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# Kant, Mill, and Illiberal Legacies in International Affairs

Beate Jahn

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**Abstract** While the revival of the concept of “imperialism” appears to be a reaction to recent political challenges, I argue that it has always been at the core of liberal thought in international relations. While liberal internationalism enlists the authority of Immanuel Kant, at its heart one finds the security dilemma between liberal and nonliberal states as well as the propagation of particularist law under a universal guise. This un-Kantian liberal thought, however, has a classical precedent in John Stuart Mill, with whom it shares the justification of imperialist policies. A historically sensitive reading of Mill and Kant, however, can explain the striking failures of liberal internationalism in spreading liberal institutions as well as reducing international conflicts.

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Not long after the Cold War’s end, with its heady promises of a liberal “new world order,” the idea of “empire, long thought buried . . . with its twin brother (or sister) called ‘imperialism’ . . . has made what can only be described as a most dramatic intellectual comeback.”<sup>1</sup> Yet, while recent events may have propelled the term again onto the front pages of political and intellectual publications alike, I will argue that liberal thought in international relations has always been imperialist.<sup>2</sup>

“Imperialism” is, of course, a notoriously loose term. In what precise sense is it used here? I define as “imperialist” any political thought that explicitly involves

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1. Cox 2003, 5.

2. See Cox 2003 for a list of recent publications under the heading of “Empire” from a variety of political and intellectual positions.

three key elements: a justification of interventions aimed at changing the cultural, economic, and political constitution of a target society; an argument for disregarding a lack of consent on the part of the latter; and, finally, a principled willingness to deploy the threat or use of military force to bring about the above-mentioned changes.

This definition requires clarification. Historically, nineteenth-century imperialism was generated not least by private actors pursuing economic interests abroad; when these activities met with local resistance, the European actors enlisted the military support of their governments.<sup>3</sup> Even in its nineteenth-century heyday, then, imperialism was pursued “by informal means where possible and formal means where necessary.”<sup>4</sup> Hence, one can speak about imperialism even in the absence of formal colonial rule that is certainly not propagated by contemporary liberals.

Yet these private economic and public military interventions did require a systematic justification. This justification, historically, contained two main elements: first, the claim that the target societies were aggressive and did not comply with (European) international law; second, that European cultural, economic, and political development represented the highest stage of human development, so that its spread to non-European societies would benefit the latter as well as humanity at large. Hence, the aim of changing the cultural, economic, and political constitution of the target societies provides the key justification for imperialist interventions.

This understanding of imperialism has to be distinguished from international interaction in general—which inevitably influences the cultural, economic, and political constitution of the interacting parties. Therefore, only interaction without the consent of one party—that is, intervention—can be considered imperialist; and this lack of consent requires the principled justification of the threat or use of force. Only when all three criteria are met can one speak unambiguously of a justification of imperialist policies.

The argument set out below in support of this claim has four main parts. First, I demonstrate that liberal internationalism fulfills the three criteria for the justification of imperialist policies. In order to substantiate this charge, it is necessary to take seriously Hoffmann’s injunction: “[E]xamination of the plight of liberal internationalism must shift to the flaws and limitations of liberalism itself.”<sup>5</sup> Because contemporary liberal thought in international relations almost invariably enlists the authority of Immanuel Kant, I restrict the discussion to those varieties of liberal thought that engage with Kant.<sup>6</sup>

These varieties of liberalism generally lean toward either a “statist” or a “cosmopolitan” interpretation.<sup>7</sup> Because the purpose of this article is to demonstrate

3. Doyle 1996, 38.

4. Gallagher and Robinson 1953, 3.

5. Hoffmann 1995, 160.

6. There are, of course, liberal strands of thought in international relations that do not refer to classical authors, such as the “Harvard School of Liberalism.” Long 1995.

7. See Franceschet 2000 and 2001; and Hurrell 1990.

that these approaches share the justification of imperialism while arriving at this conclusion via different methodological routes, I roughly distinguish between an empirical and a normative approach. I represent the empirical reading of Kant by the democratic peace thesis that occupies the most influential position in the academic discourse. Kant is used by a variety of normative approaches, ranging from the cosmopolitan democracy project, through the moral cosmopolitanism of theories of justice (represented here by Beitz), to the work of Rawls.<sup>8</sup>

Having established that these liberal theories fulfill the three criteria for a justification of imperialism, in the second part of the article I demonstrate that such arguments find no support in Kant. Indeed, an alternative interpretation of Kant, based on his analyses of the historically specific causes of war, will demonstrate that contemporary liberal thought advocates precisely those policies that his *Perpetual Peace* attempted to rule out. Specifically, Kant's call for republican constitutions has no basis in the contemporary world, yet liberals prioritize it. Where Kant attempts to overcome the security dilemma, liberals reproduce it between liberal and nonliberal states. Where Kant limits the right to trade as a basis of imperialism, liberals propagate it. This inversion thus reproduces every single element of the causes of war Kant identified.

In the third part I show that this un-Kantian path of reasoning taken by liberal thought today is, however, not without classical precedent. Mill's liberal theory provides a perfect match and, unlike Kant, Mill—famously—did justify imperialism. Yet this parallel reveals more than the logic of justifications of imperialism or, indeed, its failures in spreading liberalism or reducing international conflicts. A close reading of Mill (in the final section) will demonstrate two fundamental flaws of the liberal position itself. For when Mill turned his attention to British society, he was forced to the empirical conclusion that the latter's representative institutions did not, after all, guarantee the realization of liberal ideals, thus undermining the philosophical grounds on which such a state was accorded more rights than others. Furthermore, Mill's political theory dramatizes how liberal ideals cannot be realized by illiberal means; in a quite profound way, as I show later, the latter contradict the foundational claim on which liberal ideals rest. Mill never resolved the contradictions that these findings introduced into his social thought;

8. Commonly identified with the cosmopolitan democracy project, or with institutional or political cosmopolitanism, are Held 1996, Archibugi 1992 and 1998, and Linklater 1996 and 1998, while moral cosmopolitans such as Beitz 1979 and 1983 share the belief in the universal validity of moral principles, but do not necessarily advance specific institutional arrangements embodying them. Rawls's 1973 domestic work *A Theory of Justice* has influenced theories of justice tremendously, while his 2001 international contribution *The Law of Peoples* shares much with the democratic peace thesis. Nevertheless, methodologically he clearly belongs to the normative, rather than the empirical, strand of liberal thought. I will restrict my discussion to the work of Beitz and Rawls because not all moral cosmopolitans engage with Kant. See Barry 1998 and 1999. Others, while they must be considered Kantians, are more concerned with *Realizing Rawls*. See Pogge 1989. Moreover, while sharing a methodological position, Beitz and Rawls differ considerably in its application to the international sphere and, thus, together with the cosmopolitan democracy authors, cover a wide range of normative liberal thought.

yet their implications for contemporary liberal internationalism are central to its ongoing dilemmas.

In conclusion, I demonstrate that the political consequences unfolding from liberal imperialism show an uncanny resemblance through the ages. From the involvement of Victorian Britain in India, through liberal foreign policies during the Cold War and since its end, the tendency toward interventionism is inseparable from general liberal beliefs in the nature of nonliberal societies. These beliefs are irrespective of the merits of particular cases. While, therefore, not all interventions are imperialist, all liberal justifications of interventions are. The revived prominence of the concept of empire today is not simply a contingent reaction to recent political challenges; at a deeper level, it arises from the standard liberal reaction to the very existence of nonliberal states.

## Liberalism and Kant

How do the empirical and normative strands of liberal international thought enlist the work of Kant? In what ways do they fulfill the three criteria of imperialist thought mentioned above?

The democratic peace thesis is so widely known in international relations that it needs only a brief summary here. Doyle, in the most influential statement of this thesis—*Kant, Liberal Legacies, and Foreign Affairs*,<sup>9</sup> defines liberal states by the legal equality of citizens, a representative government, private property, and a market economy.<sup>10</sup> Statistically, he notes, such liberal states “have yet to engage in war with one another,” while they do quite “liberally” go to war with nonliberal states.<sup>11</sup> Doyle argues that Kant’s *Perpetual Peace* “offers the best guidance” for an explanation of this statistical evidence.<sup>12</sup> Because citizens bear the burden of war, they are generally inclined toward caution; and republics, in which the citizens’ opinions are represented, are therefore less war prone than other forms of government, as Kant argues in the First Definitive Article.<sup>13</sup>

These liberal states or republics establish a mutual trust amongst themselves, based on similar political institutions and values, supported by growing economic interdependence. They engage in nonviolent conflict resolution with each other

9. Doyle 1983.

10. Doyle 1996, 5f. There are variations in the definition of “liberalism” or “democracy” amongst the contributors to the democratic peace thesis. Russett 1996a, for instance, speaks about democracies being characterized by voting rights for a substantial number of citizens, contested elections, and an executive either elected or responsible to an elected body. Owen 1996, meanwhile, defines a liberal democracy as a state in which the dominant ideology is liberal and citizens have leverage over war decisions. These variations are not pertinent to the argument in the following pages, so I will essentially follow Doyle’s exposition.

