

Immanuel Kant and the Iraq war

▶ **Roger Scruton**

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The German philosopher Immanuel Kant developed his thought in the era of global conflict sparked by the American and French Revolutions. His response was an appeal to enlightenment, law and reason. Two hundred years on, the distinguished English philosopher Roger Scruton asks: where would Kant's principles lead him today?

The bicentenary of Immanuel Kant's death occurred on 12 February 2004. The British media ignored the event, assuming that dead philosophers are of no significance compared with living celebrities. Even the Germans, who are naturally proud of their greatest philosopher, decided that **Kant** needs to be made relevant to contemporary issues if he is to be discussed. And the issue chosen was the war in Iraq: would Kant have approved of it?

The answer given by a range of commentators, from **Antje Vollmer**, vice-president of the Green party in the *Bundestag* (lower house of parliament), to **Heiner Geissler**, former secretary-general of the Christian Democrat Union, was 'no'. **Herfried Münkler**, professor at Berlin's Humboldt University and author of the influential book *The New Wars*, cited Kant's idea of an "Order of Eternal Peace" to argue that he would have opposed intervention in the affairs of any other state.

Kant indeed believed that war can be legitimately embarked on only as a defensive measure, and that pre-emptive attack is not defence. However, circumstances have changed, and I can see good Kantian reasons for the view that the civilised world, faced with the dangers that now confront it, should take pre-emptive measures when dealing with rogue states like Saddam's Iraq.

Kant's political philosophy was developed comparatively late in his life, when his intellectual powers were failing. It is

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therefore not often studied in depth. But if you start life with powers like Kant's you can afford to lose a few of them. It is therefore regrettable that commentators focus on *Perpetual Peace*: a *Philosophical Sketch* (1795) – the most lucid of Kant's political writings – to the exclusion of the detailed account of republican government contained in *The Metaphysics of Morals* (1797) and elsewhere.

A superficial reading of *Perpetual Peace* suggests that international law, administered by a "League of Nations", would replace the need for belligerence, and endow each nation with a common interest in settling disputes by negotiation. Wars occur because nations exist in a state of nature vis-à-vis each other; by entering into a League, however, they advance towards a 'world republic', in which national interests are submerged in the common pursuit of legal order.

This interpretation, when taken together with Kant's **Enlightenment** vision of a humanity guided by reason towards a universal secular morality, might impute two views to Kant. First, that Kant would never endorse war when there is still the possibility of negotiation; second, that he would always assign precedence to international law over national interest whenever the two conflict.

The contours of reason

There is always a danger, when reading Kant, of overlooking his profound critique of reason and its **aims**. Although he believed that reason is the distinguishing mark of the human condition, and although he upheld the Enlightenment view of our nature – as free beings guided by rational choice – Kant also believed that reason is prone to overreach itself. An example of this is when reason interprets a merely 'regulative' idea as a constitutive principle.

justice in a global age"

(September 2001)

- David Held & Paul Hirst, "**Globalisation: the argument of our time**" (January 2002)
- Roger Scruton, "**Robert Nozick, anarcho-capitalist**" (May 2002)
- Frank Vibert, "**The new cosmopolitanism**" (March 2003)
- Matthew d'Ancona, "**Life gets serious**" (March 2003)

The idea of a world republic is just such a regulative idea. For Kant, it does not indicate a condition that can actually be achieved, but an 'Ideal of Reason' – an idea that we must bear in mind, by way of understanding the many ways in which mortal creatures inevitably fall short of it. The principal way in which we fall short is by failing to establish *any* kind of republic, even at the local level. And Kant is clear that a **League of Nations** can establish a genuine rule of law only if its members are also republics. Unless that condition is fulfilled, nations remain in the rivalrous state of nature.

In a republic, the people themselves are the authors of the laws that govern them, and no official can claim exemption. The members of a republic are not subjects but citizens, bound by reciprocal rights and duties and governed by representative institutions. Although Kant was suspicious of democracy and tolerant of constitutional monarchy, he nevertheless believed that free beings demand accountable government, and that nothing less could enable them to realise their potential.

Furthermore, we are commanded by reason to treat each rational being as an end and not as a **means only**. States in which this command is not obeyed by the rulers, or made impossible to be obeyed by anyone else, are states that violate the moral law. They also fail to conform to the version of the social contract that Kant derived from his vision of morality. Such states are intrinsically illegitimate, which means that their disappearance is good in itself, and the aim and desire of all rational beings.

This does not mean that the violent overthrow of despotism is justified, since violence has moral costs that may not easily be accepted. Although Kant was a passionate defender of the American and French Revolutions, and even inclined to turn a blind eye to the crimes of the Jacobins, news of the Terror and of the judicial murder of **King Louis XVI** horrified him as it horrified his contemporaries.

Nevertheless, the recourse to international law, he believed, presupposes that members of the League of Nations are republics. If they are not republics, but regard themselves as in a state of nature vis-à-vis other states, then it may be necessary to confront them with violence, in order to prevent them from imposing their

will. Of course, the violence must be proportional to the threat, and its aim must be to bring about a lasting peace. But war conducted for the sake of peace was, for Kant as for his predecessors in the 'just war' tradition, a paradigm of legitimate belligerence.

Republic and despotism

Suppose, then, the following case. We are confronted with a state that is manifestly despotic, which is neither a republic nor a law-abiding member of the League of Nations, in which people are denied elementary rights and in which crimes are regularly committed by the ruling power. It is a manifest threat to peace, has invaded neighbouring states without cause, has committed genocide against its own minorities, and seems determined to advance its own interests, whatever the costs to others. The state nevertheless claims a voice in the League, endeavouring to influence policy and international law in order to perpetuate and enhance its power.

Suppose also that there is a larger power, which is a republic anxious to spread republican government around the world, motivated perhaps by some version of the Ideal of Reason that Kant puts before us in *Perpetual Peace*.

Suppose that this larger power is confident that it can destroy the despotic state with only minimum harm to its people – less harm than they would suffer were the despotism to remain in place.

Suppose that, by doing this, there is hope of planting the seeds of republican government in an area of the globe where until now only despotism or empire have held sway.

Suppose that the republic goes to war intending not to possess the territory or resources of the despotic state, but with the intention of creating the conditions in which its people can decide for themselves on their form of government.

Suppose that its intention in doing so is to create the conditions of lasting peace in a region of the world where peace is constantly being jeopardised by tyrants and fanatics.

Suppose all this, then ask Immanuel Kant the question: would it be

right for my hypothetical republic to go to war against my hypothetical despotism? He would be compelled by his own principles to say 'yes'.

There is no question of having to prove the existence of weapons of mass destruction, or anything else beyond the known facts about the despotism's past behaviour. The only question is the extent to which my hypothetical examples correspond to the actuality of Saddam's Iraq and the actuality of the United States. I think the parallel is sufficiently close. The US is of course not a fully achieved republic in Kant's sense – but as Kant would have been the first to admit, nothing created from the crooked timber of humanity is a fully achieved anything, still less an instance of what is, after all, an Ideal of Reason.

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