

**International Relations, Obligation, War:  
Obligation and IR, What's the Point?**

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**Abstract:** Is political obligation, a traditional political philosophy problem, of relevance to international relations? This paper suggests that it is. While political obligation as a problem pertains to conditions that do not exist in international relations, some of the normative features of political obligation are similar. Moreover, an approach to political obligation that is influenced by international relations illuminates a key problem in the normative conditions of political obligation as argued by Kant. This problem relates to the relationship between morality and politics, and is of direct importance to the obligation to be sent into war. International relations scholars should be interested in the problem of political obligation, not only because it could help provide better normative arguments and increase understanding of the ethics related to war, but also because they could contribute to a better understanding of the problem of political obligation.

## Political Obligation, What's the Point?<sup>1</sup>

In order to justify authority, the law, normative behaviour (or expectations) of citizens, and in some ways, the international system, it is necessary to invoke an account of political obligation. Yet, while in domestic political theory political obligation is a core concept, in international relations it is rarely addressed. There may be a good reason for this disinterest among international relations scholars, for the concept of political obligation is traditionally linked to life inside the state,<sup>2</sup> the character of domestic law or the foundational authority of the commonwealth/state. However, political obligation, in these terms, is important for international relations, even if it may not serve as the foundational principle that it is often used as in the domestic political philosophy literature. Political obligation refers to many different types of commitments and duties, often explicitly normative, that relate to both domestic and international political life. Bringing considerations relevant to international relations bear on the problem of political obligation highlights one of the fundamental tensions that exist in modern descriptions of political life. In particular, such an approach brings to light the contradictions that take place between the normative underpinnings of political obligation and the political necessities by which obligation is needed. This tension, or outright contradiction, is clear in Kant's normative thought and the ways that Kant brings his moral philosophy to international relations, particularly in relation to the problem of war. The issue here is how the state may justifiably oblige its citizens to risk their lives by being sent into war. Kant recognizes that as moral agents, each individual must be given the chance to consent to this obligation, but he also knows that political necessity may negate the opportunity for this consent. However, before getting to Kant, it is first necessary to provide the context for why political obligation is important in international relations, and why political obligation, as a subject of inquiry, should be taken seriously by scholars of international relations.

The concept of political obligation is often thought to lie at the heart of political thought.<sup>3</sup> Indeed, as a question, it is difficult to remove political obligation from the basics of political thinking at least since the Middle Ages if not since Socrates defended his imminent execution. Political obligation refers to why anybody would not only obey another person, but obey the authority of the state and abide by the law. The question of political obligation can be framed either in legal terms or political philosophy/theory-of-state terms. In either case, the basis of political obligation is some sort of juridical-political justification for the expectations or requirements under which a state can successfully function. In this framework, the problem of political obligation is seemingly far removed from the problems of international relations. In a different framework, however, political obligation has considerable relevance in international relations, insofar as the obligations at stake pertain to the normative duties held by states either in relation to each other and the society of states, or to humanitarian values. In either case, these are moral obligations to be taken by the political means available within the context of international relations. In this account of political obligation, international relations is not only relevant, it is the means by which humanitarian duties can be realized. Of course, here is where the concept of obligation becomes increasingly vague, for now obligations are constructed not as a juridical-political discourse legitimating authority, but as a moral discourse justifying normative expectations (and in some cases, action) and

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<sup>1</sup> I would like to thank Hidemi Suganami for his invaluable help in clarifying some of the harder theoretical problems addressed in this article, and to David Western for taking the time to read it and offer comments.

<sup>2</sup> Martin Wight, "Why Is There No International Theory," *International Relations* 21, no. 1 (1960).

<sup>3</sup> Isaiah Berlin, "Does Political Theory Still Exist?," in *Philosophy, Politics and Society (Second Series)*, ed. Peter Laslett and W.G. Runciman (Oxford: Basil Blackwell, 1969).

without any overarching authority to replace the state or law. As such, obligation would be conflated with such terms as duty, loyalty, commitment and possibly allegiance, and the conceptual borders under which it was possible to define the question of political obligation are destroyed. Moreover, the obliged are no longer individual citizens but states. Consequently, it seems relevant to ask, what is the point of thinking about political obligation in international relations?

There are a few reasons why it is important. First, accounts of obligation are rife in the international relations literature, and since the idea of obligation involves a strong sense of commitment and duty, it would be useful to think about why normative demands made on states are, in fact, obligations. Second, all the above versions of obligations assume that obligation is a foundational concept, that it is a foundation for normative behaviour. Consequently, invoking the concept of political obligation is akin to stating that a certain course of action is, to some extent, unavoidable. To be obliged to do something (or not to do something) involves an assumption of the inevitable, which is in some ways how the normative literature defends itself, by claiming that its suggestions should be taken because to do anything else would be calamitous, either to humanity or state stability and the international system (for example). Third, within international relations the dividing line between moral and judicial-political accounts of obligation is challenged, since the obligations that take place inside the state and which relate to the behaviour of citizens are sometimes of direct relevance to international relations (such as in the cases of civil society participation and the ability of a state to go to war). Consequently, and following from these three points, it would appear that an account of political obligation is important for international relations.