11. Doyle 1996, 10, 25.

12. *Ibid.*, 21.

13. See Kant 1957, 12f; and Doyle 1996, 24f.

that, over time, establishes a separate peace between them.<sup>14</sup> This separate peace is equated with the Federation of Free States that Kant sketches in the Second Definitive Article.<sup>15</sup> In the Third Definitive Article, he “adds the material incentive” by allowing for the “spirit of commerce” represented in liberal economic theory.<sup>16</sup>

But, argues Doyle, the same principles that account for the liberal peace also explain the wars between liberal and nonliberal states, because the latter do not share the same political values and institutions, are expected to be aggressive, and easily become targets of liberal “missionary” policies.<sup>17</sup> World peace is, then, a distinct possibility that can either be pursued through a liberal foreign policy, or expected through “nature’s secret design”—as set out by Kant in the First Supplement.<sup>18</sup>

Leaving aside the “natural” road, one must now ask how liberal foreign policies pursue the goal of world peace. Because liberal ideals are realized in liberal states—sufficiently, at least, to make these states more peaceful than nonliberal states—the aim of a liberal foreign policy lies in a systematic promotion of “liberal principles abroad”;<sup>19</sup> that is, in changing the cultural, economic, and political constitution of nonliberal states. This systematic promotion of liberal principles requires a clear distinction between liberal and nonliberal states; “we must have no liberal enemies and no unconditional alliances with nonliberal states.”<sup>20</sup> Once a nonliberal state has become liberal, it can enter the pacific federation between liberal states, thus extending the realm of peace in the world.

Is the consent of nonliberal societies required for this promotion of “liberal principles abroad”? While democratic peace theorists do not discuss the question of consent explicitly in this context, it nevertheless lies at the heart of liberal thought in general and of the democratic peace thesis in particular. After all, liberal constitutions derive their legitimacy from consent, and the presumed lack of consent in nonliberal states deprives the latter of this legitimacy.<sup>21</sup> This construction implies the assumption that populations in nonliberal states—as, indeed, all human beings in liberal thought—would, in principle, consent to liberal institutions. Yet as the

14. Again, the arguments vary slightly. Russett sees two possible explanations for the peaceful behavior of democracies. The cultural model assumes that the norms of peaceful conflict resolution in domestic affairs are projected onto foreign affairs, while the institutional model assumes that the constraints operating in democratic decision making provide time for alternative forms of conflict resolution. The cultural model is not based on Kant and, therefore, falls outside the purview of this article. The critique developed later in this article, however, is also valid here inasmuch as this model, too, defines “the culture, perceptions, and practices” of liberal states as peaceful, and consequently has to look for the sources of war and aggression in nonliberal states. Russett 1996b, 92. The critique I develop below does not take issue with the hypothesis that liberal publics perceive themselves as peaceful and nonliberal states as aggressive, but rather with the theoretical sources of this perception.

15. See Kant 1957, 16–20; and Doyle 1996, 26.

16. See Doyle 1996, 26; and Kant 1957, 20–23.

17. Doyle 1996, 31f.

18. Kant 1957, 24–32.

19. Doyle 1996, 49.

20. *Ibid.*, 50.

21. *Ibid.*, 10, 32.

need for a promotion of liberal values indicates, this consent is not always forthcoming. External and internal barriers—political repression, or nonliberal cultural traditions, or simply a lack of exposure to the benefits of liberal life—may prevent an open or conscious embrace of liberal institutions.

In such situations, as Doyle's excellent historical analysis reveals, the "dominant tendency leads toward interventionism" irrespective of consent.<sup>22</sup> Yet this interventionism may be counterproductive, and Doyle explicitly advocates the extension of the right of military nonintervention to nonliberal governments.<sup>23</sup> Specifically, instead of force he advocates economic means—sanctions or restricted interaction with nonliberal states, and extended aid and trade with liberal or transitional states—to promote liberal principles abroad.<sup>24</sup>

However, Doyle does not advocate nonmilitary means as a matter of principle, but rather consistently for reasons of prudence,<sup>25</sup> and he demonstrates that the historical record of interventionism—far from constituting a departure from liberal principles—is fundamentally rooted in them. The promotion of "pacifist" means is of great importance for liberal thought, as MacMillan has argued,<sup>26</sup> and I return to its significance later. For now, however, one must conclude that the democratic peace thesis, while offering a normative constraint against the use of force between liberal states, does not provide such constraint for the relations between liberal and nonliberal states. The thesis thus fulfills the third criterion for the justification of imperialism. The explicit aim to change the cultural, economic, and political constitution of nonliberal states without the consent of the population clearly implies the denial of rights of nonintervention for the latter.

What, then, of the normative liberal approaches? Where the democratic peace thesis starts with an empirical observation of a separate liberal peace, normative approaches start with an ideal.<sup>27</sup> Yet as I will now show, they, too, end up justifying interventions.

In establishing their ideals, the normative approaches do not follow Kant literally. The cosmopolitan democracy writers explicitly acknowledge the historically situated nature of Kant's work, going beyond its detailed analysis and reconstructing its spirit in the context of contemporary needs.<sup>28</sup> Because in a globalizing world "every aspect of a state's economic, social and political life is affected by political decisions taken in others," new limits to, as well as opportunities for, democratization have arisen.<sup>29</sup> The two elements in Kant's work that seem to address the transnational and interdependent contemporary world are his belief in the pacify-

22. *Ibid.*, 37.

23. *Ibid.*, 48ff.

24. *Ibid.*, 48, 50ff.

25. *Ibid.*, 41f.

26. MacMillan 1998, 4.

27. See Beitz 1979, 156; Rawls 2001, 128; and Archibugi 1998, 199.

28. See Linklater 1998, 5, 35, 38; and Held 1996, 228.

29. See Archibugi 1998, 205; and Linklater 1998, 5, 34.

ing effect of trade and the cosmopolitan law addressing transnational actors set out in the Third Definitive Article.<sup>30</sup>

The cosmopolitan democracy authors argue that Kant's cosmopolitan law complements the confederal nature of the pacific union set out in the Second Definitive Article, and thus allows for a representation of the world's citizens simultaneously through their states, through civil society associations, and through regional and international organizations on the global level.<sup>31</sup> Transnational issue-areas such as human rights, environmental policies, and trade policies, according to this model, should be democratically decided on by individuals and civil society associations directly represented in international organizations.<sup>32</sup>

Rawls and Beitz use Kant most crucially in the construction of the hypothetical social contract first developed by Rawls in *A Theory of Justice*.<sup>33</sup> Beitz applies this Rawlsian original position to humanity at large for the purpose of developing global principles of distributive justice.<sup>34</sup> Rawls, following Kant's lead in the First Definitive Article of the *Perpetual Peace*, uses this hypothetical social contract first to establish "the liberal political conception of a constitutionally democratic regime."<sup>35</sup> Rawls then proposes a second original position—in which this time the representatives of liberal peoples find themselves behind the veil of ignorance, choosing the principles of the "law of peoples"—followed by a third and final original position that now includes the representatives of liberal and decent peoples (defined by a reasonable conception of justice, basic institutions meeting political right and justice, and respect for a just law of peoples).<sup>36</sup>

The resulting "law of peoples" is a "realistic utopia," specifying the social conditions under which all liberal and decent peoples may belong to a reasonable Society of Peoples, identified with Kant's Pacific Federation.<sup>37</sup> Non-ideal theory then establishes the right of the Society of Peoples to defend itself against outlaw states (defined by their refusal to comply with a reasonable law of peoples), and the obligation to assist burdened societies (characterized by such unfavorable historical, economic, and social circumstances that they cannot achieve a well-ordered regime).<sup>38</sup>

All three approaches have thus constructed an ideal—cosmopolitan democracy, principles of distributive justice, a just "law of peoples"—and one now has to ask "how the social world may realize the features of a realistic utopia" which, it is claimed, "gives meaning to what we can do today."<sup>39</sup> In fact, all approaches clearly

30. See Kant 1957, 20, 32; and Held 1996, 227ff.

31. See Held 1996, 233; Archibugi 1998, 216; and Linklater 1998, 174, 192.

32. See Held 1996, 235; and Archibugi 1998, 218f.

33. Rawls 1973, 10, 12.

34. Beitz 1979 and 1983, 595.

35. Rawls 2001, 10.

36. *Ibid.*, 59f.

