

**The World Republic, The State of States or The League of
Nations?
Kant's Global Order Revisited**

**¿República mundial, estado de estados o liga de naciones?
Una revisión del orden global kantiano**

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Abstract

The article investigates the problem of Kant's proposal for a final global legal order. Kant expressed his stance very vaguely in the consecutively published texts *On the Common Saying*, *Toward Perpetual Peace* and *The Metaphysics of Morals*, which enabled numerous, often contradictory interpretations. The aim of the paper is to propose an alternative method of analysis of Kant's texts, which on one side reconciles textual discrepancies in his writings and on the other throws new light on many of the previous interpretations. In order to accomplish this goal, I draw distinctions between four perspectives, from which the philosopher considers this issue in his writings. This allows me to give the final form of Kant's world peace, explain the character of the international state of nature vs the original (interpersonal) one, and understand the role of the principles of politics and the status of Kant's teleological understanding of history.

Keywords

Perpetual Peace, Doctrine of Right, State of Nature, World State

Resumen

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El artículo investiga el problema de la solución final de Kant a la cuestión del orden legal global. Kant manifestó su posición de manera muy vaga en los siguientes textos publicados consecutivamente: *En torno al tópico*, *Sobre la paz perpetua* y la *Metafísica de las costumbres*, lo cual permitió numerosas y a menudo contradictorias interpretaciones. El objetivo de este artículo es proponer un nuevo método de análisis de los textos de Kant que, por una parte, reconcilie las discrepancias textuales en sus escritos y, por otra, clarifique varias de las interpretaciones anteriores. Para lograr dicho objetivo establezco una distinción entre cuatro perspectivas desde las cuales el filósofo considera este asunto en sus escritos. Esto me permite dar la forma final de la paz mundial de Kant, explicar el carácter del estado de naturaleza internacional frente al original (interpersonal) y comprender el rol de los principios de la política y el estatus de la concepción teleológica de la historia de Kant.

Palabras clave

Paz perpetua, Doctrina del derecho, estado de naturaleza, Estado mundial

Introduction

Kant believed that the most essential goal of humankind in external relations (i.e., in the use of external freedom) is to secure perpetual peace and that the appropriate means of achieving this goal is to establish a global legal order. The philosopher claimed that securing universal and lasting peace is also the final goal behind the doctrine of right (see RL, AA 6:355)¹. Nevertheless, Kantian scholars have been struggling to settle for one form of the global legal order, which would follow from Kant's writings. Kant raised this topic in several texts, most often in the 1790s, when his political philosophy was given its final shape. In contrast to what would be expected from this critical thinker, Kant expressed his stance on this issue very vaguely, in the consecutively published texts: *On the Common Saying: That May Be Correct in Theory, but It Is of No Use in Practice* (1783), *Toward Perpetual Peace* (1795) and *The Metaphysics of Morals* (1797)², leaving the reader puzzled with discrepancies between these writings.

In my paper, I revisit the problem of Kant's conception of global legal order and aim at finding an alternative way of approaching the said differences in order to bring consistency into Kant's position, without dismissing any of his arguments. My goal is to propose a method of interpretation, which would help to understand why Kant seemingly represents many different opinions concerning legal relations at the global level. Further, the purpose of this article is to contribute to the discussion about the form of Kant's global order, while

¹ All quotations and references to Kant are presented with the pagination of the *Kants Gesammelte Schriften*, "Akademieausgabe", Königlich Preußische Akademie der Wissenschaften, Berlin 1900ff. For quotations, I use the Cambridge Edition of The Works of Immanuel Kant, the translation by Mary J. Gregor with the introduction by Allen Wood: I. Kant, *Practical Philosophy*, New York, Cambridge University Press, 1999.

² I refer only to these three texts on global legal order by Kant and this methodological approach requires an explanation. There is a multitude of places where Kant comments on the topic. There have been studies suggesting that Kant changed his mind, especially ones indicating substantial differences between his opinions in the 80s and the 90s (e.g. his moral theory in *Groundwork* and *Second Critique*) I want to limit my analysis to Kant's ultimate opinion expressed in the 90s.

employing four perspectives, from which the philosopher considers this issue in his writings. In this way, I draw a novel interpretation of this problem, which avoids textual contradictions in at least three main works, in which Kant discussed the problem of world peace. I thereby throw new light on previous explanations of what Kant wanted, should have said and did write on this issue.

