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THE IDEA OF PEACE AND THE IDEA OF HUMANITY

There is a tendency today to substitute the affirmation of the *absolute value* of peace for an earlier, fully-formulated ideal of universal peace. This formula, if I am not mistaken, bears the mark of a new exigency: how to maintain the philosophical task, that is, give a basis to the idea of peace that does not arise solely from circumstantial considerations—however imperious they may be, since they come from the knowledge of the danger that a new world war would bring to entire populations—without again falling under Utopian illusions that have fed the projects of perpetual peace. However, some of the difficulties with which the present consideration will deal give a glimpse of the definition of peace as an absolute value. I think it would be wise to examine this definition briefly in order to clear a way for myself.

The concept of value, taken in its philosophical acceptance, comes from a modern way of thinking. We would look in vain for

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traces of it in philosophy before the last century. It implies the reference to a Subject that, in the absence of an extrinsic guarantee, draws from itself the principle of discrimination between the desirable and the undesirable, the good and the bad, the beautiful and the ugly. It is no doubt tempting to discover in Kant's doctrine, and in the division it installs between theoretical reason and practical reason, the premises of the modern conception of value. But again we must agree that it is out of place there, since the Kantian Subject finds in its own will the sign of an unconditioned foundation, even while it escapes from knowledge. In a general way, as long as the idea of a standard of human behavior is affirmed, with reference to Nature, Reason or God, the notion of value cannot acquire a meaning. Let us add that it was still foreign to the philosophies of history, whether they were of the Hegelian or Marxist type. Whether history is conceived as that of the coming of the Mind to its fulfillment or as the accomplishment of the social vocation of man at the end of a series of contradictions that the development of technique and class bring about, in both cases the position of knowledge as knowledge emerging from the effectively real process of which it holds the key, excludes the arbitrariness of the Subject. It is rather toward Nietzsche that we must turn to clarify the new disposition of thinking in terms of value, since his work implies a systematic destruction of all standards. But my purpose is not to give a historical account of the concept of value. I will be satisfied with pointing out that it was diffused, in the 19th and much more in the 20th century, in philosophy and human sciences to support, first, a new conception of existence—such as can only be done within limits of proof of sense or non-sense—a conception that will later receive the name of existentialism; second, a theory of the historical relativity of world views, which will be called historicism; and third, a theory of the irreducible plurality of cultures, whose end will be cultural anthropology. No one has better responded to this triple existential, historicizing and sociologizing inspiration than Max Weber, even though the abundance of his research shows that he was at times able to escape from it. Weber pushed relativism in all its forms to the utmost, assigning in turn and simultaneously the arbitrariness of value to the *individual* (especially to the historian who constructs his object of knowledge from a reality judged itself without form); to *each*

period that gives a singular perspective for thought and action; to *each culture* that draws the generative symbols of an experience of the visible and invisible from its own essence. Consequently, his studies bear the mark of an obstinate concern to deny any universal criterion of the good and the bad, the just and the unjust, or even of the true and the false—this distinction only being valid on condition of being subordinated to the construction of the object of knowledge, which we have just said cannot be effectuated except in terms of the values of the Subject. If I think it wise to bring up Weber it is because this thinker, who, after all, as a man has nothing of the bellicose, finds, in the diversity of values—upheld as they are *absolutely* by men, peoples or cultures—the reason for perpetual war. According to Weber humanity would be destined to discord because it would be the theatre of an “inexpiable war between the gods,” as his well known formula puts it.

