political nation) change its role in the given situation - from a legislator (creator of the general will) to a co-creator of the state's policy, the author of a very specific political decision. That is exactly what he criticizes in principle elsewhere.

International Order

The second definitive article talks about the arrangement of relations on the international scene: International law must be based on the *federalism* of free states. Kant introduces an analogy between a social contract between people, which establishes an establishment in which everyone can be assured of his right. Subsequently, states should conclude a similar social contract, it would be a union of nations (*Volkerbund*). However, in a twist, Kant adds that it should not be a state of nations, since the state is above the nation, and if it were to rule over several nations that would form one people there, which is not the subject of consideration.

The goal is a *peace union* (*foedus pacificum*), which would end all

wars forever.³⁷ However, states cannot be considered the same as citizens, says Kant, namely that “they are supposed to emerge from this state”.³⁸ “Nevertheless, reason from the throne of the highest moral legislative power utterly condemns war as a legal procedure, and makes a state of peace, on the contrary, an immediate obligation, and this state cannot be negotiated and secured without a treaty between nations”.³⁹

The condition for the creation of a peace union is the establishment of the first of the republics, to which other states (republics) will be able to join. The problem here is that, according to Kant, he has to wish it luck – he repeatedly expresses how difficult it is to establish a republican polity, even relying on the establishment by the ruler from above when he comes to this realization. However, this only begins to reveal the complexity of the problem, because regarding the republican establishment Kant states that “however, it is extremely difficult to establish it, and even more difficult to preserve it”.⁴⁰

At the same time, Kant offers a solution there, he even writes that this problem “must be solvable”. The question is why it has not yet been resolved when Kant describes a practically determining mechanism in which “reason can therefore use as a means the natural mechanism of the egoistic inclinations, which in a natural way, in order to make room for its own purpose: namely, the legal regulation, and thereby also support and ensured internal as well as external peace...”.⁴¹

The peace union is not supposed to have any state power, but to guarantee freedom to individual states without having to submit to a higher authority. At the same time, states should submit to public coercive laws – but without coercive authority. Kant rejects the idea of a world state. According to him, it is firstly undesirable and secondly unrealizable. It is undesirable because “the laws lose more and more of their emphasis as the extent of government increases, and that soulless despotism, having exterminated the germs of good, sinks at last into anarchy”.⁴²

Instead of the positive idea of a world republic, only its negative substitute is realistic – namely, a union preventing war. However, this union would operate under the constant threat of an outbreak of hostilities.

³⁷ Kant, I., 2006. *Toward Perpetual Peace*, *ibid.*, p. 80.

³⁸ *Ibid.*, p. 79.

³⁹ *Ibid.*, p. 80.

⁴⁰ *Ibid.*, pp. 90 – 91.

⁴¹ *Ibid.*, pp. 90 – 91.

⁴² *Ibid.*, p. 91.

Conclusion. The Possibility of Establishing Perpetual Peace

It must be remembered that, according to Kant, the very germ of a peaceful arrangement, namely the republican arrangement of things, is fortune. Subsequently, a union of associated states can be created to the original one. Kant believes in feasibility, but subsequently contradicts himself. First, he considers the emergence of the republican establishment to be the result of luck. This greatly relativizes feasibility.

Kant further rejects the state of nations or the world republic. If, of course, he prefers a federated union of states that arrive at a republican polity, which he considers to be a matter of luck, then the resulting union will, depending on luck, consist of random combinations of states that luckily happen to have a republican polity. However, since the republican form of government is not firmly fixed, then the stability of this union cannot be guaranteed, and states can join it, but then also leave it. The composition of the union would be subject to the choice of each state after it fulfills the conditions of accession. Subsequent withdrawal would be a matter of choice (with a republic) or necessity (if the state ceased to have a republican form of government).

A federal union would most likely have no coercive power, not even in international relations, and certainly not within states, not even in a situation where internal conditions are the *sine qua non* of establishing a peace union. It could therefore not influence either the internal conditions of individual members or their external behavior. Moreover, the union could not enforce uniform action against the states outside the federal union, which are in a state of nature vis-à-vis its members, and with whom war is therefore possible and easy, and therefore most probably very probable.

Kant's concept of Perpetual Peace therefore opens up a number of topics, but also questions. It appears to be practically unrealizable and, moreover, difficult to grasp thanks to its internal ambiguities. Moreover, due to the present, it is outdated and unacceptable in certain areas.

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