

## Why Carl Schmitt (and others) got Kant wrong

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### Abstract

This essay traces the influence of Carl Schmitt on an *interpretative tendency* found in a number of contemporary readings of Kant's political philosophy. This influence can be traced back to two basic commitments: the idea that Kant's philosophy (i) seeks to defend a pacifist and humanitarian ideal of history and progress, and (ii) that political conflict must, for this reason, be somehow pacified or eradicated. I argue that these 'anti-conflict' readings of Kant go astray in ignoring the systemic role conflict plays in Kant's understanding of agency and freedom on the one hand, and in overlooking that this conflict is not empirical but normative, and thereby, unavoidable. In light of this 'agential conflict', Schmitt's critique to Kant begins to lose all its force.

### Key words

Kant, Schmitt, conflict, humanity, pacifism, agency.

This essay is born out of a perplexity, namely that of recognising how a number of contemporary interpretations of Kant lend themselves to be a clear target to Carl Schmitt's critique of liberalism. This is worrisome for two reasons: if we take Schmitt's critique seriously, specifically his accusation against liberalism's appeal to the idea of 'humanity'<sup>1</sup>

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as a means wage war and to depoliticise political life, this argument seems to be too often rooted back to Kant. Second and relatedly, if it turns out that Kant is indeed a case in view of Schmitt's critique, by holding a humanitarian/universalist philosophy stripped from a concern for conflict and politics, was Schmitt then right to target his philosophy as naïve and depoliticised?

In what follows I show that Kant does not need to be defended from Schmitt's critique, because he holds a distinctive theory of conflict as developed in his account of agency and external freedom. This bears significant implications if one is inclined to read Kant's political philosophy as aiming at a 'conflict-free' world. I have identified this interpretative tendency in contemporary appropriations of Kant coming from the field of political science and international relations, and in more strictly Kantian interpretations of his thought. What these approaches share is a common pacifist approach to Kant, dismissing the role conflict plays as an unavoidable and inherent fact of our constitution as free agents. My aim in this essay is to explain why Schmitt and 'anti-conflict' readings of Kant have got Kant wrong *on the specific issue of conflict*. I do this by showing how the philosophical presuppositions underlying his theory of agency under a juridical state, and the normative role conflict plays in our external and mutually-affecting political and social relations, frees us from (i) defending Kant against Schmitt's 'anti-conflict' objection, and from (ii) accepting a de-politicised and sanitised version of Kant's political philosophy. The combination of these two interpretative claims brings a third, salutary benefit: (iii) recognising that conflict, albeit not of an empirical-kind, is ever-present and a necessary condition of the possibility of a shared juridical existence. This claim invites us to rethink the status of Kant's teleological arguments about peace, and the possibility of establishing such a condition in a world where conflict cannot be ever fully eradicated.

My purpose is, therefore, to offer an argument that gives conflict its due systematic place within Kant's theory of the agency in politics. So, in 'getting Kant straight' on the issue of conflict, we also get straight why the naïve idealism sometimes attributed to him<sup>2</sup>, and the objection of his endorsement of an abstract humanitarian morality with covert political aims, are ill-founded. If conflict is, as I argue, a basic fact of our constitution as free agents with a *will*, who stand in unavoidable practical relations with other agents, then 'the end of politics' is nowhere in sight. What follows from this reading is a distinct approach to Kantian politics that is not vulnerable to Schmitt's caricature of a 'conflict-free' and moralizing liberalism, and a reading that precludes reducing Kant's thought to the calculations of the empirical benefits of liberal democracy, peace, and of a cosmopolitan world-order. Three basic ideas furnish my argument: (i) politics should be understood as a

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<sup>1</sup> Schmitt 2007, p. 54ff.

<sup>2</sup> Kant, alongside Rousseau and Saint-Pierre, was referred to as "naive" by some of his critics, for defending the possibility of moral progress and a perpetual peace, despite our anthropological limitations. In 1796, the French mathematician Sylvestre Chauvelot writes to Kant: "The Abbé of Saint-Pierre and you, Sir, have travelled through the country of chimeras, in thinking, based on purely good will, or by not having sufficiently looked into the depths of the human heart, that peace could reign universally on earth, only after all nations have appropriately disarmed". Reference in Aramayo 1996, p. 106.

system enabling us to influence and affect one another through the free exercise of agency; (ii) a juridical condition is therefore tasked with the job of establishing the rightful limits of such interaction, instead of remedying the conflicts that arise from material scarcity or from our passions and interests; finally, (iii) this condition of freedom of agency under law takes conflict as *constitutive*, and legislates accordingly.

The dialectic of the argument is as follows: In Section I, I offer a summary reconstruction of Schmitt's critique, by focusing on two aspects –neutrality and the hypocrisy of liberal humanism. In Section II, I appeal to a series of contentious issues –liberal democratic peace, humanitarian intervention, and a cosmopolitan world-state– to show how appropriating Kant's thought on these specific issues commits him to a kind of pacified liberalism geared towards the elimination of conflict of the type Schmitt objected to. In Section III, I present my positive account of the role of conflict in Kant, in order to defend the centrality of this idea in the context of his theory of agency and freedom. Finally, I contrast my reading in Section IV with a number of 'anti-conflict' interpretations of Kant to see how this interpretative tendency gets rehabilitated in the literature. I conclude that little sense can be made of a conflict-free world in Kant, at least once we accept the relational nature of our interactions as human beings.

## I. Schmitt's critique to liberal pacifism

Recall our initial perplexity: if we take Schmitt's critique to liberalism seriously, we begin to see how, underlying a commitment to a liberal democratic peace, grounded in the universal value of a shared humanity, lies a corresponding commitment to the eradication of conflict in human relations. What interest me of this critique, and the reason why I appeal to it in the context of a discussion about Kant, is the fact that a number of arguments in favour of (i) a democratic liberal peace, (ii) a justification for humanitarian intervention, and a (iii) a defence of a cosmopolitan order, appeal back to Kant as a philosophical ground for their approaches. More importantly as I will argue in what follows, these interpretations seem to make the further commitment identified by Schmitt to the ideal of a world free of conflict. It is on this specific issue of the connection between an alleged Kantian liberal peace on the one hand, and an ideal of a world order free from conflict and antagonism on the other hand, where I think lies the need to revisit Kant in light of Schmitt's critique. His critique is vast and multi-layered, but for the purposes of my argument I want to focus on three specific aspects, namely, liberalism's commitment to neutrality, its appeal to an abstract concept of 'humanity' to justify war, and the Kantian-type universalism underlying a quest for total pacification. Looking at these aspects more closely will allow us to see how, knowingly or not, some of Schmitt's critical diagnosis of liberalism, and in particular of its *political deficits*, can be targeted against contemporary interpretations of Kant on the issue of peace, war, and of a cosmopolitan world-order.

