

## ETERNAL PEACE.

Whether this satirical inscription on the sign of a Dutch inn, on which is painted a cemetery, be levelled at mankind in general, at the heads of states in particular, whose voracious appetite for war is utterly insatiable, or at philosophers only, who willingly indulge in the agreeable reverie of a perpetual peace, may be left undetermined.

But, as the practical politician, with great complaisance towards himself, is wont to look down with disdain on the theoretical, as a schoolsage, whose ideas, being but mere creatures of the mind, and of course totally void of reality, can be productive of no danger whatever to the state, which must be founded upon principles of experience, and who may be allowed to pursue his own method, without the *public* statesman's taking any notice of it, the author of the present sketch

stipulates, expressly, that the practitioner, in case of a dispute with the theorist, must act so far consequentially, as not to imagine to perceive danger to the state in opinions, which he has ventured to communicate freely to the public; — by which *clausula salvatoria* the author hopes to have sufficiently guarded himself against every malicious interpretation.

ETERNAL

# E T E R N A L P E A C E.

## SECTION I.

### THE PRELIMINARY ARTICLES OF PERPETUAL PEACE AMONG STATES.

1. *N*o treaty of peace, entered into and concluded with the secret reservation of matter for a future war, ought to be valid as a peace.

For it would then be a mere truce, a suspension of hostilities, but not a *peace*, which signifies the termination of all hostilities, and to add to which the epithet *perpetual* is a suspicious pleonasm. The present causes of a future war, though not yet known perhaps to the contracting parties themselves, are, let them be searched for with ever so much dexterity in the documents of archives, and picked out of them with ever so much acuteness, altogether removed by the conclusion of peace. The reservation (*reservatio mentalis*) of old pretensions to be first excogitated afterwards, of which neither party may at present make mention, because they are both too much exhausted to continue the war, with the bad will, to embrace the first opportunity favourable to this end, belongs to the casuistry of Jesuits,

and is, when the matter is judged as it is in itself, beneath the dignity of a regent, as the compliance with such deductions is beneath that of a minister. —

But when, according to enlightened conceptions of politics, the real honour of the state is made to consist, by whatever means, in the continual augmentation of potency, that judgment is evidently scholastic and pedantic.

2. *No state subsisting of itself (it is all one here whether great or small) ought to be acquired by another state by either inheritance, exchange, purchase, or donation.*

A state is not a patrimony (like the ground upon which it has its seat). It is a society of men, of whom nobody, but itself, has the command and the disposal. But to insert it, which, as a stock itself, has its own roots, like a graft into another state, is to destroy its existence, as a moral person, and to reduce this to a thing, and is therefore inconsistent with the idea of the original contract, without which no right over a nation can be conceived.\* Every body knows to what danger the prejudice of this mode of acquisition has in our days exposed Europe, for the other quarters of the world never even surmised that states too could wed one another, partly as a new sort of industry, to render themselves

\* An hereditary empire is not a state, which can be inherited by another state, but whose right to govern may be transmitted by inheritance to another physical person. The state acquires then a regent, but not the regent, as such (that is, who possesses another empire) the state.

more potent by family alliances without the expence of forces, and partly to extend the territory. — Also the hiring out of the troops of one state to another, against an enemy that is not common to both, belongs to this head; for the subjects are thereby used and misused as things, to be disposed of at pleasure.

3. *Standing armies (miles perpetuus) ought in time to cease totally.*

For they continually menace other states with war, by the readiness to appear always prepared for it; and egg these on to surpass one another in the number of armed men, which has no bounds, and, as by the money bestowed thereon peace becomes still more burdensome at last than a short war, they themselves occasion offensive wars, in order to get rid of this burden; besides, to be hired either to kill, or to be killed, seems to imply a use of men as mere machines and tools in the hands of another (the state), which is incompatible with the rights of the humanity in our own person. The voluntary martial exercises of the citizens performed at stated periods, on purpose to defend themselves and their native country against the invasions and irruptions of a foreign enemy, are of a totally different nature. — The accumulation of riches, being considered by other states as a menace of war, would in the same manner necessitate to preventive attacks (because of the three powers, the *power of an army*, the *power of alliance*, and the *power of money*, the latter might be the instrument of war the

most to be depended on; if the difficulty to discover the size of it did not oppose).

4. *No national debts ought to be contracted relatively to external state-affairs.*

To seek assistance either without or within the state for the behoof of the œconomy of the country (the repairing of roads, new settlements, providing magazines against years of scarcity, and so on), is a resource unsuspected. But, as an engine for the different powers to counteract one another, a system of credit, (the ingenious invention of a commercial nation in the present century) in which debts accumulate to infinite, is a dangerous power of money, namely, a treasure for the purpose of carrying on war, that exceeds the treasures of all other states taken collectively, and can never be exhausted but by the taxes falling short, which must infallibly take place at last, but which system may by the animation of commerce, by means of the reaction of industry and gain, still be long maintained. This facility of waging war, combined with the inclination thereto of those possessing potency, which would seem to be inherent in human nature, is a great obstacle to perpetual peace, to surmount which must be so much the more a preliminary article of this, because the national bankruptcy inevitable at length must involve in the ruin many other states undeservedly, which would be a manifest lesion of the latter. Consequently they are entitled to unite themselves in order to oppose such dangerous measures.

311

5. *No*

5. *No state ought to intermeddle forcibly with the constitution and government of another state.*

For what right can it have to do so? Perhaps on account of the scandal, which it imputes to the subjects of another state. But that may rather serve it as a warning, by the example of the great evils, which a nation has incurred by its lawlessness and consequent licentiousness; and the bad example, which one free person sets another, is, generally speaking, (as *scandalum acceptum*) no lesion to him. — No room would be left for doubt, should a state through internal dissensions divide itself into two parts; each of which represents a separate state of itself that lays claim to the whole; where to assist one of them would not be laid to the charge of another state as intermeddling with the constitution of the other (for it is then an anarchy). But so long as this intestine war is not decided, this intermeddling of foreign powers would be a violation of the rights of an independent nation, struggling but with its own internal disease, therefore, even a scandal given, and would render insecure the autonomy of all states.

6. *No state, at war with another, ought to allow itself to carry on hostilities of a nature that must render impossible the mutual confidence in the future peace; as are employing assassins (*percussores*), poisoners (*venefici*), breaking capitulation, and the instigation of treason (*perduellio*), etc. in the state with which war is waged.*

These are dishonourable stratagems. For some confidence in the cast of mind of the enemy must still remain, even in war, else no peace could ever be concluded, and the hostilities would break out into a war of extermination (*bellum internecinum*); as war is but the sad mean of necessity to maintain one's right by force in the state of nature, where there is no tribunal that can judge legally; where neither of the parties can be declared an unjust enemy, because that supposes the sentence of a judge, but the *issue* decides (as if it were by an ordeal) on whose side the right is; but no punitive war between states is cogitable, because no relation of a superior to an inferior exists among them. — Hence follows, that a war of extermination, where the extirpation can reach both parties at once, and together with them every right too, would let everduring peace have place but in the vast sepulchre of the whole human race. Wherefore such a war, and of course the means thereto, must absolutely not be permitted. — It is obvious that the use of the above-named means unavoidably leads to such a war, because those hellish arts, as they are base in themselves, were they practised, would not be long confined to the theatre of war, as for instance, the use of spies (*uti exploratoribus*), where nothing but the dishonourableness of others (which cannot be eradicated) is turned to profit, but would be exercised during peace likewise, and thus totally destroy the design of it.