The problem of political obligation in international relations is primarily about the relationship between morality and politics, of how human morality as a universal principle runs up against the particularities of political life in a system of sovereign states. In this regard, the relevance and challenges of political obligation in international relations are especially Kantian, for Kant remains one of the most influential voices in trying to sort out the relationship between moral thought and politics. Consequently, to understand political obligation in international relations, Kant is a good place to go. As such, this essay will, (1) introduce the concept of political obligation in international relations, (2) examine the problem of political obligation in relation to war, and (3) critique Kant's argument on political obligation, morality and politics in regard to international relations and the problem of war.

## **Obligation and International Relations**

When political obligation is addressed in modern thought it is often spoken about in consent terms, classically by reference to the social contract metaphor. This framing of political obligation makes possible a confluence of the legal and political sides of political obligation, at least in Hobbes' version and to a lesser degree in Rousseau's. Obligations to the state are, consequently, parallel to any obligations to obey the law. The contract metaphor is not the only way to justify political obligation, and some consent theorists have been critical of the social contract logic.<sup>4</sup> Nevertheless, some version of consent theory remains the most common way to argue for political obligation. These accounts vary, but the basic point of them is that by obeying the state

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<sup>4</sup> See, for example, Hanna Pitkin, "Obligation and Consent," in *Philosophy, Politics and Society (Fourth Series)*, ed. Peter Laslett and WGR Runciman and Quentin Skinner (Oxford: Basil Blackwell, 1972), Thomas Hill Green, P. Harris, and John Morrow, *Lectures on the Principles of Political Obligation and Other Writings* (London: Cambridge University Press, 1986), John Plamenatz, *Consent, Freedom and Political Obligation*, 2nd. ed. (London: Oxford University Press, 1968).

or the law, the individual citizen is doing nothing else than obeying his or her own will.<sup>5</sup> Consequently, political obligation does not involve coercion but free choice, at least in theory. In international relations, this approach to political obligation would have little currency since the metaphorical argument of the social contract is for the establishment of a state, and not necessarily a normative basis for explaining either state relations or the relations of states to peoples in other states. Yet, the contract does, in fact have something to say about international relations. In, *Men and Citizens in the Theory of International Relations*, Andrew Linklater notes this by reference to Sir Robert Filmer.<sup>6</sup> Filmer (1588-1653), an ardent monarchist and patriarchalist, recognized that if all people have the same rights then if one group decides to have a monarchy, it must respect the rights of others to make the same decision.<sup>7</sup> Linklater similarly argues that any social contract theory must respect the right of other communities and other peoples to form their own contract and establish their own state. Consequently, contract theory implies that all of humankind consents to dividing the world into separate states.<sup>8</sup> David Novak makes a similar claim, when he writes, “Because the social contract stems from the rights of persons even prior to their becoming citizens of a democracy, a society based on a social contract can also respect and defend the human rights of all human beings everywhere or anywhere.”<sup>9</sup> Consequently, there is a connection between the obligation argument contained in the social contract and normative underpinnings of the international system.

However, the connection is normative, not analogous. It is not possible to take the social contract and by way of some domestic analogy apply the logic of the contract to the international realm. Michael Walzer tries to accomplish something like this with the legalist paradigm he uses in *Just and Unjust Wars*. Walzer suggests that the legalist paradigm replicates the “conventions of law and order” and as such, is a domestic analogy.<sup>10</sup> However, the problem with this argument is that international and domestic law are not analogous. Domestic law takes place under conditions of sovereign authority, whereas international law does not. To extrapolate a legal/political discourse based on life inside the state that includes an account of political obligation, and then presume that this account can be applied to the international is to misrepresent how political obligation exists internationally, and to possibly misunderstand the domestic analogy.<sup>11</sup>

One common denominator in a theory of obligation is the idea that to be obliged to act (or not to act, which is also a type of action) involves some kind of duty, that one ought to do x, and that even though there is a choice, to be obliged is to recognize that one really ought to perform in the expected way. When the idea of a being obliged is put in this way, it makes sense to start to think about responsibility, that there is a

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<sup>5</sup> The importance of the will for political obligation is examined in, Patrick Riley, *Will and Political Legitimacy: A Critical Exposition of Social Contract Theory in Hobbes, Locke, Rousseau, Kant, and Hegel* (Cambridge, Massachusetts and London, England: Harvard University Press, 1982).

<sup>6</sup> Andrew Linklater, *Men and Citizens in the Theory of International Relations*, 2nd ed. (London: Macmillan in association with the London School of Economics and Political Science, 1990).

<sup>7</sup> Robert Filmer, *Patriarcha and Other Political Works* (Oxford: B. Blackwell, 1949), 285. Robert Filmer and J. P. Sommerville, *Patriarcha and Other Writings* (Cambridge: Cambridge University Press, 1990), 139-40.

<sup>8</sup> Linklater, *Men and Citizens in the Theory of International Relations*, 14. A similar Kantian argument is made by George Kateb in, George Kateb, *The Inner Ocean: Individualism and Democratic Culture* (Ithaca, N.Y. ; London: Cornell University Press, 1992).

