World State versus Federation of States. Did Kant intentionally offer a free choice to future scholars?

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1. Introduction

In all its grandeur as a visionary centrepiece of Kant’s political philosophy, the treatise Zum ewigen Frieden could also seem to provide a particularly good example of the use of strategical ambiguity. As a rhetorical device, ambiguity can be purposely applied by an author, for instance in order to impart to the reader a sense of complexity, mystery, profoundness etc. Such kind of rhetorical ambiguity is proper to most poetry and could be called ‘aesthetic’.

But rhetorical ambiguity can also be used in non-fiction so as to awaken diverging interpretations among the readers. Although ambiguity is generally considered a deficiency of non-fiction – we teach our students to avoid it at all price and to express themselves in a most precise way – an author can have reasons to embrace it. Some philosophers use ambiguity because they think it is an inevitable, or even positively necessary, property of any discourse that has the ambition to reveal the deepest kind of knowledge. Johann Gottlieb Fichte intentionally employs terms with multiple and interrelated meanings – such as the word ‘arbitrary’ (willkührlich) (Surber 1996: 34-44) or the concept of an ‘intellectual intuition’ (Breazeale 2013: 197-229) –, or also terms with two main meanings that appear at first sight to be directly opposed or antithetical to each other, such as setzen

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(Cesa 1996), Anstoß (Breazeale 2016: 120-123), Bestimmung,¹ and Gesicht (Verweyen 2016: 297; see Wood 2017 for an overview of such terms). Moreover, Fichte understands the ambiguity between the absolute and the reflective I as the very condition of human knowing, “which oscillates between reflection and absolute autonomy” (Ferrer 2016: 8-9).

Also, if an author is not yet clear about the last consequences of her ideas, but judges that communicating them as soon as possible is more important than holding them back until the fine-tuning of all details has been done, she may strategically keep some ambiguity and expect from the readers that they fill in the gaps themselves, thereby at the same time generating fruitful replies and criticisms.

In the same line, an author may consciously insert some fundamental ambiguities and/or opaqueness in order to stimulate her readers to engage in a personal struggle with the ideas exposed – the ultimate goal being to cause a multitude of more personal views and thus to end up with as many interpretations that can more or less consistently be developed when selecting textual evidence and dimming out those passages that appear to be problematic (Alvesson & Sveningsson 2003; Wallace & Hoyle, 2006).

There is yet another kind of strategic ambiguity that an author can apply, and that we can call ‘collective action-directed ambiguity’. In this case, the function of the constructed ambiguity is to cause collective action around a certain goal. Some politicians are masters in applying it: in order to reach their goal of a possibly high number of popular votes, they will make sure that their discourse contains multiple layers that must serve diverging groups within society. Not only can this kind of ambiguity enable different individuals to attribute different meanings to the way in which to attain the same goal, but it could lead to different meanings for a given goal, according to the interests of each more particular group within the population of possible readers (Eisenberg 1984; Eisenberg & Goodall 1997).

Moreover, a well-known author might use ambiguity in order to generate collective action, by encouraging the readers to sign up to a higher-order or more abstracted meaning that does not counteract their

¹ Günter Zöller (2002: 1) remarks the following: “The key word of the work’s German title ‘Bestimmung’, can mean both ‘determination’, in the sense of an imposed limitation, and ‘calling’ or ‘vocation’, indicating the goal of some pursuit. Fichte’s employment of the term in its finitist-finalist double meaning addresses the tension between what is fixed or given in human existence and what is open and yet to be realized about it.”
particular interests (Ring & Perry 1985). Finally, different readers might have different interpretations of the text, but still agree on the actions to take, particularly where the initial goals are expressed with sufficient ambiguity for all actors to be subscribing to them (Donnellon et al. 1986, Davenport & Leitch 2005). In this sense, strategic ambiguity is a valuable political resource because it enables the mobilization of collective action and change, even where the different actors hold different interests (Robertson & Swan 2003).

It is well-known that Kant’s Treatise Zum ewigen Frieden seems to remain ambiguous on which political constellation we should strive for in order to approach perpetual peace. (1) A first option would be to form a single, all-encompassing republican world-state. Once that such a world-state has been established, the former individual states lose not only their sovereignty, but also their right of sovereignty. Denying any “right of sovereignty” to the former states, once they are part of the one world-state, implies that it is juridically impossible for them to become again a sovereign state apart from the world state. (2) The second option would be to ground a league of nations that can be described as a free confederation of sovereign states. In this case, the states do not abolish their sovereignty, and the confederation is the result of a contract between the states that is upheld as long as the representative power of those states decides not to withdraw from it.

