A Philosophical Sketch Towards Ethical Peace-building

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Abstract:

This paper aims to draw very close attention to one of Kant's works, *Perpetual Peace – A Philosophical Essay*, and attempt to explore its very relevance to ethical peace-building today. This choice is not really arbitrary. Kant's peace paradigm as a theoretical framework is based on the assumption that his theory can provide a framework for ethical peace-building. In this regard, this paper will argue that the conflict in places like Syria, which involves various ideologies, may mean that in the many years and decades to come there will be a need for an effective, just, sustainable and ethical peace-building global framework.

Keywords: Kant, Peace-building, Ethics, Global Peace

Introduction

The process required to heal the hearts, minds and psyches of those people who are harmed is challenging. This paper proposes that the process of Kant's philosophical sketch of perpetual peace requires an open engagement with the strong communal values and virtues of the victims of war or violence, including perpetrators and peacemakers. In other words, the commitment and understanding to the ethics of peace-building is crucial for the establishment and implementation of an effective and workable process for sustaining peace.

One might ask why Kant's perpetual peace is truly necessary. Is Kant's perpetual peace even possible? Since time immemorial, many people have been waging wars of attrition against each other. Consequently, there have been several ways through which we seek resolution for our conflicts. None has worked. However, the conflict between sovereign states has been a truly trivial matter; of which solutions in such cases have been very problematic. Be that as it may, one popular formula has over the years been advocated for: the emergence of an international body to act as a third party in a conflict between sovereign states. Nevertheless, this proposal has met some hindrances in several cases; of which much of the blame go to the sovereign nature of states as a major blow to eventual world peace.[1]

In order to arrive at perpetual peace, Kant has proposed some foundational steps he deems very necessary to the possibility of global peace. Those propositions have been transformed to realities especially through the establishment of the League of Nations, now United Nations (UN).[2] This

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[1]   Wade L. Huntley, "Metaphysics of Morals" 1966, available from http://www.jstor.org/stable/2600931, 20081121.html accessed July 2, 2013.

[2] Caspian Richards, "A Commentary on Perpetual Peace of Immanuel Kant" 1795, available from

organization has established mechanism for promoting political negotiations and for mediating in ongoing some disputes around the world. Ultimately, this paper will assess the issue of whether present global institutions such as the UN Peacebuilding Commision can promote ethical peace-building using Kant's framework.

Kant's foundational essay, "Perpetual Peace: A Philosophical Sketch" (1795), which itself takes the form of an international treaty exploring the possibility of permanent peace. Positing peace as an unnatural state that must be enforced by international laws and governing bodies. It is one which Kant anticipates in multilateral institutions like the United Nations and the European Union (EU). Though the essay's ironic tone suggests the impossibility of this vision, one of its ultimate goals is to nevertheless challenge the politicians who mock the concept as "a childish and pedantic idea,"[3] and to create in their place a new discursive space for discussing peace and international law.

Kant proposed a dialogue with philosophers who engage with the idea of peace, with those practitioners who participate directly in the world of geo-political conflict, and with those governing bodies who have the power or mandate to truly make peace a reality. This conversation begins with a traditional definition of international peace as a relationship between states, but also acknowledges contemporary realities of intra-state conflicts, issues of global governance, and human security. For Kant, whether this conversation happens in the public halls of cultural institutions or governmental offices, in cafes or living rooms, this project

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http://www.mtholyoke.edu/acad/intrel/kant/kant1.htm. accessed July 30,2013.

[3] Immanuel Kant, "Towards Perpetual Peace," Perpetual Peace and Other Essays, trans. Ted Humphrey (Indianapolis/Cambridge: Hackett Publishing Co., 1983), 139.

seeks to restart this discourse without worrying how it will culminate.