<sup>9</sup> David Novak, *The Jewish Social Contract: An Essay in Political Theology* (Princeton and Oxford: Princeton University Press, 2005), 3.

<sup>10</sup> Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 3rd ed. (New York: Basic Books, 2000), 61.

<sup>11</sup> See, Hidemi Suganami, *The Domestic Analogy and World Order Proposals* (Cambridge: Cambridge University Press, 1989).

responsibility to act in a particular war. A responsibility is not necessarily the same as an obligation, although some of the international relations literature might suggest that it is. Along with the International Committee on Intervention and State Sovereignty, Nicholas Wheeler's solidarist defense of humanitarian intervention easily suggests that there is an emerging obligation on the part of the international community to help those in need.<sup>12</sup> Note, for example Wheeler's description of the solidarist defence of intervening in the affairs of another state in order to stop crimes against humanity from taking place: "At this point, states are morally entitled to use force to stop these atrocities, and, for some solidarists like Vincent, the *obligation* is even stronger and the society of states has a *duty* to act."<sup>13</sup> As William Bain notes in a recent article, English School theorizing often involves some implied account of political obligation.<sup>14</sup>

An examination of the International Commission on Intervention and State Sovereignty's report, *The Responsibility to Protect*, further illustrates how obligation relates to normative principles of responsibility in international relations. One of the core principles of the report claims that there are "*obligations* inherent in the concept of sovereignty."<sup>15</sup> In addition, any account of human rights implies that there are obligations to other human beings simply because of the shared experience of being a living person. Sometimes this claim is addressed by way of Kantian inspired cosmopolitan ethics, which also suggest that there are obligations to humanity that surpass the boundaries of states.<sup>16</sup>

Even if one goes to the opposite side of the political spectrum, there are assumptions that states have an obligation to act in order to protect not just the citizenry but some kind of international society as well. For example, and self-consciously (albeit controversially) following the *Responsibility to Protect*, Lee Feinstein and Anne-Marie Slaughter claim that there is an "international *obligation*," a "*duty* to prevent," dangerous regimes from acquiring Weapons of Mass Destruction.<sup>17</sup> Jean Elshtain has also argued that there is an obligation on the part of the United States to act in order to prevent terrorism from spilling out across the globe, especially when it might threaten the United States.<sup>18</sup> In these examples, the idea of obligation refers to an expectation of the conduct of states, or possibly the conduct of international organizations.

These arguments all claim that the obligation is one that states or large political institutions have. Toni Erskine's edited book about the responsibility of institutions is perhaps clearest in acknowledging this focus.<sup>19</sup> However, why is there an expectation of duty on the part of these states? In part, the expectation arises out of why the state is presumed to exist, of what normative purpose the state serves in its relation to humankind. Yet, to make this claim the international political theorist needs to justify why the state has a duty of care, and this is a traditional political theory problem. Often Kant figures in explanations justifying internationalist duties, but as Seyla Benhabib

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<sup>12</sup> Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2000).

<sup>13</sup> *Ibid.*, 28. Emphasis added.

<sup>14</sup> William Bain, "One Order, Two Laws: Recovering the 'Normative' in English School Theory," *Review of International Studies* 33, no. 4 (2007).

<sup>15</sup> Report of the International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (Published by the International Development Research Centre, December 2001), xi. Emphasis added.

<sup>16</sup> See for example, Linklater, *Men and Citizens in the Theory of International Relations*, Andrew Linklater, *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era* (Oxford: Polity, 1998).

<sup>17</sup> Lee Feinstein and Anne-Marie Slaughter, "A Duty to Prevent," *Foreign Affairs* 83, no. 1 (2004). Emphasis added.

<sup>18</sup> Jean Bethke Elshtain, *Just War against Terror: The Burden of American Power in a Violent World* (New York: Basic Books, 2004).

<sup>19</sup> Toni Erskine, ed., *Can Institutions Have Responsibilities? : Collective Moral Agency and International Relations* (Basingstoke: Palgrave Macmillan, 2003).

notes, Kant was aware that domestic obligations are substantively different than ones that exist among human beings outside the of bounded legal relations established inside the state.<sup>20</sup> In political theory, the concept of political obligation traditionally refers to people or individuals, to how people can be presumed to be justifiably obliged by the state, whereas in international political theory, political obligation is generally used to refer to a duty on the part of the state not necessarily because of what the state is supposed to provide for its citizens but because of a humanitarian impulse. Political obligation in both domestic and international accounts is, of course, normative, and shows a concern over the welfare of others, either as citizens or human beings. However, this dichotomy between the citizen and the human is where obligation starts to crack.