Firstly, I point out Kant's central arguments in order to discern the main interpretative problems. The fundamental question, which needs to be resolved, is (1) the final form of global legal order postulated in Kant's writings — whether it is a world republic, a multilevel state of states or a league of nations. Another problem, the answer to which directly determines the resolution of the main issue, is the (2) character of the state of nature both for states and for individuals, as the similarities and differences between the original state of nature (among individuals) and international state of nature (among states) affect the duty of *exeundum* on the global level. Two other issues, which need to be settled regarding the fundamental question are (3) the tension between the categorical prescriptions of practical reason and their pragmatic feasibility as well as (4) the role of nature in practical prescriptions of reason.

Secondly, I identify four different perspectives, from which Kant assesses the problem of the global legal order: the perspective of the pure concept of right, the perspective of the application of the concept of right to the conditions of experience, the perspective of Kant's conception of politics and the perspective of teleological understanding of history³. By drawing and justifying the distinctions between these perspectives I address the above-listed problems while showing that Kant's statements from *On the Common Saying...*, *The Metaphysics of Morals* and *Toward Perpetual Peace* do not contradict each other, but rather address different levels of thought. By means of such analysis of Kant's conception of the global legal order, I hope not only to bring more clarity to Kant's writings but also to reconcile various, even contradictory interpretations of this issue.

I will argue that (1) Kant indeed believed that world republic is the only rational proposal for global legal order, but only with respect to the pure concept of right. While applying this solution to empirical conditions the philosopher encountered many problems, which cannot be overseen: the fact of the existence of more than one state (which by no means can be presupposed by reason) and the (2) radical difference between the conceptual state of nature (of individuals) and the actual one (of states), as well as the difference concerning the moral personality of states and individuals. Regarding these facts, Kant had to commit himself to the idea of a peaceful federation, which may or may not evolve in the future into a more interdependent political entity. (3) However, this decision of Kant must not be interpreted as a sign of Kant's conformism in respecting the prescriptions of practical reasons. I justify this claim on the grounds of Kant's conception of politics, which

³ Various perspectives in Kantian thought were also discerned by Pauline Kleingeld, as she considers *On the Common Saying* to be written from the perspective of a moral subject, while other writings in philosophy of history aim at bringing systematical unity of the world of experience (Kleingeld 1995, p. 11-12, 50). My use of Kant's 'perspectives' profoundly differs from the one presented by Kleingeld.

requires the latter to be subordinated to the principles of right, even if political practice also involves significant use of empirical wisdom. Finally, (4) the distinction between types of human cognition, drawn with regard to Kant's speculations on the secret role played by nature, enables me to assess the true meaning of Kant's recurring remarks about "nature" or "providence" bringing peace to humanity against its will and conclude that these statements do not deliver objective knowledge, but are meant to influence people's moral motivation.

Kant's main arguments and former interpretations

Kant famously presented several arguments in favour and against different solutions to the problem of the international state of war. Firstly, he claimed that a world republic is an imperative of reason, and therefore the league of nations is just a negative surrogate (see TP AA 8:311, ZeF AA 8:353-4, RL AA 6:350-1). Nevertheless, he also concluded that states do not want to create such a republic (see ZeF AA 8:357) and that a world republic would threaten to become a global tyranny (see ZeF AA 8:367, RL AA 6:350). Moreover, Kant insisted that a league of nations is a proposition, which respects the sovereignty of nations and secures peace, whereas a world republic would make it impossible to secure the rights of individuals. His presentation of the topic remained particularly vague and invited speculations concerning what he meant or should have meant.

There is vast literature presenting solutions to the ambiguity of Kant's account, which can be roughly categorised into three groups. Firstly, there are scholars, who accept that Kant wholly rejected the ideal of a world republic because of the threat of anarchy or autarchy (which would mean that theory and practice do not go together) and because of systemic problems, as states already have constitutions, and these constitutions cannot or must not be dissolved. Therefore, in this line of interpretation, Kant only postulates the league/association of states (e. g. Flikschuh 2010, Guyer 2006, Niesen and Eberl 2011, Varden 2011, Williams and Krosiak 1999, Williams 2007). His rejection of the idea of the world republic is final, as the letter of the text clearly states (see ZeF AA 8:354, 367; RL AA 6:350-351).

The second solution revolves around the approximations of what Kant wanted to say, even though he never uttered it *expressis verbis*. By stating that a world republic is the idea of reason, Kant in fact meant (or should have meant) to postulate a state of states, i.e., a multilevel political entity, to which a league of nations is just a step in the process (e. g. Byrd and Hruschka 2008, Carson 1988, Cavallar 1994, Dörflinger 2016, Geismann 1983, Geismann 1997, Kleingeld 1998, Kleingeld 2004, Lutz-Bachmann 1996). Such state of states would be able to provide distributive justice with coercive laws while preserving the sovereignty and efficient law enforcement systems of its member-states and therefore both problems, which steered the scholars to employ the previous interpretation, would be annihilated.

