The purpose of this paper is to offer some theoretical foundations for a normative, coherent concept of "positive peace" by examining various factors discussed in contemporary political theories. First, I will identify the structure of the debate between just war theory, absolute pacifism and military realism in the existing literature, looking particularly at Michael Walzer's attempt at revivifying the just war tradition. However, to clarify the interrelation between peace and justice, which is one important aim of my investigation, I will argue that we must go beyond Walzer's version of just war theory, which focuses on the interrelation between war and justice. The relation between peace and justice is particularly important for us Japanese, as our Constitution is oriented toward a kind of positive peace and multilateral pacifism. I will also argue that we should explore the socio-psychological factors of fear and hostility in our minds to clarify the origin of peace and war. Finally, I will consider the relationship between democracy and peace, criticizing Bruce Russet's democratic peace theory from a normative perspective, suggested in Judith Shklar's concept about the liberalism of fear.

La justice sans la force est impuissante; la force sans la justice est tyrannique. [...] Il faut donc mettre ensemble la justice et la force; et pour cela faire que ce qui est juste soit fort, ou que ce qui est fort soit juste. [...] La justice est a dispute; la force est tres reconnaissable et sans dispute. Ainsi on n'a pu donner la force a la justice; parce que la force a contredit la justice et a dit qu'elle etait juste. Et ainsi ne pouvant faire que ce qui est juste fut fort; on a fait que ce qui est fort fut juste. Blaise Pascal, "Pensées 298"
War and Peace in the Democratic World: pour cela faire que ce qui est juste soit fort

Yoshihisa Hagiwara

Abstract
The purpose of this paper is to offer some theoretical foundations for a normative, coherent concept of “positive peace” by examining various factors discussed in contemporary political theories. First, I will identify the structure of the debate between just war theory, absolute pacifism and military realism in the existing literature, looking particularly at Michael Walzer’s attempt at revivifying the just war tradition. However, to clarify the interrelation between peace and justice, which is one important aim of my investigation, I will argue that we must go beyond Walzer’s version of just war theory, which focuses on the interrelation between war and justice. The relation between peace and justice is particularly important for us Japanese, as our Constitution is oriented toward a kind of positive peace and multilateral pacifism. I will also argue that we should explore the socio-psychological factors of fear and hostility in our minds to clarify the origin of peace and war. Finally, I will consider the relationship between democracy and peace, criticizing Bruce Russett’s democratic peace theory from a normative perspective, suggested in Judith Shklar’s concept about the liberalism of fear.

I. Introduction

Political theory has traditionally dealt with questions concerning the formation of order in a polis, not between poleis. Thus, the tradition of international political theory is marked not
only by paucity but also intellectual and moral poverty, as Martin Wight\textsuperscript{1} once commented. Kant’s \textit{Perpetual Peace} or the essays of Jean-Jacques Rousseau on international relations were exceptional cases in this tradition, but even here, one will soon see that their political quests themselves have been treated as a marginal topic within Kant’s philosophy or Rousseau’s political thought as a whole.\textsuperscript{2} Without doubt, the attention that philosophers and thinkers have paid to international problems is a small fraction of that paid to domestic ones. The same can be said about contemporary political theories, where the issue of war and peace has rarely been addressed, although war and peace are a matter of utmost urgency for people in today’s world. To take an example, we cannot find the words “war” or “peace” in the index of Will Kymlicka’s \textit{Contemporary Political Philosophy}, though the book is considered as one of the standard textbooks in the field of contemporary political theory in English-speaking countries, as Prof. Shin Chiba, the Japanese translator of this book, has noted.\textsuperscript{3} Is such a scholarly situation of political philosophy, which cannot live up to peoples’ expectations, acceptable?

One of the reasons why this abnormality has become widely accepted is surely because contemporary political science is so narrowly specialized that there now exists a definite segregation between political science and international politics. But a more important reason is, I assume, that “war” is regarded as an “exceptional case” in politics and remains neglected (with the exception of some Schmittian theorists\textsuperscript{4}) and that “peace” is regarded as a kind of “non-existence” (e.g., non-existence of war) that is not worth taking seriously in almost all contemporary political theories (except some Galtungian theorists).

