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Kant's moral philosophy and the question of pre-emptive war

WILLIAM MAC BRIDE

Abstract: Roger Scruton is a British philosopher equally well known for a number of studies of historical figures in philosophy, such as Spinoza, and for his ultra-conservative political views. (He gave advice to Margaret Thatcher, for example.) A graduate student of mine, Mr. Michael Michau, recently sent me a copy of a brief essay by Professor Scruton that appeared in a journal called *Open Democracy* and that bears directly on the simultaneously au courant themes of political philosophy confronting the contemporary situation and the bicentenary of Kant's death; it is entitled "Kant and the Iraq War."

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What Would He Have Said ?

Roger Scruton is a British philosopher equally well known for a number of studies of historical figures in philosophy, such as Spinoza, and for his ultra-conservative political views. (He gave advice to Margaret Thatcher, for example.) A graduate student of mine, Mr. Michael Michau, recently sent me a copy of a brief essay by Professor Scruton that appeared in a journal called *Open Democracy* and that bears directly on the simultaneously au courant themes of political philosophy confronting the contemporary situation and the bicentenary of Kant's death; it is entitled "Kant and the Iraq War." Scruton begins by referring to a recent discussion in Germany, involving some prominent political and academic personalities, about the question as to whether Kant would have approved of "it" – meaning the war, but in fact meaning more precisely the decision by those who called themselves the "willing," in that strange and bombastic phrase intended to ostracize all others as cowardly, "Coalition of the Willing," to will to attack Iraq and to impose their wills on the Iraqis. The American and British governments, it will be recalled, were more than willing, and many others, such as the Spanish government, were at least mildly willing. It was, so to speak, a "triumph of the will," as the late German filmmaker, Leni Riefenstahl, might have put it. But most German academic and political figures of today, Scruton reports with obvious regret, do not believe that Kant would have been willing to sanction that war. He says:

"Circumstances have changed, and I can see good Kantian reasons for the view that the civilized world, faced with the dangers that now confront it, should take pre-emptive measures when dealing with rogue states like Saddam's Iraq."

Before I deal with my main concerns here, which are, first, Kant's views on war and world community, second, the perspective of one self-avowed twentieth-century Kantian, John Rawls, on the same issues, and third, what guidance we might draw from these analyses, I would like to make some preliminary remarks about this entire type of exercise, which is in fact exceedingly strange. I find it to be not at all obvious what is meant when one asks what such-and-such dead philosopher would have said about a contemporary event if he or she were still alive. Kant, for

example, would have been almost 280 years old last year if he had still been alive at the beginning of the attack on Iraq; with all the additional accumulated wisdom that he would have acquired in the interim, such as the many cogent criticisms, both positive and negative, of some of his basic positions by thousands of later thinkers with first-rate minds, might he not have modified some of those positions? "No, no," it will immediately be said, "that is not what is meant at all!" All right, then, let us try to imagine a mature but not superannuated Kant – although whether, as I shall suggest shortly, we should mean the Kant of 1795 or the Kant of 1797 might already make a difference in the outcome – and transport him, magically intact, into our electronically gifted but morally bankrupt society. Well, as Scruton has so perceptively observed, "circumstances have changed" in all sorts of highly diverse ways since Kant's day; I shall in fact be considering some of these ways later. But it is perfectly obvious that any speculation as to which of these changes might have caused a mature Kant in 2002 to modify his principles, and just which principles he might have modified, is nothing but that – pure, unsupportable speculation.