In this contribution, I investigate if Kant’s notorious ambiguity on the question “world republic or federation of states?”, can be said to be strategic.

2. The ambiguity in Kant’s *Perpetual Peace*

Kant begins his treatise by referring to the inscription ‘perpetual peace’, next to the painting of a cemetery, on the sign of a Dutch inn. The complexity of this introduction is often overlooked. Right at the start, Kant famously remarks: “whether this satirical inscription [perpetual peace] […] had for its object mankind in general, or the rulers of states in particular, or merely the philosophers who dream this
sweet dream, it is not for us to decide.” In a strategically strong move, Kant immediately transfers the ambiguity concerning those who might or should be addressed by the sign of the inn to his own audience, by connecting it (through the word ‘but’) with his own use of the inscription as a title for the essay: “But one condition the author of this essay wishes to lay down.” This condition is a call of consistency, addressed at those politicians who might think that the essay at hand is in some way dangerous for the actual state-order. What Kant reminds any such politician of is that the latter has always played down the importance of political philosophers by claiming that they are developing merely a priori ideas about something [the state-order] that, in his view, must entirely proceed on empirical principles. If this “practical politician” is to be coherent, he should not fear now that the peace-essay, written by the “political theorist” Kant, could have any influence on the security of the state: “the practical politician should at least act consistently in the case of a conflict and not suspect some danger to the state in the political theorist’s opinions which are ventured and publicly expressed without any ulterior purpose.”

We may strongly doubt whether Kant’s intention was effectively to merely write something about international peace without any ulterior purpose. When he published the peace-essay, Kant was the most famous philosopher in Germany, and he knew of course that his texts would probably exert an influence on contemporary thinkers and politicians. Moreover, in view of King Friedrich Wilhelm II’s threats concerning Kant’s work on religion, it was wise not to write down the first definitive article of Perpetual Peace (“the civil constitution of every state should be republican”) without having recourse to the above “saving clause”, with which Kant desired “formally and

2 ZeF AA 8: 343: “Ob diese satirische Überschrift auf dem Schilde jenes holländischen Gastwirts, worauf ein Kirchhof gemalt war, die Menschen überhaupt, oder besonders die Staatsoberhäupter, die des Krieges nie satt werden können, oder wohl gar nur die Philosophen gelte, die jenen süßen Traum träumen, mag dahingestellt sein.”

3 ZeF AA 8: 343: “Das bedingt sich aber der Verfasser des Gegenwärtigen aus, daß, da der praktische Politiker mit dem theoretischen auf dem Fuß steht, mit großer Selbstgefälligkeit auf ihn als einen Schulweisen herabzusehen, der dem Staat, welcher von Erfahrungsgrundsätzen ausgehen müsse, mit seinen sachleeren Ideen keine Gefahr bringe…”


5 ZeF AA 8: 343: “Die bürgerliche Verfassung in jedem Staate soll republikanisch sein.”

6 ‘Saving clause’ translates Kant’s Latin clausula salvatoria (see footnote below). As Jonathan Benett remarks in his version of Perpetual Peace presented at www.earlymoderntexts.com, this is

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emphatically to deprecate […] any malevolent interpretation which might be placed on his words.7

Furthermore, Kant’s recommendations for the practical politician willing to come closer to the realization of perpetual peace are clearly also taking into account a number of empirical conditions. In fact, it is mainly such conditions that seem to have motivated Kant to not just comment on the world republic as the ideal of reason but also to propose the federation of states as the more realistic surrogate to such world republic. The least that one should say then is that Kant’s ideas in perpetual peace seem to be action-directed. However, Kant’s proposal to strive for a realistic surrogate to a world republic is itself ambiguous because it comes from a philosopher who, in his essay On the common saying: That may be correct in theory, but it is of no use in practice, claimed, against Moses Mendelssohn, that there cannot be any morally meaningful conflict between the theoretical and the practical realm, especially also where it concerns the law of peoples (see TP AA 08: 307-313). As a consequence, some scholars have argued that the world republic is still what Kant advances as the only rationally legal option to establish perpetual peace, while others interpret Kant as clearly stating that we should strive for a free federation of states. If this ambiguity were to be termed strategical, it would mean