37. *Ibid.*, 126.

38. *Ibid.*, 90.

39. *Ibid.*, 128.

define the criteria of a liberal, democratic, or just state by which real existing states can be located in terms of their approximation to the ideal. These are, respectively: states “whose institutions conform to appropriate principles of justice,” namely the rights of individuals;<sup>40</sup> “those communities which enable policy and law to be shaped by their citizenry”;<sup>41</sup> and those in which the procedure of “the ‘holiest’ rite of democracy—free elections”—are to be found (specifically, the European Union [EU] as an “international example of cosmopolitan democracy”).<sup>42</sup> Despite Rawls’s insistence that his four categories of peoples do not conform to real, existing peoples, there are good grounds for doubt.

It is almost impossible for the reader not to associate Rawls’s liberal and decent peoples, outlaw states, and burdened societies with contemporary examples. Theoretical ideal types are by definition derived from historical reality.<sup>43</sup> As Beitz has pointed out, “Rawls writes as if he believes that some existing societies—perhaps the constitutional democracies—come close to satisfying” the definition of liberal peoples;<sup>44</sup> indeed, these societies do fulfill the criteria of, first, a constitutional regime recognizing basic equal rights and liberties for its citizens, secondly, protecting these rights over claims of the social good, and thirdly, providing primary goods enabling individuals to make use of these freedoms.<sup>45</sup> Hence, Rawls’s ideal-type peoples are necessarily derived from real, existing societies, and constitutional democracies no doubt meet his criteria of liberal peoples.<sup>46</sup> Thus all normative approaches identify some states—and not just individuals—as embodying the ideal norms.

Indeed, these states embody liberal ideals sufficiently to accord them with the task of an avant-garde advancing the ideal. Held expects the development, in the first instance, of “an association of democratic nations which might draw in others over time.”<sup>47</sup> Such an association, including the democratic civil societies, is conceived as the core of an expanding institutional framework of cosmopolitan democracy—expanding partly by way of example, and partly via beneficial civil society interventions in other states.<sup>48</sup>

The EU, especially, has institutionalized elements of a cosmopolitan democracy nowhere hitherto experienced. For this reason, Europe is presented as one of the

40. Beitz 1979, 90.

41. Held 1996, 232.

42. See Archibugi 1998, 201, 220, 215f; and Linklater 1998, 204.

43. Weber 1949, 90.

44. Beitz 2000, 680.

45. See Rawls 2001, 14; and Beitz 2000, 674.

46. Liberal states derive their rights, just as in the case of other liberal theories, from the representation of individuals (in the original position). A general accusation of state-centrism is therefore unwarranted. Only the inclusion of representatives of decent peoples, who presumably have not constituted their state via an original position, may be regarded as inconsistent.

47. Held 1996, 232.

48. Archibugi 1998, 218.



“vehicles of cosmopolitan democracy,” and an example for others.<sup>49</sup> This “model of post-Westphalian political organization” has rights of participation in the more backward solidarist and pluralist parts of the society of states—while the latter do not enjoy the same rights with regard to the more highly developed sections of international society.<sup>50</sup> What one sees here is, of course, an almost exact replication of the pacific union between liberal states in the democratic peace thesis, as well as a justification of intervention.

Beitz, meanwhile, identifies three types of states: just states (protecting the rights of individuals), states that are likely to become just “if left free from external interference,” and states that are “neither just nor likely to become just.”<sup>51</sup> While the two former kinds of states enjoy the right of nonintervention “based on respect for the rights of persons to associate in the pursuit of common ends, or to live in just regimes,” unjust states cannot claim this right; they can be intervened in, provided the intervention itself fulfills certain conditions.<sup>52</sup> Beitz consistently concludes that even colonial rule can be justified if it provides such goods as “social infrastructure, agricultural development, education and technology,” which rational members in the original position must be assumed to choose.<sup>53</sup>

Rawls, too, ends by justifying unequal law and intervention. He identifies the establishment of an ideal liberal domestic regime as the precondition for the constitution of the Law of Peoples.<sup>54</sup> The primacy Rawls attaches to the domestic constitution underlies the exclusion of outlaw states and burdened societies—who have no voice in any of the original positions—as Beitz has pointed out.<sup>55</sup> Liberal and decent peoples “have the right . . . not to tolerate outlaw states” because the latter are aggressive and dangerous and “all peoples are safer and more secure if such states change, or are forced to change, their ways.”<sup>56</sup> Burdened societies lack “the political and cultural traditions, the human capital and know-how, and, often, the material and technological resources needed to be well-ordered”; it is thus the long-term goal of well-ordered societies “to bring burdened societies, like outlaw states, into the Society of well-ordered Peoples.”<sup>57</sup>

All three normative projects thus justify interventions with the aim of changing the cultural, economic, and political constitution of nonliberal states. None of them requires the consent of the target society. In parallel to the democratic peace theorists, cosmopolitan democracy authors hold that “democracy has become a universal aspiration,” thus assuming consent to liberal institutions.<sup>58</sup> Beitz explicitly states

49. *Ibid.*, 220, 219.

50. Linklater 1998, 125ff.

51. Beitz 1979, 91f.

52. *Ibid.*, 91f.

53. *Ibid.*, 100.

54. Rawls 2001, 19, 54.

55. Beitz 2000, 676.

56. Rawls 2001, 81.

57. *Ibid.*, 106.

58. Archibugi 1998, 203.

that consent by real, existing human beings is an appropriate basis neither for government, nor for self-determination, and hence, nor for arguments against colonial rule or intervention.<sup>59</sup> Instead, consent is addressed via the hypothetical social contract in which one imagines individuals with right reason. In addition, Rawls excludes outlaw states and burdened societies, as well as their individual members, from all original positions, and, thus excludes their consent from the “law of peoples.”

Finally, all three approaches, in principle, justify the threat or use of force in the pursuit of these liberal—or ideal—foreign policies. Beitz insists on a “general permission to intervene in the course of justice” that does not exclude military force.<sup>60</sup> Rawls explicitly states that outlaw states must be “forced to change their ways.”<sup>61</sup> Cosmopolitan democracy authors, along with democratic peace theorists, strongly propagate intervention by civil society actors and nonviolent means, without, however, ruling out the use of force.<sup>62</sup>

In summary, then, empirical and normative liberal approaches identify real, existing liberal democratic states (and decent societies) as sufficiently embodying liberal norms to accord them with the rights of sovereignty and nonintervention. Further, all of them deny these rights to nonliberal or outlaw states, and thus justify particular rather than universal law. In this sense, liberal international theory justifies imperialist policies in blatant contradiction to Kant, as I argue in the next section.

## History and the Perpetual Peace

Contemporary liberal thought, I suggest first in this section, misconceives the relationship between theory and history in Kant’s work and, consequently, the nature of moral laws. Subsequently, I provide an interpretation of the *Perpetual Peace* based on Kant’s historical analyses and demonstrate that contemporary liberal thought, far from just misinterpreting Kant, develops policy recommendations diametrically opposed to those of Kant. In particular, contemporary liberal thought propagates policies that Kant identified as the source of imperialism in his time, and reifies the security dilemma between liberal and nonliberal states—thus reproducing the very sources of international conflict Kant set out to solve.

Kant argues that nature and human nature play themselves out in history, so that a survey of this history is necessary to ascertain potential goals of human development. Accordingly, he derives the values of individual freedom and equality on which the ideal of the republican constitution is based from a philosophy of

59. Beitz 1979, 76ff, 95ff.

60. *Ibid.*, 83, 91f.