How about, then, international politics which is generally expected to address the issue of “war and peace”? In this case, “peace” is often addressed in a distorted manner, especially by realist thinkers. They address the issue in terms not so much of “peace” itself as “security”. They assume that thinking about security means thinking about the way to prevent the worst catastrophes and, in case such catastrophes do occur, about the way to deal with them properly. But is this appropriate?

One illuminating example that reflects the idea of security is the thought experiment of “lifeboat ethics”\textsuperscript{5} formulated by Garret Hardin. Suppose that there are some lifeboats floating in the ocean, some of which are occupied by a few people from developed countries and some of which are occupied by many people from developing countries. And suppose that the number of people who had gone overboard from the boats of the developing countries is twice as many as the capacity of the boats from the developed countries. What should the people from developed countries do in this situation? Try to rescue all the drowning people, rescue some of them, or just sit and watch?

Hardin’s answer is the last one. He insists that the people from developed countries should not rescue the people from developing countries even if asked. At first sight, this may seem inhumane, but, according to Hardin, it will in fact lead to the most humane consequence, because trying to rescue all the people may cause everyone’s death and bring ruin on future generations. Trying to rescue some leads to the same consequence, because every
drowning person must rush toward the rescue boats. Furthermore, this option may cause a serious moral problem. We have to decide on our priorities: Who should be rescued first?

But the insistence that this logic is “right” in terms of security is a self-justificatory claim made by the “winning side” who are convinced that they can survive. Why should the people who are on the poor boats or cannot sit in any boat be left in the lurch just because they are on the poor boats or cannot sit in any boat? And if Hardin’s answer is the right one, then the “right” action for those who fell overboard would be to seize boats even if this means killing others. Hardin’s answer cannot be the right one.

This is the “peaceful” world image interpreted in terms of security. People develop a strategy as if they were playing chess... Fine. But the pieces consumed to win the game are flesh-and-blood human beings. Is the idea of national security that only some people have to suffer and be left in the lurch? If so, even the idea of “human security” may never be truly humane.

According to Yayo Okano, “the idea of security is based on our feeling of anxiety, as reflected in its etymological root se-curus”. Indeed,

It is the central idea found in the political point of view that was established and has been sustained by making friend-enemy distinctions at the level of international relations, by regarding human relationships as antagonistic at the level of social relations, and by fueling fears toward the unpredictable future at the subjective level.6

From a humane point of view, therefore, there is no right answer but to try to rescue all the people by any means, and to do this we need to find viable alternatives. The important thing here is the ideal of humanity and the imaginative power of human beings.

II. War and Peace

First, let us consider the extent to which we can justly use force to achieve peace. War, in a sense, is a type of legalized murder. It is nothing but the situation where the more murderous you are, the more you will be honored. It may thus be natural to think that there can be no peace achieved through murderous acts. Indeed, many people think that “absolute pacifism” is the only morally acceptable position. Such a position is surely worthy of respect. But if you take this position, then you will not be able to fight even when another country invades and your family and friends are being killed. This would not resist current injustice but affirm it.

A different perspective is the theory of just war (bellum justum in Latin).7 It is a teleological theory of justice in the sense that it admits the wrongness of war but still allows some evils to be done to achieve a greater good. It does not affirm wars naively. Instead, it maintains that the wrong means, such as war, can be sometimes allowed to fulfill the restoration of peace and the elimination of evils.
Just war theory is composed of two parts: the first is *jus ad bellum* (the justice of war) that is applied to international law in times of peace, concerning the question of when resorting to military force is permissible, and the second is *jus in bello* (justice in war) that is particular to issues of wartime international law, concerning the question of how the war should be fought. The difference between *jus ad bellum* and *jus in bello* is the difference between the adjective and adverb: We can say that a particular war is just or unjust, independent from the fact that the war is being fought justly or unjustly.  

The *jus ad bellum* condition lost its meaning in the 18th century since wars between two different views of justice occurred all too often and there was no authority that stood beyond sovereign states. Only *jus in bello* had been feasible since then.

