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On global justice

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Document Version

Publisher's PDF, also known as Version of record

Publication date:

2003

[Link to publication in University of Groningen/UMCG research database](#)

Citation for published version (APA):

Kamminga, M. R. (2003). On global justice. Groningen: Centre for Development Studies.

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On Global Justice

Menno Kamminga

March, 2003

ISSN 1385-9218

GLOBAL JUSTICE: THE MORALITY OF COSMOPOLITAN LIBERALISM

Mainstream liberal international theory comes in two different positions on the problem of international justice: “social liberalism” and “cosmopolitan liberalism.”¹ Put briefly, social, or internationalist, liberalism holds that this problem is fundamentally one of fairness to societies (nations, or peoples),² whereas cosmopolitan liberalism holds that it is fundamentally about fairness to persons.³ Social liberalism seems the most popular position, for, in claiming that the national community has deep moral significance, it remains close to the conventional and widely held belief that naturally the claims of compatriots take priority to those of outsiders. Cosmopolitan liberalism seems more eccentric, for it entails a critique of all beliefs and theories that see the state or nation as a zone of special responsibilities fundamentally distinct and justified separately from general or global ones.

In this essay, I offer an ethical argument for cosmopolitan liberalism. My thesis will be that, morally, a liberal international theory should be “cosmopolitan,” not “social” (or “internationalist”). Only cosmopolitan liberalism has the potential to articulate international moral values and principles of fundamental significance for individual, social, cultural, and political choice. Thus, I shall attempt to show that international justice is to be interpreted as global justice, that is, a doctrine of egalitarian distributive justice that applies to the international realm as a single society of persons.

¹ Charles R. Beitz, *Political Theory and International Relations* (with a new afterword by the author; Princeton, N.J.: Princeton University Press, 1999), pp. 214-216 and “Social and Cosmopolitan Liberalism,” *International Affairs* 75 (1999): 515-529, p. 515.

² Variations include John Rawls, *The Law of Peoples: With “The Idea of Public Reason Revisited”* (Cambridge, Mass.: Harvard University Press, 1999); R.J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986); David Miller, *On Nationality* (Oxford: Clarendon Press, 1995) and *Citizenship and National Identity* (Cambridge: Polity Press, 2000).

³ For variations see Beitz, *Political Theory and International Relations*; Thomas W. Pogge, *Realizing Rawls* (Ithaca: Cornell University Press, 1989); Philippe Van Parijs, *Real Freedom For All: What (If Anything) Can Justify Capitalism?* (Oxford: Clarendon Press, 1995); Brian Barry, “Humanity and Justice in Global Perspective,” in *Liberty and Justice: Essays in Political Theory 2* (Oxford: Clarendon Press, 1991); Charles Jones, *Global Justice: Defending Cosmopolitanism* (Oxford: Oxford University Press, 1999).

My case for cosmopolitan liberalism will rest on a defense of four claims that concern the moral status of global distributive justice. Taken together, these claims - to be stated in a moment - define the neo-Rawlsian cosmopolitanism as advocated by Charles Beitz (presumably the leading cosmopolitan-liberal theorist) and Thomas Pogge, which is the most plausible form of cosmopolitan liberalism in my view.⁴ So conceived of, cosmopolitan liberalism broadly supports a global version of John Rawls's theory of distributive justice.⁵ The basic idea is that it is more consonant with the individualist spirit of the Rawlsian project that parties to the second, international original position be persons, not societies – indeed, that there be only a single, persons-populated original position generating a single set of norms for global application. This procedure will result in a – perhaps to some extent constrained - “global difference principle,” entailing a commitment to (re)arranging material resources for the benefit of those with the least, wherever on earth they may reside.⁶

The four claims to be defended, then, are the following ones. First, as an extension of the doctrine of domestic distributive justice, global justice is *natural*, since the international realm must be regarded as a global society, which includes a basic structure that is similar to that of domestic society. Second, global justice is *relevant*, since its moral force is not affected by whatever determines the poverty or wealth of societies. Third, in being egalitarian, global justice is *fair*, since, at least beyond a certain level, global distributive inequality matters. Fourth, global justice is *obligatory*, since national communities have no fundamental significance, which means that no prior, extensive moral obligations to compatriots exist.