If we consult the contemporary work of some historians and anthropologists, we see that Weber’s pan-tragicalness has lost its appeal to the profit, unfortunately, of a vague relativism that excludes reflection on his principles as well as on their practical consequences. I have thought for a long time that he fed, outside of scientific circles, a discourse in which all opinion, all belief, all judgment were good provided they testified to a veritable adhesion of those who held those values. A discourse that we may summarize in the slogan, “To each his values.” Now, as much as the respect for the thought of the other’s identity, the criticism of egocentricity, ethnocentrism (especially Eurocentrism) have a solid foundation and, consequently, tolerance may be erected in principle; as much as unbridled relativism is seen to legitimize all impostures and, more precisely, all systems of oppression, which under the cover of an ethic at the service of the purity of a race, of the integrity of a nation or the installation of a classless society, are implacable toward individuals and groups whose characteristics are judged non-confirming to the correct model. It is no doubt banal but still essential to recall that tolerance reaches its limits in the aggressive intolerance of the other. The criticism of all forms of totalitarianism is useless, if it is reduced to the statement of a factual preference for a regime of liberty. The sense of the relative does not efface it but conveys a universal exigency. The declaration of the Rights of Man of the United Nations is a powerful witness

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to this fundamental conjunction, certainly difficult, but impossible to resolve between one and the other.

Thus the idea of peace as an absolute value seems to me to touch the heart of the philosophical inquiry of our time. The word *value* is the mark of an impossibility to refer to a guarantee that is recognized by all: Nature, Reason, God, History; it is the mark of a situation in which all the figures of transcendence are hazy. But posed as absolute, the value of peace requires a foundation that escapes from all relativist interpretation. Such could be the task of our discussion here: to try to inquire into the direction of this foundation, to investigate the signs that allow us to glimpse, without evading our present situation and which, precisely, summons us to no longer rest upon former certitudes, which in addition have been painfully jarred by factual proof.

However fully conscious I may be of what there is of futility in rapid incursions into theories that originated in a distant past—since it is certain that to accede to their originality we would have to awaken the intellectual discussion of where they come from and, even more, to open up the horizons of the world that was theirs—I will take the risk of evoking first of all a work which I believe was the first to formulate the idea of peace in secular and political terms, certainly not as absolute value—the concept did not exist—but as the good of all men. It is Dante's *Monarchia*. At a time when Florence and Italy in general were the scene of incessant conflicts between multiple factions, Dante undertook to show the need to install perpetual peace by the establishment of a universal monarchy. This work has often been referred to the episode of a discussion, running through the centuries, relative to the appraisal of the respective titles of emperor and pope to incarnate divine authority in the temporal order. Dante only would have wanted to mobilize the resources of theology and Greek philosophy, essentially Aristotelian, to the service of the claims of the emperor. It is useless to enter into the analysis of this polemic and the circumstances into which Dante's work enters. Our interest is not there. What is important to us is the attempt to link the idea of peace to that of humanity, or to put it better, to that of the advent and self-realization of a humanity that had previously developed in dispersion, in the ignorance of its identity as a single body of which each people was a member.

Dante is that thinker who, at the same time, forges the theory of a world domination and suggests the notion of a humanity that is *one* through the multiplicity of human establishments. A strange conjunction between the dream of an empire and the foundation of humanism, certainly. And if I had the time, I would show what success the *Monarchia* had later on, what attraction it exerted on the minds of Charles V in Spain, Elizabeth in England, Henry III, Henry IV and Francis I in France, how under its inspiration the spirits of imperialism and a monarchic mission at the service of humanity came to be articulated. Let us keep to the essential: humanity would recognize itself as one when it submitted to one sole authority; it would gain the representation of its own body, when the body of the sovereign would give a mirror image of the One: such is Dante's theme. It has certainly a theological basis. The image of the one is that of God; man was created in his image. There is nothing there that is not apparently conforming to the teaching of the Scriptures. But what is true for the finished creation is for Dante also true for all of mankind, over the entire extent of the earth and in the succession of the generations. Let us quote only one short passage. After having recalled that it had been said, "Let us make man in our image, after our likeness," he then observed that "the entire universe is an imprint of the divine goodness" and the philosopher then adds, "Therefore the human species is in a blessed state and at its best when it resembles God in all his power. But it is when it is most one that mankind most resembles God, because in Him only is the true matter of the one; this is why it is written, 'Hear O Israel, the Lord thy God is one.' Now, the human species is one, principally when it is entirely united into one body; which can only be when it is altogether submitted to one sole prince."

