

History and Projects

Rousseau on War

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If you want peace, understand war
Liddell Hart

Abstract

Rousseau's theory of war codified the classical laws of war, as a relation between States, providing a paradigmatic vision of the anarchy of the international system. He was an early critic of theories such as domestic analogy, democratic peace, and the liberal faith in globalization. Furthermore, his analysis may also be useful to the understanding of contemporary post-classical developments pertaining to war and the law of war.

I. Rousseau and the Law of War

Now that an entire age of international relations, which began with the end of World War II, is declining, the time has come to reconsider the classical philosophy of international law and international politics from a perspective that is not conditioned by the paradigm that prevailed in the age now behind us.

This primarily holds true for the decisive turning point that Rousseau, in the second half of the 18th century, impressed upon juridical and political thought. The huge influence that Rousseau exercised on democratic and pacifist thought has largely obscured the strong 'realistic' component of his theories: Rousseau, in fact, tried to combine a normative view of law and politics with a realistic account of human nature.

The best way to understand this attempt is to analyze his theory of war, which is probably the most neglected part of his political thought.

Yet in the tradition of international law, developed since the end of the 19th century, there is a common awareness that the basic character to which the law of war conforms is the concept of war defined by Rousseau.

It was in fact Rousseau who clearly presented war as a relation between States, according to the basic 'classic' conception of law of war, codified in the Hague Conventions of 1899 and 1907, based on 'symmetric war', or on war as a clash between organized armies.¹ This was so, even if there was growing awareness,

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¹ A. Cassese, *International Law* (Oxford-New York: Oxford University Press, 2nd ed, 2005),

after the Napoleonic wars, that modern war tends to assume new forms, involving civilians, thus constituting the 'total war', as described by Clausewitz.

In this sense, Rousseau's work, more than that of Hobbes, is also the basis of the theory of the anarchic character of the system of international relations, or the Westphalian system, and for this reason Waltz, in *Man, the State and War* (1959) drew on Rousseauian theory, and not Hobbesian, as a model for the 'third image' of war (that regarding the anarchic character of the system).

So, for international lawyers and political scientists, role played by Rousseau in international relations theory and in the theory of war is clear (although perhaps the same may not be said for philosophers).

On the other hand, the attempt to overcome the anarchic character of the international system after World War II has been largely inspired by Kant: therefore, a comparison between the two doctrines becomes necessary. Although the extent to which Kantian thought is indebted to Rousseau is well known, in the theory of international relations and war there seems to be a clear opposition. A deeper analysis should also investigate whether or not this is true, and to what extent.

A careful reassessment of Rousseau's and Kant's international thought can begin by reconsidering the analysis of great scholars of international relations, which specialists of Rousseau and Kant have unjustly neglected.

It was in fact Kenneth Waltz, as well as Stanley Hoffman, between the end of the 1950s and the beginning of the 1960s, who initiated the re-evaluation of Rousseau regarding the theory of war for the philosophy of international relations.² Waltz also made a significant contribution to Kant's interpretation, departing from Kant's 'pacifist' vision that circulated in the aftermath of World War II, starting from Friedrich's *Inevitable Peace*, and the idea of Kant's theory as the philosophical foundation of the UN.³ Waltz writes correctly that Kant

'has, as many liberals do not, an appreciation of politics as struggle, an idea of possible equilibrium not as simple and automatic harmony but always as something perilously achieved out of conflict'.⁴

Regarding Rousseau, it is interesting to notice that this analysis of Waltz and Hoffmann was very different from Schmitt's condescending view of Rousseauian theory of war in *Nomos of the Earth* (1950).⁵ Schmitt even maintained that the successful reception of Rousseauian theory of war from scholars of international

400. On Westlake and the classical doctrine see M. Koskenniemi, *The Gentle Civilizer of Nations. The Rise and Fall of International Law. 1870-1960* (Cambridge: Cambridge University Press, 2004), 84.

² S. Hoffmann, 'Rousseau on War and Peace' 57 *The American Political Science Review*, 317-333 (1963); K. Waltz, 'Kant, Liberalism and War' 56 *The American Political Science Review*, 331-340 (1962).

³ C.J. Friedrich, *Inevitable Peace* (Harvard: New York, Greenwood Press, 1948).

⁴ K. Waltz, n 2 above, 339 b.