If these claims and so my overall argument are correct, then we should adopt the cosmopolitan position, and be suspicious of the contrasting social one, rejecting it as a theoretical endowment of national communities with deeper significance than is morally justified and as a false legitimization of global distributive inequalities.

⁴ For this opinion, see Brian Barry, “Statism and Nationalism: A Cosmopolitan Critique,” in *Global Justice*, ed. Ian Shapiro and Lea Brilmayer (New York: New York University Press, 1999), p. 36.

⁵ John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971) and *Political Liberalism* (New York: Columbia University Press, 1993).

⁶ The “difference principle” says that “[s]ocial and economic inequalities are permissible provided that they are...to the greatest expected benefit of the least advantaged.” Rawls, *Political Liberalism*, p. 271. It should be noted in advance that, although the difference principle may plausibly be regarded as a major candidate for a principle of global justice, the case for cosmopolitan liberalism does not depend on its full moral validity. More basically, what is required is that it be shown that some principle of egalitarian distributive justice is morally obligatory at the global level.

GLOBAL JUSTICE AS NATURAL: THE GLOBAL SOCIETY AND ITS BASIC STRUCTURE

The first claim I defend is that the international realm must be seen as a global society including a basic structure that resembles that of domestic society, and that therefore global justice is natural as an extension of - what Rawls has meant distributive justice to be - domestic justice. While not assuming that “the international” is like “the domestic” in having effective political institutions or a deep sense of community, this – moral - claim does entail that the first is similar to the latter in those respects relevant to the justification (not: implementation) of a principle of distributive justice.⁷

To understand this claim, we must consider the concepts of “society” and “basic structure.” A “society,” as Rawls has defined it, is a “cooperative venture for mutual advantage.”⁸ The “primary subject” of justice is the “basic structure” of this society. It is “the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation...[Ma]jor institutions [are] the political constitution and the principal economic and social arrangements,” that “define men’s rights and duties and influence their life-prospects.”⁹ It is the role of these institutions to secure just background conditions against which the actions of individuals and associations take place. The existing wealth must have been properly acquired, and all must have had fair opportunities to earn income, to learn wanted skills, and so on.¹⁰ The basic structure, Rawls says, ought to be regulated by principles just from the perspective of “free and equal moral persons.”¹¹ Thus, in working out a conception of distributive justice, we must abstract from existing inequalities to define a baseline from which we measure the prospects for fair cooperation. The baseline is one of equality: principles of justice are acceptable when it would be reasonable for “equal moral persons,” represented in the “original position,” to accept them without reference to their actual social positions and economic endowments.¹² To proceed otherwise would bias the theory

⁷ As regards compliance with a principle of global justice, what is assumed is only the principal possibility of it. See Beitz, *Political Theory and International Relations*, pp. 154-156, 198-199.

⁸ Rawls, *Theory of Justice*, p. 4.

⁹ *Ibid.*, p. 7.

¹⁰ Rawls, *Political Liberalism*, p. 266.

¹¹ *Ibid.*, pp. 259, 262, 271, 272, 280, 281, 282, 287.

¹² *Ibid.*, p. 277.

arbitrarily in favor of the status quo.¹³ Now, the cosmopolitan-liberal stance is that a society and basic structure exist that are global rather than – what Rawls thinks - domestic,¹⁴ so that it is natural to globalize the doctrine of distributive justice.¹⁵

What arguments does cosmopolitan liberalism offer in support of the global society and basic structure claim? To begin with, its argument is that one can consistently speak of a global society in an *ideal* sense. If the original position is to represent individuals as equal moral persons who should reach agreement on principles of background justice, then the criterion of membership is possession of the two powers of moral personality: the capacity for a sense of justice and the capacity for a conception of the good.¹⁶ Now it has been objected that one cannot plausibly see the world as a “cooperative venture for mutual advantage,” thus not really as a society in Rawls’s sense.¹⁷ It is indeed true that the extent of global economic cooperation is empirically disputable,¹⁸ and that there is simply too much global inequality and too little mutual advantage resulting from exchange between the rich and poor.¹⁹ However, as Beitz has noted, such criticisms miss the point. Again, what matters for an ideal conception of a society in Rawls’s sense is that human beings possess the essential moral powers, regardless of whether they now belong to a common cooperative scheme. Reasonable cooperation may not exist today, but at least it *could* exist.²⁰ Also, it would be misleading to take the Rawlsian model of a society unduly literally and thus unnecessarily narrow, both domestically and globally.