Let us consider, as an example, the principle of universality – the notion that moral and political theory, if it is to have any validity, must espouse universal maxims, and indeed that philosophy in general must aim at what is universal. Kant's obvious commitment to this principle is so strong as to lead him to include a footnote in *Perpetual Peace* that may sound particularly strange to contemporary ears. In it, he qualifies a passing reference that he has made in the main text to "difference of religion" by remarking that he finds that expression very strange, as strange as the expression "different morals." There is in fact, he says, only one religion, with different expressions or "vehicles." But in the Twentieth Century the principle of universality has been severely challenged both by events and by thinkers. For example, some years ago the American Kant scholar and later politician John Silber invoked the image of "Kant at Auschwitz," indulging in the same sort of speculation with which we are concerned here, namely, what Kant would have thought about a certain very important historical event of our time. Silber's own views are deeply inimical to relativism of whatever kind, but there are other philosophers who have pointed to Auschwitz – whether rightly or wrongly I do not wish to debate here – as having been so uniquely horrendous as to cast doubt on the very possibility of judging it in a universalistic manner, alongside judgments about other historical events. To express this position, thinkers such as Lyotard have used the term, "incommensurability." Incommensurability and universalizability seem to be clearly incompatible ways of approaching moral evaluation. Now, Kant was obviously a very sensitive man, measured in his outlook but nevertheless appalled by instances of extreme injustice, and moreover haunted by evidence of the existence of a radical evil in humanity, which he admits, in *Religion within the Limits of Reason Alone*, is ultimately "incomprehensible." Might not the blatant manifestation of radical evil on a colossal scale among his fellow countrymen that

was Auschwitz have moved him to put into question the principle of universality that was the cornerstone of his worldview? As shockingly heretical as the mere suggestion of this will no doubt sound to an orthodox Kantian, it is impossible to dismiss it definitively, given the nature of this sort of speculation about what "Kant would have said."

In view of the seeming obviousness of my point here, why is it that we continue, nevertheless, to engage in such exercises? It can only be because we, or at least many of us – enough to constitute something of a consensus among Western philosophers – look to Kant as one of the supremely wise men of our civilization's still relatively brief history of approximately two and a half millennia, much as the Ancient Greeks already looked back to the Seven Sages. It is therefore comforting to many of us to think that Kant would endorse some position that we hold, whereas the mere suggestion that he might disagree with us about some belief causes many to re-examine that belief (even though there is of course no one today who agrees with Kant on every significant point!). This "wise man" mentality is not, I think, completely irrational – after all, we have read Kant and Aristotle and others and perceived how wonderfully comprehensive and at least superficially consistent their thought-systems are – but it should be maintained only in light of Kant's own restrained, judicious perspective on the matter. I found the following passage from the *Critique of Pure Reason* cited with enthusiasm by John Rawls in a little article of his, a tribute to his colleague Burton Dreben, in which Rawls is discussing the value and importance of studying philosophical texts:

"In [teaching the way I did] I followed what Kant says in the *Critique of Pure Reason* at B866, namely, that philosophy is a mere idea of a possible science and nowhere exists in concreto: 'We cannot learn philosophy, for where is it, who is in possession of it, and how shall we recognize it? We can only learn to philosophize, that is, to exercise the talent of reason, in accordance with its universal principles, on certain actually existing attempts at philosophy, always, however, reserving the right of reason to investigate the right of reason to investigate, to confirm, or to reject these principles in their very sources.' "

How wise !

Kant

With these serious caveats in mind, then, let us first turn to a reconsideration of what Kant really did think about war and peace and the community of nations, as prelude to our own reflections. Roger Scruton, in the paragraph immediately following the sentence that I cited earlier, does no service to his own scholarly reputation when he observes that, while commentators focus

on Kant's famous text of 1795, *Perpetual Peace*, they should really pay more attention to "the detailed account of republican government contained in the *Fundamental Principles of the Metaphysics of Morals* (1785) and elsewhere." In fact, of course, the student encountering Kant for the first time by reading the *Fundamental Principles of the Metaphysics of Morals* will search in vain there for a detailed discussion of republican government. It is rather in *The Metaphysical Elements of Justice*, published two years after *Perpetual Peace*, in 1797, that such a discussion appears. But interestingly enough, as I have already mentioned by way of anticipation, these two texts do not convey quite the same message. To put the difference as simply as possible, Kant in 1797 was considerably more skeptical, even pessimistic, concerning future historical developments than he had been in 1795. On this point, I shall cite a truly distinguished Kant scholar of an earlier generation, Eric Weil:

