An historical examination of Kant's cosmopolitanism: from Roman precursors to modern successors

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The political writings of Immanuel Kant are among the best known examples of Enlightenment cosmopolitanism, an intellectual movement that has profoundly influenced the conception of international relations in the twentieth-century. As Charles Covell observes, Kant broke with the natural law tradition of such predecessors as Hobbes, Grotius and Pufendorf in affirming that "the law of nations had its foundations not in the order of nature, but in the will and agreement of states.[1]" Informing such key documents as the United Nations Declaration on Human Rights, Kant's moral philosophy continues to inspire a debate over the nature of the international system, particularly in relation to conceptions of national sovereignty, international co-operation and human rights. *Toward Perpetual Peace*, perhaps his most well-known work, is a concise exposition of Kant's cosmopolitan principles, whose eponymous aspiration has inspired unrelenting debate. Indeed, the means of ordering the international system to eradicate conflict and ensure the respect of human rights and freedoms is a contentious issue. The goals of this essay are manifold. To begin, the philosophical and historical origins of cosmopolitanism shall be explored, revealing the profound influence that the Roman Stoics had on Kant's cosmopolitan theory, with particular emphasis on *Toward Perpetual Peace*. Secondly, the political philosophy of Hegel will serve as a useful counterpoint to Kant's cosmopolitanism, specifically as an introduction to the issue of "anthropological principles." Thirdly, this paper shall examine the link between Hegel's argument against cosmopolitanism and John Rawls' analysis of pluralism in *The Law of Peoples*. A final analysis of whether Kantian cosmopolitanism is a viable normative theory of international relations or whether there exists any tenable theoretical alternative shall serve as conclusion.

In order to understand Kant's conception of cosmopolitanism, particularly as embodied in his treatise *Toward Perpetual Peace,* it is necessary to look to those who first conceived of it and to those in whom he found his inspiration. As Martha Nussbaum elaborates in her essay entitled *Kant and Cosmopolitanism*, the political philosophy of the Roman Stoics is central to the concept of cosmopolitanism. The Stoics inherited from their Greek Cynic forbears the belief that one's humanity was a function of reason and that this universal human attribute granted each person the equal status of rational moral agent. The Stoics further elucidated this idea by coining the term *kosmopolitês*, meaning "world citizen." The world citizen represented the individual as inhabiting both a local and universal community. The Stoics regarded the latter, referred to by Nussbaum as the "community of human argument and aspiration," as the prime source of moral and social obligations.[2] The concept of cosmopolitanism unfolds as Marcus declares (IV, 4): "If reason is common, so too is law; and if this is common, then we are fellow citizens. If this is so, we share in a kind of organised polity. And if that is so, the world is as it were a city state." The implications of this, as Martha Nussbaum explains, are that "[W]e should give our first moral allegiance to *no* mere form of government, no temporal power. We should give it, instead, to the moral community made up by the humanity of all human beings.[3]"

The principal cosmopolitan tenet of *Toward Perpetual Peace* is that of universal hospitality, whose roots reach back to Cicero, himself a Stoic. This article of *Toward Perpetual Peace* forms the crux of Kantian cosmopolitanism for it entails a condemnation of colonialism, thereby enshrining the respect among peoples for the *universal* right to occupy the earth's surface.[4] As Martha Nussbaum points out, the similarities between Kant and Cicero are numerous, taking for example their common emphasis on maintaining just moral conduct during wartime.[5] Moreover, Kant reflects the Stoic sensibility as he states: "The peoples of the earth have thus entered in varying degrees into a universal community, and it has developed to the point where a violation of rights in *one* part of the world is felt *everywhere*."

Despite such shared features, Martha Nussbaum indicates that Stoic and Kantian cosmopolitanism diverge in certain significant respects. For example, Nussbaum highlights the fact that Stoics such as Seneca did not object to colonialism as a moral abuse in the manner that Kant did. She nonetheless incorrectly affirms that Kant's grounds for disagreeing with colonialism were based on the potential oppression of the subject natives, implying that his concern was simply for their well-being, just as the Stoics felt concern for just colonial administration.[6] On the contrary, one ought to mention that the second preliminary article of *Toward Perpetual Peace* states that "No independently existing state, whether it be large or small, may be acquired by another state by inheritance, exchange, purchase or gift." Indeed, Kant compares the state to a tree, the integrity of which does not permit grafting onto another, for such action would "terminate its existence as a moral personality and make it into a commodity.[7]" * It is apparent that Kant views the sovereignty of nations as an inviolable right, one which forms an integral part of his cosmopolitanism.