¹³ Ibid., p. 272.

¹⁴ Rawls conceives of the basic structure of society as “a closed system isolated from other societies.” *Theory of Justice*, p. 8; compare *Political Liberalism*, pp. 12, 272.

¹⁵ Beitz, *Political Theory and International Relations*, p. 203; compare “Social and Cosmopolitan Liberalism,” p. 523; Pogge, *Realizing Rawls*, p. 240.

¹⁶ Rawls, *Political Liberalism*, p. 280; Charles R. Beitz, “Cosmopolitan Ideals and National Sentiment,” *Journal of Philosophy* 80 (1983): 591-600, p. 595.

¹⁷ Barry, “Humanity and Justice,” p. 194; Brian R. Opeskin, “The Moral Foundations of Foreign Aid,” *World Development* 24 (1996): 21-44, p. 30; Christien van den Anker, “The Role of Globalization in Arguments for Cosmopolitanism,” *Acta Politica* 35 (2000): 5-36, pp. 22-25.

¹⁸ For an impression of the neo-realist response to the neo-liberal globalization thesis – “predominantly a Western experience” - see Scott Burchill, “Realism and Neo-Realism,” in *Theories of International Relations*, ed. Scott Burchill et al. (second edition; Houndmills: Palgrave, 2001), pp. 95-97. For extensive criticisms, see Kenneth N. Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979) and “Globalization and American Power,” *National Interest* 59 (2000): 46-56; Robert Gilpin, *Global Political Economy: Understanding the International Economic Order* (Princeton: Princeton University Press, 2001).

¹⁹ Barry, “Humanity and Justice,” pp. 194-195.

²⁰ Beitz, “Cosmopolitan Ideals and National Sentiment,” p. 595.

Naturally, without social cooperation there would be no occasion for justice, since there would be no joint product about which conflicting claims might be pressed, nor would there be any common institutions to which principles could apply. But all of the parties to a particular scheme may not actually *cooperate* in social activity, and each party may not actually be *advantaged* in comparison with what her position would be in the absence of that scheme. Requirements of justice apply to institutions and practices - whether or not genuinely cooperative - in which social activity produces relative or absolute benefits or burdens that would not exist if the social activity did not take place.²¹ Skepticism about whether cooperation is advantageous for those who are favored by existing inequalities could arise as plausibly in domestic as in global society. Thus, while the underlying conception of justice as resting on considerations of mutual advantage is incorrect,²² it is consistent with the ideal of a global society in which reasonable cooperation exists.

Yet the above argument for a global society is incomplete. Considerations of distributive justice can only arise globally if the “global society” has a *real* base. In other words, it must have a basic structure. Thus, cosmopolitan liberalism continues the argument by demonstrating that there is such a global basic structure. The world, the argument goes, contains institutions and practices at various levels of political organization – national, regional, and global – that apply to people largely without their consent and that have the capacity to influence fundamentally the courses of their lives. These institutions and quasi-formal arrangements affecting persons’ life prospects throughout the world are increasingly international ones - international financial institutions, transnational corporations, the G8, the World Trade Organization. Together with national and intra-national institutions, these major international institutions affect persons and their access to desired goods and resources.²³ Importantly, these institutions have profound and enduring effects on the prospects of individuals, groups, and societies, for its effects are globally distributive.²⁴ Members of economically vulnerable societies – particularly the worse-off among them, who lack private means to fall back on – are exposed, without any effective recourse, to the consequences of decisions strongly affecting their life prospects which originate elsewhere. These range from the machinations of private foreign currency speculators to the macroeconomic restructuring conditions imposed on emergency lending by multilateral

²¹ Beitz, *Political Theory and International Relations*, pp. 131-132 and 150, n. 52.

²² *Ibid.*, p. 203.

²³ Jones, *Global Justice*, pp. 7-8.