61. Rawls 2001, 81.

62. See Linklater 1998, 125ff; and Archibugi 1998, 218.

history. This philosophy of history is systematically worked out in his *Idea for a Universal History with Cosmopolitan Purpose*, on whose basic assumptions the First Definitive Article relies.<sup>63</sup> However, “reason is not yet sufficiently enlightened to survey the entire series of predetermining causes, and such vision would be necessary for one to be able to foresee with certainty the happy or unhappy effects which follow human actions by the mechanism of nature (though we know enough to have hope that they will accord with our wishes).”<sup>64</sup>

Essentially, Kant recognizes the limitations of human interpretations of history. Hence, these interpretations are speculative and do not allow one to extract moral principles from empirical knowledge—though they can establish the possibility of such moral principles. Once established, it is therefore reason and not nature (history) that establishes the rules of moral conduct and “suffices for attaining the ultimate end.”<sup>65</sup> The basic principle that reason establishes for moral conduct is the universality entailed in the categorical imperative.<sup>66</sup> Moral laws are by definition universal laws and moral conduct requires the observance of these laws for their own sake “and without regard to hope of a similar response from others.”<sup>67</sup> Applied to the political sphere, Kant says that this “should be understood as the obligation of those in power not to limit or to extend anyone’s right through sympathy or disfavor.”<sup>68</sup>

The requirement of universality essentially functions as a safeguard against the potential misinterpretation of history (nature), so that Kant does not resolve or transcend the dialectic between nature (history) and reason (morality).<sup>69</sup> While they are not mutually exclusive in theoretical terms, subjectively, for real existing men and women, “this conflict will always remain . . . . Indeed, it should remain, because it serves as a whetstone of virtue, whose true courage . . . consist(s) . . . in detecting and conquering the crafty and far more dangerously deceitful and treasonable principle of evil in ourselves.”<sup>70</sup> Moral laws thus always apply to oneself, rather than to others. It is this open-endedness that makes Kant a critical philosopher.<sup>71</sup>

Quite strikingly, contemporary liberal approaches violate every single one of these principles of moral laws. Where Kant argues that one must observe moral

63. See Kant 1991 and 1957, 11–15. Kant argues that the history of humankind—from barbarians to contemporaneous Europeans—can be interpreted as a gradual development of political organization toward the realization of individual freedom. In principle, this philosophy of history is similar not only to Mill’s, which I will set out below, but to those underlying Enlightenment thought in general. See Jahn 1999 and 2000, 118ff; Mehta 1999, 88ff; and Meek 1976. Because Kant does not rely on this philosophy of history as an authoritative basis for his moral and political thought, the highly questionable contents of this philosophy of history are not of concern to the discussion in this article.

64. Kant 1957, 36.

65. *Ibid.*

66. *Ibid.*, 42.

67. *Ibid.*, 41, 42, 43.

68. *Ibid.*, 44.

69. Bartelson 1995, 276f.

70. Kant 1957, 45.

71. See Cavallar 2001, 248; and MacMillan 1995, 553.

laws for their own sake and apply them to oneself, contemporary liberals disqualify nonliberals from choosing their own laws. Where Kant argues that one must observe these laws without regard to a similar response from others, in contemporary thought liberalism becomes a precondition for equal rights. Where Kant argues that rights must not be extended on the grounds of sympathy or be limited on the grounds of disfavor, contemporary liberals extend rights on the grounds of sympathy to other liberal states, and limit them on the grounds of disfavor for nonliberal states. In short, where Kant requires the universality of law, contemporary liberals justify particularist law.

The reason for these contradictions lies in a misunderstanding of the dialectic between nature (history) and reason (theory) in Kant. The democratic peace thesis resolves this dialectic in favor of history by empirically identifying contemporary liberal states as embodying the values of freedom and equality. It thus reifies a particular reading of history from which it derives its ideals rather than treating them as regulative. Hence, the ideal is embodied in a particular part of that history that in turn underlies the particularist nature of the laws it justifies.

Ironically, the normative attempt to avoid this fate by taking the ideal rather than the real as a starting point ends up in exactly the same position. First of all, it overlooks that Kant himself derived the ideal of individual freedom and equality from a philosophy of history. Neither this origin nor its contested nature is recognized in the normative approaches. Normative liberal thought, then, dissolves Kant's dialectic in favor of theory—but because normative thinkers have to establish the relevance of this theory for political actors in the historical world, they read history in accordance with the ideal, constantly trying to identify forces that appear to approximate the ideal. These forces, as I have shown, are liberal and decent peoples, democratic European states, states that respect the rights of individuals and their civil society actors. Hence, normative theory ends up with the same empirical identification of the ideal in history, leading to the same violation of Kantian universality.

Yet it is not just the nature of moral laws that liberal internationalism turns into their opposite, but also the contents. The three elements of the justification of imperialist policies find no support in Kant. First, the justification of intervention is contradicted by the Fifth Preliminary Article, which states unequivocally that “no state shall by force interfere with the constitution or government of another state.”<sup>72</sup> Moreover, this principle of nonintervention applies “regardless of circumstances”<sup>73</sup> and is thus explicitly considered a “perfect duty” by Kant. This reading is further strengthened by the centrality of the categorical imperative establishing the necessary universality of law.<sup>74</sup> International right must be based on the prin-

72. See Kant 1957, 7; and Hurrell 1990, 200.

73. Kant 1957, 7, 8.

74. See MacMillan 1995, 554; Cavallar 2001, 244; and Hurrell 1990, 199.

principle of equality, and cannot confer rights of intervention on liberal states while denying them to nonliberal states.<sup>75</sup>

Second, Kant clearly expected republican constitutions to arise out of an internal political process, rather than to be established through outside interference, as Beitz himself recognizes. That is, republican constitutions rest, theoretically and practically, on the consent of the population. Yet Beitz suggests that the goal of spreading liberalism or republican constitutions may override the principle of nonintervention—in other words, that the Definitive Articles, especially the First, are more “basic” than the Preliminary Articles.<sup>76</sup> However, Kant was explicit that constitutional reform is an imperfect duty, allowing for subjective latitude according to the circumstances, and is thus subordinate to the perfect duty of a state to “preserve its own existence” (which has to be executed at once) as well as to the perfect duty to refrain from intervention. Hence, constitutional reform is neither more basic than the principle of nonintervention nor a precondition for international rights and obligations but, if anything, is subordinate to them.<sup>77</sup>

Consequently and third, the use of force for the purpose of spreading liberalism would not only violate the principle of nonintervention but also the principle that republican constitutions must rest on consent. Moreover, a justification of force for the purpose of spreading liberalism, or republican constitutions, directly contradicts the perfect duty of a state to defend itself. Practically, such a position would imply that liberal states have a right to use force against nonliberal states who, in turn, have a duty to defend themselves—amounting to a vicious circle of wars that would fit rather awkwardly into Kant’s goal of perpetual peace.

Thus none of the three criteria of a justification of imperialist policies can be derived from Kant. Still, this does not by itself undermine that justification; nor does it establish the relevance of a more appropriate reading of Kant. I now develop an interpretation of the *Perpetual Peace* in accordance with Kant’s theoretical position on the relationship between history and theory, and return to the weaknesses of the liberal justification of imperialism later.

Because Kant’s republican constitution—or more generally liberal ideals—are not unambiguously identifiable in history, they cannot provide the starting point for an attempt to solve the problem of war. Hence, the order of Kant’s argument in the *Perpetual Peace*: he starts with an analysis of the wars of his time, proceeds to formulate preliminary and definitive articles that would make these wars impossible, and finally ensures their compatibility with the ideal in the two appendices.<sup>78</sup> He identifies three historically specific elements contributing to wars—located respectively on the domestic, the international, and the transnational level.

75. Cavallar 2001, 241.

76. Beitz 1979, 82.

77. See Cavallar 2001, 246; and MacMillan 1995, 558.

78. Kant 1957, 35–53.

His solutions, the three Definitive Articles, are therefore derived from, and substantively linked to, these concrete historical analyses.

Kant clearly characterizes the nature of wars in his time. Rulers are “insatiable of war”; wars are pursued for the glory of the state, defined as “continual aggrandizement”; the state is seen as the property of rulers that can be “inherited, exchanged, purchased, or donated,” even “espoused”; and wars are financed by debt, crippling the development of the domestic economy—in short, Kant refers to wars between absolutist states in Europe.<sup>79</sup> Absolutist states, as Kant rightly points out, are seen as the property of the rulers, and wars between absolutist states are generally fought for territorial gains that, in turn, benefit the rulers as proprietors of the state, and certainly not the population.<sup>80</sup>

This very specific historical situation underlies Kant’s central argument in the First Definitive Article: that the civil constitution of every state should be republican. Liberal approaches pick up this ideal of the republican state and demonstrate that contemporary liberal democratic states fulfill Kant’s criteria of a republican constitution.<sup>81</sup> This equation of contemporary liberal states with Kant’s republics has been challenged on empirical grounds. Critics have pointed out that in modern liberal states, sections of the population do benefit from wars, that not all sections of society vote, that liberal states rarely—if at all—hold referenda on questions of war and peace, and that liberal populations can be shown to have been in favor of war.<sup>82</sup>

These empirical challenges are not just accidental. They reflect the systematic differences between absolutist and liberal capitalist states. For here the government is not the “proprietor” of the state; instead private actors may indeed gain from wars, and they are represented in government. Accordingly, there is no need for referenda on war and peace, and liberal populations have often supported wars. Hence, the republican constitution is not a solution to war if the interests represented through it may benefit from war. The First Definitive Article is, therefore, not automatically relevant for the contemporary world. While it may plausibly be argued that there is an institutional “match” between Kant’s republics and contemporary liberal democratic states, this ahistorical institutional comparison misses the core of Kant’s argument—peaceful policies will be represented through such institutions if and when the citizens do not gain from war—and it obscures the presence of specifically liberal interests in war.