Nicholas Wheeler's solidarist argument also implies that as humans who have organized ourselves into a system of states, we have an obligation to help others when their need is great enough. This kind of argument can make sense only if it refers back to a relationship between human beings and their respective states, and then seeks to broaden this relationship to include people from other states. People and not just states are significant in thinking about how to conceptualize the obligations between political communities in an international world. Indeed, the human rights, solidarist, cosmopolitan and internationalist literatures challenge the idea that one can be obliged primarily and exclusively as a citizen, and that states are expected to be obliged only insofar as the best interests of its population are concerned. In this vein, there is a vast amount of literature that implies that there are obligations which exist in the international realm and which emerge out of the necessary and normative relations that exist among the human race. Since, as Hannah Arendt once claimed, it is as men and not man, that humans inhabit the earth it makes sense to think about how "men" are obliged to others beyond the immediacy of their place of residence or claim to a fraternity of citizens.<sup>21</sup>

However, and returning to Kant, there remains the problem that traditional political thought has by and large sought a distinction in which obligations to human beings are substantively different types of obligations than those that exist between a state and its citizens. International relations may be an ideal venue to challenge this distinction, but in order to do so more is required than justifying human internationalism according to some version of Kantian universalism. Indeed, Kant's account of political obligation is especially problematic due to Kant's inability to reconcile political necessity with moral virtue. This issue in Kant's thought is particularly noticeable in relation to a rarely critiqued but important moral/political problem for both international relations and domestic political thought, that of the obligation to risk one's life in war, or as Michael Walzer terms it, "the obligation to die."<sup>22</sup>

## Political Obligation and War

That political obligation is important for the state to conduct war has been noted for a long time. Many of the classical just war thinkers provided arguments for why the sovereign may justifiably oblige its subjects to risk their lives by being sent into war.<sup>23</sup>

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<sup>20</sup> Seyla Benhabib, *The Rights of Others: Aliens, Residents and Citizens* (Cambridge: Cambridge University Press, 2004).

<sup>21</sup> Hannah Arendt, *The Human Condition* (London and Chicago: Chicago University Press, 1958), 7.

<sup>22</sup> Michael Walzer, *Obligations: Essays on Disobedience, War and Citizenship* (Cambridge, MA: Harvard University Press, 1970).

<sup>23</sup> Such as, Augustine, *The City of God against the Pagans*, ed. R.W. Dyson, trans. R.W. Dyson (Cambridge ; New York: Cambridge University Press, 1998), Thomas Aquinas, *Political Writings*, ed. R.W. Dyson, trans. R.W. Dyson (Cambridge: Cambridge University Press, 2005), Francisco de Vitoria, *Political Writings*, ed. Anthony Pagden and Jeremy Lawrance (Cambridge: Cambridge University Press, 1991).

Outside of just war thinking, Machiavelli recognized the importance of the state obliging its own members to fight on its behalf, as opposed to mercenary forces.<sup>24</sup> Contemporary writings on political obligation have also noted this issue, even if they generally tend not to examine this particular obligation in any detail.<sup>25</sup> Historians have recognized the central role this obligation has played in the international history of the modern state.<sup>26</sup> Going to war is one of the state's privileges, conferred upon it by a political project designed to restrict violence both inside the state and between them. But how is it that the state is able to wage war? A state cannot fight if it is unable to send soldiers into battle. What would happen in a war where the state asked its citizens to fight, and they all refused? James Fishkin notes this exact problem when he examines the concept of generalized obligations in his introductory book on political obligation.<sup>27</sup> As Tim O'Brien discovered first-hand in relation to the Vietnam War, it does not matter if the war is just, and as Peter Paret notes, those who face battle are rarely those who have declared war and yet these decision makers will take it for granted that they can conscript or recruit soldiers when necessary.<sup>28</sup> The state can always oblige, if not enforce, its citizens to go to war regardless of the type of war or the type of conscript.<sup>29</sup> Were nobody to obey a draft or to volunteer for the army, the state would probably collapse either by invasion or by some kind of rebellion.<sup>30</sup> At the very minimum, the government would collapse and the legitimacy of the state would be called into question.

The obligation to risk one's life by being sent into war is an obligation that gets to the heart of theories of state, which is why both Rousseau and Hegel accord it such a prominent role in their respective political philosophy. According to Michael Walzer, "Rousseau's politics is not really based upon self-preservation or upon any absolute interest in security, property, welfare, or happiness. Indeed he rejects interests of this sort precisely because they cannot serve as the basis of an obligation to die."<sup>31</sup> Hegel claims that any theory of state needs to explain why any self-interested bourgeois would be willing to risk his life in war for the benefit of the state. He writes that, "It is certainly the case that the individual person is a subordinate entity who must dedicate himself to the ethical whole. Consequently, if the state demands his life, the individual must surrender it."<sup>32</sup>

This example of an obligation to risk one's life in war is a prime example of how political obligation is important for international political theory since any theory of the justifiability of war or of the ethics of war needs to explain how it is that the state can be presumed to oblige its inhabitants to risk their lives on its behalf. To be clear here, the

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<sup>24</sup> Niccolò Machiavelli, *The Prince*, ed. Quentin Skinner and Russell Price (Cambridge: Cambridge University Press, 1988).

<sup>25</sup> Note in particular, Margaret Gilbert, *A Theory of Political Obligation: Membership, Commitment, and the Bonds of Society* (Oxford: Clarendon Press, 2006). The key work on this obligation is *The Obligation to Die for the State*, in, Walzer, *Obligations*.