²⁴ See for an extensive treatment Allen Buchanan, “Rawls’s Law of Peoples: Rules for a Vanished Westphalian World,” *Ethics* 110 (2000): 697-721, pp. 705-711.

financial organizations, whose decisions are dominated by the governments of wealthy societies.²⁵ Also importantly, the world economy is not something most people can realistically avoid; that only becomes increasingly difficult.²⁶ Therefore, for cosmopolitan liberals it is obvious that a global basic structure exists, and that we should not follow Rawls in restricting distributive justice to the basic structure of the nation-state. Now, trade, finance, law, and politics do have expanded and tightened their grip on the lives of persons and groups worldwide, more and more defining, against their consent, their life-prospects by including or, indeed, excluding them from social cooperation and its potential benefits.²⁷ Hence it seems hard to deny the plausibility of the global basic structure argument. Yet I feel it worthwhile to add that this reality argument for a global society is no exaggeration in depending too much on empirical assumptions; there is also a directly ethical case for it. We presumably cannot prove beyond doubt that the life-chances of all human beings on earth are affected by border-crossing economic conditions. But here surely the “precautionary principle” applies. Thus, even if the empirical case for the global basic structure remains somewhat uncertain, we should still assume it to be there – Rawls’s own domestic basic structure assumption being considerably worse - and thus to assume that the global economy forms a subject matter for justice. Not doing so would entail taking the risk that the life-chances of those worst-off – now and in the future – are constantly put into jeopardy. Thus, the case for a global basic structure is also supported by moral considerations. Since, then, a global society and basic structure must be said to exist, the conclusion is that global justice is natural, that is, the natural extension of the doctrine of distributive justice. As on liberal, normatively individualist assumptions there are plausible grounds to think global rather than domestic, the challenge now goes into the direction of Rawls himself. We shall see, however, that social liberalism has several ways of taking up this challenge, and that the strength of the global society and basic structure argument, essential as it is, is not sufficient for cosmopolitan liberalism to be successful.

²⁵ Charles R. Beitz, “Does Global Inequality Matter?” *Metaphilosophy* 32 (2001): 95-112, p. 107. For a highly critical treatment, see Joseph Stiglitz, *Globalization and its Discontents* (New York: W.W. Norton & Co., 2002).

²⁶ Pogge, *Realizing Rawls*, p. 241; Beitz, *Political Theory and International Relations*, pp. 203-204.

²⁷ Compare Ngaire Woods, “Order, Globalization, and Inequality in World Politics,” in *Inequality, Globalization, and World Politics*, ed. Andrew Hurrell and Ngaire Woods (Oxford: Oxford University Press, 1999).

GLOBAL JUSTICE AS RELEVANT: THE IRRELEVANCE OF DETERMINANTS OF WEALTH AND POVERTY

The plausibility of the global society and basic structure claim suggests that from now on the burden of proof lies with the defenders of a non-global, restricted liberalism. A first counter-argument of social liberalism is that the global basic structure argument, whatever its plausibility, is hardly relevant, since successful economic development of societies is determined by internal, domestic factors rather than by external, international ones. To quote Rawls: “the causes of the wealth of a people and the forms it takes lie in their political culture and in the religious, philosophical, and moral traditions that support the basic structure of their political and social institutions, as well as in the industriousness and cooperative talents of its members, all supported by their political virtues.”²⁸ Thus, natural resources are not regarded as really important for domestic economic performance, and especially bad governance and élite-corruption are felt to be the chief causes of economic misery. Now, if this counter-argument were valid, then one might think the global basic structure claim to be insignificant. For, apparently, the wealth and poverty of societies is determined mainly by internal-ideational factors. In this way, Rawls would have established that talk of global distributive justice makes no sense after all. Because of the intuitively suggestiveness of this counter-argument, a defense seems necessary of the claim that global justice is really relevant, not offset by economic development as being determined by internal factors.