Finally, there is the last group of writers, who hold firmly to the fact that for Kant a world republic is the only solution that brings everlasting peace, and therefore they assert that it must be not only what the philosopher meant, but also what is practically doable (e. g. Hirsch 2012, Pinzani 1999, Pojman 2005, Reglitz 2016). This line of interpretation rests mostly on the essay *Perpetual Peace* and very often puts in context other writings on this topic.

In my reading I aim at solving a handful of issues that emerged in previous interpretations of Kant's global legal order. The choice of the method of approaching Kant's ambiguous writings is the first and decisive step — whether the consistency within Kant's texts can and ought to be achieved and if so, how the vague and often contradictory statements should be reconciled. Moreover, one must also consider the relation between normative theory presented by Kant and its practical feasibility. Namely, some of Kant's own words might suggest that he gives up on the categorical prescriptions of practical reason due to the pragmatic unfeasibility of the theoretically correct solution and this assumption needs to be investigated (see RL AA 6:350; ZeF AA 8:357). In my paper, I argue that it is not the case and show that Kant's statements can be brought into consistency with one another.

Further, in order to solve the fundamental problem of Kant's final choice for global legal order, whether it is the league of nations, state of states or world republic, one must investigate the relationship between the state of nature for individuals and states. Since there is a general postulate of public right to leave the state of nature, then one needs to assess how strict the analogy between persons and states should be considered and whether it is allowed to apply coercion both in the process of establishing rightful condition and then within such condition. In my paper, I take the issue of state's inviolable sovereignty (Byrd 1995, Flikshuh 2010) as a severe constraint against interstate coercion and therefore emphasize the difference of the situation of legal persons in interpersonal and interstate states of nature.

The last issue that needs to be addressed for the purpose of clarity is the role of nature in practical postulates for Kant. While discussing legal matters connected to the peaceful world order, Kant repeatedly refers to “mechanisms of nature” that play a part in reaching the final goal of the global legal order (see ZeF AA 8:360ff). Nature plays a role in bringing peace, but not *via* establishing a world state because according to Kant, nature does not *want* the establishment of a world republic. The question that can be raised in this respect is why such speculations concerning nature matter and what is their relation to the prescriptions of practical reason. I argue that these assertions should be considered only while taking into account the “big picture” of Kant's monumental philosophical system. In this system, teleological speculation, unlike principles of practical reason, does not belong to strict science and therefore must be considered to bear a different function, which I will aim to unveil.

My goal is not to scrutinise all the former solutions of the problems mentioned above, but to show, how drawing distinctions between different levels of Kant's thought,

which I also call “perspectives”, helps in developing an interpretation that both solves these problems and overcomes Kant’s textual ambiguities.

Distinction One: Pure Concept of Right vs. Its Application to Empirical World

The first distinction, which I aim at drawing in this paper is the one, which recognises the change of Kant's perspective from a purely rational concept of right to its possible application to empirical conditions. For Kant the pure reason must remain blind to facts and therefore only gives the highest principles (*Grundsätze*), while the metaphysics of morals must also be concerned with their application to empirical world and this results in developing further principles (see AA RL 6:205; 6:216-217).⁴ These two levels of thought or better said “perspectives” from which Kant approaches themes in the *Doctrine of Right* help us untangle the question concerning the final form of the global legal order.

In my view, from the perspective of the pure concept of right, which is concerned only with the external freedom of all rational and goal-oriented persons, there can be no more than one single state, i.e., a republic encompassing all humankind and regulating every possible legal issue. Rational consideration of the structure of right from this angle, namely purely apriorical and ahistorical, will give us one state – a world republic. This is what Kant has in mind when he claims that:

In accordance with reason there is only one way that states in relation with one another can leave the lawless condition, which involves nothing but war; it is that, like individual human beings, they give up their savage (lawless) freedom, accommodate themselves to public coercive laws, and so form an (always growing) state of nations (*civitas gentium*) that would finally encompass all the nations of earth. (ZeF, AA 8:357)

Nevertheless, at this point Kant stresses the fact that the sovereign states reject what reason prescribes (world republic), because of their idea of the right of nations. Before we proceed with the interpretation of what Kant means by “their idea”, let us lay down the complications that arise for rational speculation on the level of its application to reality.