We remarked that the body of the monarch gives to humanity the image of its unity; it brings this about since it is itself the visible representative of God. As Ernst Kantorowicz justly remarks, the originality of Dante is best seen in a definition of man that combines the criterion of comprehension and that of extension. Man is the human individual and the human species. Now, do not believe that the domination imagined by Dante implies the uniformity of this human species. He recognizes the singularity of each body, the body of the individual, the family, the village, the

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city and the kingdom. Following Aristotle, he maintains that each has its own finality, just as the thumb, the hand, the arm and the entire man, but they are all ordered toward a final, universal end: the human species.

The idea of the mystic body and that of the organic body combine in the service of the representation of a humanity in harmony with itself, discovering the supreme good, which is peace. However, the explanation Dante gives for the gestation of humanity up until his day seems to us no less remarkable. In fact, far from presenting the universal monarch as a solution that was waiting to be discovered by men who had made the error of previously living in ignorance of each other and in conflict, he shows this monarchy arising from a series of combats, apparently governed by the desire for conquest of the strongest but secretly guided by the providence that would reveal the ultimate goal to mankind: their unity. The theoretician of peace has this arising out of war. It is at the end of a series of *duels* in which the Assyrians, Egyptians, Persians, Macedonians and finally the Romans had successively triumphed that is revealed, thanks to these latter under Augustus, the image of a world that virtually includes all men, and that Christ can descend to earth to incarnate man as such. Let us end this rapid evocation here, where it is disturbing to glimpse the first signs of Hegelianism. I should like to accompany it with two commentaries. First, the borrowings that Dante made from Aristotle (*Politics* and *Nicomachen Ethics*) show all the better his rupture with classical political philosophy. This was attached, as we know, to the representation of a cyclic history; it did not bother to imagine conditions in which war would not exist; it did not recognize, beyond the confines of the City, the existence of humanity as such. Three characteristics that seem to be linked. Undoubtedly, man's nature was supposed to have a close affinity with that of City. But the very idea of nature implied the delimitation of a political body at a distance from other bodies and the permanence of the stranger as potential or actual enemy. In fact, leaving aside the thesis of the philosophers, if we observe the kind of wars waged by the Athenians, not against barbarian assailants but against inoffensive Greek cities, we must agree they did not hesitate to claim cynically the law of the strongest without fearing the reproof of the population. Thucydides has left us a

memorable example of their conduct with his account of the conquest of Melos. On the contrary, Dante introduces a reflection that locates any political community on the horizons of a developing humanity and at the same time makes the search for peace the most desirable aim. In the second place, the relationship he establishes between the imperial monarchy and peace—however admirable and new in its conception of a diversified world but one able to see itself as the same in space and time—allows a glimpse of what a dangerous guarantee the humanist project may furnish the ambitions of a great Power, when it has as objective a universe freed from all antagonism.

Whoever considers what has been accomplished by great jurists since the 16th century to define the rights of a people will be tempted to judge that the theory of Dante was buried by the upsurge in national States. But perhaps that would not be entirely exact. Those accomplishments continued to attest to a humanist concern, to a will to conceive and install temperate relationships between political communities. Besides, and I have already alluded to this phenomenon, the new European powers were not content to call for a theory of sovereignty, in the terms of which the prince, having no one above him, calls himself emperor in his kingdom; this prince who claims to represent God in the temporal order, to reign over a *sacred land*, to lead an *elected people* (see the excellent studies by Joseph Strayer) is obsessed by the desire to extend his jurisdiction to the ends of the world. A desire that runs the risk of changing the nature of war, suppressing the limits within which it was confined at the time of feudalism. The inspiration of juridic efforts is undoubtedly best seen in the idea that the spirit of war must not be so foreign to the spirit of peace, that in leading on one the chance must not be lost to bring on the other. The works of Grotius, Pufendorf, Burlamaqui or Vattel carry not only the mark of realism, that is, of a way of reasoning that takes as given the state of war and tends to subject it to a minimum of rules; they imply that war must not destroy the conditions for peace, that conflicting States must know, as the heart of the conflict, that they will eventually have to recognize their mutual independence, as they had previously recognized it. The abandon of the ideal of perpetual peace then, but for the reason itself of the will to prevent perpetual war... In a moment I will have the occasion to return to