The laws above-mentioned are objectively, that is, in the intention of those having power, merely *prohibitory laws*, yet some of them are of the *strict species* (*leges strictæ*) valid without distinction of circumstances, which *directly* insist upon abolishment (as No. 1, 5, 6.), others, however, (as No. 2, 3, 4.) which, not as exceptions to the rule of right, but yet in regard to its *exercise*, through circumstances, are *subjectively* with reference to the moral faculty enlarging (*leges laxæ*), and imply permission to *adjourn* the execution, without losing sight of the end, which does not allow of this adjournment (*exempli gratia*, of the *restitution* of the liberty taken away from certain states, according to No. 2.) *ad calendas græcas* (as Augustus was in the habit of promising), consequently the non-restitution, but, in order that it may not be done precipitantly and so contrary to the design itself, only the delay. For the prohibition here concerns but the *mode of acquisition*, which ought not to obtain for the future, but not the *state of possession*, which, though it has not the requisite title of law, was, according to the public opinion of those times (the putative acquisition), held rightful.\*

\* Hitherto it has not been doubted without reason, whether, besides the commandment (*leges præceptivæ*), and interdiction (*leges prohibitivæ*), there can be still laws of permission (*leges permissivæ*) of pure reason. For laws in general imply a ground of objective practical necessity, but permission one of practical contingency of certain actions; consequently a *permissive law* would imply a necessitation to an action, to that, to which one cannot be necessitated, which, if the object of the law had the same signification in both references, would be a contradiction. — However  
the

the presupposed prohibition refers here in the permissive law but to the future mode of acquisition of a right (for instance, by inheritance), but the exemption from this prohibition, *id est*, the permission, to the present state of possession, which latter may, in the transition from the state of nature to the civil state, as a wrongful, yet *honorable possession* (*possessio putativa*) according to a permissive law of the right of nature, still continue henceforth, though a putative possession, as soon as it is cognised as such, is interdicted in the state of nature, as also is a similar mode of acquisition in the subsequent civil state (after the transition is made), which moral faculty of the continual possession, were such a putative acquisition to be in the civil state, would not have place; for there, directly after the discovery of its wrongfulness, it as a lesion must cease.

My design here was to make the teachers of the law of nature attentive, but by the way, to the conception of a *lex permissiva*, which naturally presents itself to a reason capable of dividing systematically; chiefly, as use is frequently made of it in the civil (or statute-) law, only with the distinction, that the prohibitory law exists there of itself only, but the permission is not as a limiting condition (as it ought to be) included in that law, but thrown in among the exceptions. — It is then said: this or that is interdicted: *let it be now* No. 1, No. 2, No. 5. and so on to infinity, the permissions are superadded to the law but contingently, not according to a principle, but by groping among occurring cases; for otherwise the condition must have been *in the formule of the prohibitory law*, whereby it would have then become a permissive law at the same time. -- It is therefore much to be regretted, that the ingenious, though never resolved, problem of the equally wise and acute count of Windischgrätz, which directly urged the latter, was so soon neglected. For the possibility of such a formule (similar to the mathematical) is the only genuine test of a consequential permanent legislation, without which the *jus certum*, so named, will always remain a pious wish. — Otherwise there will be *general laws* merely (which are valid *in the general*), but no *universal laws* (which are *universally valid*), as the conception of a law seems to require.

SECTION

## SECTION II.

### THE DEFINITIVE ARTICLES OF PERPETUAL PEACE AMONG STATES.

The state of peace among men, who live beside one another, is no state of nature, (*status naturalis*), which is rather a state of war, that is, though not always open hostilities, an everlasting menace with them. The state of peace must therefore be *established*; for the forbearance from hostilities is not yet security for it, and, unless security be given to one neighbour by another (but which can be done in a *juridical* state only), the former may treat the latter, of whom he has demanded it, as an enemy.\*

\* It is commonly supposed, that I dare not proceed in a hostile manner against another, but only when he has *injured* me actively, and it is perfectly correct, when we are both in the *civil* (*legal*) state: For he, having entered into this state, gives me (by means of the magistrate, who has power over us both) the requisite security. — But the person (or the nation) in the mere state of nature deprives me of this security, and, as he is beside me, wrongs me by this very state, not actively (*facto*), yet by the lawlessness of his state (*statu injusto*), whereby I am constantly threatened by him, and I can compel him, either to enter into a common legal state with me, or to leave my neighbourhood. — The postulate then, upon which all the following articles bottom, is: All men, who can have reciprocal influence on one another, must belong to some one civil constitution or other.

All

All juridical constitution now, as to the persons, who rank under it, is:

1. That according to the *civil law* of men, in a nation, (*jus civitatis*),

2. according to the *law of nations* of states in relation to one another (*jus gentium*),

3. that according to the *cosmopolitical law*, so far as men and states, standing in external relation influencing one another, are to be considered as citizens of an universal state of men (*jus cosmopoliticum*). This division is not arbitrable, but necessary relatively to the idea of a perpetual peace. For, were but one of these in the relation of the physical influence to the other, and yet in the state of nature, the state of war would be therewith conjoined, to be delivered from which, is here the very design.

8

DEFINITIVE ARTICLE THE FIRST.

*The civil Constitution ought to be republican in every State.*

The *republican* \* is that constitution, which is founded, *first*, according to principles of

\* *Juridical* (consequently external) *liberty* cannot, as is commonly done, be defined by the moral faculty, To do what one pleases, provided one wrongs nobody. For what is moral faculty (*Befugnis*)? The possibility of an action, so far as one thereby wrongs no one. Therefore the exposition would run thus: Liberty is the possibility of actions, by which one does wrong to nobody. One wrongs nobody (let one do what he pleases), provided one does nobody wrong, consequently it is empty tautology. — But rather my external (juridical) *liberty* is to be expounded thus: It is the moral faculty, to obey no external laws, but to which I could have given my consent. — In like manner external (juridical) *equality* in a state is that relation of the citizens, according to which No one can oblige another to any thing, unless he at the same time subjects himself to the law, to be able to be obliged in the same manner by the other reciprocally. (No exposition of the *juridical* dependence is necessary, as it lies in the conception of a constitution of state in general). — The validity of these innate rights, pertaining necessarily to humanity and unalienable, is confirmed and elevated by the principle of the juridical relations of man to superior beings even (if he cogitates such), when he represents himself according to the very same principles as a citizen of a supersensible world. — For, concerning my liberty, I have, even in regard of the Divine laws cognoscible by me through mere reason, no obligation, but only so far as I myself could have given my consent thereto (for by the law of liberty of my own reason do I first form a conception to myself of the Divine will). With respect to the most sublime being of the world (except God), which I may conceive (a great Aeon), there is no reason, as to the principle of equality, why, when I discharge my duty in my station, as that æon does in his, it should be my duty

to

of the *liberty* of the members of a society (as men); *secondly*, according to the principles of the dependence of all on but one common legislative (as subjects); and *thirdly*, that according to the law of their *equality* (as citizens) — and is the only constitution, which arises from the idea of the original contract, upon which all juridical legislation of a nation must be grounded. This constitution is therefore, as to right, that in itself, which originally forms the basis of every species of civil constitution; and the only question now remaining is, Whether it is the only one likewise, which can lead to a perpetual peace?