The major complication is the actual existence of a multitude of states. This fact truly changes what is allowed within the state of nature, as Kant considers a state as a person-like agent (Flikshuh 2010, Byrd 1995). Therefore, the postulate of public right regarding states creates a systematic contradiction: the states ought to leave the state of nature, just as persons do, yet this would result in their annihilation, as sovereignty in a Kantian sense is indivisible and irrevocable. Kant expresses this problem in multiple places in his political writings, but it is best presented in *Toward Perpetual Peace* as follows:

⁴ See Kant RL, AA 6: 217 “But just as there must be principles in a metaphysics of nature for applying those highest universal principles of a nature in general to objects of experience, a metaphysics of morals cannot dispense with principles of application, and we shall often have to take as our object the particular nature of human beings, which is cognized only by experience, in order to show in it what can be inferred from universal moral principles.”

However, what holds in accordance with natural right for human beings in a lawless condition, “they ought to leave this condition”, cannot hold for states in accordance with the right of nations (since, as states, they already have a rightful constitution internally and hence have outgrown the constraint of others to bring them under a more extended law-governed constitution in accordance with the concepts of right). (ZeF, AA 8: 354)

States cannot just seize to exist for the purpose of creating a world republic postulated by reason. Instead, what follows from the existence of multitude of states from the perspective of the application of rational principles to reality, is a tripartite division of public right into state right, international right and cosmopolitan right⁵. It is necessary, because the legal status of a state is different from that of an individual — the state is internally organised according to the general united will of its people, which gives such state the final authority with regards to distributive justice, i.e., its sovereignty. While it is not problematic for Kant to use coercion in order to leave the state of nature on an individual level, the inter-state level bans such use, as the existence of a state is not only merely a fact but much more: a state (internally) establishes a legal order which must not be violated. Therefore, the will of states that express the general united will of its people must be respected: if “they do not want” (see ZeF, AA, 8: 357) to create a world republic, no one has the permission to coerce them into doing so.

Kant’s concept of indivisible and irrevocable sovereignty of factual states has yet one more consequence: the solution, which is extremely popular among Kantians, namely establishment of a political entity at the supranational level, which would allow member states to remain partially (internally) sovereign, and at the same time seize the supreme power in the interstate affairs, is not possible without substantial changes to Kant’s theory. In Kant’s conception, a single world republic and a multilevel state of states are not different in terms of sovereignty — the internal organisation of a super-state that encompasses the whole world may be federal or unified, but politically it remains just one power. That is why, while discussing the creation of a super-state with coercive powers, Kant claims:

That would be a contradiction, inasmuch as every state involves a relation of a superior (legislating) to an inferior (obeying, namely the people); but a number of nations within one state would constitute only one nation, and this contradicts the presupposition (since here we have to consider the right of nations in relation to one another insofar as they comprise different states and are not to be fused into a single state). (ZeF, AA 8:354)

⁵ See Kant RL AA, 6:205 “But since the concept of right is a pure concept that still looks to practice (application of cases that come up in experience), a *metaphysical system* of right would also have to take into account, in its divisions, of the empirical variety of such cases, in order to make its division complete (as is essential in constructing a system of reason).” About the divisions of Kant’s structure of public right, Flikschuh writes: “A glance at Kant’s system of Right thus shows its tripartite structure and underlying normative commitments to be quite different from current Kant-inspired cosmopolitan theories” (Flikschuh 2010, p. 471).

In order to discuss legal relations on the international level one needs to acknowledge that the existing states are sovereign moral persons, and that simply applying the imperative of leaving the state of nature in direct analogy to individuals is not possible anymore. What is possible, is creating a voluntary federation of peace-loving nations, which will foster more civilised relations internationally, and this is exactly the solution that Kant proposes in all his writings from the 1790s.

Some recent literature puts much emphasis on the fact that even though coercible world state may not be what Kant postulated, nevertheless from a systematical point of view, there can be no alternative (Reglitz 2016, Hirsch 2012, but also Pinzani 1999). The argument rests on the problematic status of individual rights (e.g. property rights), perceived from a global perspective. Although individual states grant conclusive rights to their citizens, yet this guarantee can be valid only within the boundaries of these states. Externally, any property relations, both on the international and on the cosmopolitan level remain provisional, since there is no authority of distributive justice, that could grant such rights. It is a vital point, expressed also by Kant at the end of his *Doctrine of Right*:

Since a state of nature among nations, like a state of nature among individual human beings, is a condition that one ought to leave in order to enter a lawful condition, before this happens any rights of nations, and anything external that is mine or yours which states can acquire or retain by war, are merely provisional. Only in a universal association of states (analogous to that by which people becomes a state) can rights come to hold conclusively and a true condition of peace come about. (RL, AA 6:350)

Kant himself does not express much hope for solving this issue and instead perceives the process of forming global legal order with conclusive rights as progressively coming closer to an idea. Striving to fulfil an ideal, which must be a duty of humankind, seems to be a process that might never come to an end, and therefore the peaceful league of nations must remain the only solution postulated in Kant's writings.