⁵ Cf C. Schmitt, *Nomos of the Earth* (New York: Telos Press, 2nd ed, 2006), 149.

law was the result of a misunderstanding. Probably what emerges here is a difference between two different kinds of ‘realism’, and (part of) our task is to favour a re-appreciation of the classical tradition, represented by Rousseau.

Over the course of the last decades, the comprehension of Rousseauian thought was augmented by philology: Waltz and Hoffman had at their disposal Vaughan’s edition of the political writings of Rousseau (1915), in which the fundamental writings on war were present: the analysis of Saint-Pierre’s project of perpetual peace and an important fragment on the state of war that Vaughan considered a remaining portion of the work on *Institutions Politiques* that Rousseau planned and of which he would have developed only the part that is known as *Du Contract Social*. Whereas in the summary of *Du contract social* which was presented in the fifth book of *Émile* the treatment of international relations was announced as an object of analysis, in the final version of *The Social Contract*, the project is expressly abandoned. It is generally assumed that this is the general reason for why *Institutions politiques* was not realized.

Vaughan, however, grasped the importance of this fragment on war:

‘It is one of the most notable pieces that ever came from the hand of Rousseau (...). It is therefore of no merely historic – still less, of antiquarian – interest. It is a contribution, and a contribution of the first moment, to what is still a burning question of the day’.⁶

This was written in 1915, but it still holds true for contemporary age.

In 1965, a new manuscript was acquired by the Geneva Library, which was critically edited as an appendix to the second edition of Pléiade’s third volume of Rousseau’s works.⁷ In this edition, the previous fragment on the state of war was published after the writings on Saint-Pierre, with the conviction that all these texts were derived from the dialogue established by Rousseau with the work of Saint-Pierre.

The strict connection between the two fragments appeared immediately clear, and recently the hypothesis was affirmed that they are actually two parts of the same text (probably drafts of the *Principes du droit de la guerre* which Rousseau mentioned in a letter of March 1758): from an internal analysis – above all the fact that in these texts the project of perpetual peace is not mentioned – the hypothesis is also advanced that these precede the writings on Saint-Pierre.⁸

Rousseau’s general thesis had already been introduced in *Discours sur l’inégalité* and was returned to in the first book of the *Geneva Manuscript* (the first

⁶ J.J. Rosseau, *The Political Writings of Jean Jacques Rousseau*, with Introduction and Notes by C.E. Vaughan (Cambridge: Cambridge University Press, 1915), I, 284-285.

⁷ J.J. Rousseau, *Œuvres complètes* (Paris: Gallimard, 1964), III (quoted as OC in the text).

⁸ Cf. B. Bernardi and G. Silvestrini, ‘Présentation de l’édition’, in B. Bachofen and C. Spector eds, *J.J. Rousseau, Principes du droit de la guerre. Écrits sur la paix perpétuelle* (Paris: Vrin, 2008), 19. This is the critical edition of Rousseau’s writings on war; we quote it as *Principes* in the text, followed by the reference to the *Œuvres complètes*.

version of the *Contract social*): criticizing both Hobbes and theorists of natural law such as Grotius and Pufendorf, Rousseau denies (contrary to the theory of Hobbes) that the natural state of man is a state of war, and also denies (contrary to Grotius) that man is a 'social animal' (the theory of *appetitus societatis*). The natural condition of man, contrary to what Hobbes maintains, is that of isolated individuals, little inclined to socialization, between whom there may occasionally be clashes but not wars, which presuppose a social organization.⁹ War is therefore a social product, 'a permanent state which requires constant relations' and therefore war essentially takes place between States, rather than between individuals (*Du contract social*, I, 4; OC, III, 357).

II. The Anarchy of the International System

However, it is here first and foremost necessary to clarify a misunderstanding: Rousseau resumes Montesquieu's critique of Hobbes, according to which the author of *Leviathan* had considered as a 'state of nature' a condition which was, however, already intrinsic to the civilized human being. Rousseau contrasts this construction by arguing for a more primordial state of nature which is instead characterized by the simple goodness of the human being. This then becomes the yardstick whereby the course of history and society are to be assessed. In his assessment, however, the analysis of the Genevan coincides with that of Hobbes' more than he himself would prefer to admit. For Rousseau, war is a social relation (therefore absent in the 'true' state of nature) and becomes endemic with the emergence of society:

'la Société naissante fit place au plus horrible état de guerre', 'Infant society became a scene of the most horrible warfare' (Discours sur l'inégalité, OC, III, 176).