The republican constitution, besides the purity of its origin, to have sprung from the pure source of the conception of right, has  
still

to obey merely, but that he should have the right to command. — The reason, that this principle of *equality* is not suitable (like that of liberty) to the relation to God, is, because this is the only being, with whom the conception of duty ceases. But with regard to the equality of all citizens of state, as subjects, it depends entirely on the answer to the question on the admissibility of *hereditary nobility*, *viz.* Whether the *rank* given by the state (to one subject in preference to another), must precede *merit*, or this precede that. — It is evident, that, when rank is conjoined with birth, it is quite uncertain, whether merit too (address and fidelity of office) will follow; consequently it is just as much, as if it were bestowed on the favoured persons without any merit (to be commanders); which the universal will of the nation would never decree in an original compact (which is however the principle of all right). For a nobleman is not, on that account, directly a *noble* man. As to the *nobility of office* (which might be named the rank of a superior magistracy, and which must be acquired by merit), rank here, like property, does not belong to the person, but is annexed to the post, and thereby the equality is not violated; because, when the person resigns his office, he at the same time divests himself of the rank, and returns to the class of the people.

still the perspective of the desirable consequence, everlasting peace; the reason of which is, When the consent of the citizens is required (as it cannot be otherwise in this constitution), in order to decide, Whether there shall be war, or not, there is nothing more natural, than, as they must bring on themselves all the calamities and desolations of war (such as, to fight themselves; to pay the expences of the war out of their own pockets; to repair with great trouble and difficulty the cruel havock and devastation, which it has made; and finally, to heap up the measure of evil, to take upon themselves a heavy load of debt, which, on account of wars constantly succeeding one another, never can be liquidated, an imbittering of even peace itself), that they would reflect very maturely before they undertook a task so rugged: Whereas in a constitution, where the subject is not a citizen, and which is therefore not republican, war is an affair of the least consequence, and occasions not the smallest hesitation, because the head is not a fellow-citizen of the state but its proprietor, and sustains on account of the war no loss whatever of his table, of his household, of his country residences, of his chace, of his...., but may therefore declare war, as he would determine on a party of pleasure, for the most insignificant reasons, and, for the sake of decorum, leave with the most frigid indifference the justification of it to the *corps diplomatique*, which is always ready and willing to undertake it.

That the republican constitution may not be confounded (as usual) with the democratical, the following must be observed. The forms of a state (*civitas*) may be divided either according to the difference of the persons, who have the supreme power of the state in their hands, or according to the *mode of governing* the nation whatever it be, by its head; the former is properly denominated the form of the *sovereignty* (*forma imperii*), and but three forms of it are possible, where either *one only*, or *a few combined among themselves*, or *all those*, who constitute the civil society, possess the power of sovereignty (*autocracy, aristocracy, and democracy*, the power of a prince, the power of nobles, and the power of the people). The second is the form of the government (*forma regiminis*), and concerns the manner, founded upon the constitution (the act of the universal will, whereby the multitude becomes a nation), how the state makes use of the perfection of its potency — and in this reference is either *republican* or *despotal*. REPUBLICANISM\* is the state-principle

\* The word *Republicanism* (as well as the honourable name of patriot, citizen, etc.) has of late been too grossly misapplied, that, though it is the only one suitable to the signification here, the translator cannot help feeling a reluctance to use it. This species of republicanism, (not even cogitable but by a moral politician) will not, however, be liable to be confounded with the Gallic, more aptly denominated *Jacobinism*. A few lines, by one of our most elegant and most able writers, will serve, better than any thing the translator could say, to contrast these two sorts of republicanism. — From discontent to sedition; from sedition to insurrection; from insurrection to rebellion; from rebellion to deposition; from deposition to murder; from murder



ciple of the separation of the executive power (the government) from the legislative; DESPOTISM is that (the state-principle), according to which the state arbitrarily executes the laws ordained by itself, by consequence the private will of the regent is administered as the public will. — of these three forms of state that of DEMOCRACY is, in the proper sense of the word, of necessity a *despotism*, because it establishes an executive power, where all decree with respect to and even against one (who therefore does not consent), consequently all, who are not all, decree, which is a contradiction of the universal will both with itself and with liberty.

Every form of government that is not REPRESENTATIVE is properly *formless*, since the legislator can be at the same time the executor of his own will, as little as the universal of the major in a ratiocination can be at the same time the subsumption of the particular under that in the minor, and, though the other two constitutions of state are always so far defective, that they leave room for such a mode of government, it is possible at least, that they may adopt a species of government conformable to the *spirit* of a representative system, as, for example, Frederic II. seemed to evince by saying, that 'He was but the first

R 2

servant

murder to (Gallic) republicanism. Such is the patriotic ladder by which the real friends to liberty ascend to the summit of political perfection!

See A LETTER TO THE EARL OF LAUDERDALE, by JOHN GIFFORD Esquire, sold by Longman.

servant of the state,\* whereas the democratical constitution renders it impossible, because in it every one wishes to be master. — It may therefore be said, The fewer the persons, who are in possession of the power of the state (the number of the rulers), and on the contrary the greater the representation, the more does the constitution of state accord with the possibility of republicanism, and may at last by gradual reforms be elevated to the republican constitution. For which reason it is more difficult in an aristocracy, than in a monarchy, but in a democracy impossible, but by violent revolutions, to attain this only perfect juridical constitution. The form of the government,\* however,

\* The appellations, by which a sovereign has been frequently dignified (to wit, the Lord's anointed, the administrator of the Divine will upon earth, and the representative of God), have been often censured as gross flatteries; but in my opinion, without foundation. — So far from making him haughty, they ought rather to make him humble, if he is endowed with understanding (which must be supposed) and reflects, that he has accepted an office, which is too great for a man, namely, to administer the most sacred thing, which God has upon earth, the *rights of man*, and he must be constantly apprehensive of having acted in some one manner or another derogatorily from this favourite of the Almighty.

\* Mallet du Pan, in his usual declamatory way, boasts to have at length acquired, after long experience, a thorough conviction of the truth of the well-known lines of Pope,

‘For Forms of Government let fools contest;  
Whate’er is best administer’d is best:’

If these mean, That the best administered government is the best administered, he has, according to Swift's expression, cracked a nut and found a maggot; but if that sentence signifies. That it is the best mode of government too, that is, constitution of state, nothing can be more false; for examples of good governments prove nothing relatively

however, is beyond all comparison of greater importance to the nation, than the form of the state, though a great deal depends on the more or less suitableness of this to that end. But to that, if it is to be conformable to the conception of right, belongs the representative system, in which only a republican mode of government is possible, and without which it is, let the constitution be what it will, despotic and violent. — None of the ancient republics, commonly so named, knew this, for which reason they could not but terminate in that despotism, which obtains under the supreme power of one only, yet the most supportable of any.

latively to the mode of government. — Who ever governed better than *Titus* and *Marcus Aurelius*, and yet the one left as his successor a *Domitian*, and the other a *Commodus*, which in a good constitution could not have happened, as their unfitness for this post was known soon enough, and the sovereign had sufficient potency to exclude them.