The Concept of Perpetual Peace

Kant argues that man is conflict-prone by nature. He maintains that peace is bought or constructed to help in harmonizing a society through justice. Hence, peace usually is not a natural attribute of man. In proposing the very possibility of world justice and peace, he proposes three definitive articles as conditions necessary in order to realize long lasting and sustainable peace.[4] Moreover, these three definitive articles act as the inter-reliant foundation pillars in order to actualize permanent peace and justice.[5]

The literal definition of perpetual peace especially to a lay man would only imply an everlasting state of tranquility. However, the contextual exegesis of the term moves beyond mere serenity to the idealization of conditions which will prevent the possibility of human extinguishment. Though Kant would later champion the call for the realization of perpetual peace, the concept was first coined by Abbe de Saint-Pierre when he envisaged in 1713 about the possibility of "eternal peace". However, the difference between the later and Kant is that while Abbe de Saint-Pierre"s vision of eternal peace was restricted to Europe, Kant went further to encompass not just Europe, but also the whole world as part and parcel of this global goal.[6] In his definition, perpetual peace implies a movement from the state of nature which is full of violence to a world governed by rational beings.

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[4] Ibid. 141.

[5] Ibid.

[6] James Bohman and Matthias Lutz-Bachmann, *Perpetual Peace Essays on Kant's Cosmopolitan Ideal*. MIT press, Cambridge. 1997, 31.

According to him, this is only realizable through the communion of all peoples in the world.[7]

The main thesis of Kant's essay is that of the 'liberal pacific union' which states that liberal states do not go to war with each other and that the union of liberal states will gradually spread to other states, thus making them liberal and eventually perpetual peace will be achieved as liberal states will not go to war against each other. This is basically the heart of the essay, but naturally this also needs to be explored further which will follow in the following sections of this paper.

Kant states that the three definitive articles will guarantee perpetual peace. These articles will need to be accepted by all states and when this happens perpetual peace will be achieved. Kant states that "it is necessary with six preliminary articles which will build confidence among the states which are still in anarchy, thus in a state of war. The six preliminary articles are[8]:

1. No peace treaty will be considered valid if it harbors a secret intent to resume war at some more favorable opportunity. True peace agreements should be distinguished from truces if states are going to learn to trust each other.

2. No independent state should be subject to conquest, purchase, or inheritance. This provision is designed to establish the norm of 'territorial integrity.

3. Standing armies will be gradually abolished.

4. No national debt will be incurred with the purpose of enhancing international power. This provision is designed to

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[7] Ibid.

[8] Immanuel Kant. *Towards Perpetual Peace*, 150-151.

limit the incentives to engage in war by requiring that wars be fought from current revenues.

5.   No state will forcibly interfere in the constitution or government of another. Supplementing the second provision, this guarantees 'political independence' – the second of the two principles underlying modern sovereign equality.

6. No state will commit war crimes – use poisoners, assassins, promote subversion – because these are acts that destroy the mutual confidence a future peace will require.

The preliminary articles above have the purpose of building the mutual confidence and respect that the establishment of true peace will require. Kant uses the term "enlightened despots"[9] who will have to abide by these articles. Kant however notes that in the state of war these articles will not be enough as confusion and powerful incentives for aggressive behavior is natural. Therefore Kant argues that an institutionalization of peace is necessary. This leads us to three definitive articles.

**The First Definitive Article of a Perpetual Peace –
The Civil Constitution of Every State shall be Republican**

"Three principles must be applied to a republican constitution, namely the principles of freedom, dependence, and equality. The principle of freedom must imply to all members of society (as men). The principle of dependence means that everyone is subject to a single common legislation (as subjects). The last and third principle of equality means that everyone is an equal citizen in the society and therefore is equal to the law (as citizens)."[10]

According to Kant the republican constitution is the only form of constitution which resembles an original

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[9] Ibid. 152.
[10] Ibid. 154.

contract, which he states that all right legislation must be founded on. The republican constitution is also pure as it is based on the concept of right and furthermore it has the prospect of attaining perpetual peace. This is because the consent of the citizen is required when war is to be declared and for the citizen it is natural to be very hesitant in declaring a war as war would mean that the citizen himself will have to do the fighting, paying for the war and make debt to pay for the burden of war which in fact never can be paid off as the threat of war persists. When the constitution is not republican it is very easy for the state to go to war as the sovereign is not a fellow citizen and therefore do not have to bear the burden of war.[11]