Also in *Émile*, Rousseau concedes to Hobbes that

'c'est une disposition naturelle à l'homme de regarder comme sien tout ce qui est en son pouvoir. En ce sens le principe de Hobbes est vrai jusqu'à certain point', 'man naturally considers all that he can get as his own. In this sense, Hobbes' theory is true to a certain extent' (OC, IV, 314).

And in a lesser known passage, from the *Essai sur l'origine des langues*, he admits that in the state of nature holds the *ius in omnia* ('*chacun, dit-on, s'estimoit*

⁹ This view of man's original isolation in the state of nature, in which war was absent, seems to derive from Lucretius' *De rerum natura*, V, 930, although Rousseau's actual acquaintance with Lucretius is a disputed one. See M. Black, 'De rerum natura and the Second Discours', in R. Grant and P. Stewart eds, *Rousseau and the Ancients/Rousseau et les Anciens* (Montreal: North American Association for the Study of Jean-Jacques Rousseau, 2001), 300.

le maitre de tout; cela peut être, ‘Each, it is said, esteemed himself the master of everything; that might be so’), but denies the consequences drawn by Hobbes:

‘les hommes, si l’on veut, s’attaquoient dans la rencontre, mais ils se rencontroient rarement, ‘Men, if you like, attacked one another upon meeting, but they rarely met’.

And paradoxically he concludes:

‘Par tout régnoit l’état de guerre, et toute la terre étoit en paix, ‘everywhere the state of war reigned and the whole Earth was at peace’ (OC, V, 396).

Anyway, the endemic conflict that is absent in the state of nature, becomes a reality in the social state, because being an *artificial creature*, the State lacks a determinate size and therefore there aren’t definable conditions of equilibrium, given the structure of inequalities between the States:

‘il est forcé de se comparer sans cesse pour se connoître, ‘it is forced to compare itself in order to know itself’ (*Principes*, 54; OC, III, 605);

the rank of a State depends on what the others are and plan. From here, the permanent character of the state of war, *l’état de guerre* follows:

‘l’état de guerre est naturel entre les puissances, ‘the state of war is natural between the powers’ (*Principes*, 59; OC, III, 607).

As artificial entities, States possess a force that is always only relative; they never feel secure, structurally they depend upon context, upon the ‘system’ (*Principes*, 54; OC, III, 605). And this system of States

‘tend à leur destruction mutuelle, ‘tend to their mutual destruction’ (*Principes*, 55; OC, III, 1899).

All this, explains why Waltz, as previously mentioned, could assume that Rousseau’s theory, and not that of Hobbes, was a theoretical model of international anarchy.

The condition of socialized man is that of a ‘mixed condition’, as Rousseau indicated: he is subject to the needs of the social state (with its strong inequity) and to the liberty of the state of nature, in the relations between States, which implies a permanent state of war: therefore he is secure in neither state.

This is the ‘manifest contradiction’ of the social condition: while he seeks, through society, to guarantee himself a lasting peace, man creates conditions of permanent war. From here Rousseau’s paradoxical conclusion follows:

'la guerre est née de la paix', 'war is born of peace' (*Principes*, 44; OC, III, 610).

What is remarkable, already at this stage of the analysis, is that this view implies the falsity of the so called 'domestic analogy'; that is, the idea that the same procedure followed by individual men in the social contract originating civil society may and should be replicated by individual States originating an international 'civil society', pacific by nature.¹⁰ This view, although rejected in advance by Hobbes, was instead regarded favorably by Kant, as a moral hope, and is nowadays at the basis of many 'cosmopolitan' suggestions.¹¹ As we shall see, this is not the one astonishing difference between Rousseau and contemporary democratic 'globalism', which is also more naïve than Kantian view.

Another consequence of the artificial character of the State, in Rousseau's perspective, is also its weak internal cohesion: the sum of the public powers is always inferior to the sum of the private powers. The State therefore should compensate for the precariousness of its existence with the strength of the passions: that is passions must be aroused to cement the unity of the State (by which Rousseau intuits the logic of modern nationalism). But from this follows also the ferocity of war, which reduces the natural sentiment of piety that limits the violence in relationships between men.

Another fundamental theory of Rousseau is that this permanent state of war does not depend upon the internal form of States: the *'regle de justice'*, 'rule of justice', valid within the State, does not apply to international relations where natural law reigns. The consequence is that

'n'est pas impossible qu'une république bien gouvernée fasse une guerre injuste', 'it is not impossible that a well-governed Republic makes an unjust war' (*Discours sur l'économie politique*, OC, III, 246).