"Kant a-t-il cru qu'un jour cette paix serait définitivement établie? Si le texte de la Paix Perpétuelle que nous venons de citer est hésitant, un autre de la Métaphysique des Moeurs tranche dans le sens de la négation. Quelques années auparavant, dans Pour la Paix Perpétuelle, il avait semblé être plus optimiste qu'il ne l'est en 1797. Les événements des années intermédiaires y ont-ils été pour quelque chose? Il se peut; le fait est, cependant, qu'à aucun moment il n'a pris position contre la Révolution française. Il est plus probable qu'une des constantes de la pensée morale kantienne ait agi: l'homme, être fini, peut et doit progresser indéfiniment, mais son progrès doit rester progressif, ne doit jamais s'arrêter, il ne doit pas y avoir de repos pour l'être moral."

Weil goes on to say that Kant's own reason, as expressed in the later work, for his now greater skepticism about ever achieving a world state is a purely technical one, so to speak, namely, the fact that such a state would be too vast in size to allow it to govern efficaciously or to provide security. But, as Weil points out, a purely technical difficulty may in principle be surmountable in the distant future. More fundamental, he says, is the problem that, for Kant, legality is based on coercion exercised by some human beings over others, and perfect legality would therefore have to presuppose the achievement of moral perfection by at least some human beings in ruling positions – a development that Kant regards as impossible in practice for any human beings. Hence, concludes Weil concerning Kant here, *"sa propre anthropophobie indique assez clairement que son sentiment – si l'on peut parler des sentiments philosophiques – l'a poussé vers une attitude qui unit à un optimisme prescrit par la morale un pessimisme fondamental dans la prévision historique."*

Such pessimism concerning the future is certainly not easily discernible, if at all, in Kant's *Idea for a Universal History* of 1784. Here, Kant concludes by expressing concern over the regard in

which future generations may hold his own; they will judge us, he suggests, in terms of "what nations and governments have contributed toward world government or how they have damaged it." He frets over a society such as his own in which, despite the fact that nature aims at "a perfect civic association of mankind," governments continue to waste their budgets on military preparations, leaving "no room to spare for education nor for anything else that concerns the best interests of the world." In fact, he need not have been so worried about his generation's self-image: if only he had been able to foresee the vastly wasteful expenditures of the contemporary American government, for example, he would have felt less embarrassed about the international state of nature of his own time. He would, on the other hand, have felt far less assured about the historical progress of mankind than he was in 1784.

That the international arena is indeed a state of nature in something approaching Hobbes's sense of the term is a theme upon which Kant insists in both *Perpetual Peace* and the *Metaphysics of Morals*; it becomes a much more insistent theme in the latter. Such a conceptualization does not, however, diminish Kant's commitment to upholding and, if possible, promoting fundamental principles of right within this arena, nor his condemnation of those individuals and governments, however numerous, which violate them. It is in this context that his pronouncements concerning the justifiability of war, and whether a pre-emptive war is ever acceptable, must be understood. In *Perpetual Peace*, these pronouncements are unequivocal. Famously, Article 5 of the preliminary principles conducive to perpetual peace is "No state shall interfere by force in the constitution and government of another state." In the long Appendix to this essay Kant warns against demanding that another state divest itself of a despotic constitution – at least as long as this state is in danger of being swallowed up by other states – even while expressing the hope that despotic constitutions will gradually give way throughout the world to republican forms of government. (Republican and despotic are the only two types of *Regierung*, as distinguished from forms of authority, or *Beherrschung* – that is, whether the ruling power consists of one person, several, or all of civil society taken together – that Kant recognizes; he is far removed from the distasteful combination of frivolity with brutality that has led to the identification of certain regimes as "rogue states," hence undeserving of any respect, by apologists for the great powers of our day.) Further on in the same Appendix, in the context of considering possible antinomies between morality and politics, Kant asks whether, if a neighboring power has grown to such size as to warrant apprehension that it might attack, it would be permissible for an allied coalition of weaker states to stage a pre-emptive attack on that state, "even without preceding insult," and answers in the negative. Finally, near the very end of this Appendix, Kant inveighs against the casuistry of what he calls "false politics," which means any politics that is not grounded in the ultimate purpose of establishing as wide a positive union of states as possible; the second of these types of casuistry

that he names here is *Probabilismus*, meaning "to think up evil intentions of others, or to make the probability of their possible predominance the legal ground for undermining other peaceful states".