According to Kant, the republican form of government is that which allows for the propagation of a cosmopolitan political order. Such a government would be representative of its constituent citizens (though Kant did not in fact advocate democracy, as he believed it would lead to despotism) and liberal insofar as it would permit the free movement of trade between states. Kant envisioned such government propitious for the development of peaceful international relations thanks to a prudent public political sphere and the mutual realisation between states of the benefits of peace for the maintenance and expansion of economic interdependence. Kant went so far as to declare that "The spirit of commerce... cannot exist side by side with war.[8]" Moreover, Kant imagined such states forming a *federation of peoples*, a covenant assuring them of mutual non-aggression much as the social contract assures individuals exiting the state of nature of a means of securing a modicum of security. Kant describes such a federation as a "permanent congress of states," whose individual members would abide by the laws of the collectivity out of enlightened self-interest.

The political philosophy of G.W.F. Hegel provides for a succinct and penetrating examination of the shortcomings of both Kant's view of cosmopolitanism as well as subsequent cosmopolitan thought more absolute in its provision for an actual world republic (advocated by such philosophers as Bertrand Russell), whose basis is nonetheless

* As Kimberly Hutchings observes, it is questionable whether one can qualify a state as either a unitary or moral actor, however that discussion lies outside the scope of this essay. (Hutchings, p. 115)

Kantian in outlook. Hegel's critique of cosmopolitanism in both its Kantian and "absolute" varieties consists of a dual analysis involving a normative evaluation and an evaluation based on practicability. The common point of departure for both Hegel and Kant is the belief that history is a unilinear process driven by progress. Indeed, both conceive of there being an end of history (i.e. the culminating point of a dialectical process). In addition, both philosophers imagined the historical development of humankind as the evolution toward a legally ordered society in which each individual is granted the right of freedom. Furthermore, they share the common understanding that the constitutional state best accommodated such requirements, though Kant declared an even more particular allegiance to *republican* constitutional states.[9] At this juncture the political ideologies of Kant and Hegel diverge. As Charles Covell states: "[Though] Hegel affirmed the inherent legitimacy of the form of government to be found in the modern constitutional state, he did not follow Kant in claiming that the states that adopted it would be led to refrain from waging war in the defense of their rights.[10]" Covell further develops this point, declaring that Hegel did not in fact view interstate conflict as intrinsically bad. In stark contrast to Kant, to whom war was unequivocally anathema, Hegel sees such conflict as an important outlet through which citizens have the opportunity to do the duty of safeguarding the sovereignty of their nation.[11]

Hegel's criticism of Kant's ideal of cosmopolitan law [Weltbürgerrecht] superseding classical international law [Völkerrecht] hinges on the issue of whether a world republic or federation of nations would in any authentic sense constitute a community. The presence of such a community is central to Hegel's understanding of the legitimacy of rule. As Steven Hicks explains:

> "A community is defined by its 'ethical life' – its activities, projects, aspirations, ends, institutions and achievements. These are unified by a definite set of values, which in turn define the community's character and purpose, giving it a sense of identity."[12]