The economy will need to be market-oriented which will help making the state republican in the private sphere. In the public or political sphere the republic will need to preserve juridical freedom which means that the legal equality of citizens as subjects will be ensured and furthermore a representative government with a separation of power will be necessary. The separation of powers is important as it leads to that the morally autonomous individual makes the laws and another individual administers them which help to avoid tyranny.[12]

Hence, the Enlightenment campaign in this sense was about human emancipation from his state of nature as an animal toward the use of reason; a call for negation, from passion to reason. At the individualist level of analysis, if rationality is guiding every person's activity and thinking, people would realize that the best form of government is democracy in which freedom, equality, and justice are guaranteed for all. Hence, such a state can be called a rational state. At the state level of analysis, if every state turns out to

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[11] James Bohman and Matthias Lutz-Bachmann 1997, Perpetual Peace Essays on Kant's Cosmopolitan Ideal. MIT press, Cambridge, 72.

[12] Ibid. 74.

adopt republican constitution through democracy, there would not be need for coercive international governance, given that democracies are rational and would not go to war against each other.

The Second Definitive article of a Perpetual Peace – The Right of Nations shall be based on a Federation of Free States

"It is necessary for each state to have security and therefore they should enter into a federation of peoples in which the constitution is similar to that of a civil one. This federation of states should not be an international state as that would be contradictory because a state involves the relationship between a superior (the legislator) and an inferior (the people)."[13] Thus, an international state would be a number of nations constituting a single state, which is in contradiction to the assumption that the states are separate units and not welded together in one unit.

The need for a general agreement will be necessary as the achievement of perpetual peace will be impossible without. Kant states that this will be a pacific federation which differ form a peace treaty as a peace treaty ends one war and a pacific federation would end all wars. Kant notes that this federation will not aim to resemble a state in acquiring power; instead it would seek to preserve and secure the freedom of the states within the federation. Kant stated that:

> It can be shown that this idea of federalism, extending gradually to encompass all states and thus leading to perpetual peace, is practicable and has objective reality. For if by good fortune one powerful and enlightened nation can form a republic (which is by nature

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[13] Ibid. 76.

inclined to seek perpetual peace) this will provide a focal point for federal association among other states. These will join up with the first one, thus securing the freedom of each state in accordance with the idea of international right, and the whole will gradually spread further and further by a series of alliances of this kind.[14]

It will be necessary for the local people to accept a supreme legislative, executive and juridical power to resolve conflicts in a peaceful way to have no wars and therefore states also need to accept a supreme legislative, executive and juridical power in their conflict resolution if they want to avoid war. International right cannot be interpreted as a right to go to war as this would be a one-sided arrangement, thus there is only one option according to Kant and that is that states have to give up the freedom of not having an overarching sovereign and adapt themselves to some kind of public coercive laws, in other words – form an international state. Kant acknowledge that this is not possible in his time as the states of the world were not willing to give up their freedoms in this sense and therefore making an international state impossible. Then instead he states that the best substitute is a federation which will gradually expand and perhaps one day includes the entire world.[15]

According to Doyle, "Kant develops no systemic organizational body of the treaty as he does not believe an institutionalization is necessary. Instead he finds it sufficient with a nonaggression pact or maybe a security agreement built on the cosmopolitan law which he introduces in the third definitive article."[16]

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[14] Kant, 156.

[15] James Bohman and Matthias Lutz-Bachmann, 82.