In *The Metaphysical Elements of Justice*, Kant is especially haunted by the image of the formal execution – not mere murder, which he considers less horrendous – of a Head of State by supposed representatives of the people; he has in mind, of course, the recent events in France. Here, he returns again and again to the impermissibility of revolution, of the violent overthrow even "of a previously existing imperfect and corrupt [government] (for in that case there would be an intervening moment when the entire juridical state of affairs would be annihilated)." This citation is taken from the final paragraph of the main body of that work. It, along with the earlier passages from *Perpetual Peace* that I have recalled, seem to me such clear, prescient object lessons about both the morality and the imprudence – Kant is very adept at showing how often these two disparate considerations coincide in the international arena – of the anti-Iraq coalition's claims and actions as to require little commentary. The reliance on a probabilism that turned out to be almost completely erroneous; the justification of a pre-emptive assault "without prior insult" of any significant sort – indeed, the regime had begun to co-operate with intrusive international inspections; the attribution of evil intentions, to wit, the famous "axis of evil," which was articulated in such a way as to undermine other states as well; and finally the outcome of the regime's overthrow, which was and still to a large extent remains a spectacular breakdown "in the entire juridical state of affairs": in all of these respects and more, the perpetrators of the attack on Iraq fall, almost uncannily, within the purview of Kant's warnings and prescriptions.

There is, on the other hand, one short section in *The Metaphysical Elements of Justice*, Section 56, that might be thought to offer some aid and comfort to the coalition of willing assailants. I see it as the moment, within this work, at which Kant most fully reverts to the spirit of the first part of *De Jure Belli ac Pacis*, where Grotius acknowledges that, in a total international state of nature when war breaks out, almost anything is permissible. Let me cite the two sentences from this section that seem to me most relevant.

"We may consider a threat to exist if another state engages in military preparations, and this is the basis of the right of preventive war (*jus praeventionis*). Or even the mere menacing increase of power (*potentia tremenda*) of another state (through the acquisition of new territory) can be regarded as a threat, inasmuch as the existence of a superior power is itself injurious to a lesser power, and this makes an attack on the former undoubtedly legitimate in a state of nature."

But if this acknowledgement, by Kant, of a right of preventive war under certain circumstances might at first appear, as I have suggested, to offer some comfort to the defenders of the still-recent military assault on Iraq, a closer reading of the text, which focuses on the possibility of a threat by a superior power, not a weaker one, and of the context, which is one of opprobrium directed toward those regimes that remain completely mired in the state of nature, offers only the coldest of comforts to the proponents of belligerency.

Indeed, this text could more easily be interpreted as furnishing justification for possible assaults on the forces of the anti-Iraq coalition. If ever in world history, at least since the Roman Empire at its height, there has been a *potentia tremenda*, constantly menacing, shocking, and awing, it is the government of the contemporary United States. While this government does not usually engage in the outright absorption of other states, a practice about which Kant expressed special concern and condemnation, it is renowned for the habit of replacing regimes that it disfavors and of establishing its military presence, of varying sizes, all over the world. (A recent accounting that I have read suggested that some such presence now exists in approximately 120 nations.) At the same time, the current government, more than its immediate predecessors, has repeatedly expressed contempt for numerous international treaty initiatives – Kyoto, the International Criminal Court, landmines, nuclear weapons, etc. – and in general for any tendencies toward greater international cooperation, Kant's long-term project, that might in any way threaten its own position of supremacy. In short, it is quite content to live in a state of nature with other nations, just as long as it can remain the King of Beasts.