In the Second Definitive Article, Kant identifies the security dilemma at the international level as contributing to wars: “Peoples, as states, like individuals,

79. *Ibid.*, 3–6.

80. See Teschke’s analysis of wars between absolutist states and the defining role of all the characteristics of war mentioned by Kant. Teschke 2003, 181ff.

81. See Doyle 1996, 5f; Russett 1996a; Owen 1996; Rawls 2001, 8; Held 1996, 232; Archibugi 1998, 201; and Beitz 1979, 90.

82. See Czempiel 1996; Cavallar 2001, 237f; MacMillan 1995, 556; Gates et al. 1996, 2; Franceschet 2000, 284f; Kubik 2001; Barkawi 2001; and Rupert 2001.

may be judged to injure one another merely by their coexistence in the state of nature"; and he proposes the Federation of Free States as a solution.<sup>83</sup> Liberals understand this federation as an exclusive club of liberal states, or a separate liberal peace, poised against aggressive nonliberal states. This interpretation, again, has been challenged widely. Logically, such a reading contradicts the argument in the First Definitive Article. If citizens tend to avoid war because of its costs, they have to avoid all (costly) wars, not just those against other liberal states.<sup>84</sup>

Historically, Kant established guidelines for behavior in a diverse international system—prior to worldwide liberalism and peace—and accorded nonliberal Prussia with full rights. He states clearly that the Federation should gradually encompass all states and aim only at “the maintenance and security of the freedom of the state itself” (not its citizens).<sup>85</sup> While Kant clearly expected a “powerful and enlightened” republic to assist in setting up this Federation of Free States, the latter is open to all sovereign states, not just to republican or liberal states, and is designed as a collective security arrangement dealing with aggression, rather than regime type.<sup>86</sup>

In this case, because of the previous equation of liberal states with peaceful foreign policies, the ahistorical liberal reading misses the generality of the security dilemma. Ironically, the separate liberal peace does nothing else but to rearrange the parties to this dilemma—which is now played out between liberal and nonliberal states, and may even provide peculiarly liberal grounds for aggression against nonliberal states, resulting in more rather than less wars.<sup>87</sup> Yet the Second Definitive Article, understood as a response to a general security dilemma, is eminently relevant for the contemporary diverse states system.

In the Third Definitive Article, Kant turns to transnational sources of war and injustice, that is, to the imperialism of his day. Liberal theorists use this article to underline the pacifying potential of transnational, particularly economic, interaction.<sup>88</sup> On this basis, they propagate interference in nonliberal states through private actors and by economic means.<sup>89</sup>

While Kant undoubtedly believed in the pacifying potential of transnational interaction, he clearly identifies the interests of the “civilized and especially the commercial states” of his time (Britain and the Netherlands) as the source of imperialism.<sup>90</sup> This imperialism was based on the assumed right to trade, imposed on others; it constituted, according to Kant, “an injustice carried to terrifying lengths”<sup>91</sup>

83. Kant 1957, 16.

84. See Gates et al. 1996, 4; Cavallar 2001, 233f; Layne 1996; and Faber and Gowa 1996.

85. Kant 1957, 18.

86. See MacMillan 1995, 557, 559; Cavallar 2001, 244f; and Hurrell 1990, 193.

87. See Hurrell 1990, 193; Cohen 1994; MacMillan 1995, 551; Cavallar 2001, 244; Franceschet 2000, 287; and Duvall and Weldes 2001.

88. Beitz 1979, 144.

89. See Doyle 1996, 50; and Archibugi 1998, 218.

90. Kant 1957, 21–23.

91. *Ibid.*, 21.

and thus a transnational barrier to peace. Consequently, the Third Definitive Article demands that “The Law of World Citizenship Shall Be Limited to Conditions of Universal Hospitality,” which requires only that a refusal to interact must not lead to the death of the applicant.<sup>92</sup> Hence, Kant does not establish a right to trade but rather limits this very right. Accordingly, China and Japan were not just entirely within their rights but also wise when they refused the Europeans entry.<sup>93</sup> Trade and other forms of transnational interaction can be a means to a moral end only if they are entered into voluntarily by all parties.

The ahistorical reading of liberals picks up on the positive potential of transnational interaction and overlooks the historically specific analysis of imperialism. This results in an interpretation that is diametrically opposed to Kant’s article, which identifies the right to trade as a contribution to injustice and wars. This blindness to the historical analysis of imperialism, moreover, obscures its continuing relevance in the contemporary world. For the perpetrators Kant mentions, Britain and the Netherlands, were the most advanced liberal capitalist states at the time—not the absolutist states of the First Definitive Article.

That is, private interests within liberal capitalist states continue to pursue the opening up of markets abroad, and they continue to enlist their governments’ support, through multilateral and bilateral arrangements—conditional aid, International Monetary Fund (IMF), and World Trade Organization (WTO). While the latter agreements are formally “voluntary,” in light of the desperate economic dependence of many developing states, they are to all intents and purposes “imposed.” Moreover, the beneficiaries of these agreements—sometimes intentionally so, often unintentionally—turn out to be the rich countries. The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), it has been argued, turned the WTO into a “royalty collection agency” for the rich countries. The Structural Adjustment Programs (SAPs) connected to IMF loans have proven singularly disastrous for the poor countries but provide huge interest payments to the rich. In both cases, the “voluntary” signatures of poor states do not signify consent to the details of the agreement, but need. Obviously, trade—with liberal or nonliberal states—is not a moral obligation, yet conditional aid, like IMF and WTO policies, aims at changing the cultural, economic, and political constitution of a target state clearly without its consent.

In short, all of these policies use the economic power differentials to impose a particular order on weaker states. The liberal preference for economic means of changing the cultural, economic, and political constitution of nonliberal states thus falls squarely into the category of activities that Kant intended to rule out as a source of injustice and war. If historical imperialism had to rely more on military means, this is arguably because it had to destroy the independent economic basis

92. *Ibid.*, 20.

93. *Ibid.*, 22f.



of non-European societies before it could establish the very dependency on which contemporary “informal” means rely.

This discussion also suggests that the cosmopolitan insistence on a moral distinction between state and private actors<sup>94</sup> lacks a social foundation in liberal capitalist states. Private interests—the East India Company, the Dutch East India Company—often lay at the heart of imperialism, and these were simultaneously represented in the government of liberal states. The same holds for contemporary liberal states, so it is unclear why the direct representation of private actors in other than national state organizations—such as the EU or the UN— should be expected to lead to different policies than their representation in the state. In short, Kant’s Third Definitive Article is eminently relevant for the contemporary world.

Finally, all liberal approaches give primacy to the domestic constitution. Yet the three Definitive Articles cannot be ranked in order of presentation.<sup>95</sup> Instead, each of the three levels—domestic, international, and cosmopolitan—equally contributes to the development of each of the others, as well as to the outcome of peace. Wars between liberal and nonliberal states, or a war-prone international environment in general, indicate for Kant not just a lack of progress on the international level, but an environment in which a “fully developed republican constitution is unattainable.”<sup>96</sup> Historically, Kant’s insistence on the mutually constitutive nature of all three Definitive Articles is borne out by the frequent limitation of individual rights in the name of national security—widely acknowledged, yet not consistently theorized in contemporary liberal thought.<sup>97</sup>

In summary, then, consistent with the dialectic between history and theory, each of Kant’s articles is based on an analysis of the domestic, international, and transnational causes of historically specific wars. Yet the ahistorical reading of liberals reifies and prioritizes the republican or liberal constitution—irrespective of its questionable historical application in the contemporary world. Furthermore, instead of addressing the general security dilemma through the Federation of Free States, liberals propagate a separate liberal peace, thus reconfiguring the security dilemma as one between liberal and nonliberal states. Finally, instead of recognizing the crucial role of private interests and transnational interactions in establishing historical imperialism, liberals propagate precisely these means. This ahistorical reading of Kant does not just “inhibit criticism of liberal states themselves” by removing their particular contributions to international conflict from the analysis;<sup>98</sup> it also actively promotes the private interests and transnational activities lying at the heart

94. See Rawls 2001, 17; Beitz 1979, 121; and Archibugi 1998, 218.

95. See MacMillan 1995, 555; and Cavallar 2001, 247.

96. See MacMillan 1995, 558, 553; Cavallar 2001, 235, 238, 243; Franceschet 2000, 286; Mann 2001; and Rupert 2001.

97. See Doyle 1996, 41; Rawls 2001, 53; and Archibugi 1998, 203.

98. See MacMillan 1995, 551; Cavallar 2001, 244; Franceschet 2000, 287; and Duvall and Weldes 2001.

of imperialism, supported by the possibility of state intervention based on the denial of rights of nonintervention to nonliberal states on moral grounds.