According to Hegel the nation state alone satisfies such a role and is therefore the sole authority capable of ruling in accordance with the "anthropological principles" (i.e. cultural and social values particular to a given nation). In this sense, one might argue that Hegel's abhorrence of the potentially homogenising effects of cosmopolitan rule is an argument in favour of pluralism. Yet another theoretical schism between Kant and Hegel consists of their opposing perspectives on the moral role of institutions (e.g. legal, governmental). As Steven Hicks remarks, Kant ultimately perceived such institutions as occupying a moral role only insofar as they ought to be developed such that they impede in as minimal a manner as possible the ability of citizens to carry out their moral duties. This view, whose thrust is primarily negative in nature, in no way resembles Hegel's positive understanding of the moral role of institutions, which according to Ludwig Siep, "can lie, not just in implementing moral commitments that we... already have, but also in encouraging and refining patterns of moral belief and action that might otherwise not exist.[13]" Hegel proceeds to question the parallel that Kant established between his "categorical imperative" and certain "natural rights" (e.g. of property, of universal hospitality), whereby he argues that such rights are justifiable through "purely formal deduction," when in fact, as Hegel indicates, Kant's universalistic ethics relies on empirical evidence, a subjective method Kant claims to eschew. In brief, Hicks states, "Through an intellectual 'sleight of hand' Kant simply assumes the legitimacy of modern bourgeois, liberal institutions.[14]" The final normative criticism that Hegel makes of Kant's cosmopolitanism, is what he refers to as its "ahistorical character[15]". He opposes Kant's view that morality is self-evident, universal,

and therefore ahistorical. As Hicks states, "Hegel endeavours to show that concrete moral rights and duties are not the product of an autonomous individual reflection but of social and institutional development.[16]" In other words, rather than conceiving of rights as universal values come upon much as a scientist discovers certain laws of nature, whose operation is unexceptionable and eternal, Hegel perceives political structures and the conceptions of justice found therein to be systems which evolve over time.

On more pragmatic grounds "Hegel contends that... cosmopolitanism... does not provide a viable political and institutional framework for the expression of modern freedom and individualism.[17]" Hegel's argument is simple: in the international arena, the ultimate authority governing human freedom and security rests with the state, whose actions are determined by self-interest. This zero-sum approach precludes any conception of a constant harmony of interests, thereby implying the inevitability of interstate conflict as a direct result of *raison d'état*. Hegel states that "[R]elations between states ought to be right in principle; but in worldly affairs a principle ought to have power.[18]" Thus, Hegel does not deny the importance of justice, however he does question the utility of Kant's cosmopolitan federation, in which "[T]he agreement would always be dependent on particular sovereign wills, and would therefore continue to be afflicted with contingency.[19]"

Reiterating this point, Habermas points out the textual contradictions found in *Toward Perpetual Peace*, in which Kant defines the "federation of peoples" as both "an enduring and voluntary association" as well as a "permanent congress of states." The idea of constancy is portrayed as a *sine qua non* for the success of cosmopolitanism, yet Kant simultaneously claims that any congress is "[A] voluntary gathering of various states that can be dissolved at any time.[20]" It is therefore apparent that the very idea of a "permanent congress" is self-contradictory. Even if this federation were to endure, Avineri raises the important question of how to render such a federation truly effective in promulgating the tenets of peace without itself preparing for war, a course of action which would violate the very basis of *Toward Perpetual Peace*.[21] Moreover, Hegel contends that within the federation of nations those members wielding disproportionate wealth and power would inevitably "determine 'what right should be cancelled and what right should be upheld.[22]"

Endowed with greater historical hindsight on the behaviour of (liberal) constitutional states than Hegel, Jürgen Habermas is capable of challenging Kant's affirmation that the international relations maintained by republican constitutional (or in contemporary interpretation, liberal democratic) régimes are necessarily pacific. Indeed, Habermas does concede that liberal governments are less likely to wage war amongst themselves. He also alleges that these same nations pursue belligerent policies in orientation to illiberal governments, with the *ostensible* goal of enforcing human rights.[23] This crusading spirit of liberalism illustrates the need for a normative international relations dialogue which is capable of capturing in some sense the universal perspective of Kant while at the same time capturing the communitarian understanding of culture espoused by Hegel. The latter, though not strictly pluralist, does nonetheless acknowledge that values concerning justice and government are to some extent relative to a particular culture without being absolutely morally relativistic.