According to Schmitt, a liberal democratic peace requires if not the elimination of conflict altogether, at least its progressive pacification. What this kind of liberal approach to peace ignores is the realization that “the ever-present possibility of conflict must always be kept in mind”,<sup>3</sup> if we are to keep the central distinction animating all political life: the distinction between friend and enemy. The political deficits of liberalism lie therefore in its tendency to seek neutrality in the place of antagonism: “if the different states, religions, classes, and other human groupings on earth should be so unified that a conflict among them is impossible” Schmitt predicts, “then the distinction of friend and enemy would also cease.”<sup>4</sup> To be sure, one can resist the connection Schmitt tries to draw between a set of liberal values such as unity, neutrality, and consensus, and the *inevitability* leading to a world where “the possibility of conflict is eliminated, [of] a completely pacified planet”.<sup>5</sup> One would be right to resist it partly because the analysis depends on a contentious commitment to the idea of politics as an inherently conflictual sphere, anchored in the friend and enemy distinction. This *sui generis* definition of politics as the relationship between friend and enemy is part of the explanation of why Schmitt links the anti-political nature of liberalism –in its dismissal of antagonism–, with a commitment to pacifism. As I will show in the following sections, a similar link between pacifism and an anti-conflict stance is rooted back to Kant’s philosophy, thereby overlooking the centrality of conflict in his political philosophy.

But before presenting my own positive account, it is worth dwelling deeper into Schmitt’s diagnosis of liberalism’s faults, to see how it gets rehabilitated in a number of Kantian interpretations. For Schmitt, the friend and enemy distinction started to crumble in the light of the rapid technological advances of the twentieth century (however this pretence of “un-political purity” was already in the making in the eighteenth-century)<sup>6</sup>. Technology’s “promise of neutrality” was meant to bring about the progressive erosion of antagonism to give place to a world where “everything should go smoothly and free from unnecessary frictions”.<sup>7</sup> Lying behind this illusion of “fluidity”, distinctive of a consumerist capitalism, lay for Schmitt a subterranean longing for pacification and neutralization of political life altogether.<sup>8</sup> As I mentioned, his polemic against liberalism’s anti-political stance and its relation to a capitalist way of life was also grounded in a deeper critique to the rationalism of the eighteenth-century, in its universalist and humanitarian variants. He traces a connection between the desire of a universal kind of morality shared among all humans on

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<sup>3</sup> Schmitt, 2007, p. 32.

<sup>4</sup> *Ibid.*, p. 53.

<sup>5</sup> Schmitt 2007, p. 35.

<sup>6</sup> *Ibid.* 2007, n. 2, p. 21.

<sup>7</sup> Schmitt 1916, pp. 63. The ideal of a kind of ‘smooth neutrality’ in matters of domestic and international politics is contested by Mouffe when analyzing the decay of traditional party systems in the West, and the rise of populist alternatives. Taking her lead from Schmitt, she explains how the idea of “impartiality” as a version of political neutrality “is precisely where the problem lies. There are no impartial solutions in politics, and it is this illusion that we now live in societies where political antagonisms have been eradicated that makes it impossible for political passions to be channeled through traditional democratic parties.” (Mouffe, 2005, p. 55)

<sup>8</sup> Cf. Schmitt 1916, pp. 63-68.

the one hand, and the elimination of conflict and differences to form a unitary, global community on the other. This “eighteenth-century humanitarian concept of morality”, and note the tacit reference to Kant here, is “universal, i.e. all embracing, a social ideal, a system of relations between individuals” that materializes itself “only when the real possibility of war is precluded and every friend and enemy grouping becomes impossible”.<sup>9</sup>

We can begin to see how a version of Kant as a representative of this way of thinking comes to the fore. Put more systematically, this Kantian universalism is problematic for Schmitt in two ways: one, it *abstracts* from the specific circumstances of the individuals that constitute the political body, thereby disembodimenting the existential reality of the friend and enemy distinction, and the importance of the “concrete situation”<sup>10</sup>. By legislating positive law from the ideal of an abstract universalism, laws are not *for someone* but become a mere vehicle of a form of humanity with no concrete agency. Second, this Kantian universalism is problematic in that the notion of ‘humanity’ with which it operates is not only abstract but *disinterested*: it precludes the possibility of identifying ‘someone’ or ‘something’ against which we can define our interests and be committed to risk our lives in defending them. According to Schmitt, we can only know *who we are* by knowing *who is the other*, and this dynamic is of course inherently conflictual. When we cease to identify another as our enemy –as this humanitarian philosophy allegedly does–, ‘humanity’ becomes “an ideological instrument particularly useful for an imperialistic expansion and, in its ethical-humanitarian form, it becomes also a vehicle for economic imperialism”.<sup>11</sup> From this it would follow that a Kantian liberal peace, directed at negating the enemy of its existential role in shaping political dynamics, is a kind of peace that actually intensify and perpetuates conflict rather than eliminate it, by camouflaging economic interests under the guise of moral values.

At the bottom of this critique lies Schmitt accusation of liberalism’s *hypocritical* stance towards its own aims: it presents itself as wanting to end all wars, but only to covert its interest in perpetuating its power and domination –particularly abroad. As we will see, this point will become particularly relevant to our discussion on humanitarian interventions, and the ‘Kantian-type’ justifications in the name of a shared, valued humanity. This appeal to war as a means to end all wars is commonly voiced in political discourse. For example in his Nobel Prize acceptance speech, Obama captured the idea in a nutshell: “America will always be a voice for those aspirations that are universal...I believe that force can be

<sup>9</sup> Schmitt 2007, p. 55.

<sup>10</sup> Schmitt 1992, p. 41.