Setting aside the considerations from *On the Common Saying, Toward Perpetual Peace* and *Doctrine of Right*, one must acknowledge that respecting the state's sovereignty on the one hand and acknowledging the necessity of granting conclusive rights on a global level on the other does create tension in Kant's theory, which cannot be ignored. I argue that there may be a plausible solution to this dilemma and one that remains strictly in line with Kant's theory. As states must not dissolve by themselves (see RL, AA 6:351, also on the grounds of the impermissibility of legal regress, see RL, AA 6:318-320) it is only up to all the people of the world as world-citizens (the *universal* general united will) to establish a global state, which takes over the final responsibility and invalidates the legal order on the nation-state level. We could imagine a scenario in which the idea of peace has spread worldwide, and all the people have a will to create a world republic. Then they establish a universal constitution for humankind and equip it with institutions providing freedom and equality to everyone. The nation-states cease to exist, but there is no legal regress, and there arises a world republic, which grants global peace. One might wonder why Kant did not

propose such scenario himself, as he believed that peace was the final goal of the whole doctrine of right. As I mentioned above, Kant was concerned with two further reasons against establishing of one global state, namely the threats of autarchy and anarchy. I will discuss these arguments of Kant while drawing yet another interpretative distinction.

Distinction Two: The Principles of Right vs. The Principles of Politics

The second distinction I want to draw in my interpretation of Kant's global legal order is the one between the perspective of the principles of right and the perspective of the principles of politics. Many scholars, who discuss Kant's texts on international legal relations, awe at the fact that he presents pragmatic arguments against the normative prescriptions of practical reason. Be it possible, that Kant himself does not believe that "what on rational grounds holds for theory also holds for practice" (TP, AA 8:313)? I argue that such consternation rests on the misunderstanding of how Kant conceived of politics and its relation to the doctrine of right. Kant's concern about world state transforming into autarchy and finally deteriorating into anarchy was first expressed in *Toward Perpetual Peace*:

The idea of the right of nations presupposes the separation of many neighbouring states independent of one another; and though such a condition is itself a condition of war (unless a federative union of them prevents an outbreak of hostilities), this is nevertheless better, in accordance with the idea of reason, than the fusion of them by one power overgrowing the rest and passing into a universal monarchy, since as the range of government expands laws progressively lose their vigour, and a soulless despotism, after it has destroyed the seed of good, finally deteriorates into anarchy. (ZeF, AA 8:367)

He repeated his objections in the *Doctrine of Right*, but this time focusing on the other threat:

But if such a state made up of nations were to extend too far over vast regions, governing it and so too protecting each of its members would finally have to become impossible, while several such corporations would again bring on a state of war. (RL, AA 6:350)

I aim at taking these claims seriously and yet saving Kant from contradicting himself in the general idea of the text of *On the Common Saying...* My argument is that there is a substantial difference between 'applied' metaphysics of right and the principles of politics. Kant famously describes the role of politics as application of the doctrine of right⁶. Moreover, according to Kant, there is no permission to compromise the normative prescriptions in the political practice: "Right must never be accommodated to politics, but politics must always be accommodated to right" (VRML, AA 8:429).

Nevertheless, as many authors have noticed before, Kant had a very realistic vision of political progress, and therefore, he did acknowledge that the application of the doctrine of right must be preceded by careful consideration of the means⁷. Such careful consideration

⁶ "[...]politics, as doctrine of right put into practice [...]" ZeF, AA 8:370.