this point: the great juridic tradition maintains the project of a necessary legalization of war. Now, at the origin of such a project there is the awareness of the consciousness of a common good, different from the good of States. It remains that the notion of this common good, after the sovereignty of the State is fully recognized, could not be the support of a consistent juridical elaboration. The theory that bases the idea of sovereignty seems to prohibit it. In fact, such is the distinction between the natural state—in which men live in perpetual insecurity—and the civil state—in which, because of a contract with one among them or of a double contract or union and submission is elevated to sovereign—such is, I say, this distinction that the State appears under a double aspect: instigator or guarantee of the law with regard to its own members and enjoying, with regard to other states, as supraindividual, a natural independence. To what superior legislative entreaty could it then submit, with what juridic limits could its will collide in war, if it holds sovereignty; and how could it not hold sovereignty if this latter coincides with the very formation and constant maintenance of the civil state?

To exchange the ideal of peace for the legalization of war would not be realistic except on the condition of forgetting that States obey their interests alone and that they do not feel obligated to obey any rule that goes against those interests. This is almost what Rousseau said. His observation on peace (inspired by the *project for perpetual peace* elaborated by Bernardin de Saint-Pierre) is guided by a conception of the natural state that he radically opposes to that of Hobbes. Differently from this latter, who seems to Rousseau to project the traits of man as fashioned by present society onto natural man, to invent the fiction of a primitive war of everyone against everyone, Rousseau denies that natural man can find a reason in his condition to want to destroy his fellow men. Suppose that a conflict may arise and oppose him to his neighbor, on the occasion of a rivalry in the pursuit of the same objective. Suppose the murder of the one: as soon as the occasion disappears, the state of conflict ceases. Thus the philosopher declares, “There is no war between men. There are only wars between States.” On the contrary, he observes the unhappiness of a world in which the independence man has been deprived of is found in States, “takes refuge in these great bodies, given over to their own impulses that

produce shocks all the more terrible in proportion as their masses outweigh those of individuals." Himself concerned with realism, he notes the natural independence of States and judges that they alone are able to put an end to the state of war. Repudiating the attempts of the jurists to assure a right for people that would not bind sovereigns unless they agreed to it, his argument rests on the contrary on the hypothesis of a common realization by these rivals of the danger hidden by the impossibility of fixing a limit to war. To the illusion of a legalization of war he opposes the vision of an abyss. Security or conquest never being assured in a world where there is the continual resurgence of the adversary, princes are devoted to an endless expense of material means and human energies that they otherwise control and invest for a durable glory.

However naive may seem to us the project of a confederation rising from a sudden and simultaneous agreement on the abandonment of power politics, the questions posed by Rousseau have lost nothing of their actuality. Why would the effort to introduce law into war have any chance of success if the respect for this law remained subordinated to the pure arbitrariness of rulers? Furthermore, let us remember that he concludes his *Ecrits sur le projet de paix perpétuelle de Bernardin de Saint-Pierre* with a sentence that does not show an exaggerated hope: "The only thing we can assume (for rulers) is enough reason to see what is useful for them and enough courage to determine their own welfare. If, in spite of all that, the project remains unexecuted, it is not because it is chimerical; it is that men are insane and it is foolish to be wise in the middle of madmen." Let us add that Rousseau's argument could in its time appear more eccentric than we would judge it to be today. At the heart of his reasoning there is the hypothesis of a mutual extermination of the antagonists. It was then a matter of a logical possibility except that the state of technical development in the means of destruction did not permit a conversion into a real possibility; present conditions give an edge to his thought that his contemporaries could not foresee.