[16] Michael W. Doyle, Liberalism and World Politics, The American Political Science Review, Vol. 80, No. 4 (Dec., 1986), 1151-1169   American political science Association press in

The Third Definitive Article of a Perpetual Peace – Cosmopolitan Right shall be limited to Conditions of Universal Hospitality

This third and last definitive article table a cosmopolitan law which will function within the pacific union. According to Doyle, "it is limited to universal hospitality to foreigners."[17] Foreigners have a right not to be treated with hostility when he visits the pacific union. This right does not extend any further then to what is necessary to enable commerce with the inhabitants. It is not necessary to offer citizenship or the right to settlement to foreigners in this case, unless the settlers are threatened in any way. Kant also states that liberal states will establish a pacific union among themselves but they will remain at war with non-republics.[18]

Relevance of Perpetual Peace in Ethical Peace-building

In 1992, the *Agenda for Peace*, published by the then UN Secretary-General Boutros Boutros-Ghali, stated that peace-building is the medium to long term process of rebuilding war-affected communities. He defined peace-building as "action to identify and support structures which will tend to strengthen and solidify peace to avoid a relapse to conflict."[19] Over time the definition of peace building has gradually expanded to refer to integrated approaches to address violent conflict at different phases of the conflict cycle.[20]

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http://www.jstor.org/stable/1960861.html, accessed August 15,2013.

[17] Ibid.

[18] Ibid.

[19] Boutros Boutros-Ghali, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping* (New York: United Nations, 1992).

[20] Necla Tschirgi, *Peacebuilding as the Link between Security and Development: Is the Window of Opportunity Closing?* (New York: International Peace Academy, 2003), 1.

Peace-building therefore includes the process of rebuilding the political, security, social and economic dimensions of a society emerging from conflict. At the fundamental level peace-building involves addressing the root causes of the conflict and enabling warring parties to continue to find solutions through negotiation and when necessary through mediation. Peace-building includes overseeing the process of demobilization, disarmament and reintegration as well as security sector reform.

Building peace requires the promotion of social and economic justice as well as the establishment or reform of political structures of governance and the rule of law. These activities are ultimately striving to bring about the healing of war-affected community through reconciliation. Reconciliation, however, is not sustainable without the socio-economic reconstruction and development, neither of which can be done without the mobilization of resources. Peace-building is effectively but one that seeks to unify the social and economic spheres.[21]

Clearly, the international system needs a mechanism that will enable the increasing sub-national conflicts to be addressed in an ethical way. Regrettably, the UN, for the sixty years of existence, has had more conflict resolution failure than successes – particularly during the Cold War – and has not lived up its ambitious mandate of maintaining international peace and security. The United Nations has maintained an engagement with conflict situations around the world and is currently implicated in many peace-building efforts in countries such as Colombia, Kosovo, Tajikistan, South Sudan and Central African Republic.[22]

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[21] Ibid. 4.

[22] Jurgen Stetten and Jochen Steihilber, 'UN Peacebuilding Commission', *Friedrich Ebert Stifung: Dialogue on Globalisation* (New York: FES, 11 January 2006), 41.

As the world continued to undergo geopolitical change the relevance of UN to the transformed global context became an issue. Significant international political divisions were created as a result of the illegal 2003 US-led invasion to Iraq. Launched without UN authorization, the Iraq invasion created deep structural fault lines within the Security Council and threatened to tear it apart.[23] Several member states of the UN viewed the US invasion in Iraq, together with its so called 'coalition of the coerced', as an 'act of aggression' and a 'breach of the peace'.[24] They maintained the belief that it was therefore in direct contravention to the Charter, purpose and principles of the UN. Former UN, Secretary General Kofi Annan read a speech to the General Assembly in which he noted his concern that the UN was not living up to its commitment to save succeeding generations from the scourge of war, which led to some of the recommendations on how to improve peace-building.[25] On this basis the General Assembly finally decided 'to establish a Peace-building Commission as an inter-governmental advisory body.[26]

More concretely, the Peace-building Commission has created an Organizational Committee for every country which will include representatives; countries in the region engaged in the post-conflict process; and other countries in the region engaged in the post conflict process; and other countries involved in relief efforts and or political dialogue, as well as relevant regional and sub-regional organizations; the major financial, troop and civilian police contributors involved in the recovery effort; the senior UN representative in the field and other relevant UN representatives; and

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[23] Ibid.