There are at least two additional sites in the Kantian texts that I have been considering which seem to me uncannily relevant to the current global state of affairs, the state of American hegemony, and which I would like briefly to consider before moving on from these texts. The first of these, Kant's views about democracy, is often passed over in embarrassed silence by Kant scholars, while the second, about the colonization of South Africa, the Pacific Islands, and America, is an especially courageous application of principle that is usually paid less attention than it undoubtedly deserves.

A republican form of government, *forma regiminis*, for Kant, is one in which the executive power of the government as such is separated from the legislative power; it is characterized by freedom, by dependence on a common constitution, and by equality. It is hence perfectly possible, according to Kant, for a monarchy to be republican in form. On the other hand, it is impossible for the form of authority called democracy to be anything other than despotic, since democracy as he understands it, that is, in *sensu stricto*, has no separation of powers, so that disagreement is suppressed. Among the elements combining to constitute Kant's position here are a strong influence from Rousseau, whose own remarks about democracy, though in my view

ultimately consistent, may on the surface appear confusing; a very strong animus against democracy on Kant's part; and perhaps also some basic unclarity surrounding his distinction between *forma regiminis* and *forma imperii*, at least insofar as both expressions, in both Latin and German versions, are understood in ordinary language. I do not wish to enter such murky waters here. All that I wish to suggest is that recent events have made it a good deal easier for us contemporaries to understand how a self-proclaimed "democracy" such as the United States may act despotically and in fact become despotic, especially when the constitutionally established separation of branches breaks down as both Congress and the judiciary defer increasingly to an ever more powerful Executive. I am not claiming that this tendency has yet been fully realized, and indeed I believe that strong countervailing forces have begun to come into play; but the United States government's recent efforts to deny rights to certain of its citizens, to say nothing of its treatment of captured prisoners, almost unimaginably anti-Kantian in its disregard of established notions of legality, lend some new credence to Kant's formerly eccentric-sounding conflation of democracy with despotism.

The final small point in Kant's texts on war and peace to which I wish to draw special attention is to be found in the paragraph just prior to the Conclusion of *The Metaphysical Elements of Justice*. Here, we find the most straightforward imaginable expression of condemnation of the way in which America was founded. Kant says that the encroachment of hunting tribes, such as the American Indians, who depend on large tracts of land to survive, should only be accomplished through contract, not violence, and even then only through a contract that involves what we would today call "informed consent." It is evident from the remarks that follow that Kant believes that gross injustices have been involved in recent colonizations, not only of America but also, as I have already noted, of South Africa and some of the Pacific Islands. In other words, he clearly recognized the *damnosa haereditas* under which we still labor today.

Back to Rawls

The Law of Peoples was written by a self-styled Kantian. Throughout his career, in fact, Rawls was, if I may be permitted a certain irreverence, a Kant "wannabe." And in *The Law of Peoples* Rawls keeps invoking Kant's name and the expression *foedus pacificum* like a mantra. In particular, Rawls invokes Kant's authority to reinforce his own opposition to strong cosmopolitanism, so to speak, that is, the ethical view that endorses an eventual world state. (I would prefer here to skirt this aspect of Kant scholarship, about which Professor Gérard Raulet in France has written extensively, because there are texts in which Kant emphasizes the practical unattainability and, sometimes, undesirability of a world state, and others in which he stresses its

role as Regulative Ideal, for the actual attainment of which – paradoxical as it may be to say this – he expresses a sort of very long-term hope. The differences in these texts reproduce, at least in part, the differences between Kant's views of 1795 and those of 1797, but, again, I do not want to insist on any of this.)

