

Athenian offer and decide the best course for them to follow.

The Melians decided to stand by the position they had taken at the conference with the Athenian envoys. They refused to submit, placing their faith in the gods and the Lacedaemonians. Though they asked the Athenians to accept their neutrality and leave Melos, the Athenians started preparations for war.

In the war that ensued the Melians were soundly defeated. The Athenians showed no mercy, killing all the adult males and selling the women and children as slaves. Subsequently, they sent out five hundred colonists to settle in Melos, which became an Athenian colony.

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## IMMANUEL KANT

### To Perpetual Peace: A Philosophical Sketch

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The state of peace among men living in close proximity is not the natural state \* \* \* ; instead, the natural state is a one of war, which does not just consist in open hostilities, but also in the constant and enduring threat of them. The state of peace must therefore be *established*, for the suspension of hostilities does not provide the security of peace, and unless this security is pledged by one neighbor to another (which can happen only in a state of *lawfulness*), the latter, from whom such security has been requested, can treat the former as an enemy.

#### First Definitive Article of Perpetual Peace: The Civil Constitution of Every Nation Should Be Republican

The sole established constitution that follows from the idea of an original contract, the one on which all of a nation's just legislation must be based, is

republican. For, first, it accords with the principles of the *freedom* of the members of a society (as men), second, it accords with the principles of the *dependence* of everyone on a single, common [source of] legislation (as subjects), and third, it accords with the law of the equality of them all (as citizens). Thus, so far as [the matter of] right is concerned, republicanism is the original foundation of all forms of civil constitution. Thus, the only question remaining is this, does it also provide the only foundation for perpetual peace?

Now in addition to the purity of its origin, a purity whose source is the pure concept of right, the republican constitution also provides for this desirable result, namely, perpetual peace, and the reason for this is as follows: If (as must inevitably be the case, given this form of constitution) the consent of the citizenry is required in order to determine whether or not there will be war, it is natural that they consider all its calamities before committing themselves to so risky a game. (Among these are doing the fighting themselves, paying the costs of war from their own resources, having to repair at great sacrifice the war's devastation, and, finally, the ultimate evil that

would make peace itself better, never being able—because of new and constant wars—to expunge the burden of debt.) By contrast, under a nonrepublican constitution, where subjects are not citizens, the easiest thing in the world to do is to declare war. Here the ruler is not a fellow citizen, but the nation's owner, and war does not affect his table, his hunt, his places of pleasure, his court festivals, and so on. Thus, he can decide to go to war for the most meaningless of reasons, as if it were a kind of pleasure party, and he can blithely leave its justification (which decency requires) to his diplomatic corps, who are always prepared for such exercises.

The following comments are necessary to prevent confusing (as so often happens) the republican form of constitution with the democratic one: The forms of a nation (*civitas*) can be analyzed either on the basis of the persons who possess the highest political authority or on the basis of the way the people are *governed* by their ruler, whoever he may be. The first is called the form of sovereignty \* \* \*, of which only three kinds are possible, specifically, where either *one*, or *several* in association, or *all* those together who make up civil society possess the sovereign power (Autocracy, Aristocracy and Democracy, the power of a monarch, the power of a nobility, the power of a people). The second is the form of government (*forma regiminis*) and concerns the way in which a nation, based on its constitution (the act of the general will whereby a group becomes a people), exercises its authority. In this regard, government is either *republican* or *despotic*. *Republicanism* is that political principle whereby executive power (the government) is separated from legislative

power. In a despotism the ruler independently executes laws that it has itself made; here rulers have taken hold of the public will and treated it as their own private will. Among the three forms of government, *democracy*, in the proper sense of the term, is necessarily a *despotism*, because it sets up an executive power in which all citizens make decisions about and, if need be, against one (who therefore does not agree); consequently, all, who are not quite all, decide, so that the general will contradicts both itself and freedom.

Every form of government that is not *representative* is properly speaking *without form*, because one and the same person can no more be at one and the same time the legislator and executor of his will (than the universal proposition can serve as the major premise in a syllogism and at the same time be the subsumption of the particular under it in the minor premise). And although the other two forms of political constitution are defective inasmuch as they always leave room for a democratic form of government, it is nonetheless possible that they assume a form of government that accords with the *spirit* of a representative system: As Friederick II at least *said*, "I am merely the nation's highest servant." The democratic system makes this impossible, for everyone wants to rule. One can therefore say, the smaller the number of persons who exercise the power of the nation (the number of rulers), the more they represent and the closer the political constitution approximates the possibility of republicanism, and thus, the constitution can hope through gradual reforms finally to become republican. For this reason, attaining this state that embodies a completely just constitution is more difficult in an aristocracy than in a monarchy, and, except by violent revolution, there is no possibility of attaining it in a democracy. Nonetheless, the people are incomparably more concerned with the form of government than with the form of constitution (although a great deal depends on the degree to which the latter is suited to the goals of the former). But if the form of government is to cohere with the concept of right, it must include the representative system, which is

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possible only in a republican form of government and without which (no matter what the constitution may be) government is despotic and brutish. None of the ancient so-called republics were aware of this, and consequently they inevitably degenerated into despotism; still, this is more bearable under a single person's rulership than other forms of government are.