<sup>11</sup> Schmitt 2007, p. 54. According to Seyla Benhabib, Schmitt’s critique to a humanitarian liberalism marks him as someone different than simply a theorist of agonistic or contentious politics. He is more properly understood as a “theorist of the rights of states to conduct war for their own preservation and also [as a] theorist who rejects concepts such as human rights and crimes against humanity as being moralizing glosses on superpower politics.” Benhabib, 2012, p. 690.

justified on humanitarian grounds”.<sup>12</sup> This is the logic Schmitt is trying to disclose, and one he thinks is deeply rooted in the humanitarian/universalist philosophy of Kant’s century. So, a war *in the name of humanity* to guarantee a liberal peace free of all potential enemies, misses two important facts for Schmitt: that in order to wage a war you need a *concrete* enemy, and that the pacification of all forms of conflict would not mean the end of all war, but the end of politics altogether:

Humanity as such cannot wage war because it has no enemy, at least not on this planet...When a state fights its political enemy in the name of humanity, it is not a war for the sake of humanity, but a war wherein a particular state seeks to usurp a universal concept against its military opponent. At the expense of its opponent, it tries to identify itself with humanity in the same way as one can misuse peace, justice, progress, and civilization in order to claim these as one’s own and to deny the same to the enemy.<sup>13</sup>

What follows from the ideological tool of a ‘war in the name of humanity’ is the establishment of a homogeneous liberal world order, closely linked to the cosmopolitan ideal prominently defended in Kant’s time. What is implied by a cosmopolitan world order is the ultimate erasing of the friend and enemy distinction, and the subsequent elimination of the role of conflict from politics since, “for many people the idea of a global organization means nothing else than the utopian idea of total depoliticalization”.<sup>14</sup> However, it is not my purpose to evaluate the coherency of Schmitt’s polemic treatment of liberalism’s ‘true’ but ‘covered’ intentions, but rather to show that the way he portrays the value of liberal peace, of a humanitarian war and cosmopolitanism, seems to find home in contemporary interpretations of Kant.

## II. ‘The end of all wars’<sup>15</sup>: a contemporary appeal to Kant

One appealing feature of Kant’s political philosophy can be found in the available philosophical and particularly moral arguments for those interested in grounding theories relating to democratic peace, humanitarian intervention, and cosmopolitanism. I focus on

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<sup>12</sup> Obama 2009 ‘Remarks by the President at the Acceptance of the Nobel Peace Prize’, <https://obamawhitehouse.archives.gov/the-press-office/remarks-president-acceptance-nobel-peace-prize> (Visited on 20/07/2020).

<sup>13</sup> Schmitt 2007, p. 54

<sup>14</sup> *Ibid.*, 2007, p. 55.

<sup>15</sup> The English author H.G. Wells famously referred to the Great War as “the war that will end wars”. War was a “moral conflict”, a conflict that must put an end to all conflict once and for all: “We have now to either to destroy or to be destroyed...We have to go on until we are absolutely done for.” The phrase has been sometimes incorrectly attributed to President Wilson, in the latter’s attempt to convince Americans and the world at large, that the war would make the world safe for democracy and free from new conflicts. Cf. Wells 1914, p. 8; Knock 2019.

these issues partly due to a surprise in recognizing how common it is to find explicit appropriations of Kant's thought on these matters in political science and international relations studies.<sup>16</sup> What they seem to find in Kant is a useful philosophical source to justify the role a liberal democratic peace plays in fostering peaceful relations between states, and in contributing to promote "conflict inhibition" and "growing war-weariness" among peoples and states.<sup>17</sup> What strikes me about these approaches is precisely the connection they make between liberal democracy, and the potentially measurable benefits of its potential to reduce conflict-driven relations at the international sphere. This connection between democracy, peace, and "conflict inhibition" is sometimes explained as the result of fruitful forms of free commercial exchanges among nations, thus delivering a framework for peace-driven international relations.<sup>18</sup> This idea of peace understood in terms of the progressive pacification of conflict through robust commercial exchange, can also be found in a more radical version according to which, a cosmopolitan world-order would ultimately demand the end of the principle of state sovereignty, to give place to a form of intra-people relations free from conflict and antagonisms.<sup>19</sup>

There is, to be sure, a legitimate place in Kant's thought to find an argument in favor of a condition peace, and to establish as a matter of "direct duty" a "league of a special kind" that does not seek to end only one war, but "to end all war forever."<sup>20</sup> However I want to problematize two things in the face of this Kantian duty to peace: on the one hand, I want to show how some contemporary interpretations of Kant draw a connection between the value of a liberal democratic peace, and of the peaceful potential of humanitarian interventions, with the claim that these conditions entail a commitment to the progressive eradication and pacification of conflict. This leads me to my second point of contention, namely, that such a link between liberal democracy, peace, and humanitarian intervention and *conflict* is not a claim we can attribute to Kant. As I will defend in the next section, conflict is ever-present in the fact that we are free agents who stand in practical relations to other free agents. This equality of agency I argue, precludes the elimination of conflict at least in the way that some interpretations seem to attribute it to Kant. What I want to question, therefore, is the claim that the progressive pacification of conflict (at least as an ideal), is entailed by the conciliatory benefits of liberal democracy *as an interpretation of*

<sup>16</sup> For an explicit appeal to Kant from qualitative political science and international relations studies can be found in Cederman 2001; Oneal J and Russett B 1999; and Doyle, 1983a, 1983b.

<sup>17</sup> Reference to Mueller (1989) in Cederman 2001, p. 24.

<sup>18</sup> I agree with Luigi Caranti that the interest of rooting the principles of democracy theory back to Kant is more clearly a strategy within the discipline of political science, rather than an interpretation widely endorsed within political theory and strictly Kantian studies. Accordingly, the bulk of democratic theory offers a "narrow" interpretation of Kant's cosmopolitanism, particularly in their appropriation of the arguments of *Perpetual Peace*. Caranti 2018.

<sup>19</sup> I do not think anyone holds this extreme version. However, it is relevant for our discussion to the extent that it captures some of the caricaturesque elements that Schmitt wrongly attributes to any position in matters of international politics that judges itself to be following Kant or a Kantian-like cosmopolitanism, Thomas Pogge might be the clearest defender of a cosmopolitanism order based on Kantian arguments. Cf. Pogge 1992.

<sup>20</sup> ZeF AA 08:356

*Kant*. This I hope will become clearer as we advance in the argument.

However, it is common to see the attribution of these interrelated claims in some degree to Kant. As Howard Williams notes, “the end of the Cold War brought with it an enthusiasm for democratic ideals and their supposedly pacifying effects, which openly and directly connected itself with Kant’s political thinking – particularly his tract on *Perpetual Peace*.” Attention focused on the “republican mode of government” and in “the federation of free states that Kant hoped would develop from the growth of republican states”, resulting if necessary from required humanitarian interventions.<sup>21</sup> In political science, efforts have been made to quantify this ideal connection between democratic processes and peace, by calculating the progressive presence of conflict at the domestic and international level. Most camps of the democratic peace hypothesis agree that “Immanuel Kant laid the intellectual foundation of the hypothesis in the late eighteenth century. Whether aiming at corroboration or refutation, most contemporary scholars appear to believe that they are operationalizing and testing some version of the Kantian thesis.”<sup>22</sup> Michael W. Doyle for example has tried to rework Kant’s thesis from an empirical perspective, approaching peace as a “long run ‘inevitable’”, predicting it as a global condition “by the year 2113”.<sup>23</sup> These attempts to meet scientific standards are laudable, but should not blind us to the fact that such an appropriation of Kant’s moral and political vocabulary when defending a theory of democratic peace, should not commit him to a further claim about an inevitable – and somehow empirically testable – elimination of conflict. It seems to me that these approaches become targets of Schmitt’s objections to a naive and unpoliticized liberalism.