Recently, several arguments have been advanced in favor of the cosmopolitan liberal claim. Thus, first, the question of the importance of natural resource endowments for domestic wealth is unsettled, and the “good government argument” is a sweeping generalization. The relative importance of such factors is a subject of dispute at the general level, and it certainly varies from one society to another; thus, there are at least exceptions in individual cases. Second, a society’s integration into the world economy, reflected in its trade relations, dependence on foreign capital markets, and vulnerability to the policies of international financial institutions, can have deep and lasting consequences for the domestic economic and political structure. Rawls underplays the extent of the vulnerability of developing societies to global markets and climate change; he neglects the degree to which the emergence of the unfavorable conditions that afflict poor societies has as much to do with external and global factors as with internal ones; and he ignores the extent to which domestic economic policy is shaped by international economic

²⁸ Rawls, *Law of Peoples*, p. 108.

institutions and powerful states.²⁹ Under these circumstances, it may not even be possible to distinguish between domestic and international influences on a society's economic condition.³⁰ At least in individual cases, the capacity of a people to achieve good government may itself be influenced significantly by how they are affected by the global basic structure. Third, even if Rawls were found empirically correct on these two points, then cosmopolitan liberalism would maintain that we have no reason to conclude that a principle of global justice is not of interest. Not the relevance of global distributive justice is at stake, but the relevance of Rawls's own conjectures. For that goes instead to the *means* of implementing global distributive justice, not to the principle itself. The means to act according to global justice is a separate, even if difficult, question of, among other things, foreign policy.³¹

How strong are these three arguments as responses to Rawls? Note that the first two are good but not good enough. They are good as an argument against Rawls's own position, for they show that a liberal theory of justice is dubious insofar as it limits the scope of justice because of empirically disputable assumptions. Social liberalism as defended by John Rawls and also David Miller tends to reason away real problems of global scarcity and justice by overplaying the general importance of ideational factors.³² On the other hand, it must be acknowledged that for

²⁹ Andrew Hurrell, "Global Inequality and International Institutions," *Metaphilosophy* 32 (2001): 34-57, p. 48; Simon Caney, "Survey Article: Cosmopolitanism and the Law of Peoples," *The Journal of Political Philosophy* 10 (2002): 95-123, pp. 118-119.

³⁰ Charles R. Beitz, "Rawls's Law of Peoples," *Ethics* 110 (2000): 669-696, p. 690 and *Political Theory and International Relations*, pp. 206-207.

³¹ Beitz, *Political Theory and International Relations*, pp. 207-208 and "Rawls's Law of Peoples," pp. 690-691.

³² Like Rawls, Miller stresses ideational factors, tending to think of natural resources as ideational (constructed) rather than material; see *Principles of Social Justice* (Cambridge, Mass.: Harvard University Press, 1999), p. 234 and *On Nationality*, p. 106. However, the independent impact of bad natural conditions for the development of particularly Sub-Saharan Africa is explicitly acknowledged by the one economic historian on which Rawls relies, namely David S. Landes, *The Wealth and Poverty of Nations: Why Some Are So Rich and Some Are So Poor* (New York: W.W. Norton & Co., 1998), ch. 1. Generally at least, we should adopt a "rump materialism" here. Geography and natural resources have some independent impact, for they define in divergent ways for all actors the outer limits of feasible activity and the relative costs of pursuing various options that require physical activity. The increasing negative externalities of technological evolution are an indication that we may be nearing significant more or less absolute constraints now. Thus, importantly for the relevance of the global basic structure, human actions may have unintended consequences for the natural environment that feed back on society, with potentially devastating effect (global warming, ozone and resource depletion). And even if in the fullness of time all material constraints are negotiable, in the meantime they are not. Whether we like it or not, the distribution and composition of material capabilities at any given moment

the same reason these two responses cannot be good enough as arguments for cosmopolitan liberalism itself: perhaps one day the empirically disputable assumptions turn out to have been significantly true.³³

However, the more fundamental, third response – poverty having primarily local sources would not affect the cosmopolitan view of distributive justice - does seem good enough, because of the following three points. First, local change being a necessary condition for a sustainable improvement in well-being does not imply that international contributions are not also necessary or would not accelerate the process if suitably deployed.³⁴ Second, the extent to which various global financial regimes, governance structures, economic agreements, and private property rights affect the distribution of benefits and burdens, and cause deep poverty is not the point. What matters – and this is not open to dispute – is that these conditions do have *globally* distributive effects among peoples and persons.³⁵ They should not be taken as given; there may be reason to change and improve them for the sake of justice.³⁶ Third, Rawls’s counter-argument ignores that from the perspective of the *person* - the fundamental moral unit - the (causes of) poverty and wealth of societies are at best of secondary importance. Poor societies being poor because they are, say, badly governed might be an argument against the relevance of distributive justice between *societies*, but it is in no way an argument against the relevance of global distributive justice between *persons* living in those societies. Even if little could be done to assist concrete persons subject to unequal treatment, then ethically it would remain very relevant to call their situation one of global injustice. Seen as such, the third response offers a successful refutation of the relevance of Rawls’s counter-argument.