⁷ About Kant as a political realist see Pinheiro Walla 2018, Varden 2016, Weinrib 2014.

entails empirical wisdom, as well as empirical knowledge of laws, human nature, history, polity and policymaking. While explaining the distinction between right and politics, Kant states:

Now in order to proceed from a metaphysics of law (which abstracts from all empirical conditions) to a principle of politics (which applies these concepts to cases met with in experience), and by means of this to achieve the solution of a problem of politics in accord with the universal principle of law, the philosopher will enunciate three notions. The first is an axiom, i.e., an apodictically certain proposition which springs directly from the definition of external law (the harmony of the freedom of each with the freedom of all others according to a universal law). The second is a postulate of external public law (the will of all united according to the principle of equality, without which no one would have any freedom). Third, there is the problem of how it is to be arranged that, in a society however large, harmony may be maintained in accordance with principles of freedom and equality (namely, by means of a representative system). The latter will then become a principle of politics, the organization and establishment of which will entail decrees drawn from the practical knowledge of men, which will have in view only the mechanism of the administration of justice and how this may be suitably carried out. (VRML, AA 8:429)

Kant distinguishes not only pure notions of right (formula of universal law) from these applied to human condition (postulate of public right) but also the latter from the principles of politics. In the end, he stresses that politics must consider more factors than just normative prescriptions, e.g. the anthropological and historical knowledge concerning the human condition. This means that from the perspective of politics, one is not only bound by practical reason and its commands, but also by pragmatic knowledge, acquired by means of experience.

There is another thread we could follow in order to explain how Kant's view on politics varied from the perspective of the doctrine of right. Speaking in general, being a good politician in some instances meant that for the purpose of the greater good, which is maintaining and fostering peace, one might need to slow down legal progress. Examples of such prescriptions of political wisdom can be found in *Toward Perpetual Peace*, where Kant says that some preliminary articles should be applied right away, but others can wait until the time is right (see ZeF, AA 8:347). These are

laws that, taking into consideration the circumstances in which they are to be applied, subjectively widen his authorization (*leges latae*) and contain permissions, not to make exceptions to the rule of right, but to postpone putting these laws into effect, without however losing sight of the end;[...] he is permitted only to delay doing so, lest implementing the law prematurely counteract its very purpose (ZeF, AA 8:347)

Another example, which Kant mentions with reference to such permission is to tolerate the existence of states, which are outwardly unjust, in order to prevent legal regress:

These are the permissive laws of reason that allow a situation of public right afflicted with injustice to continue until everything has either of itself become ripe for a complete overthrow or has been made almost ripe by peaceful means; for some rightful constitution or other, even if it is only to a small degree in conformity with right, is better than none at

all, which latter fate (anarchy) a premature reform would meet with. Thus political wisdom, in the condition in which things are at present, will make reforms in keeping with the ideal of public right its duty; but it will use revolutions, where nature of itself has brought them about, not to gloss over an even greater oppression, but as a call of nature to bring about by fundamental reforms a lawful constitution based on principles of freedom, the only kind that endures. (ZeF AA, 8:373 footnote)

Kant gives the permission for an unjust legal order to last until it can either be reformed or overthrown with success, for any (even to the minimal extent) legal order is better than pure anarchy. If we recall Kant's arguments against a single world state, the main point he raises is the difficulty of preserving the rule of law over vast territories. His concern is that we do not possess appropriate measures to successfully implement legal order and protect individual rights within a state that is too big. Moreover, he also fears that the only way to maintain control over the whole world must be through despotic government since a representative system must be technically impossible to implement with such a high number of citizens. Therefore, in order to protect the existing legal order against regress, even though the scope of this order is not satisfactory, he is forced to forgo promoting the establishment of a world republic in his writings. Kant's political realism is not by far equivalent to making concession to what practical reason commands. Since the principles of politics rest also on empirical knowledge, they are subject for change and what Kant expressed in *Toward Perpetual Peace* (ZeF, AA 8:347) as permission to postpone progress could be adjusted to appropriate, contemporary, more effective methods of exercising political power and maintaining legal order on vast territories. In other words, what counted as a valid political argument against world state in the 18th century, may not be applicable anymore. Nevertheless, Kant had every right to raise such concerns and based on the discussed distinction, it never did create an inconsistency with his normative theory of peace.

Distinction Three: Practical Knowledge vs Teleological Understanding

Although the previous two distinctions, which present three different perspectives in Kant's practical reflections on global legal order (and also three different levels of practical reasoning with regard to the sphere of right) are the most important to understand Kant's arguments, there is one more perspective that needs to be introduced and consequently one more distinction to be drawn. In his writings, Kant approaches the topic of peace not only on a normative level, which stems from practical reason but also from the perspective of the reflective power of judgment, i.e. teleological understanding of human history. In order to appropriately understand these parts of Kant's considerations about perpetual peace, where he writes about the "providence" or agent-like "nature", let us investigate the systematical significance and the function of this perspective.