Although such a tradition was successful in making treaties on non-combatant immunity and the humane treatment of war prisoners, problems still remain. A country that commits illegal actions according to peacetime international law will be treated as an equal right-holder of belligerency according to wartime international law once it makes a declaration of war. This would be the system which punishes small injustice, while it remits bigger crime. Furthermore, in the era of total war and nuclear weapons, it is arguable how far just war theory is still valid.

Now, are absolute pacifism and just war theory the only theoretically conceivable positions? We can find several different understandings of the relationship between war and peace, depending on whether the use of force is allowed, whether it is based on the right intention, and whether the final triumph of justice is important. As shown below, we can identify eight different theoretical positions:

<table>
<thead>
<tr>
<th>Use of force</th>
<th>Right intention</th>
<th>Outcome</th>
<th>Form of Argument</th>
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Though theoretically conceivable, positions 7 and 8 should be ruled out, as they are a-political, insofar as they are to do neither with the use of power, whether tyrannical or not, nor with any man-made order (*nomos*). Furthermore, it should be pointed out that a comparison is only useful and fair when just war theory and pacifism, fairly represented, are weighed against each other. There seems to be tendencies always to compare just war theory with failed pacifism and *vice versa*. Such an argument leads to a reinforced dogmatism.
Michael Walzer is one of the leading philosophers who have tried to bring about the rebirth of just war theory in the contemporary world. As an advocate of just war, he has appropriately chosen his opponents: absolute pacifists and military realists. As an anti-realist, he objects to the popular proverb, “All’s fair in love and war”, which is invoked in defense of conduct that appears to be unfair. Walzer expresses the belief that there do, and should, exist certain moral rules that are to be maintained even in wartime. These rules must not be what he calls a “sliding scale”, a standard admitting that the more just the cause is, the more permissive the violation of the rules. Once we use a sliding scale, the rules of war are nullified. Then all wars appear to be hells.

The argument for a sliding scale is based on utilitarianism, and the alternative is moral absolutism. Walzer clings to the latter up to the moment when the greatest evil is really about to prevail. Instead of “Do justice even if the heavens fall,” he suggests: “Do justice unless the heavens are (really) about to fall.” That moment is called a “supreme emergency.”

Walzer is very careful to formulate when such an extreme situation happens. The danger must be both serious and imminent. Either alone is not sufficient. What is in his mind here is the threat of Nazism (as Japan was not “evil incarnate”, he does not justify the bombing of Hiroshima, while he justifies the firebombing of Dresden). What reason justifies the indiscriminatory bombing on innocent citizens? He awkwardly explains as follows:

it is possible to live in a world where individuals are sometimes murdered, but a world where entire peoples are enslaved or massacred is literally unbearable. For the survival and freedom of political communities—whose members share a way of life, developed by their ancestors, to be passed on to their children—are the highest values of international society.

This is an attempt to apply moral rules to the sphere of war, a sphere in which conventional political theorists have avoided applying moral rules. However, we should not dismiss his assumption that the application can be “overridden” in extreme cases. Does this lead to undermine his entire theoretical grounding? Here we need to think about the relationship between the issue of peace and that of “justice”.

III. Justice and Peace

Johan Galtung is one of the leading theorists in “critical conflict and peace studies.” He rejects the idea of “negative peace” that regards the non-existence of war as peace. We cannot use the word “peace” to describe those societies that are in a state of poverty, inequality, discrimination, oppression, and/or alienation. Galtung defines the state of affairs where there exist extreme class inequality and/or unequal social relationships such as domination or subordination as “structural violence”, and calls its non-existence “positive
peace.” This way of thinking seems very similar to that which can be found in the Japanese Constitution. The Constitution states in its opening sentences:

We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationship, and we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. We desire to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want.

The Japanese Constitution describes peace as the state of affairs where “tyranny and slavery, oppression and intolerance” are banished and all peoples are free from “fear and want”. In this sense, it can be interpreted as declaring not negative but positive pacifism. And it is not “one-country pacifism.” The Constitution also states:

We believe that no nation is responsible to itself alone, but that laws of political morality are universal […] We, the Japanese people, pledge our national honor to accomplish these high ideals and purposes with all our resources.