## DEFINITIVE ARTICLE THE SECOND.

*The Law of Nations ought to be founded upon  
a Confederation of free States.*

Nations, as states, may be judged as single men, who injure one another in their state of nature (that is, in their independence on external laws) by their juxtaposition, and each of whom, for the sake of his own safety, may, nay, ought to demand of the other, to enter with him into a constitution, similar to the civil one, where each may be secured in his rights. This were a *league of nations*, but which must not be a state of nations. There would however be a contradiction therein; because every state comprises the relation of a *superior* (a legislative) to an *inferior* (obeying, namely, the nation), but a number of nations in a state would constitute but a nation, which, as we have here to weigh the rights of *nations* with one another, so far as they constitute so many different states, and are not to be incorporated into one state, is inconsistent with the supposition.

As we behold with profound contempt, and consider as rude, unpolished, and a brutal degradation of humanity, the attachment of savages to their lawless liberty, rather to wrangle and fight with one another incessantly,  
than

than to submit themselves to a legal coercion, to be constituted by themselves, consequently to prefer the insane liberty to the rational; so, one should imagine, that civilised nations (each united in a state by itself) must hasten to forsake a situation so abandoned: Instead of that, however, every *state* rather places its majesty (for the majesty of the people is an absurd expression) in not being subjected to any external legal coercion whatever, and the splendour of its head consists in having at his orders, without needing to expose himself to danger, many thousands, who suffer themselves to be sacrificed \* for an affair, which does not concern them, and the difference between the European and the American savages consists chiefly in this, namely, that, as many tribes of the latter have been totally devoured by their enemies, the former know better how to turn their vanquished enemies to account, than to eat them, and rather chuse to augment by them the number of their subjects, consequently, the multitude of instruments of still more extensive wars.

Considering the pravity of human nature, which manifests itself in the free relation of nations (though it veils itself in the civil (legal) state by the coercion of the government), it is astonishing, that the word *right* has not yet been able to be totally banished as pedantic

R 4 from

\* A Bulgarian prince gave for answer to the Greek emperor, who, in order to spare innocent blood, called him to decide the contest between them by single combat, That a blacksmith, who has tongs, will not be so great a fool, as to take the red hot iron out of the fire with his hands.

from the politics of war, and that no state has yet had the effrontery, to declare itself publicly for the latter opinion; for *Hugo Grotius*, *Puffendorf*, *Vattel* and many others (but sorry comforters), though their code, philosophically diplomatically composed, has not the smallest *legal* force, nor can have (because states as such do not rank under a common external coercion), will always be cordially cited for the purpose of *justifying* a hostile attack, without there being an example, that a state, armed with testimonies of so weighty men, has ever been moved by arguments, to desist from its purpose. — This homage, which every state does (at least according to the words) to the conception of right, evinces, that a still greater, though at present slumbering, moral predisposition is to be met with in man, some time or other to overpower the bad principle in him (whose existence he cannot deny), and to hope this of others likewise; else the word *right* would never be pronounced by states, who are determined to wage war with one another, unless it were ironically, as a certain Gallican prince explained it: 'It is the preference, which nature has given the stronger over the weaker, that the latter shall obey him.'

As the manner, in which states prosecute their right, never can be, as in an external tribunal, by process, but only by war, by this however and its favourable issue, *victory*, right is not determined, and by the *contract of peace* an end is put, it is true, to the war for this time, but not to the state of war (al-

ways

ways to find a plausible pretence for a new one), which cannot be directly interpreted as unjust, because in this state everyone is judge in his own case, but of states, according to the law of nations, not even that can be valid, which is of men in a lawless state according to the law of nature, namely, to be obliged to quit this state, (because they, as states, have already internally a juridical constitution, and are grown too big for the coercion of others, to be brought by them according to their conceptions of law under an enlarged legal constitution), mean-while reason, from the throne of the supreme moral legislative power, absolutely condemns war as the course of right, and on the contrary makes an immediate duty of being in a state of peace, but which cannot be established and secured, without a paction of nations among themselves;— thus there must be a confederacy of a peculiar sort, that may be named the *confederacy of peace* (*foedus pacificum*), which would be different from the *treaty of peace* (*pactum pacis*), as this aims at putting an end to *one* war merely, but that to *all* wars for ever. This confederacy refers to no acquisition of any one potency of state, but only to the support and security of the *liberty* of a state, at once relatively to itself and to other leagued nations, without these needing on that account to subject themselves (like men in the state natural) to public laws, and a coercion under them.— The feasibility (the objective reality) of this idea of confederation, which ought to extend gradually to all states, and thus lead to per-

petual peace, may be exhibited. For if it should so happen, that a potent and enlightened nation can form itself into a republic (which from its very nature must be inclined to perpetual peace), this would form a centre of federal union for other states to join themselves to, and so, conformably to the idea of the law of nations, to secure a state of peace, and by more alliances of this sort to extend themselves by degrees further.

It may be understood, when a nation says, There shall be no war among us; for we will form ourselves into a state, that is, establish for ourselves a chief legislating, governing, and judging power, which shall make up our differences peaceably. — — But when this state says: There shall be no war between me and other states, though I acknowledge no supreme legislative power, which secures my right to me and their's to them, it is not possible to understand, upon what I am to ground the confidence in my right; unless it be the surrogate of the contract of civil society, to wit, the free federalism, which reason must necessarily conjoin with the conception of the law of nations, if there shall remain any thing at all to be thereby thought.

By the conception of the law of nations as a right *to* war, nothing whatever can properly be conceived (because it must be a right, not according to universally valid external laws, which limit the liberty of every individual, but according to unilateral maxims, to determine by force, what is right), it must then be thereby understood, That no injustice

at



at all happens to men, so minded, when they destroy one another, and find everlasting peace in the wide grave, in which are inhumated together with their authors all the horrors of violence and oppression. — There is no other rational manner for states, in relation one to another, to get out of the lawless situation, in which there is nothing but war, than that they, as well as single men, shall forsake their savage (lawless) liberty, submit themselves to public coercive laws, and thus form a *state of nations* (always increasing, it is true), (*civitas gentium*), which would ultimately embrace all the nations of the earth. But as they, according to their idea of the law of nations by no means will this, consequently, reject *in hypothesis*, what is right *in thesis*; so, in place of the positive idea of a *republic of the world* (unless all shall be lost) only the negative surrogate of a permanent *league*, preventing war, and, gradually extending itself, can stem the wild torrent of inimical inclination abhorring all right, yet with constant danger of its bursting out. (*Furor impius intus fremit horridus ore cruento.* Virgil).\*

\* On the conclusion of a war, it would not be unbecoming for a nation, if after the day of thanksgiving, a day of fasting and repentance were appointed, to implore heaven, in the name of the state, for forgiveness and mercy for the great sin, of which the human species still continues to be guilty, in not being willing to subject themselves to any legal constitution, in relation to other nations, but, proud of their independence, rather to use the barbarous mean of war (by which, however, what is sought, namely, the rights of each state, is not obtained). — The thanksgivings during war, on account of a victory gained, the hymns which, like true Israelites, are sung to the *Lord of Hosts*, are not less strongly

strongly contrasted with the moral idea of the Father of men; because they, besides the indifference as to the manner, in which nations seek their reciprocal rights (which is sad enough), still add a pleasure, to have either butchered multitudes of men, or at least destroyed their happiness.