To be sure, a different question arises as to whether the benefits of a democratic peace among free nations might require a humanitarian intervention to expand these ideals around the globe. As we noted in the previous section, for Schmitt this is precisely the kind of hypocrisy underlying all forms of liberalism, in their attempt to cover national and imperialistic interests under the guise of an expansionist war in the name of Kantian-like values. On the thesis for a humanitarian intervention as a means to peace, Kant is sometimes read as endorsing an argument in favour of such an intervention, as a means to achieve morally just political ends.<sup>24</sup> A different issue is exactly how these interpretations address Kant’s critical attitude against interventionist war in the international arena.<sup>25</sup> However, my purpose is to show how these set of claims about democracy and peace, lead also to an appeal to Kant to further ground the humanitarian character of such interventionist enterprises.

This renewed celebration of the republican ideal and its peace-inducing benefits has been sometimes appropriated in the context of a discussion on just war. For contemporary

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<sup>21</sup> Williams 2012, p. 2.

<sup>22</sup> Cederman 2001, p. 15.

<sup>23</sup> Doyle in Cavallar 2001, p. 247.

<sup>24</sup> Scruton 2004, ‘Kant and the Iraq War’ [https://www.opendemocracy.net/en/article\\_1749jsp/](https://www.opendemocracy.net/en/article_1749jsp/) (Visited in 20/07/2020); Tesón 2005.

<sup>25</sup> Cf. Zef AA 08: 346-7, specifically Preliminary Article 5 im *Perpetual Peace*.

interpreters like Fernando Tesón, Kant is an ideal source for offering theoretical justifications in the international sphere with a humanitarian outlook. For Tesón “the Kantian thesis includes a theory of just war; it is the war waged in defence of human rights”.<sup>26</sup> Human rights become a central Kantian feature for the justification of war, to the extent that it is *in their name* that such a war becomes justified. Tesón’s “hyper-interventionism”<sup>27</sup> rests therefore in the duty of democratic governments to “defend and promote human rights and global democracy”, on the basis of the “universal” character of such rights (think back to Obama’s Nobel Prize speech here).<sup>28</sup> It is tempting to read this form of justified interventionism in the name of the abstract ideal of ‘human rights’, as echoing the ‘humanitarian wars’ that Schmitt was so keen in disclosing. Unfortunately, Tesón’s direct appeal to Kant seems to revitalise Schmitt’s critique, rather than respond to it.

Let me highlight a couple of things at this point: First, it is not the aim of this article to adjudicate on Kant’s position as a representative of the theory of humanitarian intervention, particularly in the context of his prohibition against interventionists wars in *Perpetual Peace*. However, I have appealed to a specific version of this theory, namely the justification of humanitarian intervention on the basis of human rights because such a ‘humanitarian’ approach to war, and its alleged connection to Kant’s philosophy, puts pressure on whether Schmitt’s accusation to a humanitarian liberalism is, after all, so off the mark. The task is even more pressing when we are able to find in interpretations such as Tesón’s and that of other democratic peace theories, a direct attribution to Kant of a theory of humanitarian war based on ethical premises that would minimise the presence of conflict. Second, we can assume that the task of defending human rights across the globe comes with the need of establishing, protecting, and preserving a democratic kind of peace, that will in turn enable people to exercise such rights. Would this kind of peace allow for a friend and foe distinction of politics? I doubt it. So, if the enterprise of a humanitarian intervention as a means to peace and human rights is broadly *Kantian* in outlook, the resulting system of politics will be one stripped from the pressure of conflict, henceforth the link I have been trying to explore between peace, war-like intervention, and conflict resolution.

I think this “world without politics”<sup>29</sup> is not Kant’s own. Once we assume the *normative role* conflict plays in Kant’s theory of political agency, we are in a better position to see how his theory of peace, and the appropriations Kantians make of it, must be revisited and further qualified. A step towards this qualification can be made by recalling an important distinction in Kant between the empirical and the ideal levels operative in his theory, and the arguments pertaining to the realms of law and morality respectively. One way of

<sup>26</sup> Tesón 2005, p. 57.

<sup>27</sup> Williams 2012, p. 119.

<sup>28</sup> Tesón 2005, p. 56.

<sup>29</sup> Schmitt 2007, p. 35.

explaining the status of Kant's pacifist ideals is done by attributing to him a kind of normative optimism, grounded in a version of natural law. This seems to be Richard Tuck's approach who reads Kant as a representative of liberalism's natural law tradition. For Tuck "Kant was notably more optimistic than Rousseau about the propensity of republics to live in peace with one another",<sup>30</sup> an optimism which, from the perspective of political realism, would amount to a kind of "juridical pacifism".<sup>31</sup> I disagree in reading the status of Kant's claims on peace and the pacification of conflict as a vestige of natural law. On this point I share Macarena Marey's approach according to which what this 'realist' objection against an alleged Kantian optimism ignores is the fundamental difference in Kant's philosophical registers between the empirical and the normative. More specifically, what is missed is the complex relationship in Kant between:

The notion of a republic, of the right of non-intervention, the cosmopolitan character of a federation of states, and [his] rejection to use empirical theses about the actual workings of the world, and the existing constitutions within it, with the aim of justifying normative ideals.<sup>32</sup>

What this qualification helps to resist is a too common tendency to sit Kant in two opposite ends, none of which fully capture the distinctiveness of his thought: either to sit him with a "blank realism (or positivism)", or with a "rationalist natural law, to which Tuck associates, in a rather paradoxical way, the whole liberal humanist tradition". In other words, if Kant cannot be defended as a representative of a political realism *tout court*, it seems that the only available alternative is to attribute to him a "series of robust natural laws", capable of justifying the humanitarian interventionism and the cosmopolitan pursuits carried by his philosophy.<sup>33</sup> What we see here is that in both of these 'versions' of Kant, the Schmittean objection still holds: if his realism is based on mere empirical optimism, those who appeal to Kant to justify their own agendas could be objected of covering 'true' political aims in the guise of a naive optimism. On the other hand, if Kantian ideals are ultimately grounded in robust natural laws of a universalist scope, we revert back to Schmitt's critique regarding the lack of concrete political referents to ground a theory of politics that takes conflict seriously.