This is a clear criticism of the later-developed theory of 'democratic peace', as well as a difference with respect to Kant, whose work is considered to have been the origin of this theory.¹² The relationship of Kant to the theory of democratic

¹⁰ The term 'domestic analogy' was coined by H. Bull, 'Society and Anarchy in International Relations', in H. Butterfield and M. Wight eds, *Diplomatic Investigations* (London: Allen & Unwin, 1966), 35. See H. Suganami, *The Domestic Analogy and World Order Proposals* (Cambridge: Cambridge University Press, 1989).

¹¹ Kant writes in *Perpetual Peace*: 'Second definitive article for a perpetual peace: 'Peoples, as states, like individuals, may be judged to injure one another merely by their coexistence in the state of nature (ie, while independent of external laws). Each of them, may and should (*kann und soll*) for the sake of its own security demand that the others enter with it into a constitution similar to the civil constitution, for under such a constitution each can be secure in his right'. Akademie-Ausgabe, VIII, 354 (quoted as AA, in the text); translation in I. Kant, *Toward Perpetual Peace and other Writings on Politics, Peace and History*, edited by P. Kleingeld (New Haven-London: Yale University Press, 2006), with reference to the page of the Akademie-Ausgabe.

¹² Starting from a seminal article of M. Doyle, 'Kant, Liberal Legacies and Foreign Affairs'

peace is a complicated question; yet in fact he wrote, in the *First definitive article for perpetual peace*:

‘if (as must be the case in such a constitution) the agreement of the citizens is required to decide whether or not one ought to wage war, then nothing is more natural than that they would consider very carefully whether to enter into such a terrible game, since they would have to resolve to bring the hardships of war upon themselves’ (AA, VIII, 351).

Apart from the fact that this is merely a prediction of a probable prudential attitude, and apart from the fact that historical experience cast Kant’s assumption into doubt (as Habermas has also recognized),¹³ I think it is worth mentioning that, according to Kant, the transition toward a republican State cannot be accomplished independently from international relations:

‘The problem of establishing a perfect civil constitution is dependent on the problem of a lawful external relation between states and cannot be solved without the latter.’ (*Idea of a universal history on a cosmopolitical plan*, 1784, Seventh proposition) (*Das Problem der Errichtung einer vollkommenen bürgerlichen Verfassung ist von dem Problem eines gesetzmäßigen äußeren Staatenverhältnisses abhängig und kann ohne das letztere nicht aufgelöset werden*) (AA, VIII, 24).

The importance of this passage is often overlooked, although not by Waltz.¹⁴ I will return to it later.

Another crucial theory developed by Rousseau is that of the weakness of common interests, and thus the weakness of the idea that common interests can prevent war: Rousseau says, that which is an advantage for all is an advantage for none, whereas what one seeks is *relative* advantage, given the competitive system of States. Neither is the interdependence created by trade a factor of peace; here Rousseau, as Hoffman keenly observed, attacks the very heart of international liberalism, which in recent years nurtured trust in globalization.¹⁵ According to Rousseau, reciprocal dependence increases distrust and suspicion and is not actually a factor that increases pacification, but instead contributes to the tensions of the ‘state of war’. Here too, in fact, there is a difference with respect to Kant who shares the confidence in the theory of ‘*doux commerce*’. As he writes in the *First supplement of the guarantee for perpetual peace*:

‘The spirit of commerce, which is incompatible with war, sooner or

(1983), now in Id, *Liberal Peace. Selected Essays* (London-New York: Routledge, 2012).

¹³ See J. Habermas, ‘Kant’s Idea of Perpetual Peace: At Two Hundred Years Historical Remove’, in Id, *The Inclusion of the Other* (Cambridge MA: MIT Press, 1998), 165.

¹⁴ K. Waltz, n 2 above, 337 b.

¹⁵ S. Hoffmann, n 2 above, 321.

later gains the upper hand in every state' (AA, VIII, 368).

Here too, disillusionment with this optimistic view is not so much about the prevalence of spirit of commerce, which is nowadays widespread as never before, but about the confidence that this could prevent war.