This justification of imperialist policies stands in stark contradiction to Kant's passionate anti-imperialism. Arguably, its real roots can be traced back instead to Mill.

### John Stuart Mill and Liberalism

Mill's defense of imperialism, I will now suggest, provides a perfect match for contemporary liberal thought. Like Kant, Mill derived the liberal ideals of equality and freedom from a philosophy of history. But unlike Kant, Mill was an empiricist; he therefore allowed this history to provide the basis of his political and international theory.<sup>99</sup> A brief look at the contents of this philosophy of history should serve to clarify this point.

Mill identified four stages of development in history. Of these, modern civilization is the highest and "distinguishes a wealthy and powerful nation from savages or barbarians."<sup>100</sup> It is characterized by commerce, manufacture and agriculture, cooperation and social intercourse, and law, justice, and protection of people and property; it exists in modern Europe, and especially in Britain.<sup>101</sup> Furthermore, the mode of government found in Britain—representative government—is the "ideal type of a perfect government" because it best allows for the development of individual liberty.<sup>102</sup>

Mill then proceeded to sketch three earlier stages of development in the history of humankind, for each of which a different form of government is best suited for progressing to the next stage. There is, first, the stage of savagery, characterized by personal independence, the absence of a developed social life, and a lack of discipline either for unexciting work or for submission to laws.<sup>103</sup> Savages must learn to obey, and this is achieved through slavery and despotism as the appropriate form of government.<sup>104</sup> This second stage of development, slavery, requires a government "which possesses force, but seldom uses it" in order to raise the people "from a government of will to one of law."<sup>105</sup> Subsequently, one finds the third stage of civilizational development, barbarism, which is characterized, above all, by "mental" shortcomings such as an inveterate spirit of locality, passivity, ignorance, rudeness, attachment to tradition, and general "positive defects of national character," making representative government impossible.<sup>106</sup>

99. Mill 1987, 188.

100. Mill 1977, 119.

101. *Ibid.*, 120f.

102. Mill 1977, 122, and 1998b, 256.

103. Mill 1998a, 232, 260, and 1977, 120.

104. Mill 1998a, 232f.

105. *Ibid.*, 233f.

106. *Ibid.*, 261–64, 212.

Mill did not believe that progression from one stage to the next was an automatic process: stagnation and even regression are the order of the day for “large portions of mankind.”<sup>107</sup> Historically, two different roads to civilizational development can be identified. The first is the exception, namely, government through an indigenous leader of extraordinary genius; the second is the rule, namely, government through a culturally superior power carrying the people “rapidly through several stages of progress, and clearing away obstacles to improvement which might have lasted indefinitely if the subject population had been left unassisted to its native tendencies and chances.”<sup>108</sup>

Similar to contemporary liberals, Mill identified the highest stage of development empirically with European, and especially British, culture and political organization. This identification necessarily entails the separation of humanity into a civilized and an uncivilized part, which provides the basis for two different principles governing the conduct of international relations.

These “true principles of international morality” are based on the distinction between culturally superior and inferior peoples.<sup>109</sup> “To suppose that the same international customs, and the same rules of international morality, can obtain between one civilized nation and another, and between civilized nations and barbarians, is a grave error, and one which no statesman can fall into.”<sup>110</sup> Mill gives two main reasons for this distinction:

In the first place, the rules of ordinary international morality imply reciprocity. But barbarians will not reciprocate. They cannot be depended on for observing any rules. . . . In the next place, nations which are still barbarous have not got beyond the period during which it is likely to be for their benefit that they should be conquered and held in subjection by foreigners.<sup>111</sup>

Relations among civilized nations should be governed by the principle of equality. Mill supported the principle of free trade. He also suggested that international law and an International Tribunal are “now one of the most prominent wants of civilized society.”<sup>112</sup> “Among civilized peoples, members of an equal community of nations, like Christian Europe,” aggressive war, conquest, and annexation are out of the question; what needs to be decided in this relationship between civilized nations is the question of interference.<sup>113</sup> In general, Mill argued for a principle of nonintervention because “a government which needs foreign support to enforce the obedience of its own citizens, is one which ought not to exist.”<sup>114</sup> Similarly, a people whose desire for, and capability of achieving, freedom against

107. *Ibid.*, 224, 241.

108. *Ibid.*, 264, 231, 234f.

109. Mill 1989, 195.

110. Mill 1984, 118.

111. *Ibid.*

112. Mill 1998a, 441.

113. Mill 1984, 120.

114. *Ibid.*, 121.

its own government is not strong enough, will not be able to retain the freedom given to it by foreign intervention.<sup>115</sup>

The same principle applies to the white settler colonies.<sup>116</sup> Mill recommends the continuation of this form of international organization on the grounds that it can be considered a step “towards universal peace, and general friendly co-operation among nations.”<sup>117</sup> The bonds between Britain and its settler colonies make war between the members of the Commonwealth impossible, protect them from outside aggression, and prevent them from becoming aggressive powers in their own right; furthermore, they ensure an open market between members and add weight to the moral influence of Britain in the world, that is, to the “Power which, of all in existence, best understands liberty . . . and has attained to more conscience and moral principles in its dealings with foreigners, than any other great nation seems either to conceive as possible, or recognize as desirable.”<sup>118</sup> Despite this preference for international integration through institutions such as the Commonwealth, Mill clearly stated that the settler colonies are entitled to the full rights of sovereignty and nonintervention.

In contrast, relations between civilized and barbarian peoples should take the form of a hierarchy. If the culturally inferior population is in the majority, as in India, “the conquerors and the conquered cannot . . . live together under the same free institutions” because the absorption of a culturally superior people into an inferior civilizational stage would be an evil. The conquered have to be governed by despotism that “is the ideal rule of a free people over a barbarous or semi-barbarous one.”<sup>119</sup>

It is clear, then, that Mill did not just utter *A Few Words on Non-Intervention* pertaining to sovereign European states, as his commentators in international relations suggest. Rather, he provided an overall theory of international relations. What governs the selective application of the right to sovereignty is the stage of civilizational development set out in his philosophy of history. Therefore, the attempt in international relations to separate *A Few Words on Non-Intervention* from Mill’s “eurocentrism,” which Brown, Nardin, and Rengger relativize by pointing out that it only expressed the common prejudice of his time,<sup>120</sup> overlooks that precisely this “prejudice” lies at the heart of Mill’s philosophy of history and provides the principle on which the whole of Mill’s theory of international relations rests.

Moreover, this selective reading also obscures the fact that Mill’s arguments for not extending rights of sovereignty and nonintervention to noncivilized peoples

115. *Ibid.*, 122. It is this problem, of intervention between sovereign European states, to which discussions of Mill in international relations are generally restricted. See Bull 1977, 251f; Beitz 1979, especially part II, chaps. 2 and 3; Vincent 1974, 54–56; Walzer 1992, 87–96; Jackson 1990; and Brown, Nardin, and Rengger 2002. For a recent detailed discussion of the development of Mill’s position on nonintervention between European states and its exceptions, see Varouxakis 1997.

116. Mill 1998a, 449.

117. *Ibid.*, 451.

118. *Ibid.*

119. Mill 1998a, 454.

120. Brown et al. 2002, 465.

are perfectly mirrored in contemporary liberal thought. Firstly, nonliberal or “out-law states” are defined by their refusal to comply with international law—they do not reciprocate—and thus must be denied the right to sovereignty and nonintervention.<sup>121</sup> Secondly, intervention is an appropriate means to speed up the development toward liberalism in the interests both of the target population as well as “of all peoples,” who will be “safer and more secure” once the sources of “aggressive and dangerous” behavior are removed.<sup>122</sup>

Despite these parallels, there are also some differences between Mill and contemporary liberals. Most obviously, Mill considered formal colonial rule the ideal government of barbarians, while this is certainly not the view of contemporary liberals. However, both historical evidence and Kant’s argument for the republican constitution demonstrate that the institutional form a hierarchical international order takes is not decisive. In terms of justification, Mill and contemporary liberals deny equal rights to nonliberal or noncivilized states on exactly the same grounds: they are defined as aggressive and will benefit from the accelerated development of liberalism or civilization. The realization of such a hierarchical order, on the other hand, depends on the means available, and here, as liberals readily point out, the contemporary interdependent world offers a greater and more efficient range of informal means than were available in Mill’s time.