<sup>26</sup> Peter Paret, "Justifying the Obligation of Military Service," *The Journal of Military History* 57, no. 5 (1993), Eric Hobsbawm, *Globalisation, Democracy and Terrorism* (London: Little, Brown, 2007).

<sup>27</sup> James S. Fishkin, *The Limits of Obligation* (London: Yale University Press, 1982).

<sup>28</sup> Paret, "Justifying the Obligation of Military Service.", Tim O'Brien, *If I Die in a Combat Zone* (London, New York, Toronto and Sydney: Harper Perennial, 2006).

<sup>29</sup> The state's ability to enforce this obligation is, according to Cheyney Ryan, one of the defining characteristics of the obligation to die in war, as opposed to other situations where one might be obliged to risk one's life. See, Cheyney C. Ryan, "Self-Defense and the Obligations to Kill and to Die," *Ethics and International Affairs* 18, no. 1 (2004).

<sup>30</sup> Note that a volunteer army does not negate the significance of this obligation. First, volunteers sign up for a variety of reasons, many of which will have nothing to do with risking their life for the country. Second, a volunteer army does not negate the possibility of invoking a draft.

<sup>31</sup> Walzer, *Obligations*, 91. See, Jean-Jacques Rousseau, *Emile*, trans. Barbara Foxley (London: J. M. Dent & Sons, 1911 (1957)), 252.

<sup>32</sup> Georg Wilhelm Friedrich Hegel, *Elements of the Philosophy of Right*, ed. Allen W. Wood and Hugh Barr Nisbet (Cambridge England ; New York: Cambridge University Press, 1991), 102.

obligation is not specifically about sending someone to die as it is about sending someone to his/her possible death in war. In the words of Samuel Pufendorf:

Force on the part of an external enemy has often to be met by force or we may need to use violence in claiming our right. In either case the sovereign authority may compel the citizens to perform this kind of service, where it is not a question of deliberately sending them to death but only exposing them to the danger of death.<sup>33</sup>

If a war is to be justified it needs to be explained how the sovereign can justifiably oblige its subjects to risk their lives on its behalf by being sent into war. Nicholas Rengger has pointed out that the just war tradition involves the freedom to make certain choices, but that there are obligations involved in these choices and it is no surprise that political obligation is a key problem in much of the just war literature.<sup>34</sup> From Aristotle throughout the Middle Ages to the modern world, the obligation to die has been addressed as a problem of relevance to the individual, the state, and of the justifiability of waging war. Justifying this obligation has, however, become increasingly difficult after Kant, for Kant rightfully noted a moral and political conundrum in this obligation.

### **Thinking about War, Obligation and Morality: The Kantian Legacy**

If political obligation is relevant to the study of international politics, its relevance is perhaps the clearest in the work of Kant, who sets up the basic distinctions with which modern international political thought on war functions. These distinctions set up the basic conundrum of trying to merge moral values and political necessity. In international relations this problem is of great significance to war, and the entire just war tradition has been an attempt by various theologians, jurists and political theorists to resolve this merger within the construct of war between states. Of course, Kant was critical of such attempts, but he did recognize that it is almost inevitable that at some point moral values and political necessity will collide, and the resolution is in part how a society is able to define its normative values. Insofar as war is concerned, Kant finds himself torn between respecting the individual moral rights of individuals and knowing that if the state is to survive, it must be able to send its citizens to defend it in war if necessary. In such situations it is unlikely that there will be sufficient opportunities to give the citizens the choice of whether or not to fight, since if the state cannot count on the citizenry rushing to its defense (and possibly rushing to defend its interests) by placing their lives at risk, the sovereign authority and cohesion of the state could crumble. Consequently, when Kant address this obligation he finds himself torn between politics and morals, which is odd since he is often used to bring universal morality into politics.

The moral universalism of humankind is what demands states to be obligated to help people in dire need, due to war or humanitarian crisis, regardless of where they reside or what citizenship they hold. However, the problem with Kant's account of moral obligation in international relations is that it is neither moral nor obligatory. That his internationalism is not moral becomes evident once one takes into account the distinction he makes between moral laws and political necessity. In making this distinction he claims that sometimes politics can trump morals. Consequently, once the

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<sup>33</sup> Samuel Pufendorf, *On the Duty of Man and Citizen*, ed. James Tully, trans. Michael Silverthorne (Cambridge: Cambridge University Press, 1991), 158.

<sup>34</sup> Nicholas Rengger, "On the Just War Tradition in the Twenty-First Century," *International Affairs* 78, no. 2 (2002).



moral denominator is removed, so too does the obligation since Kantian internationalism is predicated on the idea of a moral universalism.