In *On the Common Saying*, regarding the progress in international relations, Kant writes:

If we now ask by what means this unending progress toward the better can be maintained and even accelerated, it is soon seen that this immeasurably distant success will depend not so much upon what *we* do (e.g., on the education we give the younger generation) and by what methods we should proceed in order to bring it about, but instead upon what human *nature* will do in and with us to *force* us onto a track we would not readily take of our own accord. (TP, AA 8:309)

Kant states that our empirical nature, and especially what is not particularly lovable in it, will have to force us to settle international relations in a peaceful manner, since wars bring only losses and misery. He repeats these observations in *Towards Perpetual Peace*, by naming certain mechanisms, which rest on the empirical nature of humans and push them towards establishing world peace. These are hostilities within peoples, and between them that drive them to establish legal order, i.e. to build nation-states. Furthermore, constant wars and the spirit of commerce push nations to seek peaceful relations, while different languages and religions prevent them from merging into an autocratic universal monarchy. As Kant states:

In this way, nature guarantees perpetual peace through the mechanism of human inclinations itself, with an assurance that is admittedly not adequate for predicting its future (theoretically) but still enough for practical purposes and makes it a duty to work toward this (not merely chimerical) end. (ZeF, AA 8:368)

The problem with Kant's conclusions concerning the inevitability of the legal progress is that they suggest certain automation of this process in history. In the *Doctrine of Right* Kant states, conversely, that there can be no evidence, i.e., it may even be theoretically impossible that such state of peace on Earth ever comes to being (see RL, AA 6:354-5). If we want to avoid contradiction, it is crucial to understand the distinction between practical *knowledge* and teleological *understanding*, which Kant thoroughly discusses in the *Third Critique*, but also mentions briefly in *Towards Perpetual Peace*:

What affords this guarantee (surety) is nothing less than the great artist nature (*natura daedala rerum*) from whose mechanical course purposiveness shines forth visibly, letting concord arise by means of the discord between human beings even against their will; and for this reason nature, regarded as necessitation by a cause the laws of whose operation are unknown to us, is called fate, but if we consider its purposiveness in the course of the world as the profound wisdom of a higher cause directed to the objective final end of the human race and predetermining this course of the world, it is called providence, *which we do not, strictly speaking, cognize in these artifices of nature or even so much as infer from them but instead (as in all relations of the form of things to ends in general) only can and must add it in thought, in order to make for ourselves a concept of their possibility by analogy with actions of human art; but the representation of their relation to and harmony with the end that reason prescribes immediately to us (the moral end) is an idea, which is indeed transcendent for theoretical purposes but for practical purposes* (e.g., with respect to the concept of the duty of perpetual peace and putting that mechanism of nature to use for it) is *dogmatic* and well founded as to its reality. (ZeF, AA 8:360-2, my emphasis)

It is important to notice that the purposiveness of nature, which is expressed by Kant with reference to the idea of peace achieved by establishing global legal order, cannot be considered as knowledge, neither practical, nor theoretical one⁸. We need this way of looking at nature, which is brought about by reflective power of judgement because it provides us with the final end within the scattered data of experience. It is necessary for the purpose of making sense of our human condition. Nevertheless, one must be strict about what can be considered *knowledge*. Knowledge in Kant's philosophy comes either from conceptual or empirical cognition and it is therefore either scientific or historical. The first entails necessary laws (of nature or freedom), and the last one is an aggregation of facts (see *Logik*, AA 9:22 ff, 9:70). These facts can be referred to natural laws, but also to human freedom, if we seek understanding of historical facts that entail this freedom. The reflective power of judgement never establishes scientific knowledge, as opposed to the determining power of judgement.

Nevertheless, Kant states that for *practical purposes*, the guarantee of nature needs to be considered *dogmatic*, i.e. taken unquestionably as an assumption for the legal progress to take place. For a critical philosopher, the dogmatic character of teleological discourse concerning nature may appear problematic, as we are *obliged* to believe that the progress *must* be taking place, even though there is no scientific proof, which could back such assumption. It may seem that Kant invites us to mix practical and teleological discourse⁹.