In any case, the pessimistic conclusion of Rousseau is that Saint-Pierre's project of perpetual peace is not only unrealizable (moreover, Kant also says that perpetual peace is unrealizable, '*eine unzuführbare Idee*', *Metaphysik der Sitten*, AA, VI, 350) but it is difficult to say if it is actually desirable, given that it could only occur by opposing particular interests

'par des moyens violens et redoutable à l'humanité', 'through violent and terrific means for humanity' (*Principes*, 126; OC, III, 600).

It is here that Rousseau foreshadows the fatal concept of 'the war to end all wars'!

This all relates to Rousseau's analysis of international relations and of war as a permanent condition of the anarchic system of States.

III. Rousseau, Clausewitz and New Forms of War

However, there is another crucial aspect of the Rousseauian analysis of war that could perhaps be useful for the understanding of the contemporary post-classical developments of war and law of war.

Rousseau maintains indeed that war aims to

'détruire l'Etat ennemi', 'destroy the enemy State', or at least to weaken it by 'all possible means' (*Principes*, 59; OC, III, 607).

Yet as the State is founded on the 'social pact', it is the true aim of war to destroy it, as it forms the essence of the State. Such a pact is embodied not only in political institutions and in militaries, but in all that which constitutes the concrete life of a community: well-being, security, trust between citizens and the State, cultural identity, and so on. Rousseau wrote that

'it is from the social pact that the political body receives unity and the common self ('c'est du pacte social que le corps politique reçoit l'unité et le moi commun') (*Principes*, 56; OC, III, 1900).

and the State is as strong as is the common will to observe and defend the social pact. Consequently, if the State cannot be radically destroyed, it can be weakened; if it is not possible to strike at the center, one can strike at the parts:

'si l'on ne lui peut ôter l'existence on altère au moins son bien-être, si

l'on ne peut arriver au siège de la vie, on détruit ce qui la maintient: on attaque le gouvernement, les lois, les moeurs, les biens, les possessions, les hommes, 'If it is not possible to eliminate existence, you can at least impair well-being, if it is not possible to reach the center of life, you can destroy that which maintains it: you can attack the government, the law, the customs, the goods, the possessions, the people' (*Principes*, 56-57; OC, III, 1900-1901).

In summary, one can attack

'la convention publique et tout ce qui en resulte', 'public conventions and all that depends upon them' (*Principes*, 60; OC, III, 608).

One may ask if these contemplations by Rousseau potentially anticipate new kinds of war, which we have seen develop after World War II in particular, beyond clashes between organized armies, in scenarios in which war loses its traditional form, and almost everything can become a means of war. In this case, Rousseau was not only the theorist of war in its classical, interstate form, codified by the international law of war, but also the forerunner of its postclassical development. Kant's theory remains instead within the frame of the classical international system, apart from the dispute between the 'statist' or 'cosmopolitan' interpretation of his political thought.¹⁶

Rousseau's analysis leads thus to the question, whether there is a connection, and what, between these different forms of conflict, or traditional and new kinds of war. This also permits the question of whether there does exist an opposition between the analysis of Rousseau and that of Clausewitz, which many scholars of international law assume to be central.

The starting point is that with World War II we experienced the limits of traditional warfare: *'détruire l'Etat ennemi'*, as Rousseau says, or the pushing of war 'to its utmost bounds', as Clausewitz says, could lead to a nuclear Holocaust.

This forces Great Powers to transform their strategies, aiming more to weaken, than to destroy, the existential condition of the enemy State (*'si l'on ne peut arriver au siège de la vie, on détruit ce qui la maintient (...)'* as Rousseau says). This was the case of the Cold War, where the Soviet Union collapsed not because of a military defeat, but because of its lack of economic and social strength. This makes war less bloody, but more diffused, and more sustained over time, and this becomes therefore 'war without restraints', as theorized by Chinese strategists.¹⁷ This kind of strategy is in part also at the disposal of less powerful States, or various insurgents, or terrorist groups, producing the post-conventional diffusion of war to which we are witness outside of the surrounded Western world.

¹⁶ See on this A. Hurrell, 'Kant and the Kantian Paradigm in International Relations' 16 *Review of International Studies*, 183-205 (1990).

¹⁷ Q. Liang and W. Xiangsui, *Unrestricted Warfare* (Beijing: LA Literature and Arts Publishing House, 1999).

In this sense, the problem is not just the opposition between the Rousseausque and Clausewitzian model. As we have seen, the classical doctrine of law of war is ‘Rousseauesque’, and such substantially remains, also after World War II.¹⁸ However, the Clausewitzian description of war’s ‘absolute form’ is still at the center of the political and philosophical debate. It is therefore important to better define the relationship between the two models, beyond their alleged opposition.