(A) that Kant had understood that ambiguity can be a political resource insofar as it might help with generating action. It would also mean…

(B) that Kant took A to be more important than the risk implied by the observation that any ambiguity, by enabling partial and multiple meanings and interests to proliferate, could also obscure and inhibit the desired action. In order for B to make sense, Kant should have presaged that…

(C) his readers would engage differently with the ambiguity at hand, according to their different interests and backgrounds, which would lead to multiple ways of coming closer to the desired goal, that is: perpetual peace. As a consequence, Kant must have thought…

mainly a technical term in music theory. He claims that, although the term has other meanings too, ‘saving clause’ is not one of them, but we may suspect that Kant thought it was. Benett further observes: “Anyway, whatever he meant by it, he clearly intended the phrase as pompous or mock solemn, like the rest of the sentence.” 7 ZeF AA 8: 343: “[…] durch welche Clausula salvatoria der Verfasser dieses sich dann hiermit in der besten Form wider alle bölsche Auslegung ausdrücklich verwahrt wissen will.”

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(D) that the ambiguity concerning the required actions to obtain the goal would not affect the goal itself and that the different kinds of action that his text would seem to justify would not in practice cause such a conflict as to prevent mankind from coming always closer to perpetual peace.

The discussion whether Kant advances a free federation of sovereign states or a world republic has become one of the traditional Streitfragen in Kant-scholarship, as both options seem to be deducible from Kant’s essay on perpetual peace. One group of interpreters claims that Kant advanced a republican world state that would have to enclose all former states, without them having a right to abstain, that is: the world state would have coercive authority and nations would not be free to exit or to not enter it. Many distinguished scholars have subscribed to this view. Another group of (not less distinguished) interpreters claims that, although Kant mentions the world republic as an ideal, he thought that a free federation of states was the highest goal that we should actually strive for in order to approximate perpetual peace.

But this is a much simplified sketch of the divide between scholars. For as such, it does not take into consideration the fact that, until 1793, Kant did unambiguously promote the establishment of one unitary world state as the culmination of international law. This can be seen most clearly in the Idea for a Universal History with a Cosmopolitan Purpose (1784), in which Kant draws an analogy between the duty for human beings to leave their state of nature (and, thus, instore national or state law) and the presumed duty for states to leave their state of nature (their “brutal freedom” (IaG AA 8: 23)) among other states (and, thus, to bring about international law) (IaG AA 8: 23-26). As a consequence, scholars belonging to the second group may see different reasons why Kant made things more complicated in Perpetual Peace. Moreover, they may also accept or doubt the quality of one or more of Kant’s new arguments to recommend the establishment of a federation of states instead of a world state.

8 The claim that Kant advances a world republic with coercive powers has been defended before by – among others – Friedrich (1969), Williams (1986), Axinn (1989), Höffe (1990), Marini (1992), Kleingeld (2004) and Dörflinger (2016).
For our concerns, however, it will be sufficient to give a short presentation of those new arguments.

3. Kant’s arguments against the world state

In Perpetual Peace, we find mainly three kinds of arguments against the establishment of a world government. These are (1) a legalistic argument; (2) a “semantic” argument; and (3) pragmatic arguments.11

3.1. A legalistic argument against a world government

While composing his 1793-essay On the common saying: That may be correct in theory, but it is of no use in practice, Kant may have started to doubt the value of the analogy that he had drawn so clearly in 1784 and that he brings up once again:

Just as unilateral violence and the need arising from it must finally bring a people to decide to subject itself to the coercion that reason itself prescribes to them as means, namely to public law, and to enter into a civil constitution, so too must the need arising from the constant wars by which states in turn try to encroach upon or subjugate one another at last bring them, even against their will, to enter into a cosmopolitan constitution.12

Just as people must accept public law in order to be freed of the always lingering danger and violence, states must sooner or later subscribe to an international constitution in order to put an end to the danger of everlasting wars.