Yet are Mill’s “civilizations” comparable to the contemporary liberal emphasis on “regime type”? Yes, for Mill identified “civilization” with representative government theoretically and practically. While the culturalist version of the democratic peace thesis mirrors Mill’s argument regarding the mutually constitutive nature of government and cultural development explicitly, implicitly one finds that such a connection underlies most liberal thought.

In sum, then, Mill and contemporary liberal thought start from the empirical identification of liberal ideals in liberal states, leading to the distinction between liberal and nonliberal, or civilized and noncivilized, peoples. This distinction requires the application of particularist, rather than universal, rights of sovereignty and nonintervention, justifying the “implementation of a foreign policy of intervention” that “constitutes the fundamental nature of imperialism.”<sup>123</sup>

Hence, if contemporary liberal thought has a classical tradition, it leads back to Mill rather than to Kant, who may be regarded as “the last of the Continental republicans” rather than the first liberal.<sup>124</sup> Mill, however, provides a perfect match for contemporary liberal thought—and this not despite, but because of, the fact that he justified imperialism.<sup>125</sup>

The awareness of such a tradition is useful, as Hoffmann has argued, because “philosophers of history have a disarming way of making explicit, and even cen-

121. See Rawls 2001, 5; Mill 1984, 118; Doyle 1996, 31f; Linklater 1998, 166f; and Archibugi 1998, 218.

122. Rawls 2001, 81.

123. Souffrant 2000, 136.

124. Onuf 1998, 250.

125. Sullivan 1983, 599.

tral, assumptions about man, society, and history which are often repressed but nevertheless operating in all social scientists' schemes."<sup>126</sup> In the case of Mill and contemporary liberalism, however, these assumptions have political implications that require serious and systematic reflection. As I argue in the next section, a close reading of Mill is more than a prompt to critical self-reflection; it may also address part of the predicament of contemporary liberalism.

### Mill's Political Theory

The classical roots of contemporary liberalism, I have argued, do not go back to Kant but rather to Mill, and they do entail the justification of imperialism. Yet this imperialism, it can be argued, may still be justified if it successfully reduces international conflict and spreads individual freedom and equality. It is, however, at this point that the quagmire deepens beyond rescue. For both Mill and contemporary liberal thinkers, this move depends, on the one hand, on the empirical realization of these liberal values in civilized or liberal states, and on the other hand, on the assumption that liberal ideals can be realized through the illiberal means of unequal rights. Unlike contemporary liberals, however, Mill provides a critical analysis of modern civilization in his political theory, which can serve as a starting point for a critical assessment of the first claim. The policies he advocated for the advancement of liberal ideals in modern society help to problematize the second claim.

Mill's domestic political theory reveals a curious and alarming inversion of the claims he made in his philosophy of history and his international theory. The very civilization that represented the highest stage of the development of individual liberty in the latter is here depicted as a form of society "which in its uncorrected influence . . . has . . . a tendency to destroy" the highest goods, namely individual liberty.<sup>127</sup> Modern civilization is characterized by a loss of "individual energy and courage," pride and self-reliance, "slavery" to artificial wants, "the dull unexciting monotony" of life, absence of individuality, and "great inequalities in wealth and social rank"; the wants of "the great mass of the people of civilized countries . . . are scarcely better provided for than those of the savage, while they are bound by a thousand fetters in lieu of the freedom and excitement which are his compensations."<sup>128</sup>

Mill insists that all the inventions of which civilization is so proud have not "lightened the day's toil of any human being."<sup>129</sup> Civilization, in his analysis, has neither initiated material progress for the benefit of human beings, nor achieved the development of individual liberty. Mill comes to the conclusion that in the

126. Hoffmann 1959, 355.

127. Mill 1977, 135.

128. Mill 1987, 182.

129. Mill 1998b, 129.

highest form of modern civilization, Britain, “society is itself the tyrant—society collectively over the separate individuals who compose it—its means of tyrannising are not restricted to the acts which it may do by the hands of its political functionaries.”<sup>130</sup>

Mill’s domestic and international thought together, in effect, demonstrate that different cultures display different forms of the oppression of individuality and liberty. While this analysis of modern civilization clearly removes the basis of Mill’s claim that modern civilization uniquely and successfully realizes the ideals of individual freedom and equality, it also provides a fundamental challenge for contemporary liberal thought. For Mill demonstrates that constitutional liberalism does not as such guarantee individual freedom and equality—on the contrary, it jeopardizes them. Hence, unless it can be shown that the particularly liberal forms of unfreedom that Mill identifies as integral tendencies of modern civilization have been overcome in contemporary liberal states, there is no ground for according these states more rights than others. Despite these shortcomings, Mill certainly believed that modern civilization was superior to other stages of development, and that higher goods “may yet coexist with civilization.”<sup>131</sup> But as long as this remains a hope, it is not sufficient for the justification of the despotism of civilization or liberalism over the rest of humanity.

This hope, however, motivated Mill to work out remedies for these “vices and miseries of civilization.”<sup>132</sup> Yet as I show below, the remedies themselves rather tend to undermine this hope. In the domestic sphere, he argues for the protection of the private sphere from the pressures of public opinion; freedom of thought and discussion; development of individual genius and mental superiority; promotion of free trade; support for different forms of education, including elite education; and weighted suffrage.<sup>133</sup>

In addition, in order to diversify and enrich the narrow and limited tendencies of modern civilization, he prescribes the study of the “opinions of mankind in all ages and nations,” including the study of the noble manifestations of the cultures of “Athens, Sparta, Rome; nay, even barbarians, as the Germans, or still more unmitigated savages, the wild Indians, and again the Chinese, the Egyptians, the Arabs.”<sup>134</sup> Furthermore, to counteract the unlimited increase of wealth and population resulting in the destruction of the earth’s “pleasantness” for the mere purpose of supporting a larger “but not a better or happier population,” he recommends the abandonment of economic growth in favor of the stationary state.<sup>135</sup>

130. See Mill 1975, 6, and 1987, 182.

131. Mill 1977, 135.

132. *Ibid.*, 119. Mill develops the theoretical argument for the integral tendencies of civilization to suppress individuality mainly in *Civilization*, while *On Liberty* is devoted to propagating the counter-measures society should adopt.

133. See Mill 1975, 14, 17ff, 53ff, 88, 98, and 1998b, 335–38.

134. Mill 1987, 148, 200.

135. Mill 1998b, 126, 129.

Thus Mill's remedy for the "vices and miseries of civilization" is the introduction of as much plurality as possible in society, which can only be ensured if no community "has a right to force another to be civilised."<sup>136</sup> Not even in the name of the necessary defense against barbarism can this right be established, because it would mean the degeneration of civilization to such an extent that it were better to be "destroyed and regenerated (like the Western Empire) by energetic barbarians."<sup>137</sup>

Apart from the fact that these recommendations of cultural diversity, coexistence, and nonintervention are diametrically opposed to his international policies of assimilation, hierarchy, and intervention, Mill supports policies such as weighted suffrage and elite education, which themselves violate the liberal ideals of freedom and equality. This contradiction has historically and theoretically been part and parcel of liberal thought and practice. Whereas all human beings were supposed to be "born equal, free, and rational," this birthright, from Locke onwards, has never been enough; liberal "political inclusion is contingent upon a qualified capacity to reason."<sup>138</sup>

Hence, the use of illiberal methods must be seen as a central feature of liberal political reason distinguishing between those who can be governed through the promotion of liberty and those who cannot. Traditionally, these distinctions have most commonly been made along gendered and developmental lines, excluding women, children, the mentally handicapped, slaves, workers, and so on in the domestic sphere, as well as non-European cultures in the international sphere, from rights of freedom and equality.<sup>139</sup> In the domestic sphere, Mill excluded workers from suffrage on the grounds that their lack of education amounted to a lack of the requisite reason, while internationally, non-European cultures were excluded on the same grounds.<sup>140</sup>

In contemporary liberal thought, too, it is widely assumed that it is not the actual consent of real, existing people that establishes legitimacy, but the "hypothetical contract" that "would be consented to by rational persons" or by hypothetical "liberal and decent peoples" who are by definition rational.<sup>141</sup> In short, the rationality with which all human beings are born does not constitute sufficient grounds for equal rights of freedom. Hence, in propagating unequal rights of sovereignty and nonintervention, contemporary liberal thought denies the fundamental claim of equality and freedom as a universal birthright from which liberal ideals are derived in the first place.

136. Mill 1975, 86.

137. *Ibid.*, 120.

138. Mehta 1999, 49, 60.

139. Hindess 2004.

140. Mill 1998a, 335–38. See Mehta 1999 for a discussion of the role of education in raising these groups to the required level of rationality.