In any case, keeping in mind our evocation of Dante, we must agree that the liaison established between the idea of peace and that of humanity here acquires a new meaning. It is in terms of a reflection on humanity, its passage from the natural state to the civilized state, that the folly of war and the chance for its abolition

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can be measured. However, Rousseau does not want to give the idea that civilized humanity can form itself into a political body whose members through space and time would be so many small bodies; he discards the image of their integration into one. The plurality of States remains; their association does not imply their subjection to one superior law. They are content to interiorize the effect of natural necessity which is therefore converted into a will for mutual recognition. The process of civilization imitates a process of humanization that is not on the order of incorporation but on the order of rationalization.

Following a similar inspiration, the project for perpetual peace, *Zum ewigen Frieden*, drawn up by Kant seems to us to mark a considerable theoretical advance. Of course it is impossible to attempt its analysis in a single article; we will merely make some observations that serve our purpose here.

In the first section, Kant, conforming to the juridical tradition, presents six articles intended to specify the limits within which the exercise of war should be contained. In the sixth article he declares, "During the war itself there must be some confidence in the disposition of the spirit of the enemy, without which no peace could be concluded and the hostilities would degenerate into a war of extermination." Then judging that "war being only a disastrous means imposed by the need of the natural state (in which there is no court to judge with the force of law) to support its right by violence," he adds in substance that no party can be "qualified as the unjust enemy" and that "it is the issue that decides... on which side the right is found." A declaration that deserves to be given attention, because it contradicts the commonly accepted image of a moral in politics. And, finally, he denounces the danger of a war of extermination beginning with the argument that no protagonist could occupy the position of a superior right with regard to another, and thus carry on a punitive war, "from which it follows that a war of extermination, in which both parties would be destroyed at the same time, as well as all rights, could permit the establishment of perpetual peace only in the great cemetery of the human species." Paradoxically, the natural state, provided it is respected, offers, in Kant's eyes, the guarantee of a controlled state of war; the worst for him being that one belligerent would imagine himself to be the holder of a right transcending the conflict.

A second observation: after having declared that the state of law not existing in nature must be established, Kant undertakes to show in the second section that the republican constitution—the representative system—is the only one on which perpetual peace can be constructed. It alone answers “the principles of liberty belonging to the members of a society, as men”—principles that assure the dependence of all on one sole legislation—and it alone derives from the idea of the primitive contract at the basis of any juridical legislation. In such a regime, the decision to declare war does not come from the arbitrariness of the prince but requires the consent of the citizens who prove themselves able to knowingly recognize the evils they will have to endure. This point deserves our attention. Although history teaches that peoples under such a constitution have on many occasions consented to war, showing that they paid no regard to causes, stakes or consequences, the judgment of Kant seems to us to continue gaining in depth. If the power of public opinion, enlightened by the freedom of information and association, is not in itself sufficient to guarantee the will for peace of a State, there is no doubt that its absence, the monopolization of public decision by power (as we see in dictatorial regimes and totalitarianism of all types) creates a threat of the first order for the state of peace.

Third observation: the greatest originality of Kant’s thesis is undoubtedly in the distinction and connection of two conceptions of peace, as an idea of Reason and as product of the finality of Nature. Kant affirms on one hand (2nd section, 2nd article) that “morally supreme legislative Reason from the height of the throne of power absolutely condemns war,” and on the other hand (1st supplement) that the guarantee of a perpetual peace finds in nature “the great artisan... that causes concord to arise from the very heart of discord among men, despite their will.” This concept of *nature*, that Kant uses, he tells us, to avoid that of Providence, tempts us to think that it announces the concept of *history*, as Hegel will understand it; more precisely, to think that his theory of natural finality announces that of the *Ruse de la raison*. Not going into the details of the argumentation, I would say that the establishment of peace appears as the result of the spread of humanity all over the earth, and the constitution of a network of rapports between them that, although more or less legal, testify to the need to *live together*.