In any case, Rawls' *Law of Peoples* tries to have it both ways, that is, to be both Kantian on the one hand, and original along the lines of Rawls' earlier work on the other hand, and I think that it fails rather spectacularly in both respects. Since I have discussed this work elsewhere, inter alia in at least one critical review that is soon to be published, I do not wish to go over old ground once again, except en passant. It is clear that Rawls in his later years was obsessed with the problem, which was treated in his earlier work, *A Theory of Justice*, as real but relatively minor, of the existence of entire communities, especially religious communities, which completely abjure his approach of rational consensus through reflective equilibrium. As a consequence *The Law of Peoples* is focused above all on the need to find a formula whereby "peoples" who are "not like us" and are in fact, as we know but they do not, inferior to "us" can nevertheless be treated with some modicum of respect and, as Hegel and Honneth would put it, Anerkennung. Rawls' book therefore finesses, like Kant's work, the problem of vastly unequal resources, and it sometimes does so in grotesque ways that I have documented elsewhere.

I pass in silence, as Cicero would put it, over a couple of extremely problematic aspects of Rawls' usage of this deliberately vague term, "peoples," here. First of all, it is an obvious empirical fact that in almost none of the countries of which Rawls is most thinking in this context – recall that his name for an imaginary non-liberal "people" is "Kazanistan" –, countries such as Tadjikistan, Iraq, Iran, and so on, is there a single, homogeneous "people": all of these states contain significant minority "peoples." Secondly, in defending this usage over other possible alternatives such as "the law of nations" or "international law," Rawls is in fact going completely against an important remark made the author whom he repeatedly claims as his inspiration, Kant, in *The Metaphysical Elements of Justice*, to the effect that peoples who live in a state of nature constitute primitive societies, Völkerschaften, whereas his concern is with the law of relations among states, jus publicum civitatum, for which the German expression Völkerrecht is a misnomer.

Rawls' *The Law of Peoples* also reflects a fixation, on his part, with so-called "rogue" or "outlaw" states – which are, of course, not "peoples." One could say, with some degree of validity, that these states are equivalent to Kant's "despotisms," but that hardly tells the whole story. Kant, as I have already indicated, despised despotisms, but he nevertheless insisted on maintaining a modus vivendi with them while hoping that they will expire, whereas Rawls' approach at least paves the way, as I have shown elsewhere, for the doctrine of pre-emptive war against such "outlaws." Rawls' list of outlaw states is expanded to include, when he makes a brief and

disastrous incursion into history, some of the major European states of the Nineteenth Century: Spain, France, and the Hapsburg Monarchy, which he then, with blatant inconsistency in a defiant footnote defending this label, calls "outlaw societies." At the same time, the former slaveholding, ultra-expansionist United States is treated by Rawls as a fertile field for hagiography, beginning with Washington and the Great Emancipator of slaves, Abraham Lincoln. Rawls advocates keeping stockpiles of nuclear weapons as long as there are outlaw states on the planet, which he clearly expects to be a long period of time. In short, this supposed neo-Kantian is more pessimistic than the latest Kant, more favorable to war, conceptually confused in ways that I do not have the space to demonstrate here but that I have shown elsewhere, and an American nationalist and chauvinist to boot.

The Present

This brings me back to the current situation. Of course, Roger Scruton was correct in saying that a major change has taken place. But exactly what is this change – or, perhaps, several changes? It is clearly not, as Scruton so dully suggests, the existence of so-called "rogue states." Rogue states have always existed, if for no other reason than that labeling some other state a rogue, or even an outlaw, always depends at least in part on the labeler's conception of international law and practice. From the standpoint of the "state of nature" conception of the international arena that was held by the Athenian ambassadors as depicted by Thucydides in his *Peloponnesian Wars*, Melos was a rogue state. As the ambassadors are made to say, "Of the gods we believe, and of men we know, that by a necessary law of their nature they rule wherever they can." By attempting to oppose and argue against this, it was the Melians, they implied, who were acting as "rogues." There is, in other words, a very self-serving quality to the practice of labeling certain states as rogues or outlaws. The expression is a vague one, much vaguer than Kant's "despotism;" historically, it appears to have crept into international discourse when the Cold War had ended and the United States regime found itself in a position of enormous superiority, able to demonize at will small states with which it was strongly displeased, much like Athens at the time of the Melian dialogue. During the Cold War, although near the end of it Reagan did deploy the famous expression, "Evil Empire," the United States government had never, to the best of my knowledge, called the Soviet Union a "rogue state." In any event, whatever is currently intended by this expression, "rogue [or 'outlaw'] state," both the general idea and the phenomenon itself are old, contra Scruton.