In *The Metaphysics of Morals* Kant writes,

If we consider the original right of free states in the state of nature to make war upon one another (for example, in order to bring about a condition closer to that governed by right), we must first ask what right the state has *as against its own subjects* to employ them in a war on other states, and to expend or hazard their possessions or even their lives in the process. Does it not then depend upon their own judgment whether they wish to go to war or not? May they simply be sent thither at the sovereign's supreme command?<sup>35</sup>

Kant claims that if one is obliged by the state to go to war, all individuals should be given the option of whether or not to go. Individual consent is important and necessary. In this instance, actual consent is required, as well as the internal consent one has with one's mind. Kant is making a link between individual morality and political obligation. This individual is treated as an end in itself, and not as tool to achieve another end or goal. Kant writes, "Now I say that man, and in general every rational being, exists as an end in himself, *not merely as a means* for arbitrary use by this or that will: he must in all his actions, whether they are directed to himself or to other rational beings, always be viewed *at the same time as an end.*"<sup>36</sup> In this instance, the obligation to die must respect this aspect of human individuality and identity, which is why actual consent is required.

Yet, Hannah Arendt claims that in political problems Kant recognized a serious limit to his moral philosophy. According to Arendt, when it comes to the obligations demanded of citizens, Kant thought that moral thinking could not help.<sup>37</sup> In his *Essay on Perpetual Peace* Kant writes,

It... remains for men to create a good organization for the state, a task which is well within their capability, and to arrange it in such a way that their self-seeking energies are opposed to one another, each thereby neutralizing or eliminating the destructive effects of the rest. And as far as reason is concerned, the result is the same as if man's selfish tendencies were non-existent, so that man, *even if he is not morally good in himself, is nevertheless compelled to be a good citizen.*<sup>38</sup>

Kant suggests that it is one's duty to the state that matters more than one's duty to human happiness or to morality. Kant makes the point "that a bad man can be a good citizen in a good state,"<sup>39</sup> and by "bad" he means anyone who does not act in accordance with the universal law of right (the categorical imperative). Kant accepts that in the state it may be necessary for people to act in ways which support the institutions of the state but not a moral kingdom of ends. Consequently, the one universal moral law that Kant seeks to build is ultimately rendered moot in a case where, if the obligation is to be justifiable, morality needs to be taken into consideration more than in any other: the obligation to die for the state.

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<sup>35</sup> Immanuel Kant, *Kant: Political Writings*, ed. Hans Reiss, trans. H. B. Nisbet, 2nd ed. (Cambridge: Cambridge University Press, 1991), 166. (Italics in original).

<sup>36</sup> ———, *The Moral Law: Groundwork of the Metaphysics of Morals*, trans. H. J. Paton (London and New York: Routledge, 1948), 105 (428:65).

<sup>37</sup> Hannah Arendt, *Lectures on Kant's Political Philosophy*, ed. Ronald Beiner (Chicago: The University of Chicago Press, 1992).

<sup>38</sup> Kant, *Kant: Political Writings*, 112. (*Perpetual Peace*) (Italics added).

<sup>39</sup> Arendt, *Lectures on Kant's Political Philosophy*, 17.

Kant's condemnation of resistance to authority and of rebellion supports this conclusion, and he recognizes the state's ability to use violence to suppress any challenges to it.<sup>40</sup> In this regard, Kant is a peculiar type of consent theorist.

Kant is sometimes associated with the "social contract tradition," where the idea of consent is important in a particular way. That is, the possibility of resistance to the sovereign might be argued to arise only for those who have previously consented to obey him. But for Kant, there is no question of consent as a necessary condition. It is always permissible to *compel* someone to enter one's state, if one lives with him or comes into conflict over ownership, or if a relationship involving mutual rights could arise.<sup>41</sup> Consequently, in Kant's view any refusal to accept the obligation to die for the state could be an act of rebellion, provided that the head of the state acts according to the benefit of the state or the happiness of its inhabitants (which presumably should match). Such a leader must have the authority to "maintain [the state's] strength and stability, both internally and against external enemies."<sup>42</sup>

There is a tension here between Kant's moral philosophy and his political argument. Should one listen to Kant the moral universalist who treats individuals as ends and argues that war is both morally and rationally wrong, or the Kant who claims that one should think freely but obey the political authorities?<sup>43</sup>

The possibility of an obligation to die in war is a political and moral affront to Kant's philosophy. While he may opine about the possibility of a perpetual peace between republics in a federation of states, he also recognizes that sometimes politics involves difficult decisions worthy of a Machiavelli. Here the critical philosophy of Kant struggles, since it may be possible to logically construct an image of how the world could be, but there is always the possibility of something coming into the equation that tests the universality of a kingdom of ends. There is always doubt, always chance, always some form of discrimination between ideas, people, values, and moral norms. Neither Kant's objective moral philosophy nor his critical philosophy for a perpetual peace make room for these kinds of problems, and the obligation to die is the ultimate example that contradicts a premise of universal peace. The obligation may not occur regularly – one would hope not – but it is the possibility of it occurring that is the issue. In Kantian terms, until everybody is the same rational moral agent, there will always be the possibility of war, and since this global universality is exceptionally unlikely to occur, there will always be the possibility of the obligation to die.