The problem is its relationship to Article 9, which declares that “the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes”. Whenever we are going to make all peoples free from fear and want, it is highly problematic in our Constitution to use force to interfere with another country from the viewpoint of humanity.

But this problem is not only about the Japanese Constitution. It is equally arguable how seriously Galtung thinks of the possibility of resolving structural violence. He defines violence as being “present when human beings are being influenced so that their actual somatic and mental realizations are below their potential realization”. But if we accept this definition, then almost all attempts to resolve structural violence would be regarded as violence. A person’s actions cannot but have an influence on another person in our social world. And it is often the case that a measure which aims to promote a good result for one person may be unfair and unacceptable to another. Once we are allowed to call anything that might exert an influence on our “potential realization” an act of violence, then everything can be regarded as a kind of violence.

The point to be noted here is that the content of justice—what is regarded as just—is not always the same, depending on peoples, countries, and forms of civilization. Samuel Huntington’s *The Clash of Civilizations*, which predicts that the post Cold-War world will be determined by the ideological conflicts between eight civilizations (the West, Russia, Latin America, Islam, Hindu, China, Africa, and Japan), is based on the idea of cultural in-
commensurability. A different notion from Huntington is that there is a certain universal standard of justice: the idea of human rights. International laws include the right to live, prohibitions against torture and inhumane treatment, and prohibitions against enslavement, all of which are thought to be inviolable even if a country is faced with an emergency. Recent practices of “humanitarian intervention” are, however, not always targeted to all those countries that commit inhumane actions. The fact is that such interventions are undertaken only in cases which superpowers think are important to their own national interests. To put it differently, they are not based on a firm foundation of objectivity and impartiality.

IV. Order and Peace

The idea that the opposite of peace is “confusion” and thus that peace is maintained only in public order plays an important role in legal thinking. The Goddess of Order is called Eunomia in Greek mythology. Her name is composed of “eu”, good, and “nomos”, law, and embodies the image of people living peacefully, ruled by the order of good laws. Why is the rule of law important? According to Friedrich von Hayek, “the rule of man” is inevitably accompanied by the arbitrariness of the ruler even if he has a good motivation. Where every coercive state action is explicitly determined by a stable legal framework, people are able to make their own life plans. In this sense, law is consistent with freedom.

It seems that freedom demands no more than that coercion and violence, fraud and deception, be prevented, except for the use of coercion by government for the sole purpose of enforcing known rules intended to secure the best conditions under which the individual may give his activities a coherent, rational pattern. 16

A great advantage of the rule of law is that it will reduce social uncertainty as much as possible. And law is universal in its character; it is thought to be applied universally regardless of time and space.

Behind the idea of the rule of law, however, lies an excessive reliance on the law. Greeks called the Goddess of Order Eunomia, the good laws, probably because they thought that law was not in itself “good”. There could be “bad” laws. Law could be either good or bad, but still has formal predictability and universality. In this respect, order exists even within the rule of bad law, but is it really preferable to confusion or disorder as supposed by Hobbes? Consider the 20th century’s history of totalitarianism such as Nazism and Stalinism. Where a state that imposes laws is evil and “illegal actions” against it are good, we cannot but doubt the validity of an uncritical reliance on the idea of the rule of law. This idea is expressed in the literature on “right of resistance” or “civil disobedience”. 
Next, let us consider the idea of peace as a state of mind. It is not an accident that many absolute pacifists are also religious believers. They regard peace as a state where people live a harmonic and happy life without any feeling of conflict, hatred, resentment, or egoism. Moreover, they think that it is maintained only by devotion and love, not by political means of physical violence or mental oppression. We need to respect those desires but we need to think about its practicability at the same time. Besides the absolute pacifists’ utopia may not always be a desirable society for human beings if it implies an eternal, unchanging, and sometimes boring life.

This does not mean that peoples’ mentality towards war and peace are not important. Indeed, the primary condition for peace lies in people’s mentality. The introductory clause of the UNESCO Constitution states, “since wars begin in the minds of men, it is in the minds of men that the defenses of peace must be constructed.” The Constitution maintains that to accomplish this, we need to spread civility for our mutual understanding and promote educational programs for justice, freedom, peace, and our mental solidarity.