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Kant declares in this regard: “Now, as nature has fashioned it so that men can live everywhere on earth, it has also despotically willed that men must live everywhere, whatever their inclination, and even without this obligation (*Sollen*) supposing at the same time that a notion of duty will engage them by a moral law; but to arrive at her ends, she has chosen war.” Whatever reservations this theory of nature causes, let us note that it decrees an exigency that Rousseau did not recognize. He reduced the problem of peace to constant givens, from the time of leaving the natural state; and this problem does not appear solvable except through the reasonable decision of rulers concerned to escape the folly of permanent insecurity. Kant, on the contrary, describes the process by which humanity comes to recognize itself as humanity in fact within a factual space, the earth, and to gradually enter into communication with itself in all its parts. This natural movement, of which individuals are unaware, proves in the first place to be constitutive of political societies; in the second place, constitutive of the establishment of their relationships during war; and finally, constitutive of a universal way of existence or, if you prefer, a *living together* under the sign of peace, at the same time in proximity and in the differences found in each society. Being natural, the movement requires at each stage its reflection in the form of law; civil law that accompanies the formation of political unities; the law of peoples that accompanies wars; finally, world-wide law. Let us again mention the firmly-formulated distinction between what is the order of nature and what is in the order of morality: “When I say that nature wills that such or such a thing occurs, it does not mean that it imposes on me the duty to perform it (that in fact is only possible for a practical reason that is free from all restraint), but it accomplishes this itself, whether we desire it or not” (1st supplement to the 2nd section). This expression calls for a new commentary. The idea of peace, according to Kant, however worthy it is to be articulated in a practical project, cannot be rooted in the unconditioned exigency of the Subject; it must be based on the interpretation of the signs of a future of humanity or, better, of a coming of humanity itself.

Let us go one step further to clarify the scope of Kantian reflection in his *Zum ewigen Frieden*. Although a number of commentators, with good reason, have underlined the influence

that the great tradition of the jurists exercised on Kant, it seems to us that the philosopher actually avoids them in the tract we are considering here. The notion of world-wide law well demonstrates this. This law comes from a situation in which the earth is entirely occupied by man, and this occupation being known, the earth is revealed as their common habitation or their common possession. "It is not a question here of philanthropy but of law. Hospitality thus means that the foreigner has a right to enter someone else's territory without being treated as an enemy." What is this right? "The right that all men have to consider themselves members of society because of the right to a possession in common of the surface of the earth, on which they cannot be dispersed to infinity, since it is a sphere. Thus they must bear with each other, no one having the inborn right to find himself at one point on the earth rather than at another." Calling police states into account because of their behavior toward foreigners "that they visit"—a visit that they confuse with conquest, he makes clear—that is, calling colonization into account, he concludes the chapter: "Now, since relations (more or less close or distant) that prevail from now on among the peoples of the earth are at the point where a violation of rights in one place is felt everywhere, it follows that the idea of a world law no longer appears chimerical and exaggerated but as an unwritten code of public law as well as of human rights, to realize the public rights of humanity in general and afterwards perpetual peace, which we cannot pride ourselves on having gradually approached except under these conditions."

Neither Kant nor Hegel imagine that peace can result from a fusion of States. Kant declares, perhaps remembering Dante, that the notion of a universal monarchy is eminently dangerous: "Laws lose their strength in proportion to the extension of the government and a soulless despotism, after having extirpated the germs of the good, falls into anarchy." (2nd section, 1st supplement.) But while Hegel finds one simple fact to limit the absolute sovereignty of States, namely, "that States mutually recognize each other as such; (that) in this recognition they evaluate each other as existing in themselves and for themselves" (last part of the *Grundlinien der philosophie des Rechts*), Kant, while discarding the idea of a superior legislative instance, identifies a universal right, inscribed in what we could call the development of a sociability on a

universal scale. Does he not thus open a way that is still unexplored?