A final issue remains on the tendency to appeal to Kant to ground the possibility of a world-order guaranteeing the absence of intra-state conflict. A cosmopolitan world-order seems to be implied by a duty to peace, thereby testifying to Schmitt's concern about the universalising character of eighteenth-century morality. Habermas was particularly alert to this when discussing Schmitt's critique to Kant: "The politics of a world organization," he writes, "that takes its inspiration from Kant's idea of perpetual peace and is directed to the

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<sup>30</sup> Tuck 2011, p. 219.

<sup>31</sup> Marey 2012, p. 174.

<sup>32</sup> *Ibid.*, p. 172.

<sup>33</sup> *Ibid.*, 2012, p. 202; 173.

creation of a cosmopolitan order, harkens to the same logic, according to Schmitt: its pan-interventionism would inevitably lead to pan-criminalization, and hence the perversion of the goal it is supposed to serve”.<sup>34</sup> This logic of a pan-interventionism justified via Kant’s ideal of perpetual peace that Schmitt tries to disclose is at fault according to Habermas, in that it ignores the crucial distinction operative in Kant between law and morality. More importantly, the establishment of a true cosmopolitan order would not have to hide behind abstract values –as a supposed argument for the ‘legality’ of war’ in the name of its ‘morality’–, but it would rather be subjected to strict legal procedures and positive law. What Habermas attributes to Kant and Schmitt ignores, is the independence that should be drawn between (public) law and (individual) morality, allowing for a “cosmopolitan transformation of the state of nature among states into a legal order”.<sup>35</sup>

However, to think that Kant, or Kantian forms of cosmopolitanism, are committed to endorsing a world order where conflict would be somehow eradicated, would mean to overlook a fundamental distinction Kant himself makes. He distinguishes between a ‘world republic’ or *Volkerstaat*, and the idea of a ‘federation of states’ or *Volkerbund*.<sup>36</sup> Kant further distinguishes between these two conditions in terms of what is required by practical reason ‘*in thesi*’, and what is possible only in a provisional manner in practice, namely a federation of states. So:

[...] (if all is not to be lost) in place of the positive idea of a *world republic* only the *negative* surrogate of a *league* that averts war, endures, and always expands can hold back the stream of hostile inclination that shies away from right, though with constant danger of its breaking out.<sup>37</sup>

In the light of this clarification between the ideal of a world republic, and a feasible yet perfectible federation of states, Schmitt’s accusation against a liberal world republic free from conflict as inherited from Kant starts to look less challenging. To be sure, the universalism of a *Volkerstaat*, as we saw in the passage from *Perpetual Peace* will remain in Kant within the limits of a regulative ideal of reason, and must be kept separate from the “negative surrogate” of a league of nations, always prone to conflict and “constant danger”. But how are we to understand the *nature* of conflict in Kant’s politics such that we can legitimately say that it has a necessary role to play in his theory? This is important because, as I have indicated, some contemporary interpretations of Kant become problematic to the extent that they assume that the pursuit of Kantian ideals, as appropriated by their specific debates, involves the progressive elimination of human conflict both at a domestic and international level. To put it slightly differently: if a

<sup>34</sup> Habermas 2001, p.188.

<sup>35</sup> *Ibid.*, p. 201.

<sup>36</sup> On the differences between a ‘league on nations’ and a ‘world federation’ in Kant see Kleingeld 2004.

<sup>37</sup> ZeF AA 8: 357. Whether this league is coercive or the result of a free association within the context of *Perpetual Peace*, see Höffe 2006 and Lutz-Bachmann 1997.

humanitarian peace of the Kantian type is at all possible, so the argument goes, then conflict must slowly leave the political arena. The problem is that such a thesis *as an interpretation of Kant* leaves us with a deeply depoliticised version of his philosophy. In contrast, I defend the thesis that conflict is indeed central for Kant, in the sense that it is necessarily entailed by the practical relations that individuals establish between one another as agents with a will to choice and action. Despite Schmitt and others, conflict does have a role to play, and a fundamental one.

### III. The role of conflict in Kant

Whether Kant conceived of a cosmopolitan world order beyond the state, or held firmly to a precarious but nevertheless pacific league of free sovereign states, is an ongoing debate.<sup>38</sup> The question that I want to engage here is more specific: *if* there is an argument for giving conflict, albeit of a normative and not empirical kind, a central place in Kant's political thought, *should* this change the way we interpret his commitment to the ideal of perpetual peace, moral progress, and of a pacific order among states? My contention is that it does, and it does this in the following way: once we accept that conflict between free agents of choice is *normative* for Kant, i.e. necessary given our condition as equal beings with a will to choice and action [*Willkür*], questions about whether conflict should be pacified, harnessed, or ultimately eradicated, need to be revisited. They need to be revisited in light of the inherent conflict that arises from the idea of equality among agents, who in their legitimate exercise of external freedom, affect the normative landscape of everybody else. This conflict as I said is not empirical, nor it has to do with the conflicts arising from scarcity of resources in our shared use of the earth, or from our passions or our interests. In this sense, it is a conflict that *remains as an ever-present fact about our constitution as agents*. I think that this 'agential conflict', as I want to call it, is indeed compatible with Kant's commitment to a teleology of peace, and with Kantians who endorse and rehabilitate his pacifist project, to the extent that such a conflict does not preclude the *empirical* pacification of hostile attacks, violent threats, and material wrongs in this world.

My assumption, therefore, is that *pace Schmitt*, conflict plays a central role in Kant, but not as it is commonly understood. In his political writings, Kant himself flags different descriptions of conflict, some of which tempt us to reduce conflict to a contingent and empirical kind. In a somewhat Hobbesian spirit, he describes conflict as a "resistance" between our strong inclinations to live together within the precincts of law, and the drive to "constantly [threaten] to break up this society". This resistance comes with the difficulty of overcoming our "propensity to indolence", and our tendency to desire to "gain worth in the opinion of others".<sup>39</sup> The centrality of conflict is further explored through his analysis of

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<sup>38</sup> For a comprehensive discussion of the debate see Corradetti 2020, Part III & IV.