So what is new about the current situation? Above all, it will be said, it is the types of weapons – new "weapons of mass destruction," nuclear and other, which can be delivered quickly.

According to the Bush/Cheney/Rumsfeld/Rice doctrine, it is permissible to attack any country where it is suspected that such weapons either are being produced, or might be produced in the future. In that case, of course, as Dostoevsky would have put it, everything is permitted. While reflecting on this situation, I began to imagine committee of inquiry into the conduct of the French secret services prior to the Battle of Agincourt. Where were those services when the French nobility, so badly decimated in that battle, needed them? Had the intelligence information been available, the British crossbow factories might have been destroyed in time. So perhaps, in other words, the problem of novel weapons is not so new, after all. I am very sure that Kant, even at the age of 280, would have regarded as deeply unjust the deployment of nuclear weapons, by the few nations that have them, against all the rest.

There remains, as a candidate for novelty as compared with Kant's time, the existence of transnational terrorist organizations such as Al Qaeda. To the best of my knowledge, Kant does not take into account the potential relevance of such organizations, although phenomena of this kind really existed long before the modern era. Going back in time, one may recall the Black Hand group that can be said to have launched the First World War in the person of Gavrilo Princip; Narodnaya Volya, of which Lenin's brother was a member, and international anarchist groups such as the Bakuninists in the middle to late Nineteenth Century; or, in Kant's own time, the opposed organizations of French nobility in exile who, with foreign support, were plotting to restore the monarchy, on the one hand, and of Babeuf's Conspiracy des Égaux, inspired by Rousseau's *Second Discourse*, who were covertly plotting to create an egalitarian society, on the other. We can have no doubt as to how Kant, with his abhorrence of revolutionary activity, would, or at least, for the sake of consistency, should have regard all such groups, and there is nothing new about them except, perhaps, the more global scope of those operating today in a correspondingly more globalized world.

Nor, of course, is there anything novel, by comparison with Kant's time, about state-sponsored terrorism, such as, among many examples, the treatment of the Palestinians by the current Israeli regime. So, then, is there any validity whatsoever to the intended implication of Scruton's simple-minded claim that conditions have changed, to wit, that Kant, if he were to return to earth today and receive information about the present state of world affairs, would first stand open-mouthed in amazement and then concede that he had been wrong in attempting to proscribe pre-emptive war for all time, and no doubt wrong as well about the desirability of perpetual peace in the non-ironic sense that he humorously distinguished from the ironic one, the peace of the Friedhof, at the beginning of his essay on it?

Well, yes, I have one candidate to propose as a contemporary phenomenon that might just possibly have baffled our philosophical hero and left him speechless. It is the belligerent spirit of

the would-be "Empire" of the beginning of the Twenty-First Century. Its tendency is, while claiming to be republican in Kant's sense as well as its own, to abide by no laws that it cannot interpret in accordance with its own policy objectives, and to use all the tricks of casuistry that Kant mentioned in order to try to give a veneer of legitimacy, however thin, to its actions. These actions aim, as George Leaman of the United States Philosophy Documentation Center and many others have shown, to secure continuing military and global supremacy on a global scale over the long term. It is, in short, an historical throwback to the self-aggrandizing, anti-cosmopolitan type of state that Kant most robustly condemned, while being far more powerful than any with which he was familiar or of which, perhaps, he could have dreamed.

I can only conclude by expressing the hope that in a few years the world will be able to resume its path, which I believe exists in reality and not just in the form of utopian musings, toward perpetual peace, while pronouncing with respect to the current policy in question those immortal words of *Versöhnung*, "Requiescat in Pace."