The political philosophy of John Rawls satisfies these conditions in his exposition of how international society can seek peaceful relations between its members without prescribing "comprehensive doctrines."[24] Similar to Kant, Rawls concerns himself with the relations between states and how a "particular political conception of right and justice that applies to

the principles and norms of international law and practice" can be determined.[25]   Rawl's "Law of Peoples" is a response to this question which differs from the articles found in Kant's *Toward Perpetual Peace*, insofar as the coexistence of liberal and non-liberal régimes is not regarded as a preclusion from peaceful and respectful international relations. Nonetheless, both philosophers maintain the importance of the universality of certain mores and judicial codes above and beyond the nation state, though Rawls' "realistic utopia" introduces a pluralist current which is entirely absent from his predecessor's work.[26] Despite the fact that Hegel is not in any sense a pluralist in terms of his understanding of civil society, his political writings do substantiate the idea that states possessing unique cultural patrimonies distinct from each other will consequently have varying, though nonetheless legitimate moral codes.   His conclusion is nevertheless troubling, as a normative examination of international relations founders if one adheres to his view of moral and judicial codes of justice as nothing more than the products of the cultural evolution of a given society, which thereby contradicts the Kantian view that the rights of citizens are inherently universal.

John Rawls attempts to resolve this conundrum by proposing that liberal states may interact and coexist with non-liberal states in a peaceful and law-abiding manner so long as the latter observe certain fundamental moral obligations to their constituent members. In fact, in *The Law of Peoples*, he addresses the issue of how liberal societies are to deal with illiberal societies in a manner conducive to the-respect of illiberal societies which are nonetheless *decent*.   In defining *decent* illiberal societies, Rawls establishes two basic requirements.   The first criterion is that the society in question does not resort to "aggressive aims" and that it makes use of such channels as diplomacy and trade to permit peaceful coexistence with other nations, thereby recognising and respecting the "political and social order of other societies.[27]" Secondly, "decent hierarchical peoples" must observe human rights (e.g. the rights to life, liberty, property etc.) and they must possess established "duties and obligations" consistent with their respective "common good idea of justice." Moreover, Rawls insists that those who administer the legal system (i.e. judges) must demonstrate their belief that the system is "guided by" a common good idea of justice.[28] Thus having established the decency of an illiberal society, Rawls asserts that one is obligated to tolerate it. By this, he means

> "Not only to refrain from exercising political sanctions – military, economic, or diplomatic - to make a people change its ways. To tolerate also means to recognise these nonliberal societies as equal participating members in good standing of the Society of Peoples.[29]"

Despite the fact that Rawls implores the reader to respect and tolerate *decent* (though not liberal) societies, he nevertheless believes in the superiority of liberalism. He suggests that:

> "Liberal societies should not suppose that decent societies are unable to reform themselves in their own way. By recognising these societies as *bona fide* members of the Society of Peoples, liberal peoples encourage this change.[30]"

The "Law of Peoples" as elaborated by Rawls, consists of many of the articles contained within *Toward Perpetual Peace*, most notably the sovereignty and equality of peoples, the observance of non-intervention, the limiting of war by certain moral parameters, peoples' respect of human rights and peoples' "duty to assist other peoples living under unfavourable conditions that prevent their having a just or decent political and social régime.[31]" For Rawls, the use of the term "peoples" as opposed to that of states is crucial. According to

him, the state-system, whose functioning (he alleges) has not fundamentally changed since the time of Thucydides, exists such that states each pursue their own *raison d'état* to the exclusion of the interests of other powers. He describes such behaviour as lacking in rationality because such a "state is moved by the aims it has and ignores the criterion of reciprocity in dealing with other societies.[32]" Rawls makes the assumption that *realpolitik* is not to the benefit of individual states' interests, though this claim is far from uncontroversial. In fact, it is arguable that the structure of international relations is indeed *rational*, but that it is not *moral*. Though reason is, as the Roman Stoics affirmed, required for moral action, states can nonetheless act rationally to benefit from a situation in which their conduct is immoral. Rawls uses this argument to state that "peoples" are capable of being rational and therefore (in his view) respect rights not only amongst themselves but also universally. He implies that because "peoples lack traditional sovereignty," that they are "distinct from states, as traditionally conceived, [possessing] reasonably just, or decent...régimes." It appears that the author is playing a game of semantics, as it is impossible to imagine a people's régime to be anything other than its state.[°]