<sup>39</sup> IaG AA 8:20–21; RGV 6:27; ZeF AA 8:366; RGV AA 6:93, emphases in the original.

the state of nature. This state is portrayed primarily as a situation where “everyone follows his own judgment”, driven by “the unsocial characteristic of wanting to direct everything in accordance with his own ideas”. As “Hobbes maintains”, Kant goes on to explain, in the face of violence “we have no option save to abandon [the state of nature] and submit ourselves to the constraint of law, which limits freedom solely in order that it may be consistent with the freedom of others and with the common good of all”.<sup>40</sup> In Part III of *Religion*, this “perilous state” is explained not by “what comes (to a person’s) way from his own raw nature, so far as he exists in isolation, but rather from the human beings to whom he stands in relation or association”. This leads Kant to conclude that in a state where law is absent, men “must remain forever armed for battle”.<sup>41</sup>

I presented these remarks with the intention of highlighting how conflict is a key ingredient of human experience for Kant. Noteworthy, however, is the fact that in these descriptions Kant oscillates between limiting conflict to actual or potential *hostilities* among individuals due to their desires and needs, and a much more *agential* understanding of it due to the fact that human beings “stand in relation or association”. Despite the Hobbesian enmity that surfaces in some of these descriptions, Kant overall does not appeal to an instrumental and empirical explanation of the root of such conflicts –be this something about the contingency of the condition we find ourselves in, or the structure of our selfish desires and fears. Rather, he proposes an analysis of the *relational nature* of a conflict that is rooted in the non-empirical and a priori fact that we are beings endowed with a will to choice [*Willkür*], with the power to affect everybody else’s equal capacity to freedom. Two further claims render my argument more explicit: first, that Kant’s relational approach to agency as involving the coexistence of conflicting claims to freedom, does not mean that such a conflict has to do with the presence of *more or less choices* available to the agent. As he puts it “Rightful (hence external) freedom cannot be defined, as it usually is, by the warrant to do whatever one wants provided one does no wrong to anyone.”<sup>42</sup>

In this sense, the conflict I am trying to articulate has nothing to do with my exercise of will involving a limitation to your available *choices*, nor a restriction to the scope of your action so long as I do not wrong you. When I speak of there being a conflict between my claim to external freedom and your claim to the same thing, this should be read as a formal requirement of what it means to be an agent, namely, a requirement that entails the duty to live a shared juridical existence, where our freedom-claims are rightly respected.<sup>43</sup> Second and relatedly, Kant’s agential conflict is formal to the extent that it identifies an unavoidable tension that arises from conceiving freedom as an equal right to each to choose and to act. It is in this equality of choice and action as a *formal constraint on our exercise of will* [*Willkür*], that Kant’s account of conflict arises.

<sup>40</sup> KrV A752/B780.

<sup>41</sup> RL AA 6:312; IaG AA 8:20; RGV AA 6:93.

<sup>42</sup> ZeF AA 8: 350, footnote.

<sup>43</sup> I appreciate an anonymous referee of this journal for helping me clarify this point.

Key to Kant's argument is his insistence that the way the exercise of our external freedom unavoidably affects the equal right of everybody else to do the same, has nothing to do with human beings' tendencies to be violent, selfish, or ambitious in the use of their freedom. To be sure, he does not deny that "envy, addiction to power, avarice, and the malignant inclinations associated with these assail [our] nature", but this is not what makes a juridical condition necessary:

However well-disposed and law-abiding human beings might be, it still lies a priori in the rational idea of such a condition (one that is not rightful) that before a public lawful condition is established individual human beings, peoples and states can never be secure against violence from one another... So, unless it wants to renounce any concepts of right, the first thing it has to resolve upon is the principle that it must leave the state of nature, in which each follows its own judgment, unite itself with all others... that is, it ought above all else to enter a civil condition.<sup>44</sup>

Note that "violence" here should not be equated with a Schmittian hostility, not even with an existential kind of violence arising from a concrete enemy. For Kant this conflict among agents when their freedom is not strictly under the coercive power of a law that is public, need not be actual for it to require the establishment of a public authority, since "it is not necessary to wait for actual hostility", and that no one "need[s] to wait until he has learned by bitter experience" that we are "authorised to use coercion against someone who already, by his nature, threatens him". We are then authorised to coerce others to leave this state where our freedom is "wild" and "arbitrary", and hence where the inherent conflict of equal agency is exacerbated.<sup>45</sup> More to the point, Kant describes the state of our will in the state of nature as a "state of externally lawless freedom".<sup>46</sup> What this conception of non-freedom gives expression to is that, unless we abandon this condition and constitute an external public will, our will as our capacity to choice and action will continue to stand in conflict with everybody else's.

From this perspective, the agential conflict I have tried to articulate requires a kind of ordering, if our equal capacity to freedom is to be exercised *with right*, i.e. legitimately. This for Kant demands abandoning the state of nature, and entering into a civil condition to put our wills, and hence, our freedom, under a universal law. It follows that the ordering of this constitutive, normative conflict I am here defending turns out to be at the basis of Kant's particular solution to the problem of political authority in terms of universal law: "[S]o act externally that the free use of your choice can coexist with the freedom of everyone in accordance with a universal law".<sup>47</sup> It follows that Kant's theory of conflict is

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<sup>44</sup> RL AA 6:312.

<sup>45</sup> RL AA 6: 307-8.

<sup>46</sup> *Ibid.*

<sup>47</sup> RL AA 6:231.

conceptually tied to his account of political authority in terms of a *Public Will*.<sup>48</sup> This form of rightful coercion is not meant to merely *remedy* the inconveniences of an empirical conflict, but to attempt to render practical relations between agents rightful, without ever being able to fully eradicate the tension lying at the heart of a commitment to equality of agency.

Does this mean that this agential conflict I have tried to articulate, once it is rightfully ordered under the laws emanating from a public will –embodied in the empirical institutions and effective exercises of positive laws- is somehow, eradicated? This question is important in light of my criticisms to the ‘anti-conflict’ readings of Kant explored in Section II, and it is particularly relevant in the context of Schmitt. If we read Kant’s political/juridical solution to the conflict of equal agency as a *definite* solution, that is, as a solution where public law would make the limits of freedom strict and clear in a way that no friction would ever arise from our free exercise of choice, then we seem to fall back into a picture of Kantian politics closer to a depoliticized liberalism where conflict is, after all, eliminated. I do not think this is Kant’s approach to politics, and my reason for this is derived from his commitment to free agency. When I stated that this conflict is *constitutive of what it means to be an agent endowed with a will*, what I mean by this is that such agents, even under the strict authority of an external and coercive law, will always have their claim to external freedom in tension with that of others.

Two claims follow from my argument at this point: firstly, that such a constitutive conflict among free agents can be ‘resolved’ in a *qualified sense*, namely, through the establishment of a juridical condition, embodied in an omnilateral and public will [*öffentliche Wille*],<sup>49</sup> endowed with the coercive power to draw the limits of rightful interaction. Secondly, the establishment of this omnilateral and public authority becomes then the *locus* that enables the exercise of such rightful interaction. In more familiar Kantian terms, a public will becomes the condition of possibility of a political life in common where conflict is, indeed, present, but ordered under the limits of universal law. From this point of view, Schmitt’s critique to all “ethical-humanitarian”<sup>50</sup> theories as unconcerned with conflict starts to crumble.