I argue that there is a particular purpose that lies behind Kant's statements from *On the Common Saying* and *Toward Perpetual Peace* and that there is a simple explanation why teleology of nature is excluded from the final paragraphs of the *Doctrine of Right*. It is a duty to establish a global legal order; moreover, it is a *moral* duty to do everything that makes it possible. In the *Doctrine of Right* Kant did not see the need to include the guarantee of nature, as this text served as the *summum* of normative prescriptions of practical reason in the domain of external freedom. However, the other two writings, which were intended to reach the more general public, were also supposed to fulfil other functions. Namely, they were meant not only to sum up the practical (i.e., *normative*) *knowledge* of what is the duty of humankind regarding its freedom in external relations but also, they had to provide the public with *understanding* how these practical prescriptions

⁸ See also KU, AA 5:401-4. The purposiveness of nature must always be considered as an instrument of reflecting upon it and not as determining the knowledge about it: "It is the same with the concept of a natural end, as far as the cause of the possibility of such a predicate is concerned, which can only lie in the idea; but the consequence that answers to it (the product) is still given in nature, and the concept of a causality of the latter, as a being acting in accordance with ends, seems to make the idea of a natural end into a constitutive principle of nature; and in this it differs from all other ideas. This difference, however, consists in the fact that the idea at issue is not a principle of reason for the understanding, but for the power of judgment, and is thus merely the application of an understanding in general to possible objects of experience, where, indeed, the judgment cannot be determining, but merely reflecting, hence where the object is, to be sure, given in experience, but where it cannot even be determinately (let alone completely appropriately) judged in accordance with the idea, but can only be reflected upon" (KU, AA 5:405).

⁹. Some of the scholars did take this invitation very seriously, see e. g. Halliwell and Hindress, 2015.

may come to life. Such understanding, according to Kant, is crucial for maintaining “hope for better times, without which an earnest desire to do something profitable for the general well-being would never have warmed the human heart” (TP, AA 8:309). In these texts Kant enters a political and not a merely legal debate, because he uses his empirical knowledge of human nature (concerning the significance of hope) to provide people with appropriate attitude (i.e., the teleological understanding of nature as fostering legal progress in history) in order for them to strive for fulfilling the commands of practical reason (i.e., introduce peace by means of legal order).

To sum up, the empirical anthropology, which allows certain assertions concerning the role of nature, does not constitute theoretical nor practical knowledge. Nature or providence may foster legal progress, but there can be no proof or (*nomen omen*) guarantee that it will ever come to reality. Yet, this teleological reasoning of Kant plays a vital part in the ‘ought implies can’ rule and gives people much-needed hope.

Conclusions

In my paper, I argued that in the perspective of the pure concept of right the world republic is the imperative of reason. It is so because the state of nature ought to be abandoned, and on its place, one must establish a rightful condition. This is a duty, which is derived from the postulate of public right. Nevertheless, from the perspective of the concept of right applied to experience – because of the fact of the existence of many states – Kant proposes the league of nations as a negative surrogate, since this solution respects the sovereignty of existing states. Kant introduces the three levels of public right (state right, international right, cosmopolitan right), in order to complement for the absence of a rightful condition in the form of a single world state, as according to Kant’s theory the laws of external freedom must apply to external reality (the world as it is). The perspective of the principles of politics is responsible for implementing the theory of right to the world of experience, while also employing political prudence and in accordance with existing conditions. According to these conditions, states do not want to establish the world republic. Moreover, such world republic might make it impossible to secure the rights of individuals (threat of anarchy) and threaten to become a global tyranny (threat of autarchy). Yet, all that cannot lead to a conclusion that Kant is forsaking the imperatives of reason, but rather, it should show that he is accepting the complexity of the world and takes seriously all the available empirical knowledge about the threats behind the project of a world republic. Finally, human nature and its flaws might contribute to bringing about more peaceful relations. Nevertheless, this role of nature in securing peace is not predetermined in any way – in fact, it might bring quite the contrary effect. The perspective of a teleological understanding of human history has purely subjective meaning — it should show that achieving the final goal is not impossible, and therefore, we cannot free ourselves from the duty of pursuing it.

My method of bringing out these conclusions did not privilege some of Kant’s words over the other and did not assume that the philosopher contradicted himself in his

writings. Moreover, in view of my interpretation, most of the former solutions to the problem of Kant's global legal order (except for those, which claim, that Kant himself did not know what he wanted) stand as correct. Many of them include a presumption of different perspectives adopted by Kant, though not *explicitly*. Finally, it is worth remarking that it was not the aim of this paper to discover what Kant would postulate *today* or with respect to various political measures adopted to avoid the threats he mentions in his argumentation (e.g. introducing a minimal state of states, which only deals with external relations of states). In fact, I believe that Kant would be eager to welcome any political measure, which does not interfere with the rational structure of his legal theory, in order to achieve an end, which in his own words, was the final goal of the doctrine of right.

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