11 In his excellent study, Georg Cavallar distinguishes between legalistic, moral and pragmatic arguments. It may be questioned, however, whether Kant really has any specific moral arguments against a world-state. Although Cavallar mentions a “moral answer” to the question why Kant finally choose the weaker model of federalism (Cavallar 1994: 466), he does not explain what this moral answer amounts to, and how it would differ from the answer that he terms ‘legalistic’.
12 TP AA 8: 310: “So wie allseitige Gewaltthätigkeit und daraus entspringende Noth endlich ein Volk zur Entschiebung bringen mußte, sich dem Zwange, den ihm die Vernunft selbst als Mittel vorschreibt, nämlich dem öffentlicher Gesetze, zu unterwerfen und in eine staatsbürgerliche Verfassung zu treten: so muß auch die Noth aus den beständigen Kriegen, in welchen wiederum Staaten einander zu schmälern oder zu unterjochen suchen, sie zuletzt dahin bringen, selbst wider Willen […] in eine wereldbürgerliche Verfassung zu treten.”
But for the first time, Kant offers a second possibility for such an international cooperation: that of a rightful federation governed by international law. Indeed, the quoted passage continues as follows:

or else, if this condition of universal peace is still more dangerous to freedom from another quarter, by leading to the most fearful despotism (as has indeed happened more than once with states that have grown too large), this need must still constrain states to enter a condition that is not a cosmopolitan commonwealth under a single head but is still a rightful condition of federation in accordance with a commonly agreed upon right of nations.\(^\text{13}\)

The conditional is somewhat strange here: if a world government leads to the most fearful despotism, then we should opt for a federation of states, ruled by a codex of international law that has been negotiated between the states that are adhering to it. But Kant does not claim that a world government will inevitably lead to the most fearful despotism – he just mentions that it has happened “more than once” in the past, when states became too large.

Referring to *Perpetual Peace*, we can now further specify the conditional: if the establishment of a world state with unitary government requires legal coercion of the already existing states, then this ideal must make way for its surrogate: an international, free federation. The meaning of this specification is that Kant does not longer accept the view following which, in the absence of international law, existing states must be considered to still be in a lawless state of nature. Remember that it was exactly this claim, that individual nations exist in a lawless state of nature (drawing upon the analogy with barbarously free people in the Hobbesian state of nature) as long as there is no international law that prevents them from the danger of war, that motivated the legal duty to form a world government.

In *Perpetual Peace*, Kant admits that individual states, because they already have a rightful constitution (the internal rules that make them identifiable as such), cannot be compared to stateless – and thus lawless – individuals or tribes:

\(^{13}\) *TP* AA 8: 310-11: “oder, ist ein solcher Zustand eines allgemeinen. Friedens (wie es mit übergroßen Staaten wohl auch mehrmals gegangen ist) auf einer andern Seite der Freiheit noch gefährlicher, indem er den schrecklichsten Despotismus herbei führt, so muß sie diese Noth doch zu einem Zustande zwingen, der zwar kein weltbürgerliches gemeines Wesen unter einem Oberhaupt, aber doch ein rechtlicher Zustand der Föderation nach einem gemeinschaftlich verabredeten Völkerrecht ist.”
While natural right allows us to say of men living in a lawless condition “that they ought to abandon it”, the right of nations does not allow us to say the same of states. For as states, they already have a lawful internal constitution, and have thus outgrown the coercive right of others to subject them to a wider legal constitution in accordance with their conception of right.\(^{14}\)

Hence, there can be no rightful coercion by other states in order to make them accept a supranational constitution and/or to oblige them to give up their sovereignty in order to become part of a world state. As Georg Cavallar observes: “States – in contrast to individuals in the state of nature – cannot be regarded as juridical ‘vacuums’. They have already acquired a lawful internal constitution. Hence no state has a right to force others into a civil state, that is, into an international organization […]” (Cavallar 1994: 469 – see also Ebbinghaus 1968). For this reason, Kant writes near the end of *Perpetual Peace* (second appendix):

> We have seen above that something of the nature of a federation between nations, for the sole purpose of doing away with war, is the only rightful condition of things reconcilable with their individual freedom. Hence the agreement of politics and morals is only possible in a federative union, a union which is necessarily given a priori, according to the principles of right. And the lawful basis of all politics can only be the establishment of this union in its widest possible extent. Apart from this end, all political sophistry is folly and veiled injustice.\(^{15}\)