Hostility is mobilized during war. From a socio-psychological point of view, it is nothing but a reflection of the negative side of our mentality. Sam Keen states:

the wars we engage in are compulsive rituals, shadow dramas in which we continually try to kill those parts of ourselves we deny and despise. Our best hope for survival is to change the way we think about enemies and warfare. Instead of being hypnotized by the enemy we need to begin looking at the eyes with which we see the enemy. […] Depth psychology has presented us with the undeniable wisdom that the enemy is constructed from denied aspects of the self. Therefore, the radical commandment ‘Love your enemy as yourself’ points the way toward both self-knowledge and peace.17

And this is not new to the “exceptional case” of war:

The assumption that there is a vast difference between the moral fiber of the man who enjoys killing in battle and you and me is the illusion on which the notion of normality is built. […] Abused children become abusing parents […] To lessen the quantity of cruelty and sadism, we must learn to listen to the cry beneath violence. […] The only certain way out of the blind ritual of war is by learning to substitute grief for anger.18

Many Japanese ex-soldiers who had fought in China felt guilty about having committed barbarous acts. Masaaki Noda, a Japanese psychoanalyst, emphasizes the importance of “a sensitive man rather than a strong man”, saying that “there exists no peace without a culture that is sensitive to others”.19 This is a crucial point when thinking about peace as a
problem of mentality. We should not be blind to the fact that there always lies violence in the practices of politics. As Max Weber states, we should be aware that politics necessarily involves “the diabolical powers that lurk in all violence”. 20

VI. Democracy and Peace

The final issue that needs to be addressed here is the relationship between democracy and peace. Ancient democracy was direct democracy. Citizens were guaranteed political equality, an entitlement to participate in discussions about public affairs. Outside the wall of the polis, however, violence was a common practice and three-fourths of the population including women, children, metics, and slaves were excluded from the sphere of politics.

Modern democracy is totally different from ancient democracy. The main difference is that the former takes the form of indirect democracy, which is nothing but a kind of oligarchy in ancient terms since it is organized by a few representatives. To put it more simply, there cannot be a direct democracy—the rule of the people by the people—either in premodern or modern societies. Ancient democracy was based on the principle of exclusion, and the case is not different from that of modern democracy. The main reason is that there is no national homogeneity anywhere in the world although parliamentary democracy needs the idea of “undivided national homogeneity”. Thus, modern states have had to make one common, homogeneous, and solid “nation” from a variety of individuals living within its borders (who are called the “multitude” by Antonio Negri and Michael Hardt 21). It is not too much to say that the problems of modern democracy arise out of the conception of national democracy that aims to achieve “national” equality within a nation. This is problematic because it could be taken to imply equal treatment of homogeneous citizens and unequal treatment to “heterogeneous” others. This may cause the exclusion/extermination of others when combined with the instruments of violence.

There is, however, a different notion of democratic institution that is condition for making peace. Isocrates suggested that peace could make democracy stable, and this suggestion has a significant role in Imanuel Kant’s *Perpetual Peace*. 22 In the book, Kant states in the first definitive article that “the civil constitution of every state should be republican”. Here Kant uses the term “republican” as the antonym of despotism, and we can interpret it as “democratic” in our terms. Bruce Russett tries in his *Grasping the Democratic Peace*, to verify the idea that liberal democracies never or hardly ever go to war with each other. 23

It seems at first glance right to say that democratic countries are more committed to peace than authoritarian countries in economically developing areas. Indeed, many political theorists like Jean-Jacques Rousseau expected that war would have been far more restrained where people had a sovereign power in politics than where a king tended to wage war just like fox hunting for amusement. In reality, however, national democracy in the 19th century’s often sought the total destruction of opponents, and there was also a tendency for people to remember brutal acts committed against them in wartime. Thus we cannot deny
the possibility that democracy made the nature of war more violent. Russet simply excludes wars waged by democratic countries from the scholarly definition of war and tries to convey the impression that the biggest obstacle to peace is the high level of violence occurring in Africa and Latin America. Even if it is true that the level of violence is high in those areas, the cause lies in past colonization and today’s exploitation and oppression. We cannot disregard past violence and enjoy peace existing only within developed countries.