The conclusion is that global justice is relevant indeed. The – contested - belief that wealth and poverty is a matter of domestic factors is no fundamental but derivative issue, relevant at best at the level of means.

help define the possibilities of our action. See Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), pp. 111-113.

³³ Beitz, *Political Theory and International Relations*, p. 207 and “Rawls’s Law of Peoples,” p. 690. Note, though, that it is highly unlikely that the question of the relative importance of external or internal factors – really a “non-question” – can ever be answered, and certainly not in any quantitative sense. H.W. Singer, “Lessons of Post-War Development Experience, 1945-88,” and “The 1990s: On to Fortune or Bound in Miseries?” In *International Development Co-operation: Selected Essays by H.W. Singer on Aid and the United Nations System*, ed., with contrib., D. John Shaw (Houndmills: Palgrave, 2001), p. 77 and p. 86 respectively.

³⁴ Beitz, “Does Global Inequality Matter?” p. 102.

³⁵ Buchanan, “Rawls’s Law of Peoples,” p. 710.

³⁶ Singer, “Lessons of Post-War Development Experience,” pp. 71, 77.

GLOBAL JUSTICE AS FAIR: GLOBAL INEQUALITY MATTERS

One might accept the argument so far, but think that what makes cosmopolitan liberalism still implausible is its commitment to global egalitarianism: whereas egalitarian justice is appropriate in the domestic domain, it leads to morally unacceptable consequences if applied to the international one. Thus, Rawls's worry seems to be that his cosmopolitan followers morally distort his theory of distributive justice by extending it so widely. Now his objection is that a principle of global distributive justice is unfair: it would in effect reward poor investment decisions by recipients of redistribution, and penalize societies that invest more wisely.³⁷ According to him, a development assistance principle would be the most one could reasonably ask.³⁸ Alternatively, as Miller thinks, what international justice requires is guaranteeing basic rights and remedying past exploitation everywhere, but not eliminating inequality, whether great or small.³⁹ For both, however, the essence of the objection is that, globally, inequality *per se* does not matter. Again, we are dealing with a counter-argument that has intuitive force. Hence I must now defend the claim that egalitarian global justice is fair, arguing that at some point global distributive inequality starts to matter for its own sake.

Beitz has tried to defend global egalitarianism in the following way. To begin with, the implicit analogy between redistribution between societies and between individuals is faulty, because many in the poorer society will not have had any influence whatsoever on the choices that led to poor investments. They are innocent victims of past choices of élites or their forebears, rather than the authors of those choices themselves; they are the children of the indolent alcoholic or the spendthrift who does not save. This being so, thus that the offspring can hardly be seen as responsible for their own condition, it would be unfair that they would have to pay the price for decisions they might indeed have rejected. Thus, it is not clear that requiring better-off societies to redistribute wealth is *unfair*. Maybe it is *inefficient*, but then, instrumental rather than

³⁷ Rawls, *Law of Peoples*, pp. 116-118; see also David Miller, "Justice and Global Equality," in *Inequality, Globalization, and World Politics*, ed. Andrew Hurrell and Ngaire Woods (Oxford: Oxford University Press, 1999), pp. 193-197.

³⁸ Rawls advocates a duty of assistance to "burdened societies," which "lack the political and cultural traditions, the human capital and know-how, and, often, the material and technological resources needed to be well-ordered." *Law of Peoples*, p. 106.

³⁹ Miller, "Justice and Global Equality."

fundamental considerations – the best practical way of doing something – are at stake here.⁴⁰

I believe that Beitz's argument provides the beginning of a successful defense.⁴¹ Four further points must be made here. First, letting the potential impact of external determinants aside, I would note that the analogy involved being faulty is also because many individuals in a rich society will not have had any influence whatsoever on the choices that led to adequate investments. They have luckily been born in a society created by the wise choices of their forebears, rather than the authors of those choices themselves; at least to some extent, they are the children of the active worker or the steward who does save. Hence the offspring of the rich and wise cannot wholly be seen as "responsible" for their own condition, too, and also for this reason it is not clear that requiring better-off societies to redistribute wealth is unfair.