The tension between moral universalism and political necessity contained within the structures of a system of sovereign states as articulated by Kant may be one of the clearest (and most influential) of attempts to sort out the modern condition of political and moral life. The legacy of Kantian moral/political thought is the assumption that morality and political obligation should, in normative terms, be one, but that in political terms, this unity is practically impossible to achieve. This paradox is made clearer in the Rousseauist distinction that Kant adopted between the individual human being or "man" and the "citizen". Whereas Rousseau placed morality squarely in the purview of the citizen (the morality required for life among others did not exist in "man"), Kant places morality in the abstract individual and it is by the metaphor of the contract that this morality applies to citizens. The distinction between the "citizen" and "man" is heuristic. As a dichotomous thinking device, it invites a forced choice between acting as a citizen

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<sup>40</sup> Kant, *Kant: Political Writings*, see pages 81, 85. (*Theory and Practice*)

<sup>41</sup> Peter Nicholson, "Kant on the Duty Never to Resist the Sovereign," *Ethics* 86, no. 3 (1976): 217. (Italics in original).

<sup>42</sup> Kant, *Kant: Political Writings*, 80. (*Theory and Practice*)

<sup>43</sup> See his, *Answer to the Question: What is the Enlightenment*. Ibid.

or a universal human being. Yet, if humans are all morally equal why presume that this distinction is a fair choice, why presume that there even is a choice. Indeed, Kant seems reluctant to admit that it is possible to be either, and although he does not say it, his political thought implies that humans need to be both at the same time. If the obligation to die was based on this supposition, that it is impossible to separate the human from the citizen, then it should be possible to come up with an account of the obligation to die that is theoretically more amicable to the rights of other citizens as human beings and could include some version of consent.

There is a puzzle at work in the “man/citizen” dichotomy. As Kant claims, if humanity is the operating concept for politics, there would be no war. His accusation of just war theorists being “sorry comforters” follows in part from this claim.<sup>44</sup> However, since politics is primarily about what goes on inside a bounded community (and possibly because humanity is an impossible concept to operationalize) it is necessary to turn to discourses of citizenship which is where the obligation to die becomes relevant. Consent theory is usually based on the idea that consent occurs within state boundaries, and if humanity as a political category is to refer to anything, it is to the apolitical life that exists in-between states. However, the puzzle is that the morality of being a citizen is made possible by presuming that there is a morality that exists above and beyond citizenship, in the realm of the human, *but* this morality is meaningless in this realm since there is no political life outside of the state in which consent becomes an issue. In order to address this puzzle, consent and contract theorists create distinctions between the universals of humanity or individuality and the particularity of state citizenship. The cosmopolitan/communitarian debate is precisely such an example, and further demonstrates how problems of political obligation are of relevance to international relations.

However, as Kant implies but does not assert, ultimately, the concepts of citizenship and humanity are not coherent if they are presumed to stand alone and choosing between them borders on the absurd. The dichotomy falsely assumes that people can isolate their obligations into a single locus of national citizenship or an amorphous and overly grandiose concept of humanity. If the dichotomy were to make sense, it would have to be possible to surgically separate what it means to be a citizen from what it means to be a human. This separation is impossible for even in some the most clear instances of having to act as a citizen, one does so because there is some kind of morality that is beyond citizenship – how else could there be human rights, or war crimes, or a just war tradition. The obligation to die is something that emerges out of being a citizen and we are citizens because it is as citizens that humans are (so far at least) capable of living together. The problem is that if the human/citizen dichotomy presumably necessary for the citizenship argument to work as a moral argument is called into doubt, then any possibility that the obligation to die can be justified according to the normative basis of citizenship is also called into question.

This problem presents itself in the way that the concept of moral universalism functions in consent theory. Even in Kant’s hypothetical contract, membership that transforms individual human beings into citizens involves a trade. The trade can be one for security (Hobbes), for the possibility of moral life (Rousseau), or for the hypothetical requirement of applying moral thought to politics (Kant). In any of these arguments, a

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<sup>44</sup> Ibid. (*Perpetual Peace*). However, in opposition to this conventional view of Kant's antagonism toward just war thinking, Brian Orend argues that Kant does provide his own version of a just war theory. Orend's argument relies in large part on finding in Kant's writings claims that disprove the idea that Kant is a pacifist (and considering Kant considers that citizens may be trained as voluntary soldiers, although there should not be a standing army, this claim is not difficult to make) and from this point, elaborate on the moral claims Kant provides in relation to war. Whether or not such claims amount to an actual theory of the justice or morality of and in (and after) war is debatable. See, Brian Orend, "Kant's Ethics of War and Peace," *Journal of Military Ethics* 3, no. 2 (2004).

transformation takes place: the human being becomes a citizen. Living as a citizen means that one is primarily obliged as a citizen to the community which make citizenship possible and to all the other citizens who make up this community. Citizens from different countries may be equal human beings, but the division of the world into sovereign states means that it is as citizens that persons engage with others insofar as rights and obligations are concerned. Nevertheless, any possibility for understanding the conditions for citizens being moral creatures is based on either the moral universalism of being human (Kant) or a claim about universal moral equality (Rousseau, Kant, and in the sense of natural equality, Hobbes as well). Moral universalism is necessary in order for consent or contract theory to justify citizenship, but ironically, this universalism is useless because consent theory does not assume that people can actually live as moral human beings outside of becoming citizens. The assumption is that people cannot live amongst each other as universal moral agents; they can do so only as citizens, who are not universal moral agents since they may have moral constraints imposed upon them by the particularities of citizenship.