We see here that Kant not only claims that the federation of states is the only “state of right” that can coexist with its freedom, but also that it is the only possible way to harmonize politics and morals. However, we cannot conclude from this (pace Cavallar 1994: 466) that Kant has a separate, specifically moral argument against a world

\(^{14}\) ZeF AA 8: 355-356: “Von Staaten [kann] nach dem Völkerrecht nicht eben das gelten, was von Menschen im gesetzlosen Zustande nach dem Naturrecht gilt, „aus diesem Zustande herausgehören zu sollen“ (weil sie als Staaten innerlich schon eine rechtliche Verfassung haben und also dem Zwange anderer, sie nach ihren Rechtsbegriffen unter eine erweiterte gesetzliche Verfassung zu bringen, entwachsen sind).”

\(^{15}\) ZeF AA 8: 385: “[wir haben] oben gesehen, daß ein föderativer Zustand der Staaten, welcher bloß die Entfernung des Krieges zur Absicht hat, der einzige, mit der Freiheit derselben vereinbare rechtliche Zustand sei. Also ist die Zusammenstimmung der Politik mit der Moral nur in einem föderativen Verein (der also nach Rechtsprinzipien a priori gegeben und notwendig ist) möglich, und alle Staatsklugheit hat zur rechlichen Basis die Stiftung des ersteren in ihrem größtmöglichen Umfange, ohne welchen Zweck alle ihre Klügelei Unweisheit und verschleierte Ungerechtigkeit ist.”

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government. Moreover, to refer to a ‘moral argument’ is ambiguous because Kantian morals cover both the juridical and the ethical realm. In this sense, juridical motives against the world state are morally relevant because we have a duty to establish a state of right.

3.2. A “semantic” argument

This is perhaps the most controversial argument against a world republic. After having drawn once again the analogy between individual people in a state of nature and nations in a state of nature, and having repeated his older conviction, that following this analogy a state could oblige other states to conform to a rule-governing international constitution, so that each state can be certain that its rights are secured, Kant claims that there must be a federation that is not one state of peoples: “This would mean establishing a federation of peoples. But a federation of this sort would not be the same thing as an international state.” The argument, however, is not here that one world state encompassing all peoples and having coercive power would lead to the worst kind of despotism. The argument is rather that if the law of peoples would prescribe to form an all-encompassing nation of peoples, this would generate a contradiction, for then the concept of a law of peoples would be self-destructive: if one were to follow the prescriptions of the law of peoples, it would lead to a situation in which it makes no sense anymore to speak of a law of peoples:

For the idea of an international state is contradictory, since every state involves a relationship between a superior (the legislator) and an inferior (the people obeying the laws), whereas a number of nations forming one state would constitute a single nation. And this contradicts our initial assumption, as we are here considering the right of nations in relation to one another in so far as they are a group of separate states which are not to be welded together as a unit. If international law were to establish one all-encompassing nation, then its result would be the abolishment of international law. It is difficult to evaluate how important this argument was for Kant

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16 ZF AA 8: 354: “Dies wäre ein Völkerbund, der aber gleichwohl kein Völkerstaat sein müßte.”
17 ZF AA 8: 354: “weil ein jeder Staat das Verhältnis eines Oberen (Gesetzgebenden) zu einem Unteren (Gehorchenden, nämlich dem Volk) enthält, viele Völker aber in einem Staate nur ein Volk ausmachen würden, welches (da wir hier das Recht der Völker gegeneinander zu erwägen haben, sofern sie soviel verschiedene Staaten ausmachen und nicht in einem Staat zusammenschmelzen sollen) der Voraussetzung widerspricht.”

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himself. In my interpretation, when composing the second Definitivartikel in Perpetual Peace, Kant already had in mind the legalistic refutation of the world government (states cannot be coerced to merge into one unitary state, because their sovereignty is grounded on the fact that they display a rightful state) and, thus, he also knew that the law of peoples would have to correlate with the establishment of a federation. Rules that govern the coexistence of different states or peoples become meaningless if there are no different states or peoples. I take it that Kant’s “semantic” argument is directed against those who would give up the project of a law of peoples because the ideal of reason is a world government.