Second, insofar as individuals in poor countries still are the authors of their own choices, it would still not follow that they might be held responsible for those choices. Within the domestic realm, liberals such as Rawls insist that society can legitimately do so only if their preferences and capacities have been formed under conditions of justice. But since it is wrong to hold individuals responsible for their choices when society has not provided them with, say, a decent education,⁴² it would seem that it is even worse within global society, as individuals in poor countries have fewer educational and other opportunities than those in rich countries. Thus, globally as well as domestically, to invoke people's allegedly "irresponsible" behavior as a reason not to remedy their unequal circumstances is to legitimize unfairness: the latter is a condition for being able to judge the former.

Third, cosmopolitan liberalism does not automatically entail a strict commitment to global wealth redistribution, not between societies (distributive equality at this level not being the basic issue anyway) or even persons; again, the best way to eliminate unjustified global inequality is a practical, albeit difficult, matter. Thus, in order to establish fairness between persons, it might (also) be required to create international trade and financial regimes radically different from present ones. Or it might perhaps even be more urgent to create a fair international natural resource or climate regime. Indeed, to a certain extent the "wise" investment decisions themselves could be a cause of unfairness, that is,

⁴⁰ Beitz, "Rawls's Law of Peoples," pp. 691-692 and "Social and Cosmopolitan Liberalism," pp. 526-528.

⁴¹ Buchanan, "Rawls's Law of Peoples," pp. 715-716, n. 17 and Caney, "Cosmopolitanism and the Law of Peoples," p. 116.

⁴² Compare Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (second edition; Oxford: Oxford University Press, 2002), pp. 93-94.

given the ecologically limits set by the precautionary principle.⁴³ Seen as such, it cannot be excluded that the wealth of rich countries itself is, at least to a certain extent, a matter of irresponsible choice (thus not to be copied by poor countries), given the ecological damage (say, the greenhouse effect) it has caused – damage of which persons in poor countries suffer the consequences (say, floods). The problem, then, is not the global egalitarianism of cosmopolitan liberalism, but Rawls’s and Miller’s critique of it, for that morally justifies unlimited (sectional) economic growth, whether or not that would entail extremely resource-consuming ways of life.⁴⁴ It is implausible to exclude in advance that there may be something unjust about a world in which a single country, the United States (not to mention the European Union), uses up forty per cent of total resources and is responsible for more than one third of total greenhouse gas emission.⁴⁵ Thus, given an ecologically limited world, a moral theory may not exclude from the start the outcome that societies and persons are required to give up a certain way of life, however psychologically demanding that may be.⁴⁶

Fourth, the criticism of unfairness poses a threat to the consistency of Rawls’s own social-liberal position – an inconsistency avoided when the cosmopolitan position is adopted. Here at least, liberals should agree with

⁴³ In the present context, this principle means that in cases of uncertainty one should not act: interventions in the environment are permitted only if their harmlessness has been proven.

⁴⁴ It would seriously matter if “[g]ross national product reflects, roughly, the use of irreplaceable natural resources, the burden on the ecosphere, and advantages derived from the efforts of past generations and past exploitation of other countries.” Barry, “Humanity and Justice,” p. 202.

⁴⁵ Compare Brian Barry, “Spherical Justice and Global Injustice,” in *Pluralism, Justice, and Equality*, ed. David Miller and Michael Walzer (Oxford: Oxford University Press, 1995): 67-80, p. 79.