It is true that Raymond Aron observes that World War I marked a rupture in the conception of law and peace. All juridical tradition had until then tended to legalize war, he notes; from that time on the idea prevailed of putting it outside the law. This was not Kant's objective. Juridical decisionism seems to me foreign to his project, and the criticism by the author of *Paix et Guerre entre les nations* of this decisionism does not perhaps touch on what may be of most interest in *Zum ewigen Frieden*. Aron judges, and rightly so, that the Brilland-Kellogg pact and the institution of the League of Nations proved the futility of outlawing war. The attempt ran up against the facts: the State's maintenance of their natural independence, the refusal of some of them to accept the *status quo* on which the agreement was assumed to rest, the impotence of international authority to use means of coercion, of which it did not dispose, to bring the recalcitrants to obedience. Even more, he shows us that the ideology of peace paralyzed democracies, particularly France. The members of the League of Nations proved to be incapable of applying sanctions against Hitler and Mussolini when they began to violate international law. As for France, it did not dare bar the way to Hitler, when it still had a force superior to that of the adversary. Finally, the capitulation of France and England at Munich furnished Hitler and his general staff the certainty that their conquests would meet no obstacles. If we hold to this analysis, convincing in itself, it seems that the lessons to be drawn confirm the thesis of those who, conscious of the ineluctable arbitrariness of States, are realistic and do not imagine any other solution than the balance of power to check attempts at aggression and count only on the determination to exclude from war the means that risk changing into a war of extermination. From this point of view, peace could not be considered as an absolute value except on purely moral grounds.

Such reasoning suffers from an intrinsic fault. From the moment that law collides with the limit imposed by the consideration of States as the only identifiable actors on the world scene—powers that face each other in a natural state—any definition of the aggressor is judged to be impossible. Now, it is not moral conviction but good sense, in the classical meaning of the term,

that distinguishes between the aggressor and the aggressed, even when the entire traditional juridical apparatus is unable to define them. For example, on what was good sense founded after World War II if not on the idea that Nazism and Fascism violated human rights and those of the people? In general, Aron's critique on the project to outlaw war seems well-founded but within the limits of a conceptualization that holds only the alternative: natural state/state of law—this latter being understood as the civil state. Consequently, as Rousseau saw clearly, the attempts of jurists to legalize war remain artifices without foundation on theory. They lead to the establishment of the rules of the game that the actors respect when they are to their advantage but that they do not hesitate to break if they are not in their interest. Whatever their reach—and we can certainly judge it useful—these attempts do not go beyond the frontiers of pragmatism. Let us remember that Hegel, even though we cannot number him among the theoreticians of peace, urges that this cadre be surpassed when he speaks of mutual recognition by States; at the same time he makes an absolute of the State as such. This recognition, as we have said, is posed as a simple fact. But who does not see that it cannot be a matter of fact? It is either the rapport of strength that forces one State to continually take account of the independence of the other, or there is actually mutual recognition, that is, interiorization of the aims of one by the other in a necessarily symbolic space that must be identified.

Now, what could this symbolic space be if not humanity? We do not mean by that a single entity above States as each State is above men. As long as we do not discard the conception of humanity as a total body, a superior individual encompassing States, they themselves considered as supraindividuals encompassing their subjects, no theoretical possibility offers itself as a new conception of law. This fiction rejected, humanity would appear as both a material and spiritual matter, always unrealizable, in which are born and toward which are polarized all forms of political existence and co-existence. On this one condition, the combination of the idea of humanity with that of law may acquire some meaning. Now, let us note that the conception of a law of humanity may be shored up by that of a social law. A great juridic tradition has been founded on the representation of a supposed passage from the natural state to the social state, to sanction the thesis that there

is no law except where the principle of a common submission is confirmed, incarnated in the sovereign. Far from supporting this construction, anthropological knowledge, and more precisely sociology, on the one hand, and phenomenology on the other reveals a network of primitive relationships; more, an intrication of beings perceiving, thinking and acting in their common world, that is supported by the symbolic constitution of any community. Social law, in its most primitive forms as in its more elaborated forms, seems to us irreducible to the classic model which, if I may use this expression, only considers the vertical dimension of social space. Just as it would be useless to deny the omni-present notion of a pole of sovereignty, a pole of power and law; so it would be if we made the mistake of wanting the institution of the social to go back toward this one pole. The sovereign instance is not solely founder of the social order, it is a part of it, it arises from it as much as it determines it. Now, if we admit this, we must agree that there is no gulf between the world of States and the world of humanity; that the law does not stop at the frontiers of the State since it has never entirely drawn its origin from it.