John Rawls' argument for a pluralistic tolerance of non-liberal régimes, in some sense attempts to bridge the political philosophies of Kant and Hegel. On the one hand advocating the universalism espoused by Kant, and on the other, modified to permit the plurality of political institutions in existence as envisioned by Hegel in the communitarian current, Rawls demonstrates how the most effective and respectful means of ensuring *decent* governance among peoples, is to adopt a tolerant attitude to régimes whose illiberal nature does not preclude the respect of fundamental, inviolable rights. Hegel makes an important commentary on the nature of the political system by underlining the fact that the nation-state is the ultimate arbiter in the affairs of its citizens, and the only power actually capable of ensuring the protection of their rights. One might suggest that as the "ethical lives" of different nations converge through the development of a widespread international culture (such as in regional blocs such as North America and Europe), the legitimacy of cosmopolitan rule in some form will transform from hope to fact. Thus, Hegel's philosophy may be particularistic, but it presents a strong argument for the need for some sort of common identity in order to rationalise cosmopolitanism. Hierocles imagined human identity as consisting of a series of concentric circles whose innermost circle represented the family and the outermost humanity.[33] It is arguable that as nations evolve into regional blocs (e.g. the EU), human identity will become increasingly weighted toward the outer circles, perhaps someday encompassing all of humanity.

Notes

[1] Covell, Charles. *Kant and the Law of Peace: a study in the philosophy of international law and international relations.* St. Martin's Press, 1998., page 162
[2] Nussbaum, Martha. Kant and Cosmopolitanism. *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal,* Eds. James Bohman and Matthias Lutz-Bachmann. Massachusetts's Institute of Technology Press, 1997, p. 29)
[3] Ibid, p. 31
[4] Kant, Immanuel. Perpetual Peace: A Philosophical Sketch. *Kant's Political Writings.* Ed. Hans Reiss. Cambridge University Press, 1991 p. 105-106
[5] Nussbaum, Martha. Kant and Cosmopolitanism. *Perpetual Peace,* op. cit p. 37

[°] Defining the difference between "peoples" and "states" is an important issue of cosmopolitanism, in Kant and Hegel's political philosophies as well. It is however a question too demanding and too vast to be dealt with herein.

[6] Ibid, p. 38

[7] Kant, Immanuel. Perpetual Peace: A Philosophical Sketch. *Kant's Political*. op. cit. p. 94

[8] Ibid p.114

[9] Covell, Charles. *Kant and*, op. cit. p. 163

[10] Ibid, p. 164

[11] Ibid, p. 164

[12] Hicks, Steven V. *International Law and the Possibility of a Just World Order*. Editions Rodopi B.V., 1999., p. 101

[13] Ibid, p. 105

[14] Ibid, p. 107

[15] Ibid, p. 110

[16] Ibid p. 110

[17] Ibid, p. 99

[18] Ibid, p. 100

[19] Ibid, p. 102

[20] Habermas, Jürgen. Kant's Idea of Perpetual Peace, with the Benefit of Two Hundred Year's Hindsight. *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*. Eds. James Bohman and Matthias Lutz-Bachmann. Massachusetts's Institute of Technology Press, 1997, p.117

[21] Hicks, Steven V. *International* Law, op. cit. p. 103)

[22] Ibid, p. 104

[23] Habermas, Jürgen. Kant's Idea of Perpetual Peace, with the Benefit of Two Hundred Year's Hindsight. *Perpetual Peace*, op. cit. p. 121

[24] McCarthy, Thomas. On the Idea of a Reasonable Law of Peoples. *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*. Eds. James Bohman and Matthias Lutz-Bachmann. Massachusetts's Institute of Technology Press, 1997, p. 202

[25] Rawls, John. *The Law of Peoples*. Harvard University Press, 1999, p. 3

[26] Ibid, p. 4

[27] Ibid p. 64

[28] Ibid, pp. 65-66

[29] Ibid p. 59

[30] Ibid, p. 61

[31] Ibid, p. 37

[32] Ibid, p. 28

[33] Nussbaum, Martha. Kant and Cosmopolitanism. *Perpetual Peace*, op. cit p. 32

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