141. See Beitz 1979, 80; and Rawls 2001, 32.



Yet these illiberal means are certainly thought of as a temporary measure designed to remove barriers to the realization of liberal ideals by the population, such as autocratic governments. The recent Iraq war is a case in point. It also demonstrates, however, that should the population not, or not unanimously, act in accordance with this expectation, the temporary measures of oppression and violence are extended in time and become themselves necessary for the forced development of reason. Thus one has a perfect parallel to Mill's justification of imperialism, in which despotic government is necessary to prepare the population for the next stage of civilization.<sup>142</sup> This line of argument, however, certainly denies the liberal claim that human beings are born equal, free, and rational—for in that case, there would be no need for force. If this claim is relativized, then the values spread by liberalism are no longer equality and freedom, but a particular form of rationality. Spreading liberal values by illiberal means necessarily betrays these values.

Contemporary liberal justifications of intervention in nonliberal states are therefore imperialist, not because of their universality, but rather because of their particularity. Their starting point is the claim that only a particular part of the world's population is actually capable of governing itself. This claim trumps the universal claim that all human beings are, from birth, endowed with the necessary reason on which the political rights of freedom and equality rest. It is this particularist starting point that underlies the justification of a particular, rather than universal, right of sovereignty and nonintervention.

A closer reading of Mill, therefore, not only reveals the parallels with contemporary liberal thought; it also explains the plight of liberal internationalism. Mill provides an analysis of liberal capitalist society that demonstrates, at a minimum, that constitutional liberalism as such does not guarantee individual rights of freedom and equality, and thus undermines the claim on which the special rights of such societies rest. Moreover, Mill's attempt to solve these shortcomings of liberal capitalist societies by illiberal means also reveals that such methods fundamentally contradict the theoretical basis of liberalism, and hence cannot be successful in spreading liberal values domestically or internationally.

## Conclusion

A historically sensitive reading of Kant and Mill can explain the “striking failures” of liberal internationalism in reducing international conflicts as well as spreading liberal ideals.<sup>143</sup> These failures, however, do not just consist in a nonattainment of these goals, but rather in an active, if involuntary, contribution to international conflicts based on the propagation and justification of imperialist policies.

142. Applied to other cases of exclusion from equal rights, the logic of this argument implies that women, or indeed, non-European peoples, have only developed the requisite reason for the rights they now enjoy through the forceful denial of these rights in the past.

143. See Doyle 1996, 30; and Carothers 2002.

As I have shown in this article, the whole edifice of contemporary liberal thought rests on the assumption that liberal states embody liberal ideals of freedom and equality that, in turn, make these states more peaceful than nonliberal states. Yet neither Kant nor Mill, on closer reading, can provide support for this assumption. Theoretically, Kant denied the possibility of an empirical identification of such ideals and, historically, linked the peaceful nature of republican constitutions to the property relations pertaining to absolutist states. Mill also demonstrated empirically that representative government as such could not ensure individual freedom and equality.

Contemporary liberal thought, despite its criticism of liberal foreign policies and, in the case of Doyle, its perceptive reading of Kant, persistently fails to take up this critical, reflexive legacy of its classical forbears. The shortcomings of liberal foreign policies are seen in their inconsistent application,<sup>144</sup> thus leaving unchallenged the unsubstantiated belief in the peaceful nature of liberalism itself. All liberal theories argue that the liberal peace has its roots in liberalism itself—and thus do not just present empirical facts.

In this sense, liberals today write from “within the liberal world,” identifying problems for that world whose source, by definition, can only lie with “the vast number of people beyond its borders.”<sup>145</sup> Viewing themselves in this way, liberal states are by definition confronted with an external environment populated by non-liberal and aggressive states. The security dilemma that liberal thought claims to transcend has therefore been reinserted at the very heart of liberal international theory—removing the first distinctive pillar on which liberal contributions to international relations are claimed to rest. It is this moral superiority of liberalism that provides the grounds not only for denying similar moral worth to nonliberals, but also for denying them equal rights of sovereignty and nonintervention.

This specifically liberal security dilemma, however, may not be of paramount importance if, as liberals assume, all people really aspire and consent to liberal institutions and values. Where this consent is absent, it is argued, economic and transnational interaction will soon demonstrate the benefits of liberalism, thus providing liberals with nonmilitary means of intervention—and these provide the second distinctive pillar of liberal internationalism.

Unfortunately, however, both Kant and Mill demonstrate in their historical analyses that imperialism can have its origins precisely in the transnational activities of such private actors and their economic interests. “It has been the destiny of the government of the East India Company,” says Mill, “to suggest the true theory of the government of a semi-barbarous dependency by a civilized country.”<sup>146</sup> There can be no clearer expression of the fluency and inseparability between private inter-

144. See Beitz 1979, 83; Doyle 1996, 49f; and Rawls 2001, 53.

145. Onuf 1998, 246.

146. Mill 1998a, 466, 396–98, 406f, and 1998a, 182.

ests and government in the constitution of historical imperialism. There is, then, nothing inherently peaceful about economic interaction; rather, as Kant suggests, economic interaction can make a positive contribution if it is entered into voluntarily.

Yet economic interaction in liberal thought explicitly aims at changing the cultural, economic, and political constitution of nonliberal states, and is thus, almost by definition, not entered into voluntarily. The consequences of the resultant resistance of at least a part of the population are perfectly described by Mill: “a civilized government cannot help but having barbarous neighbours: when it has, it cannot always content itself with a defensive position, one of mere resistance to aggression.”<sup>147</sup> In defense of its liberty, the civilized government will either have to conquer these neighbours or to exert so much authority that it breaks their spirit and they become dependent on it.<sup>148</sup> India, of course, only became Britain’s “neighbor” through the private interests and transnational interactions of the East India Company. It was this private and economic “liberty,” represented in the British government, which then had to be defended.

The very same dynamics are described by Doyle not just for the period of imperialism but also for that of the Cold War: private property or free enterprise abroad, when it meets with local resistance, calls for protection by the state.<sup>149</sup> At this point, the peculiarly liberal security dilemma plays a crucial role. While there can be no doubt that liberal authors aim to restrict the number of interventions in comparison to Cold War practice, these restrictions are always based on prudential grounds.<sup>150</sup> Yet as Doyle has shown, it is the very assumption of the aggressive nature of nonliberal states that stands in the way of conflict resolution and generates additional incentives for intervention.<sup>151</sup>

This explains the uncanny historical parallels that can be found in the ongoing involvement of the United States in Iraq. From the late 1970s onwards, a longer-term attempt to exert influence in the nonliberal Middle East came to include support for the buildup of Iraq’s military forces, thus incurring a moral responsibility for its genocidal policies against Kurds and Shiites; the eventual dismantling of this military power necessarily involved its replacement with a “liberal” occupation, in effect producing a dependency—exactly in the way in which Mill described the process of the British involvement in India.

Moreover, Iraq also demonstrates that liberal justifications of intervention are based on the nature of nonliberal societies in general, rather than on their actual behavior. Iraq was aggressive, it had weapons of mass destruction; when these were not found, it was aggressive because it surely supported terrorism; lack of

147. Mill 1984, 119.

148. See also Mehta 1999, 16.

149. Doyle 1996, 38, 40.

150. See Beitz 1979, 91; and Doyle 1996, 50–54.

151. Doyle 1996, 32, 41.

evidence for this still always leaves, by definition for nonliberal states, aggression against its own population, which calls for intervention. This explains the ease with which nonliberal states can be added onto and subtracted from the list of “rogue states” or the “axis of evil.” The category of “outlaw states” is problematic not because noncompliance with international law should go unanswered, but because actual compliance in particular cases are not the grounds for “liberal” justifications of intervention. Hence, not all interventions are imperialist, but all liberal justifications of interventions are.

On the basis of this theory, liberal states face an indefinite security dilemma whose consequences are a deepening complicity in unfreedom and inequality internationally. Further, all nonliberal states permanently live under the threat of force. Finally, in the name of this security dilemma—the “war on terror,” or previously, the communist threat—liberal rights in the domestic sphere are restricted. This liberal security dilemma is not an advance on its realist counterpart, but generates the same “self-fulfilling prophecies” from which the latter suffers.<sup>152</sup>

The political dynamics resulting from this theory never were confined to the situation of the Cold War. The revival of imperialist policies after the end of the Cold War can thus not be blamed on the extraordinary political challenges of the last decade, or on the nature of the George W. Bush administration—they arise, after all, from the very core of liberal international theory that shares its aims, justifications, and means with imperialism.

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152. Cavallar 1999, 152.

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