[24] United Nations, *Charter of the United Nations,* 24 October 1945, Chapter 1, Article 1.

[25] Kofi Annan, Speech to the UN General Assembly, 23 September 2003.

[26] UN, *Outcome Document,* paragraph 97.

regional and international financial institutions, as may be relevant.[27]

However, the truth of the matter is that despite the formation of the Peace-building Commission, peace-building is not something that governments and inter-governmental organization will be able to do for their people. Rather, it is something that governments and their people have to do together. Peace-building is an ethical process that requires a close partnership, respect and dialogue among all the state actors. In a very real sense, then, there is a need to emphasize the fact that peace-building can ultimately only succeed if it is conducted on the basis of ethical framework.

Concretely, peace-building involves some important strategies to prevent violent human conflict from igniting, escalating or relapsing. Therefore, institutions and mechanisms of negotiation, mediation, forgiveness and reconciliation are all truly crucial to any peace-building process.[28] Kant's perpetual peace is very pertinent to develop a better understanding of how to consolidate peace.

Kant's work on perpetual peace suggests that it was necessary to conceive of a project for peace based on a propensity for moral criticism which challenged the dogmatic assertion about the timeless regularity and inevitability of war. Kant in a sense was in this way an early advocate of the ethics of peace-building. In effect, the underlying theme is that a peace researcher requires the "unending willingness to shift one's point of view, to take on other potential points of departure in thinking about the

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[27] UN, *Outcome Document,* paragraph 100.
[28] Tim Murithi. *The Ethics of Peace Building.* Edinburgh University Press, 2009, 36.

world and one's place and function in it, a willing commitment always to consider the otherwise."[29]

Kant's Solutions

Concretely, peace-building involves some strategies to prevent violent conflict from escalating or from relapsing. The importance of recognizing that there is a tacit morality implied in peace-building. It is not uncommon to belligerent parties to a conflict to view the peace process as a strategic opportunity to regroup militarily and reconstitute their forces in order to continue their oppressive and violent campaigns. In truth, secondary parties in conflict situations do not always adopt an ethical posture with regards to assisting the disputants to find some sustainable solutions to their problems.[30] Furthermore, external actors do not always adopt a strict moral code with regards to the exploitation of natural resources in war-affected areas. Thus the unethical behavior of external factors in peace-building settings can undermine the efforts to bring about order and stability.[31]

The negotiators and mediators in peace-building and crisis situations also need to adopt an ethical stance toward the parties that they are assisting. This is an aspect of peace-building that has not really been sufficiently explored by the available literature on the subject matter. For example, the important role of forgiveness and historical reconciliation in consolidating peace-building cannot be underestimated. Often, these processes are imbued with ethical and moral considerations.[32]

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[29] Mark Franke, 'Immanuel Kant and the Impossibility of International Relation's Theory', *Alternatives,* vol. 20, no. 3, July-September 1995, 312.

[30] Tim Murithi. '*The Ethics of Peace Building',* 62.

[31] Ibid., 63.

[32] Ibid., 64.

Such political mechanisms will necessarily have to adopt a moral posture of universal inclusion if they are to be effective. In this regard, Kant's notion of moral responsibility can be applied as a valuable remedy to the problem. Kant believed that through greater interaction human beings are in a process of creating the idea of universal community, whereby the "violation of the rights in one part of the world is felt everywhere."[33] Syria, being in a proxy war between two Muslim groups and later on, between two Western superpowers, is being systematically annihilated by these conflicting ideologies and power struggles.