Consequently, the moral universality that makes consent necessary or the objective moral law possible becomes compromised if not negated by the particularities of citizenship. In other words, the moral universalism that provides individuals the right to consent to political obligations, because they are morally equal (including consenting to the obligation to die) is compromised by a system that presumes such rights but ignores them, which is what Arendt is getting at when she comments about the absence in Enlightenment moral thought of a right to have rights.<sup>45</sup> The basic universal moral assumptions that make consent theory possible are destroyed by consent theory because humans are presumed to be able to live only as citizens. Paradoxically, consent theory assumes that the moral human being is partially destroyed by the citizen who is created in order for the moral human being to survive. Not only is there no actual consent involved in this equation – there cannot be, the argument is entirely abstract – but if there were consent, the consent would be akin to killing a part of oneself. Oddly enough, there might not be an obligation to die, but an obligation to kill as the moral human is murdered for the sake of a lesser moral citizen.

## Conclusion

The differences between domestic and international accounts of political obligation are significant, but they do not negate that political obligation is relevant to international relations or that international relations has something to say about political obligation. While the normative character of political obligation takes centre stage in international accounts, there is something analogous between domestic and international versions. Both suggest that the agent, state or individual, has a duty to act according to a particular set of normative guidelines and that to act contrary to such a duty is to violate commitments of being either a citizen or a member of international society.

Political obligation is, consequently, relevant for thinking about international relations, particularly in regard to the normative solidarist and English school texts. However, international relations has more to say about the problem of political obligation. The obligation to risk one's life in war exists as a potential problem because of the division of the world into states. The system of anarchy that characterizes international relations and ostensibly challenges the connection between domestic and international accounts of political obligation also illustrates a serious problem in political obligation. The state presumes it can oblige its inhabitants, and most citizens presume

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<sup>45</sup> Hannah Arendt, *The Origins of Totalitarianism* (London: André Deutsch, 1986).

that this obligating feature is a part of the state, and indeed this feature of bounded political communities goes beyond the creation of the modern nation-state.

The classical understanding of the ethics of war found in Aristotle is in large part based on the assumption that the obligation to risk one's life is not just a definitional feature of the state but that citizens will be ready to die for the sake of achieving glory in battle and consequently, of being remembered.<sup>46</sup> Rousseau emphasizes this ideal-type citizen to the extreme in his favourable account of the story of the Spartan mother whose sons are sent to war: "A Spartan mother had five sons with the army. A Helot arrived; trembling, she asked his news. 'Your five sons are slain.' 'Vile slave, was that what I asked thee?' 'We have won the victory.' She hastened to the temple to render thanks to the gods. That was a citizen."<sup>47</sup> It must be in a less extreme vein that Walzer claims that the obligation to die is a duty of the citizen (provided that the citizen recognizes this obligation). He writes, "When the state is in danger, its citizens rush to its defense, forgetful of all personal danger. They die willingly for the sake of the state, not because the state protects their lives – which would be as, Hegel argued, absurd – but because the state is their common life."<sup>48</sup> However, one wonders to what degree the citizenry actually rush to the defense of the state. In any case, while individuals will have different reasons for obeying the command to go to war, it remains to be said why they are prepared to accept the authority of the state or sovereign to send them into harms way. As Tim O'Brien notes in his account of the Vietnam War, question the authority that sends you into war and the most likely result is to be called a "pansy."<sup>49</sup> More than this problem, however, is that this obligation exists as a duty on the part of citizens, not humans. However, as Kant argues, morality is a human condition not a condition of citizenship. Consequently, one of the underlying claims of political obligation, that obligation is justified by way of morality (which is why consent is so important for political obligation), is called into doubt and universal human morality may become meaningless in domestic politics because of the conditions of international relations. Kant's moral and political philosophy tries to avoid this conclusion, but it struggles to do so.

In sum, political obligation matters in international relations, but it remains unclear how precisely obligatory obligations are, particularly when they relate to matters outside of domestic law. The Kantian contradiction between morals and politics could indicate that traditional conceptions of political obligation based on consent and various juridical-political frameworks may not be sufficient, or that all is lost until the global cosmopolis is achieved. What Kant seems to be clear on, however, is that the normative features of political obligation will continue to be contradictory so long as politics and morality are presumed to be different field. In this regard, there is work to be done in order to sort out the tangled relationship between politics and morality. The difficulty but importance of this relationship is especially pressing for the international relations scholar, due to our field's concern with conflict, violence and political uncertainty. If international relations scholars are to contribute to this untangling, they will have to grasp with the problem of political obligation.

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<sup>46</sup> Aristotle, *The Nicomachean Ethics*, ed. J. L. Ackrill and J. O. Urmson, trans. David Ross (Oxford: Oxford University Press, 1998).

<sup>47</sup> Rousseau, *Emile*, 8.

<sup>48</sup> Walzer, *Obligations*, 92.

<sup>49</sup> O'Brien, *If I Die in a Combat Zone*.