## DEFINITIVE ARTICLE THE THIRD.

*The cosmopolitical Law ought to be limited to  
Conditions of universal Hospitality.*

Neither here, nor in the foregoing articles, is philanthropy the subject in hand, but *right*, and *hospitality* signifies the right of a stranger, not to be treated hostilely on account of his arrival upon the territory of another. The other may send him away, when it can be done without occasioning his destruction, but, as long as he (the stranger) behaves himself in a peaceable manner in his country, not treat him as an enemy. It is not a *law of guests*, to which the latter may lay claim (whereto a particular beneficent contract would be requisite, to make him for a certain time a house-companion), but a *right of visiting*, which belongs to all men, to introduce themselves to society, by means of the right to the common possession of the surface of the earth, upon which, as a spherical surface, they cannot disperse themselves to infinite, but must finally bear to live beside one another, no one however has a greater right, than another, originally, to be at any place of the earth. — Uninhabitable parts of this surface, the sea and the sandy deserts separate this communion, yet  
so,

so, that the *ship*, or the *camel* (the ship of the desert) renders it possible to approach one another across these masterless regions, and to use the right to the *surface*, which belongs in common to the human race, for a possible commerce. The inhospitality of the inhabitants of the coasts (for example those of Barbary), by robbing vessels in neighbouring seas, or making slaves of shipwrecked mariners, or that of the sandy deserts (of the arabian Bedouins), to consider the approaching to the Nomades as a right to plunder them, is repugnant to the law of nature, but which law of hospitality; that is, the moral faculty of foreigners, extends no farther, than to the conditions of the possibility of *trying* a commerce with the ancient inhabitants. — In this manner the inhabitants of distant parts of the world may come into amicable relations with one another, which may at last become publicly legal, and thus bring the human species nearer to a cosmopolitical constitution.

If we compare with this the *inhospitable* conduct of civilized, chiefly commercial states of our quarter of the globe, we must startle at the violence and injustice they commit in *visiting* foreign countries and nations (which with them is synonymous with *conquering* these). America, the coast of Guinea, the spice-islands, and the cape of good hope etc. were, immediately on their discovery, in the opinion of those European states, countries, which belonged to nobody; for their inhabitants were looked upon as nobody. Under the specious pretext of establishing factories they

they introduced foreign troops into the East Indies (Indostan), but with them oppression of the natives, incitement of the different states to extensive wars, famine, rebellion, rapine, perfidy, and all the host of evils, which assails mankind.

The inhabitants of China\* and Japan, who had received the visits of such guests, have  
wisely

\* To distinguish this great empire by the name, which is given to it by its own inhabitants, to wit, *China*, not *Sina*, or a sound similar to this, see Georgii Alphab. Tibet. pag. 651—654. especially Nota b. below. — It properly bears, according to Prof. Fischer of Petersb., no determinate appellation, by which the inhabitants name it; the most usual one is that of the word *Kin*, to wit, *Gold* (which the inhabitants of Thibet express by *Ser*), hence the emperor is named the king of *Gold* (the most glorious country of the world), which word in the empire itself may sound like *Chin*, but is pronounced like *Kin* by the Italian missionaries, on account of the guttural letter. — Hence it is obvious, that the country named *Serer* by the Romans is China, but the silk was brought over Great Thibet (perhaps across Little Thibet the Bucharey and Persia, and so on) to Europe, which leads to many contemplations on the antiquity of this surprising state, in comparison with that of Indostan, in the connection with Thibeth, and, by this, with Japan; whereas the name *Sina*, or *Tschina*, which the inhabitants are said to give to this country, leads to nothing. — Perhaps the very ancient, though never properly known, intercourse between Europe and Thibet may be explained from what Hespehins has preserved of this for us, namely, the acclamation *Koz̄ Ouz̄az̄* of the hierophants in the Eleusinean Mysteries (see Travels of Anacharsis the younger, 5 Part. 447). — For according to Georgii Alph. Tibet. the word *Concioa* signifies God, which has a remarkable similarity with *Konc. Puh-cio* (ib. p. 520.), which could be easily pronounced by the Greeks as *παρ*, *promulgator legis*, the Godhead diffused throughout nature (named *Genereft* also, p. 177). — *Bai om*, which La Croze translates by *benedictus*, may, applied to the Divinity, signify nothing but the *held Blessed*, p. 507. As P. Fran. Horatius always received from the flames of Thibet, whom he often questioned, what they understood by God (*Concioa*), the answer: *It is the Collection of all Holies.* (id est, holy souls

wisely refused them entrance, though not access, and this indeed the Japanese allow but to one European nation, the Dutch, whom they however exclude, like captives, from every intercourse with the natives. The worst of the affair (or, considered from the station of a moral judge, the best) is, that those states will derive no profit from these outrages, that all those trading companies are just at the point of overthrow, that the sugar-islands, that seat of the most cruel slavery possible to be devised, yield no real revenue, but only mediately, and serve for a purpose not very laudable, namely; a nursery for seamen to supply the navy, and consequently to carry on war in Europe; and the heads of those states, while they commit such glaring injustice, and such acts of violence and cruelty, make much of piety, and wish, in point of orthodoxy, to be held elect.

As the intercourse more or less strict among the nations of the earth is now thoroughly brought to such a pass, that the violation of right in *one* part of the earth is felt in *all* parts;

souls transformed by the regeneration of the Lamas, after many wanderings through all sorts of bodies, finally returned to the Godhead, in *Burchane*, that is, Being worthy of adoration (p 223), thus that mysterious word ΚΟΝΞ ΟΜ-ΠΛΞ must have signified the *holy* (*Koux*) *biessed* (*om*) and *wise* (*Pax*), supreme Being (personified nature) diffused throughout the world, and, used in the Greek *mysteries*, pointed out the *monotheism* for the popes, in contradistinction to the *polytheism* of the people; though P. Horatius (a. a. O.) discovered under this an atheism. — It may however be explained in the above manner, how that mysterious word came to the Greeks across Thibet. and, *vice versa*, thereby renders probable the earlier intercourse between Europe and China across Thibet (perhaps still earlier than between Europe and Indostan).

parts; the idea of a cosmopolitical law is not a phantastical and overstrained mode of representing right, but a necessary complement of the unwritten code, as well of the law of state as of the law of nations, for the public law of man in general, and so for the purpose of everlasting peace, to which we cannot flatter ourselves, but on this condition, to be in the continual approximation.