Considering that Kant dismisses all arguments that explain conflict by appeal to empirical aspects of our world or of our nature, and if we are to defend, as I do, that his political philosophy is attentive to conflict as a fact of life, this ‘fact’ has to be understood in a very particular way. I suggested that this conflict should be called *normative*, and it is normative in in two senses: on the one hand, it is a normative conflict to the extent that it arises independently of empirical conditions –scarcity of resources, the particular constitution of

<sup>48</sup> The establishment of political authority requires for Kant “a will that is omnilateral, that is united not contingently but a priori and therefore necessarily, and because of this is the only will that is lawgiving.” RL AA 6:263.

<sup>49</sup> Cf. RL AA 06: 256.

<sup>50</sup> Schmitt 2007, p. 54.

our desires, the contingency of our needs—. It arises, instead, due to the fact that we stand in unavoidable relations to one another in respect to our equal freedom to choose and to act. Nothing about our empirical circumstances, or about human nature explains or triggers this conflict. It is, in contrast, constitutive of our being agents endowed with a will. On the other hand, this conflict is *normative* in the sense that it is not about the relationship of our will to things outside ourselves, and the conflict this unilateral claim over objects might arise in the face of other's equal claims to it; rather, the normativity of this conflict arises from the relationship of our will to the will of *another*, namely from the relational aspect underlying human agency in general. What Kant's political solution to this problem tries to achieve is not the eradication of conflict to give place to a conflict-free world, but rather the juridical condition becomes the condition of possibility of being able to stand in practical relations with others, by *drawing rightful limits to our otherwise conflictive exercise of freedom of choice and action*. Such a lawful ordering by means of public legislation does not aim at making political life a frictionless exchange as Schmitt's critique would have it, but rather it aims at the legislation of lawful interactions. Therefore, a juridical condition is then tasked –through its institutions and its officials–, to guarantee “the most precise determination and protection of the limits of [each person's] freedom so that it can coexist with the freedom of others”.<sup>51</sup>

I should note that the reading I am offering here is necessarily limited to the specific aim of this paper, that is to show that conflict plays a systematic role in Kant's political philosophy that makes it neither vulnerable nor accommodating of Schmitt-like critiques of a ‘conflict-free’ liberalism. As discussed in the previous section, however, some appropriations of Kant as a paradigmatic defender of a long-lasting peace, and as a source of robust values such as human rights, have contributed to think of Kant's philosophy as an ‘anti-conflict’ philosophy, resembling in some respects the ‘anti-conflict’ liberalism that Schmitt alerted us against. Therefore, arriving at a better understanding of both the role and nature of conflict as it operates in Kant, allows us to re-address some issues in his political philosophy, and the various ways in which it has been appropriated. I suggest that from this perspective, political life in common is *conflictive* since it involves the exercise of entering into “external and indeed practical relation[s] of one person to another”, in ways that our actions and deeds bear a significant “influence on each other”.<sup>52</sup> It is precisely this fact of agency that I think is crucial for Kant, and for the way he thinks of conflict as an ever-present reality. To put it differently: it is the fact that freedom involves influencing and affecting others in ways that are constitutive and inevitable of what it means to be an agent, that such an influence will always be relational, and hence, conflictive. I suggest we think of this as a kind of *dynamising conflict* that can hardly be reduced to a picture of Kant's politics as a blunt and moralising pacifism. This commitment to agency as a deeply relational and mutually affecting business precludes such a reading.

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<sup>51</sup> IaG AA 8:23.

<sup>52</sup> RL AA 6: 230.

However, conflict in Kant has not always been systematized in this way. My initial perplexity in this essay had, in fact, two sources. We are now familiar with the worry that, at least from the perspective of contemporary appropriations of Kant in the field of political science and international relations, these appropriations required us to take Schmitt's critique of Kant seriously. Yet there is a second source of discomfort, namely contemporary philosophical interpretations of Kant himself. What these interpretations have in common is their approach to Kant's political philosophy in general, and his teleology of history specifically, as tasked with the role of progressively sublimating, harnessing, or eventually eradicating conflict from human interaction. Are we to take these interpretative tendencies as targets of Schmitt's objections to a 'conflict-free' world? To some extent we should, and I suggest it is worth understanding why.

#### **IV. 'Anti conflict' readings of Kant: pacification and eradication**

So far, I warned against reading conflict in Kant's political philosophy as an empirical fact having to do with violent enmity between individuals, or with the contingent constitution of human nature. I argued in contrast that for Kant conflict is to be understood normatively, as a tension in the way our agency affects the freedom of others. If Schmitt's accusation to Kant is that his theory of peace and his universalist morality cannot deliver us with a robust view of politics as 'the' sphere of human conflict, then that can be partly explained by Schmitt's limited identification of conflict with sheer violence. To be sure, for Schmitt conflict can manifest in many ways, as fear of violent death, or as a deeper, existential threat posed by an enemy who intends to "negate his opponents way of life".<sup>53</sup> However, it is wrongly entailed by Schmitt's critique to all theories committed to a universalist and humanitarian morality, based on formal and legalistic principles in the way Kant does, that they ought to reject the presence of *all forms of conflict*, regardless of whether its manifestation happens at a normative or at an empirical (and literally) physical level. Schmitt goes wrong, therefore, in equating a commitment to universalism with a commitment to total pacifism, since for him universality "would necessarily have to mean total depoliticalization".<sup>54</sup>

However, an interpretative issue seems to persist, namely what I identify as properly '*anti-conflict*' readings of Kant. I find these interpretations particularly problematic because they explicitly read his political philosophy, and in particular his teleology of history, as aiming towards the pacification and progressive eradication of conflict. This is worrisome for the systematic reasons I defended in Section III, and for the way these strictly Kantian interpretations might further influence other appropriations of Kant, as discussed in Section II. Getting Kant straight on the issue of conflict becomes, once again, a pressing task.

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<sup>53</sup> Schmitt 2007, p. 27.

<sup>54</sup> *Ibid.*, p. 55.