But Kant views just international relations as some form of an evolutionary process.[34] In his understanding of the way in which peace could be sustained, Kant held the view that peace ought to function as a matter of duty.[35] In addition, Kant proposed that a constitution of perpetual peace could only be achieved through a partnership of just and independent states and by means of the lawful rational consent of what the individual therein ideally will.[36]

It could be argued that Kant favors an individualist rather than a collectivist approach. In particular, he maintains that individuals have obligations towards human beings in other parts of the world or the broad cosmopolitan view. Kant believed in respecting the rational agency of other human beings. As Dower observes, Kant 'advocates some kind of a world ethics for individuals, as belonging to one global community – where community is defined in terms of the claimed moral relations'.[37] The issue then would be how

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[33] Immanuel Kant, 'Perpetual Peace: A Philosophical Sketch', in H. Reiss (ed.), *Kants Political Writings,* second edition, trans. H.B. Nisbet (Cambridge University Press, 1991), 107-108.

[34] Mark Franke, *Alternatives,* 342.

[35] Ibid.

[36] Ibid., 44.

[37] Nigel Dower, *World Ethics*: *A New Agenda*, second ed. (Edinburgh: Edinburgh University Press, 2007), 25.

to advocate a collectivist approach to peace-building when one is drawing upon a tradition that emphasizes an individualist tradition. Ultimately, peace-building has to be carried out by individuals either through institutions or through their own agency.

Therefore, the need to ground peace-building as a global moral responsibility is not contradictory with a position that advocates recognizing the obligation of individual towards each other. In fact, as Dower notes, Kant did "recommend a moral framework for international relations going beyond what was established on or acted on' and his concern was the duty of hospitality for foreigners and that is as citizens of the world we owe certain things towards any human being."[38]

The broader issue is the fact that the relations between states and towards a wider global population can also be justified in terms of a cosmopolitan view. In terms of advocating the need for an ethics of conflict resolution, this paper adopts this position and proposes that building peace is in fact a moral obligation of every citizen of the world towards each other. This is vital in the realm of policy-making, practice and research to find ways of promoting sustainable solutions and avoid protracted chaos and instability.

The resounding effect of peace-building suggests that the idea that all citizens have a moral duty to promote real peace-building provides a solid basis for a global ethic of negotiation, mediation, and reconciliation. The Mindanao conflict can be a case in point. Local stakeholders need to act. This will morally require a concerted effort to advance locally the teaching, training and research of peace-building strategies and techniques to children, teenagers and adults

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[38] Ibid., 84.

alike.[39] Ultimately, peace-building should be viewed as a moral initiative based on discernible moral principles

Conclusion

Finally, there is need for a form of community of states where differences could be solved amicably. The amicability here can be possible if all the states are republican states, hence with rational leaders who put common interest of peace and security of mankind above peculiar interest of individual state. Only by adopting a sustained and committed agenda for true ethical peace-building can humanity make the transition towards genuine peaceful change and revitalize the hopes and aspirations for a more harmonious future.

The Kantian approach to the problem of global peace, offers a very solid basis for a normative theory of international organizations and a – if not the – most plausible guideline for an evaluation of the UN structure in terms of legitimacy. At the present, the United Nations does not entirely conform to this moral scheme. Partly however, the organizational evolution of the UN points to the enlightened ideal of a world republic: Based on a constitutional Charter the United Nations may establish a universal league of states for one main purpose: the enforcement of the Kantian peace imperative.

Now, from the point of view adopted above these aberrations constitute very difficult moral, and not merely political or practical, shortcomings for which only two possible remedies exist: either the Kantian theory presented can be shown to be flawed or outdated and can, in consequence, be replaced by a persuasive and modern theory of institutional legitimacy that matches the current

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[39] European Centre for Conflict Prevention, *Peace Building Peace:* 35 *Inspiring Stories from Around the World* (Utrecht: European Centre for Conflict Prevention, 1999).

features of the UN or, if in case that Kantian thought prevails as the true philosophical yardstick, institutional changes or reforms can be re-established in the UN. But given the intellectual challenges of the former and the big political difficulties of the latter, the status quo affords a rather bleak outlook on the future of the United Nations constitutional legitimacy.

Consequently, there are many problems in our contemporary practice of internationalism. The solution therefore is for every country to not just practice democracy, but most importantly, to realize the importance of its intrinsic role and value to peace and development. Cosmopolitanism will naturally fall in place with the institutionalization of democracy.

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