## SUPPLEMENT.

*Of the Guaranty of perpetual Peace.*

This *guarantee* is nothing less, than the great artist NATURE (*natura dædala rerum*), in whose mechanical course conformity-to-end is evident, by making concord arise out of the very discord of men, even against their will, and therefore, like a necessitation of a cause unknown to us from the laws of its effect, is named FATE, but, on pondering its conformity-to-end in the course of the world, as profound wisdom of a superior cause, directed to the objective scope of the human species, and predetermining this course of the world, PROVIDENCE,\* which we do not

\* In the mechanism of nature, to which belongs man too (as a sensible being) we discover forming the basis of its existence a form, which we cannot render comprehensible to ourselves, but when we attribute to it the end of an Author of the world, predetermining it, whose predetermination we denominate the (divine) *Providence* in general, and, provided it be placed in the *beginning* of the world, *founding* (*providentia conditrix; semel jussit, semper parent*, Augustin), but in the *course* of nature to obtain this according to universal laws of the conformity-to-end, *ruling Providence* (*providentia gubernatrix*), farther, to peculiar ends, but not to be foreseen by men, but presumed from the consequence only, *guiding* (*providentia directrix*), finally, even with regard to single events, as divine ends, no longer *Providence*, but *extraordinary direction* (*directio extraordinaria*), but



not properly *cognise* in these artificial dispositions of nature, nor even *conclude* therefrom,  
 S 2 but

but to have the intention to cognise which (as it in fact shows to miracles, though the events are not so named), is nothing but mad audaciousness of man; because it is absurd and full of arrogance to conclude from a single event a peculiar principle of the efficient cause (that this event is end, and not merely collateral consequence of the mechanism of nature from another end totally unknown to us), let the language express on this head ever so much piety and humility. The division of providence (*materialiter* contemplated), as it refers to *objects* in the world, into *universal* and *particular*, is false and inconsistent (that it, for instance, takes care to maintain the species of creatures, but commits the individuals to chance); for it is expressly termed universal, that no one thing may be thought excepted. — Perhaps the division of providence here (*formaliter* contemplated) has been meant according to the mode of execution of its design, namely, into *ordinary* (*exempli gratia*, the annual decaying and reviviscency of nature according to the vicissitude of the seasons) and *extraordinary* (for instance, conveying to the coasts of the frozen sea wood, which cannot grow there, by the tide, for the inhabitants of those regions, who could not exist without it), where, though we can easily explain to ourselves the physical mechanical cause of these phenomena (for example, by the banks of rivers overgrown with trees in the temperate climates, into which rivers those trees fall, and are carried away perhaps by the gulf-stream), we must not overlook the teleological, which points to the care of a wisdom ruling over nature. — But as to the conception, usual in the schools, of a divine *assistance*, or co-operation (*concurus*) in an effect in the sensible world, this must be totally dropped. For to have a mind to couple the heterogeneous (*gryphes jungere equis*) and to let him, who is himself the complete cause of the alterations of the world, *integrate* his own predetermining providence during the course of the world, (which must therefore have been defective), for example, to say, that *next to God* the physician has cured the patient, and therefore is present with his aid, is *in the first place* contradictory. For *causa solitaria non juvat*. God is the author of the physician together with all his remedies, and thus the effect must be *entirely* ascribed to God, if we will mount to the highest first cause theoretically incomprehensible to us. Or it may be ascribed to the physician  
*entirely,*

but which (as in all relation of the form of things to ends in general) we can and must but *add by cogitation* in order to form a conception to ourselves of its possibility, according to the analogy with human works of art, but to represent to ourselves the relation and agreement of which with the end, that reason immediately prescribes to us (the moral end), is an idea, which indeed in a *theoretical* view is transcendent, but in the practical (for instance, with regard to the conception of duty, *perpetual peace*, in order to employ that mechanism of nature for this purpose), dogmatical and as to its reality well-founded. — The use of the word *nature*, when, as here, theory merely (but not religion) is in question, is more suitable to the limits of human reason (as it must keep itself, with regard to the relation of effects to their causes, within the pale of possible experience), and more *modest*, than the expression of a *Providence* cognoscible by us, with which one puts on Icarian wings, in order to approach in a temerarious manner the mystery of his inscrutable design.

Fre

*entirely*, provided we pursue this event as explicable according to the order of nature in the series of the causes of the world. *Secondly* such a cast of mind destroys all determinate principles of the judgment of an *effect*. But in a *morally practical* view (which is totally directed to the supersensible), *exempli gratia*, in the faith, that God will complete the want of our proper justice, were our mindedness but genuine, and that by means incomprehensible to us, but we must not remit in the striving and aspiration to the good, the conception of the divine *concursus* is totally apposite and even necessary: whereby it is self-evident, that nobody must endeavour from this to *explain* a good action (as an event in the world), which is a pretended theoretical cognition of the supersensible, consequently absurd.

Ere we determine this guaranty more precisely, it will be necessary previously to take a view of the state, which nature has prepared for the persons acting upon her vast theatre, and which finally renders necessary their security of peace; — but then first the mode, how she gives this.

Her provisional preparation consists, 1. in that she has taken care that men can subsist in all the regions of the earth; — 2. in that she has forced them every-where by *war*, even into the most inhospitable climes, in order to people them; 3. in that she has necessitated them by the very same mean to enter into relations more or less legal. — That in the cold wastes that border the frozen sea moss should grow, which the *raindeer* scrapes from beneath the snow, to maintain itself, in order to be food for the Ostiac or the Samoiede, and to drag the sled; or that the saline sandy deserts should contain the *camel*, which seems as if created for the purpose of travelling in them, in order that they should not be entirely useless; how admirable! But the end is still more obvious, when, besides the animals covered with fur on the coasts of the frozen sea, we find that seals, sea-horses, and whales yield food and firing for the inhabitants. The care of nature, however, excites the greatest admiration by the floating wood, with which (without our knowing well whence it comes) she supplies those countries destitute of vegetation, without which material the inhabitants could have neither boats nor arms, nor be able to build their huts; when

they have then enough to do with the war against the wild beasts, to induce them to live in peace among themselves. — — But that which has *forced them thither*, has perhaps been nothing but war. The *horse* is the first *instrument of war* among all the animals, which man, during the time of the peopling of the earth, learned to tame and to domesticate (for the elephant belongs to the more modern times of luxury of states already established), as the art of cultivating certain sorts of grass no longer knowable by us, as to their original quality, named *corn*, and also the multiplying and improvement of the different sorts of *fruit* by transplanting and ingrafting (perhaps of but two species in Europe, the crab-apple and wild pear), could have their origin but in the situation of states already established, where a security in landed property had place, — afterwards men formerly in a state of lawless liberty passed from the life of *hunters*,\* fishers and herdsmen to that of *cultivators*, and now *salt* and *iron* were discovered,

\* Of all the ways of life that of *hunters* is beyond doubt the most contrary to the civilized constitution; because the families, which must separate themselves, soon become *foreign* to one another and therefore dispersed in extensive forests, and soon *inimical*, as each requires a great space for the purpose of acquiring food and clothing. — The *prohibition of blood to Noah*, Gen. I. IX, 4—6. (which, often repeated, was afterwards made a condition, though in another view, by the Jewish Christians, even to the Christians newly arrived from the pagan countries, Acts, xv. 20. XXI. 25—) seems originally to have been nothing, but the prohibition of the *hunter's life*; because in it the case must often occur, to eat raw flesh, therefore the former was forbidden at the same time with the latter.

covered, perhaps the first articles in general demand of a commerce between different nations, whereby they were brought first into a *friendly relation* towards one another, and so, even with more remote nations, into a good intelligence, intercourse, and amicable relation among one another.