In summary, the distinction between the two models would be that Rousseau is at the origin of the idea of war as a relation between States, codified by international law (the distinction between combatants and civilians, etc). Clausewitz, on the other hand, would have shown, after Napoleon, that this model would be superseded by a new concept of war, the ‘total war’, that involves the entire population and tends toward its ‘absolute form’, which is composed of pure destructiveness. Some interpretations of Clausewitz, from Deleuze to Girard, have insisted that this absolute form is for Clausewitz the ‘true’ form of war.¹⁹

Yet actually, by reversing the argument, it is also true that Clausewitz is still the bearer of trust in the political manageability of war, that is the assignment of limited scope that is placed by the *rationality of the State* (and it is just such faith in the rationality of the State, central in Clausewitz, which is also central for classic interpreters such as Aron).²⁰

On the other hand, Rousseau seems to intuit that the classic inter-State form of war can degenerate into a conflict in which all of the forms of existence of the State are invested, cancelling the distinction between State and ‘society’ and involving, as possible targets, the citizens and their concrete forms of existence. If the social pact, says Rousseau,

‘could be broken with a single hit, suddenly there would no longer be war; and with this single hit one would kill the State and not even one man would die’. (*si le pacte sociale pouvait être tranché d’un seul coup, à l’instant il n’y aurait plus de guerre; et de ce seul coup l’État serait tué, sans qu’il mourut un seul homme*) (*Principes*, 60; OC, III, 608).²¹

¹⁸ A. Cassese, n 1 above, 404.

¹⁹ Cf G. Deleuze and F. Guattari, *Mille plateaux* (Paris: Éditions de Minuit, 1980); R. Girard, *Achever Clausewitz* (Paris: Carnets nord, 2007). This kind of interpretation contrasts both Aron’s view of Clausewitz in *Penser la guerre* (Paris: Gallimard, 1976) (Girard calls it ‘*la lecture rationaliste de Aron*’, 27) and the classical interpretation within military theory, given by Howard and Paret in their introduction to the translation of Clausewitz’s *On War* (Oxford: Oxford University Press, 2008) (first edition 1976).

²⁰ Recent interpretations tend to stress the evolution of Clausewitz’s thinking, assigning the faith on rationality of politics to a later stage of it. See B. Heuser, *Reading Clausewitz* (London: Pimlico, 2002); A. Herberg-Rothe, *Clausewitz’s Puzzle. The Political Theory of War* (Oxford-New York: Oxford University Press, 2007).

²¹ There is here also a striking analogy with the famous thesis on Sun Tzu, according to which the ideal objective of war is ‘breaking the enemy’s resistance without fighting’; Sun Tzu, *The Art of War* (North Clarendon, VT: Tuttle Publishing, bilingual edition, 2016), chapter III.

Such a perspective is furthermore recalled when today one analyzes such forms of war as cyber warfare, which aim to dismantle the enemy by hitting its heart, as with, for example, information networks.

Yet, even more than the opposition between the Rousseauvian and Clausewitzian models, is their striking *complementarity* character.

Starting from different historical experiences and philosophical presuppositions, both seem to have intuited that the classical form of modern war, as a clash between States, tends to be overcome by ‘total war’, involving society as a whole. Clausewitz experienced the Napoleonic wars, and so had a first concrete example of this disruptive tendency, and yet he nonetheless preserved a faith in the rationality of politics as a possible limitation of this tendency. Rousseau instead derived his analysis from a general consideration of the nature of modern States and of inter-State system, with its inertial tendency to pure reciprocal destructiveness, transcending the distinction between State and society.

Combining the two analyses would therefore be important for understanding the general nature of war and its phenomenology, also in contemporary forms, with the evaporation of the clear distinction between war and peace, toward the new and disquieting experience of a new global war or ‘war without restraints’.²²

Instead of the domestic analogy, invoked by cosmopolitans, the opposite could be true: that is, the unmanageability of international disorder could also affect the internal order, undermining the ‘social pact’, the conditions of civil coexistence. It is most likely that this is what occurred following World War I, and this may be what is currently developing, if we consider, for example, the effects of immigration on European societies.

What is new, is that in our contemporary age, such effects are not only the unintentional consequences of a given crisis, but also of conscious targets of unconventional forms of war, which are aimed at weakening the internal order of a State. And these forms concern not only ‘irregular’ combatants, insurgents or terrorists, but also, covertly, organized States and even the Great Powers, for whom the struggle for global power has clearly returned.