We are able to find traces of this broadly ‘anti-conflict’ reading of Kant in the interpretations of Hans Saner, Patrick Riley and Allen Wood. Saner for example maintains that Kant’s thought “proves time and again to be the turn from diversity to unity”. As a “peacemaker” both in metaphysics and in politics, Kantian politics can be synthesised in the question “[H]ow is it possible, despite the antagonistic forces of the passions that always work in politics, to unify the state-building will” and achieve “long lasting peace?”.<sup>55</sup> This search for unity and harmony arising from conflict and antagonism, is shared by Patrick Riley, for whom the process of going from a state of “empirical politics” to the “sublimely metaphysical” idea of a perfect republic requires “the sublimation of conflict”.<sup>56</sup>

This quest for a conflict-free condition is also present in Allen Wood’s reading of Kant. Wood’s interpretation is particularly relevant to the development of our present discussion: first, there is a point of contact between his interpretation and my own in our shared interest in the *systematic* role conflict plays in Kant’s thought. Second, I believe Wood is correct in placing Kant’s interest in conflict against a broader concern by highlighting the “historical urgency” that underpins all of Kant’s ethical concerns.<sup>57</sup> This relation between conflict and history is, in my view, a beneficial one, as it increases our sensitivity to the political implications of Kant’s thought. I suspect, however, that Wood’s appeal to history relies on teleological underpinnings to a greater extent than the interpretation I have tried to advance here, and it is possibly the reason why his defense of a progressive eradication of conflict has to be done in Kant through the lenses of a teleological plan of reason.

Taking moral philosophy as his starting point, Wood defines Kant’s ethics as a “radical moral philosophy aimed at abolishing conflict”.<sup>58</sup> This radical project develops alongside a teleology of history. For Kant, history develops in epochs, starting with the “epoch of nature” and finishing with the “epoch of freedom” in which men, and not nature, establish their own “autonomous ends”. According to reason’s “conscious and collective plan”, the natural antagonism between human beings “will gradually be overcome, vanquished by reason’s free concord”.<sup>59</sup> But, how does politics fit into this picture? For Wood, there is a tension between politics and moral progress since politics belongs to the “epoch of nature”, and morality is found only in the “epoch of freedom”. These two conflicting realms are nevertheless bridged by history. The philosophy of history acts as a kind of pacifier for the tension Wood thinks exists between these two realms. So the solution is ultimately achieved by a teleological approach to morality, of which politics is just a stage. As Wood concludes, “whereas right is to *control* social conflict in the interest of nature’s ultimate purpose, morality is to *abolish* it in order to actualise the final human ends”.<sup>60</sup>

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<sup>55</sup> Saner 1973, pp. 4, 41.

<sup>56</sup> Riley 1983, p. 123.

<sup>57</sup> Wood 1999, p. 245.

<sup>58</sup> Cf. Wood 1999, p. 244ff.

<sup>59</sup> Wood 1991, p. 343.

<sup>60</sup> *Ibid.*, p. 344.

Two things are worth clarification: first, for Wood, a true pacified condition is ultimately our task as *moral beings* with a collective destiny, and a different issue is how this ideal abolition of all frictions is predicated on the *social control of conflict* through the effective and coercive power of institutions and public law. Second, the fact that Wood understands conflict empirically, and as pertaining human nature, explains why it is malleable and open to be first controlled by law, and then abolished by teleological means. This progression will be slow and achieved only in stages, but the ‘anti-conflict’ goal is nevertheless clear. As Wood himself concludes, Kant’s political philosophy (at least from a teleological point of view) is aimed at the “historical task of controlling [conflict] externally by achieving peace with justice, through cosmopolitan republicanism”.<sup>61</sup> A very different picture of Kantian politics emerges from this set of assumptions if we make the abolition of conflict as an explicit teleological end.

What these ‘anti-conflict’ interpretations of Kant reveal is that at least some aspects of Schmitt’s critique are able to find a space in versions of Kant’s philosophy. I am not however claiming that Saner, Riley or Wood would commit Kant to the kind of liberal pacifism Schmitt portrays. My appeal to Wood was done with the interest of showing that there is an *interpretative tendency* to dismiss conflict as a systematic element in Kant’s theory of political and social agency. In contrast, what we commonly find is a commitment to the eradication of conflict as a basic aim of Kant’s philosophy, thereby ignoring one of the most original and distinctive aspects of his approach to politics. These “practical relations” that Kant was interested in exploring, showed how the fact that we are beings with a will which ineludibly affect the exercise of another’s freedom, makes it impossible in my view to hold to a completely pacified, conflict-free world.

## V. Between peace and conflict: concluding remarks

To conclude: I can make little sense of a conflict-free world in Kant – at least once we accept the relational nature of his approach to freedom and agency. An understanding of Kant’s philosophy as aimed at “abolishing conflict altogether”<sup>62</sup> fails to recognise (i) what it means to be an agent endowed with a will to choice and action, and therefore (ii) what it means to be an agent in a world where others have equal claims to the exercise of such a capacity to freedom. What would political life be reduced to if the ideal of a world free of all conflicts were, indeed, attainable? What I have tried to show is that this, at least, would not be Kant’s world. However, taking on board this insight into the inherently conflictual nature of free agency does raise interesting and novel questions worth exploring, for example: ‘how should we understand the ideal of perpetual peace if conflict between agents is ever-present?’; ‘is moral progress compatible with the fact that we are beings

<sup>61</sup>Wood 1991, p. 345.

<sup>62</sup>*Ibid.*, pp. 344-5.

with an equal faculty for choice and action?'; 'if conflict is necessary at the level of agency, is it so at the level of states?'. I did not offer definite answers to these questions. Instead I suggested how an account of agential conflict in Kant requires a deeper and more global analysis of the relationship between his teleology and his politics, and between his theory of law and his theory of individual morality. I think that the pacifist projects underlying some contemporary appropriations of Kant from the camp of political science and international relations, as well as the more teleologically oriented approaches to his political philosophy, are both compatible with the positive account of agential conflict I defended here. What we must not lose sight of is the fact that such a normative conflict as a structural feature of agency, will be ever-present. If this is right, then Schmitt's critique to Kant looks like a blunt distortion, or at least conceptually weak.

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Abbreviations of Kant's Works:

All citations refer to volume and page numbers of the Prussian Academy Edition of Kant's *gesammelte Schriften* (Berlin: Walter de Gruyter and predecessors, 1900—), with the standard A/B form for the first/second editions of the *Critique of Pure Reason*. Where available, I have used translations from the Cambridge Edition of Kant's works, published by Cambridge University Press under the general editorship of Paul Guyer and Allen Wood.

<i>KrV</i>	Critique of Pure Reason
<i>RL</i>	Doctrine of Right
<i>IaG</i>	Idea of Universal History with a Cosmopolitan Aim
<i>ZeF</i>	Perpetual Peace
<i>Prol</i>	Prolegomena to all Future Metaphysics
<i>RGV</i>	Religion within the limits of pure reason

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