As nature has taken care that men *can* live every-where upon the earth, she at the same time has despotically willed that they *shall* live every-where, though contrary to their inclination, and even without this *shall's* presupposing at the same time a conception of duty, which, by means of a moral law, would bind them thereto — but she has chosen war, to attain this her end. — We see nations by the unity of whose language is made known the unity of their descent, as the *Samoiedes* on the coasts of the frozen sea, on the one hand, and a nation speaking a similar language, at the distance of two hundred German miles from them, in the *Altaish* mountains, on the other, between whom have intruded themselves another nation, horsemen and warlike, namely, the Mongols, who have driven that part of their stem far from this part of it into the most inhospitable frozen regions, whither they had certainly not extended themselves of their own accord;\* — in like manner

S 4

the

\* It might be inquired, If nature had been willing that these icy coasts should not remain uninhabited, What will become of their inhabitants, if she should not one day carry them any more wood by floatings (as is to be looked for)? For it is to be believed, that, by advancing culture, the inhabitants of the temperate zones will know how to profit more by the wood, which grows on the banks of their rivers,

the *Finlanders* in the most northern parts of Europe, named *Laplanders*, are separated from the *Hungarians* to just as great a distance, but related to them, according to the language, Goths and Sarmatians having forced themselves between them; and what can have driven the *Esquimaux* (perhaps the descendants of European adventurers of old, a race totally different from all Americans) in North America, and the *Pesheras*, in South America, so far as Terra del Fuego, but war, which nature uses as a mean to people all corners of the earth. War itself however requires no peculiar motive, but seems to be grafted upon human nature, and even to prevail as something noble, to which man is animated, without selfish springs, by the instinct of honour: so that *military valour* (of the American savages, as well as of the European, in the times of chivalry) is judged to be of immediately great value not merely *when* war is (as reasonable), but also, that war shall be, and it is often begun, merely to show that valour, consequently an intrinsic *dignity* is placed in war in itself, insomuch that even philosophers themselves make panegyrics on it, as a certain ennoblement of humanity, unmindful of this sentence of their Greek predecessor: 'War is

vers, and will not allow it to fall into these, and so swim to the sea. I would answer: The inhabitants on the banks of the rivers Oby, Jenesy, and Lena will carry it to them by means of trade, and truck it for the productions of the animal kingdom, in which the sea is so rich on the icy coasts; when she (nature) shall have first forced peace among them.

is bad, because it makes more wicked men, than it takes away.' — And so much at present as to what nature does *for her own end* relatively to the human race as a class of animals.

The question now, which concerns what is the most essential of the design of perpetual peace, is, What nature does in this view, with reference to the end, which man's own reason constitutes his duty, consequently to the favouring of his *moral design*, and how she guaranties, that that, which man *ought* to do according to laws of liberty, but does not do, may, without prejudice to this liberty, be secured by a coercion of nature even, that he *will* do it, and that according to all the three relations of the public law, the *law of state*, the *law of nations*, and the *cosmopolitical law*. — When I say of nature, *She wills*, that this or that shall be done, it does not mean, that she imposes a duty on us, to do it (for only the practical reason, free from coercion, can do that), but she does it herself, whether we will or not (*fata volentem ducunt, nolentem trahunt*).

1. Though a nation were not necessitated by intestine dissensions, to put themselves under the coercion of public laws, external war would do it, as, according to the above-mentioned disposition of nature, every nation has for its neighbour another nation pressing it, against which it must form itself internally into a *state*, in order, as a *potency*, to be prepared against the other. Now the *republican* constitution is the only one, which is per-

fectly suitable to the rights of man, but also, the most difficult to found, and still more to maintain, insomuch that many assert, that it must be a state of *Angels*, as if men with their selfish inclinations were not capable of a constitution of so sublime a form. But nature comes to the assistance of the revered universal will, founded in reason, but unable for the praxis, directly by those selfish inclinations, so, that it depends but on a good organization of state (which is certainly in the power of men), to direct those her powers in such a manner, that the one either stops the destructive effect of the other, or annuls it; so that the consequence is to reason, as if both did not exist at all, and thus man, though not a morally good man, is compelled to be a good citizen. The problem of the establishment of a state, let it be ever so harsh to the ear, even for a nation of devils (if they have but understanding), is solvable and runs thus: To order a multitude of reasonable beings, who collectively desire universal laws for their protection, every one of whom is however inclined in secret to except himself therefrom, and to regulate their constitution so, that, though they in their private sentiments struggle against one another, these impede one another so, that in their public conduct the consequence is just the same, as if they had no such bad sentiments. A problem of this nature must be *solvable*. For it is not the moral amendment of men, but only the mechanism of nature, of which the problem desires to know, how it may be employed relatively to  
men,



men, in order so to direct the collision of their unpeaceable sentiments in a nation, that they must necessitate one another to put themselves under coactive laws, and thus bring about the state of peace, in which laws have force. This may be seen in the present, still very imperfectly organized states, that they in the external conduct come very near to that, which the idea of right prescribes, though the internal of morality is certainly not the cause of it (as the good constitution of state is not to be expected from the moral conduct, but rather conversely, from the former is first to be looked for the good moral formation of a nation), consequently the mechanism of nature by selfish inclinations, which naturally act in opposition to one another externally, may be used by reason as a mean, to make room for this its end, the juridical precept, and with this also, as much as lies in the state itself, to promote and to secure the internal as well as the external peace. — Nature *wills* irresistibly, that right shall at last obtain the superiority. Whatever is neglected to be done, she does ultimately herself, though not without great inconveniency. —

*Vous pliez d'un roseau le fragile soutien ;  
Courbez trop, il rompra. Qui veut trop, ne  
veut rien.*

BOUTERWECK.

2. The idea of the law of nations presupposes the *separation* of many neighbouring states independent of one another, and, though such a state is in itself a state of war (if a federal union of them does not prevent the  
breaking

breaking out of hostilities), even this, according to the conception of reason, is better than the melting of them together, by the one potency outgrowing the others and passing to an universal monarchy; because the laws always lose the more of their energy, the more the compass of the government is extended, and a soulless despotism, after it has blasted the buds of the good, falls at last into anarchy. Every state however (or its head) longs after this, and by this mode of putting itself into the situation of permanent peace, to sway, if possible, the universe. But *nature wills* otherwise. — She makes use of two means to withhold nations from intermixing and to separate them, namely, the difference of *language* and of *religion*,\* which indeed carries with itself the propension to mutual hatred, and a pretence for war, but yet, by increasing culture and the gradual approximation of men to a greater agreement in principles, leads to a good understanding in a peace, which is produced and secured, not like that despotism (in the tomb of liberty), by the weakening of all powers, but, in their most vigorous emulation, by their equilibrium.

3. As

\* *Difference of religion*: a strange expression! exactly, as if one spoke of different *moralities*. There may indeed be different *species of belief* used historically, not in religion, but in the history of the means to its furtherance, agreed on in the field of learning, and in like manner different *books of religion* (the *Zend-avesta*, the *Vedam*, the *Koran*, and so on), but only one *religion* valid for all men and at all times. Those can therefore comprise nothing but the vehicle of religion, which is casual, and may, according to time and place, be different.

3. As nature wisely separates the nations, who would willingly unite under themselves, either by artifice or by force, the will of every state, and forsooth according to grounds of the law of nations; so she unites on the other side by mutual interest nations, whom the conception of the cosmopolitical law would not have secured from violence and war. It is the *spirit of commerce*, which is incompatible with war, and which sooner or later seizes every nation. Because among all the potencies (means), subordinate to the potency of the state, the *potency of money* is undoubtedly the most to be depended on, thus states feel themselves compelled (though not just by springs of morality), to forward the noble work of peace, and, wherever war threatens to break out, to avert it by mediation, as if they were on that account in a constant alliance: for great unions for the purpose of war can, from the nature of the thing, but very seldom happen, and still seldomer succeed. — — In this manner does nature guaranty perpetual peace, by means of the mechanism in the human inclinations themselves; with a surety, which is not sufficient, it is true, to *presage* (theoretically) its arrival, but which suffices in a practical view, and makes it duty, to promote this (not merely chimerical) end.