We must consider, therefore, not only ‘asymmetric’ and ‘unconventional’ forms of war (‘new in its intensity, ancient in its origins’, as John Kennedy said) but also the whole phenomena of ‘war by other means’.²³ The latter also concern organized States, but never rule out the possibility of becoming a ‘conventional’ war, as a clash between organized armies, with the constant tendency to ‘*détruire l’Etat ennemi*’ (Rousseau), or to push war ‘to its utmost bounds’ (Clausewitz).

This also confirms what Kant guessed, when he wrote, as we have seen, that a good civil constitution ‘is dependent on the problem of a lawful external

²² See Q. Liang and W. Xiangsui, n 17 above.

²³ R. Blackwill and J. Harris, *War by Other Means: Geoeconomics and Statecraft* (Cambridge MA: The Belknap Press of Harvard University Press, 2016).

relation between states' and apart from this cannot be achieved.²⁴

Therefore, the analyses of both Rousseau and Kant, although different, show a clear realistic understanding of the structure of inter-State relations, and a limited confidence in the rationality of the State. Kant himself recognized the will to power of the State:

‘(...) There seems to be a propensity in human nature (...) that makes each and every state strive, when things go its way, to subjugate all others to itself and achieve a universal monarchy (...).’²⁵

In this way, the international system is constantly in a state of war, as Hobbes maintained, and the tendency to a war for ‘global’ power is always present. The possibility of a ‘perpetual peace’ is ruled out by Rousseau and assigned by Kant to the confidence in a hidden ‘plan of nature’, in the teleological structure of history.

Certainly, the fact remains that for Rousseau human nature, as such, is not aggressive, and thus war is just a product of civilization, although probably unavoidable, as civilization itself.

Kant instead admits that in human nature there are violent drives, and criticizes Rousseau’s idealization of the state of nature, quoting journals written by explorers which refer to primitive forms of life. Kant also shares Rousseau’s diagnosis of the evils of civilization, but considers that, within civilization, it is however possible to also reach morality from culture in the context of international relations. Even without considering the trust placed by Kant in the goals of nature, such a perspective is based on a ‘democratic peace hypothesis’ and on the theory of ‘*doux commerce*’: such ideas enjoyed great popularity in the last decades, contributing to Kant’s success as philosopher of cosmopolitanism and pacifism. It is a unilateral picture, that neglects the realistic elements of Kant’s thought. But, above all, it is a vision of politics that overlooks the reasons which impelled Rousseau to reject both the idea of democratic peace and of *doux commerce*, reasons that could turn out to be more topical than those of democratic pacifism.

Globalization tends to favour, instead of a pacific interdependence, an obscure dissemination of unconventional forms of war, without overcoming the traditional peril of conventional war, also between Great Powers, with its tendency to the Clausewitzian absolute form. This is clearly present in the mind of the most important political leaders of the world: that is why the Chinese President Xi Jinping invited Americans and Chinese not to fall in the ‘Thucydides Trap’, impressively referring to the destructive war for hegemony in which Athens and Sparta were opposed.

This means that limited conflicts (commercial, cyber etc) always has the

²⁴ I. Kant, ‘Idea for a Universal History from a Cosmopolitan Point of View’, in Id, *Akademie-Ausgabe* n 11 above, VIII, 24.

²⁵ I. Kant, ‘Religion within the Limits of Reason’, in Id, *Akademie-Ausgabe* n 11 above, VI, 123.

potential to degenerate into a global war between Great Powers, today as ever before. And, in spite of nuclear dissuasion, war could aim at the traditional goal of destroying the enemy.

Therefore, new forms of war are do not necessarily supersede traditional ones but may act merely as preludes to them.²⁶

In the second *Discours*, Rousseau prophesied, at the extreme stage of historical development, the vanishing of any residual sense of justice and the dominion of the law of the strongest, in a '*nouvel Etat de Nature*', not at the beginning, but at the end of history (OC, III, 191).

If we contemplate Rousseau's analysis of social development and inter-State system, we might reach a diagnosis of a possible new state of nature that could become tremendously real.

²⁶ For an opposing view see M. Kaldor, 'Inconclusive Wars: Is Clausewitz still Relevant in these Global Times?' 1 *Global Policy*, 271-281 (2010).