### 3.3. Pragmatic arguments against a world state

Kant advances several “pragmatic” arguments against a unitary world state. First of all, it cannot be realized, because Kant thinks that different peoples will never want to join a world state with coercive powers: they reject in hypothesi what they think to be true in thesi. In the same line, Kant claims that it is not the will of the states, “according to their present conception of international right” (ZeF AA 8: 357). But why should judgmental habits of peoples or a present and thus contingent determination the “will” of a state have any consequences for the philosopher’s theory? And remember that, two years before, Kant had rejected the idea that something could be correct in thesi but not correct in hypothesi. I think, however, that we can have a more nuanced reading of this claim. Of course, Kant does not suddenly think that correctness is a property that depends on opinion. Hence what is correct in thesi simply is correct. The world state is the ideal, and it was not Kant’s intention to make us stop seeing it as such. The decisive question is whether Kant keeps considering the world state as the ideal setting for perpetual peace, although there are a number of practical concerns, and the answer is ‘yes’. The surrogate – the federation – is effectively a surrogate, because it does not guarantee perpetual peace: “there is a constant danger of outbreak” (ZeF AA 8: 357).

The other pragmatic arguments are largely known: (1) it is not realistic to assume that one day, different peoples will actually want to unite themselves as one people; (2) In the Metaphysics of Morals, Kant claims that a world state would also have to confront a more logistic
problem, because “if such an international state were to extend too far over large areas, its government would finally become impossible, including the protection of every member” (MS AA 6: 350). The alternative of founding several smaller states or nations cannot be successful, because “a multitude of such corporations [...] again brings about a state of war” (MS AA 6: 350).

4. Conclusion

We now come back to our initial question: would it be sound to assume that Kant has used action-directed strategic ambiguity when he wrote about the league of nations and the world government? Although Kant may have grasped the potential of ambiguity as a political tool to generate the most differing actions directed at a certain goal (perpetual peace), it is implausible that he consciously applied it by exposing not one but two conceptions of a supranational order that must promote perpetual peace. As we saw, some apparent contradictions in Kant’s statements largely disappear when we take into account the evolution of his thought.

This is not to say, though, that I take strategic ambiguity to be totally absent from Perpetual Peace. In this text I only referred to Kant’s distinction between a federation of states and a world republic. But, at least in the section on the Guarantee of Perpetual Peace Kant completely changes his transcendental moral discourse into a teleological story on nature. The particular audience that the beautiful and imaginative story about Naturteleologie appeals to – typically not the type of philosopher that admires Kant for his transcendental deductions – probably is different from the one to which do appeal the purely moral and juridical considerations. And the different layers in Kant’s discourse may well have been intended to appeal to different kinds of audiences, so as to maximize the number of those who are somehow positively affected by this treatise.

However, when writing on the two basic models of international organization and cooperation that facilitate peace – the surrogate of a federation of nations or the ideal of a world republic – Kant seems to have tried to express himself as clearly as possible. If he succeeded in doing so is another question, given the controversy that surrounds the issue of world republic versus federation of states. However, as I have argued here, this controversy was not intended and it does therefore not imply a free choice that scholars can make on the basis of their personal
preferences and backgrounds. Like some politicians use to say, when they want to point to facts that remain the same, unaffected by endless debates and unaffected by the emotions that those may generate: “it is what it is”. And this is what I take it to be in Kant’s *Perpetual Peace*: The world state is the ideal, because it would effectively end war between states; the federation of nations is the surrogate that we must strive for as long as trying to establish the ideal option would imply coercive claims on other states. And, unfortunately, this surrogate does not yet offer the guarantee of perpetual peace. Hence, until the moment when each state freely decides to join a unitary world power, we cannot do without international politics, however much they may contribute to the imperfectness of the world we share.
Bibliography


Abstract: It is well-known that Kant’s short treatise Zum ewigen Frieden contains some ambiguities concerning the kind of political constellation we should strive for in order to establish perpetual peace. A first option would be to strive for an all-encompassing republican world-state. Once such a world-state has been established, the former individual states lose not only their sovereignty, but also their right of sovereignty. A second option would be to strive for a free confederation of sovereign states. In this case, the states do not abolish their sovereignty, and the confederation is the result of a contract between the states that is upheld as long as the representative power of those states decides not to withdraw from it. In this contribution, I ask whether Kant’s notorious ambiguity on the question “world republic or federation of states?” can be said to be strategic.

Keywords: Kant, peace, ambiguity, world republic, federation

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