## SECRET ARTICLE OF PERPETUAL PEACE.

A secret article in negotiations of public law, considered objectively, that is, according to its matter, is a contradiction; but subjectively, judged according to the quality of the person, who dictates it, a secret may by all means have place therein, namely, that he finds it prejudicial to his dignity, to publish it as his own production.

The only article of this sort is contained in the position: *The maxims of philosophers on the conditions of the possibility of public peace ought to be consulted by the states armed and fitted out for war.*

But it seems to be derogatory to the legislative authority of a state, to which must naturally be attributed the greatest wisdom, to seek information on the principles of its conduct towards other states from *subjects* (the philosophers); it is however very salutary to do it. Therefore the state will *invite* them *tacitly to give that information* (by its making a secret of it), which is as much as to say, that it will *allow* them to *speak* freely and publicly on the universal maxims of the carrying on of war and of the establishment of peace (for that they will do readily enough of themselves

themselves, if they are but not forbidden to do it), and the agreement of states among one another on this point requires no particular concerting of states among themselves with a view to this, but lies in the obligation induced by the universal (morally legislative) reason of man. — It is however not meant by this, That the state must give the principles of the philosopher the preference to the sentences of the jurist (the representative of the potency of the state), but only that they must be *heard*. The latter, who has made a symbol for himself of the *balance* of right, and beside it the *sword* of justice also, commonly uses this, not to keep off from that all foreign influence merely, but when the one side will not incline, to put in the sword, in order to turn the scale: (*væ victis*) to which the jurist, who is not at the same time a philosopher (as to morality), is exposed to the greatest temptation, since it is his office but to apply laws that are extant, but not to examine whether these themselves do not stand in need of amendment, and reckons this (in fact) lower rank of his faculty to the higher, because he is invested with potency (as is likewise the case with the other two faculties). — Philosophy stands under this combined power upon a very low step: For instance, it is said of her, that she is the *handmaid* of theology (and the other two faculties insinuate as much with regard to their professions). — But it is not clearly seen, Whether she carries the taper, or bears the train of her lady.

It

It is to be neither looked nor wished for that kings should philosophise or that philosophers should become kings; because the possession of power unavoidably ruins the free judgment of reason. It is however indispensably necessary to both, for the enlightening of their important affairs, that kings or kingly nations (that is, those governing themselves according to laws of liberty) should not suffer the philosophers to disappear or to be silenced, but should permit them to speak openly, as this class of men is from its very nature incapable of plotting or of forming secret connections and clubs subversive of the order of civil society, consequently not liable to be suspected of the infamy of belonging to the *propagande*.

## APPENDIX.

*On the Dissonance between Moral and Politics,  
relative to perpetual Peace.*

Moral is in itself a praxis in an objective signification, as an aggregate of unconditionally commanding laws, according to which we *ought* to act, and it is a palpable absurdity, after one has allowed this conception of duty its authority, to say, that it *cannot* be done. For then this conception falls of itself out of morality (*ultra posse nemo obligatur*); consequently there can be no conflict of politics, as practising law, with moral, as such, but theoretical (therefore no conflict of the praxis with the theory): else one must understand by the latter a universal *doctrine of prudence*, that is, a theory of maxims, to choose the fittest means to the ends calculated for one's advantage, that is to say, to deny, that there is a moral in general.

Politics say, *Be artful as a serpent*; moral adds (as a limiting condition) thereto: *and without deceit like a dove*. If they are incompatible in one commandment, there is actually

a conflict between politics and moral; but if they shall be thoroughly united, the conception of the opposite is absurd, and the question, how that conflict is to be put an end to, cannot even be propounded. The position, *Honesty is the best policy*, comprises a theory, which, alas! very frequently contradicts the praxis; yet to the position, likewise theoretical, *Honesty is better than all policy*, no objection whatever can be made, nay, it is the indispensable condition of the latter. The Terminus of moral does not yield to Jupiter (the Terminus of power); for he ranks under Fate, that is, reason is not enlightened enough, to overlook the series of predetermining causes, in order to foretel with certainty, according to the mechanism of nature, either the good or the bad consequent of the actions of men (though to hope for it conformably to our wishes). But reason directs us sufficiently how to keep the path of duty (according to rules of wisdom), and herewith points out the final end or scope.

The practitioner (to whom moral is mere theory) founds the comfortless judgment, which he, notwithstanding his having granted that duty and possibility, expressed by *ought* and *can*, pronounces against our sincere hope, upon this, namely, that he pretends to foresee from the nature of man, that he *will* never *will* what is required to bring to pass that end leading to perpetual peace. — Indeed the willing of *all single men* to live in a legal constitution according to principles of liberty (the distributive unity of the will of *all*), is  
not



not sufficient to this end, but that *all* together will this state (the *collective* unity of the will), this solution of a difficult problem is still requisite thereto, in order that the civil society may become a whole, and, as to the difference of the particular volition of all, a uniting cause of it must still be superadded, in order to produce a common will, which cannot be done by either of them; so in the *execution* of that idea (in the *praxis*) there is no other beginning of the juridical state to be counted on, than that by *force*, on whose coercion the public law is afterwards founded; which then (as it is not much to be expected from the moral mindedness of the legislator, that he, after the union of the wild multitude into a nation is once effectuated, will leave it to them only, to bring about a juridical constitution by their common will) leaves room to expect great deviations from that idea (of the theory) in actual experience.

Whoever has once the power in his hands, will not allow the nation to prescribe laws to him. A state, which is in the situation, not to rank under any external laws, will not, with regard to the mode, in which it is to seek its right against other states, render itself dependent on their tribunal, and even one part of the world, when it feels itself superior to another, that offends it in nothing, will not neglect to use the mean to the fortifying of its potency, by bereavement or even by domination of the other; and in this manner all plans of theory, for the law of state, the law of nations, and the cosmopolitical law, run

into impracticable ideals void of reality, whereas a praxis only, founded upon empirical principles of human nature, which does not hold it beneath it, to draw information for its maxims from the mode, in which things happen in the world, can hope to find a sure foundation for its political edifice.

If there is no liberty and a moral law built thereupon; but all that happens or can happen is mere mechanism of nature, politics (as the art of profiting by that mechanism for the government of men) are the whole practical wisdom, and the conception of right is a thought void of reality. But if this conception is found indispensably necessary to be conjoined with politics, nay, to be elevated to the limiting condition even of the latter, the possibility of the union of both must be admitted. I can easily conceive a *moral politician*, that is, one, who takes the principles of politics so, that they can be consistent with moral, but not a *political moralist*, who fabricates such a moral for himself, as may be found advantageous to the statesman.

The moral politician lays down as his principle, That, when defects are found in the constitution of state or in the relation of states, which could not be prevented, it is duty, chiefly for the heads of states, to consider how they may be supplied or reformed as soon as possible, and made suitable to the law of nature. as it is held up to us in the conception of reason for a pattern; should it occasion sacrifices of their self-love even. As tearing a bond of union of state or of a cosmopolitical bond,