### Second Definitive Article for a Perpetual Peace: The Right of Nations Shall Be Based on a Federation of Free States

As nations, peoples can be regarded as single individuals who injure one another through their close proximity while living in the state of nature (i.e., independently of external laws). For the sake of its own security, each nation can and should demand that the others enter into a contract resembling the civil one and guaranteeing the rights of each. This would be a federation of *nations*, but it must not be a nation consisting of nations. The latter would be contradictory, for in every nation there exists the relation of *ruler* (legislator) to *subject* (those who obey, the people); however, many nations in a single nation would constitute only a single nation, which contradicts our assumption (since we are here weighing the rights of *nations* in relation to one another, rather than fusing them into a single nation).

Just as we view with deep disdain the attachment of savages to their lawless freedom—preferring to scuffle without end rather than to place themselves under lawful restraints that they themselves constitute, consequently preferring a mad freedom to a rational one—and consider it barbarous, rude, and brutishly degrading of humanity, so also should we think that civilized peoples (each one united into a nation) would hasten as quickly as possible to escape so similar a state of abandonment. Instead, however, each *nation* sees its majesty (for it is absurd to speak of

the majesty of a people) to consist in not being subject to any external legal constraint, and the glory of its ruler consists in being able, without endangering himself, to command many thousands to sacrifice themselves for a matter that does not concern them. The primary difference between European and American savages is this, that while many of the latter tribes have been completely eaten by their enemies, the former know how to make better use of those they have conquered than to consume them: they increase the number of their subjects and thus also the quantity of instruments they have to wage even more extensive wars.

Given the depravity of human nature, which is revealed and can be glimpsed in the free relations among nations (though deeply concealed by governmental restraints in law governed civil-society), one must wonder why the word *right* has not been completely discarded from the politics of war as pedantic, or why no nation has openly ventured to declare that it should be. For while Hugo Grotius, Pufendorf, Vattel, and others whose philosophically and diplomatically formulated codes do not and cannot have the slightest legal force (since nations do not stand under any common external constraints), are always piously cited in justification of a war of aggression (and who therefore provide only cold comfort), no example can be given of a nation having foregone its intention [of going to war] based on the arguments provided by such important men. The homage that every nation pays (at least in words) to the concept of right proves, nonetheless, that there is in man a still greater, though presently dormant, moral aptitude to master the evil principle in himself (a principle he cannot deny) and to hope that others will also overcome it. For otherwise the word *right* would never leave the mouths of those nations that want to make war on one another, unless it were used mockingly, as when that Gallic prince declared, "Nature has given the strong the prerogative of making the weak obey them."

Nations can press for their rights only by waging war and never in a trial before an independent tribunal, but war and its favorable con-

sequence, victory, cannot determine the right. And although a *treaty of peace* can put an end to some particular war, it cannot end the state of war (the tendency always to find a new pretext for war). (And this situation cannot straightforwardly be declared unjust, since in this circumstance each nation is judge of its own case.) Nor can one say of nations as regards their rights what one can say concerning the natural rights of men in a state of lawlessness, to wit, that "they should abandon this state." (For as nations they already have an internal, legal constitution and therefore have outgrown the compulsion to subject themselves to another legal constitution that is subject to someone else's concept of right.) Nonetheless, from the throne of its moral legislative power, reason absolutely condemns war as a means of determining the right and makes seeking the state of peace a matter of unmitigated duty. But without a contract among nations peace can be neither inaugurated nor guaranteed. A league of a special sort must therefore be established, one that we can call a *league of peace* (*foedus pacificum*), which will be distinguished from a *treaty of peace* (*pactum pacis*) because the latter seeks merely to stop *one* war, while the former seeks to end *all* wars forever. This league does not seek any power of the sort possessed by nations, but only the maintenance and security of each nation's own freedom, as well as that of the other nations leagued with it, without their having thereby to subject themselves to civil laws and their constraints (as men in the state of nature must do). It can be shown that this *idea of federalism* should eventually include all nations and thus lead to perpetual peace. For if good fortune should so dispose matters that a powerful and enlightened people should form a republic (which by its nature must be inclined to seek perpetual peace), it will provide a focal point for a federal association among other nations that will join it in order to guarantee a state of peace among nations that is in accord with the idea of the right of nations, and through several associations of this sort such a federation can extend further and further.

That a people might say, "There should be no war among us, for we want to form ourselves into a nation, i.e., place ourselves under a supreme legislative, executive, and judicial power to resolve our conflicts peacefully," is understandable. But when a nation says, "There should be no war between me and other nations, though I recognize no supreme legislative power to guarantee me my rights and him his," then if there does not exist a surrogate of the union in a civil society, which is a free federation, it is impossible to understand what the basis for so entrusting my rights is. Such a federation is necessarily tied rationally to the concept of the right of nations, at least if this latter notion has any meaning.

The concept of the right of nations as a right to go to war is meaningless (for it would then be the right to determine the right not by independent, universally valid laws that restrict the freedom of everyone, but by one-sided maxims backed by force). Consequently, the concept of the right of nations must be understood as follows: that it serves justly those men who are disposed to seek one another's destruction and thus to find perpetual peace in the grave that covers all the horrors of violence and its perpetrators. Reason can provide related nations with no other means for emerging from the state of lawlessness, which consists solely of war, than that they give up their savage (lawless) freedom, just as individual persons do, and, by accommodating themselves to the constraints of common law, establish a *nation of peoples* (*civitas gentium*) that (continually growing) will finally include all the people of the earth. But they do not will to do this because it does not conform to their idea of the right of nations, and consequently they discard in *hypothesis* what is true in *thesis*. So (if everything is not to be lost) in place of the positive idea of a *world republic* they put only the *negative* surrogate of an enduring, ever expanding *federation* that prevents war and curbs the tendency of that hostile inclination to defy the law, though there will always be constant danger of their breaking loose. \* \* \*

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