Thus, the real problem is not the relationship between democracy and peace but the relationship between democracy and violence and the relationship between peace and the undemocratic state of affairs (in the sense that peace is unfairly monopolized by a few privileged groups). We need to rethink whether democratic institutions are still a necessary condition of peace, even though peace exists only in democratic countries where heterogeneous others are systematically excluded.

Equality among nations and the idea of national homogeneity inevitably construct a line that discriminates between “us” and “them” and aim at the exclusion/elimination of the “heterogeneous others.” But the point to be emphasized here is that violence and justice are two sides of the same coin of the modern state. Otherwise what Hannah Arendt calls the “aporia of human rights” will never be resolvable. It is the state which violates human rights, but it is the same state that can defend human rights (though these are the rights possessed not by human beings but by nations). Thus it is safe to say that while focusing on the violent side of politics, we still expect the implementation of justice in modern states and try to expand it.

VII. Conclusion: On the Possibility of Politics

Confronted with the over-simplistic dualistic approach of “unjust peace” in the name of absolute pacifism or “just violence” often found in the practice of humanitarian intervention, Galtung seems to promote positive pacifism as a possibility of “just peace”. But it may at the same time be practiced only by such exceptional saints as Martin Luther King Jr. or Mahatma Gandhi. Regarding the idea of just violence, as in the case of just war theory, it is self-deceiving to call the exercise of force in striving for “just peace” a “peaceful measure”. Therefore, it is not a bad idea to pay attention to the fourth possibility: reducing “unjust violence”. It seems to me that trying to reduce unjust violence as much as possible is the fastest road to peace. Judith Shklar insists that the reduction of evil, cruelty, and fear is the primary objective in liberal traditions, and connects it to the feeling of injustice as an ethos of democracy that all of us must possess. With this aim, we need to be more sensitive to the memory of violence and to the suffering and fear of others that do exist somewhere in the world. Here we can see the slight possibility of politics. Constructing any democratic institution would not lead to the achievement of peace. What is necessary is that each individual does not despair over the gap between the ideal and the actual but hold on to our hope that conflicts be solved without using violence. Democracy may be an insufficient institution in
terms of achieving justice and peace, but may still be a promising approach to avoid the worst evil of unjust violence.

Notes

2 “Kant himself called” some of his political writings, so spoke Hannah Arendt in her Kant’s lectures, “a mere ‘play with ideas’ or a ‘mere pleasure trip’”. And the ironical tone of Perpetual Peace, by far the most important of them, shows clearly that Kant himself did not take them too seriously.” Hannah Arendt, Lectures on Kant’s Political Philosophy (The University of Chicago Press, 1982), p. 7.
4 There are many theoretical followers of Carl Schmitt both on the left and the right. Especially the leftists Chantal Mouffe and Giorgio Agamben are important. I shall deal with this issue in another article.
6 Yayo Okano, “Striving for Peace: From Security to Care” [Heiwa wo Motomeru: Anzen-Hosho kara Kea e], in Yosshiki Ota and Masashi Yazawa (eds), Political Theories on Evil and Justice ([Aku to Seigi no Seiji-Riron], Kyoto: Nakanishiya, 2007), p. 216. [Japanese].
7 On the theories of just war, see P.C. Christopher, Just War Theory (University of Massachusetts, 1990); R.L. Phillips, War and Justice (University of Oklahoma Press, 1984); J.T. Johnson and G. Weigel, Just War and the Golf War (Ethics and Public Policy Center, 1991); J. B. Elshtain, Just War Theory (Basil Blackwell, 2002).
9 Ibid., p. 3 f.
10 Ibid., p. 228.
11 Ibid., p. 231.
12 Ibid., p. 254.
14 Ibid., p. 168.
22 I. Kant, “Zum ewigen Frieden,” in Kant’s gesammelten Schriften, Bd. 8 (Berlin, 1912).
23 B. Russet, Grasping the Democratic Peace: Principles for a Post-Cold War World (Prince-