Let us not believe that these last remarks take us away from our subject. They take us back to the idea outlined by Kant of a law of emerging humanity, appearing, beginning with the experience of war, as a consequence of the growing proximity of men on the *limited surface* of the earth. Kant's vision is an anticipation that astonishes us, the world he knew being so multiform and full of lacunae, compared with the one we know. But this power of anticipation was not proper just to him. Most of the great thinkers at the beginning of the 19th century, whatever their beliefs, Saint Simon or Chateaubriand in France, or Marx, perceived the new rhythm of human history, its formidable acceleration, coinciding with the advent of a finished space, each of its parts sensitive to the others. And we would say that the anticipation continues to be renewed up until our day, when imaginations reel, being so outdistanced by the speed of change. The words of Valéry who, in 1938 (*Regards sur le monde actuel*) seemed so new to his contemporaries, no longer appear to us as anything more than the simple admission that "All inhabitable earth has been recognized in our time, taken up, divided among the nations. The era of wastelands, free territories, places that do not belong to anyone, the

era of free expansion has come to an end. No longer a rock that is not surmounted by a flag, no more empty space on the map, no more region beyond the reach of customs and laws, not one tribe whose life does not engender some documentary and depend, through the sorcery of writing, on various far-off humanists in their offices. "*The era of the limited world is beginning.*" He adds, "A completely new solidarity, excessive and immediate, between regions and events is the obvious consequence of this important fact. We must from now on refer all political phenomena to this recent universal condition." He spoke also of a "more and more close dependence in human activities." It is true that Valéry did not consider this new experience of the world as a happy one. He kept the stamp of the Greek spirit, enamored of limits. In the same passage his uneasiness shows through: "There is no prudence, wisdom nor genius that this complexity does not quickly default, because there is no longer a recognizable duration, continuity or causality in this universe of multiplied relationships and contacts."

This opinion does not admit being ignored. It is certain that the closer men get to each other, the more their sensitive spots are touched. But that is only a half-truth. Is it not rather because they are not multiplied enough that relationships and contacts are so to be feared? Is it not because the more and more limited dependence in human activities does not find its answer in the true propagation of human rights, in the institution of a public space on a world scale, so that the divisions may find some other expression than that of war? Is it not because the erosive movement of the earlier particularisms, become irreversible in the eyes of all, runs up against a strong resistance, creates on the part of established hierarchies new means of preservation and also new means of exclusion with regard to all those who risk to appear, in spite of their differences in condition, as fellow men? That means that this idea is not dissociated from that of liberty. It also means that it would be hypocritical to guarantee, in the name of peace, all forms of exploitation of people who find themselves, under the cover of the law of the market place, deprived of the resources of their territory and subjected to an open or disguised dictatorship; hypocrisy also to guarantee all forms of totalitarianism denying elementary rights to individuals and minorities.

Peace and Humanity

Careful not to yield to Utopia and to take into account the requirements of the contemporary world, let us not confuse the cause of peace with an unprincipled pacifism. But attentive to reality, let us also not yield to the vertigo that the spectacle of current conflicts brings. Let us rather recognize that rulers alone do not decide the fate of humanity, as Rousseau assumed, and that the silent work of *rapprochement* of men, which occurs through an accumulated reciprocal knowledge of customs and mentalities, progress in education, diffusion of information, the upsurge of the idea of human rights, far from being futile may engender decisive effects of a political order in the direction of peace. The question remains: will these hopes be deceived? But if they should be, rather than conclude with Rousseau that it is folly to want to be wise in the midst of fools, it would be better to soberly state with Freud that in the incessant struggle that eros opposes to the death instinct this latter is decidedly proved to be the stronger.

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