⁴⁶ James S. Fishkin has argued that one cannot be obliged to give up an entire way of life for the sake of moral obligation - “an obligation to be heroic.” See *The Limits of Obligation* (New Haven: Yale University Press, 1982) and “Theories of Justice and International Relations: The Limits of Liberal Theory,” in *Ethics and International Relations*, ed. Anthony Ellis (Manchester: Manchester University Press, 1986). Fishkin’s argument has been rightly criticized for taking an unreasonably static conception of human psychology, ignoring the influence of society and culture on what is seen as “normal” individual activities and levels of sacrifice. See Robert E. Goodin, *Protecting the Vulnerable: A Reanalysis of Our Social Responsibilities* (Chicago: University of Chicago Press, 1985), pp. 166-167 and Andrew Belsey, “World Poverty, Justice and Equality,” in *International Justice and the Third World*, ed. Robin Attfield and Barry Wilkins (London: Routledge, 1992), pp. 44-46. Yet it is consistent with cosmopolitan liberalism to think that persons have a right, albeit a significantly limited one, to resist some of the sacrifices that impersonal, cosmopolitan morality demands in order to pursue their own commitments. Beitz, “Cosmopolitan Ideals and National Sentiment,” pp. 598-599.

conservatives that, in resisting a global principle of distributive justice, “Rawls unravels himself.”⁴⁷ For in claiming that in the international domain collective desert (industriousness, laziness, talent) and not (personal) equality is the foundation of justice, Rawls exposes himself to the objection why he does not advocate the same within domestic society. But beyond this point, the liberal and conservative go separate ways. The good reasons for not advocating justice as desert based in domestic society, where hard-working and talented people have to share with others for the sake of justice, seem to hold even stronger within global society: whereas in the former society these others do have at least some choice, in the latter they often do not.⁴⁸ At this point, the strength of cosmopolitan liberalism is that it does not suffer from probably the most striking ethical omission in Rawls’s international theory: its lack of direct, unmediated concern for individual well-being.⁴⁹ Since, then, liberalism consistently applied to the international domain must maintain that global distributive inequality is in principle a matter of justice, the conclusion is that global justice is fair. In fact, inequalities between the world’s rich and poor are not only staggering in size, but also seem the very paradigm of the sort of morally arbitrary (“brute luck”) inequality which Rawls says should be remedied.⁵⁰

GLOBAL JUSTICE AS OBLIGATORY: THE NON-FUNDAMENTAL SIGNIFICANCE OF NATIONAL COMMUNITIES

The validity of the claims of global justice as natural, relevant, and fair offers reasonable ground for believing that global justice exists as a principle. Yet, at this point the obligation to act according to such a principle can only be provisional, which means that we still lack

⁴⁷ David Gordon, “Rawls Unravels Himself,” *The Mises Review*, <www.mises.org/misesreview>, 2000.

⁴⁸ Both in global and domestic society, applying, say, a difference principle under realistic conditions is not incompatible with honoring productivity-based claims of desert. Given realistic background conditions about productivity and motivation, it would still reward superior social productivity with superior social wealth, provided only that the less productive partner also receives an additional share. Thus, a global difference principle may be consistent with different levels of wealth among societies and persons. See Wilfried Hinsch, “Global Distributive Justice,” *Metaphilosophy* 32 (2001): 58-77, pp. 71-75; compare Charles R. Beitz, “International Liberalism and Distributive Justice: A Survey of Recent Thought,” *World Politics* 51 (1999): 269-296, pp. 291-292.

⁴⁹ Compare Leif Wenar, “Contractualism and Global Economic Justice,” *Metaphilosophy* 32 (2001): 79-94, pp. 89-91.

⁵⁰ Compare Kymlicka, *Contemporary Political Philosophy*, p. 268.

sufficient reason to adopt cosmopolitan liberalism. Since global distributive justice deeply conflicts with conventional moral convictions about the significance of the national community and the relationship with compatriots, a definite obligation to act according to it only exists if the conventional stance, particularly a moderated version of it, has been proven wrong. This means that we must deal with the sophisticated, social-liberal-defense of the claim that national communities have non-derivative, fundamental significance, and so that a natural basis for priority for compatriots exists. If social liberalism were correct here, then it would follow that the global society should be conceived of as a house divided into various national communities constitutive of personal identity and so morally more significant than a global justice principle, which might only have little weight in practical moral reasoning. Hence the claim I must now defend is that national communities have no fundamental significance, so that global justice is obligatory indeed.

Again, given the validity of the basic society and structure claim, it seems quite natural to say that the scope of liberal theory, and thus of its basic assumption - equal consideration for everyone's interests, including (to give the assumption substance) the roughly equal sharing of resources⁵¹ - is global. Being liberal, so it seems, is to advance systematic impartial treatment, comprehensive coverage, and nonsectarian openness worldwide;⁵² to acknowledge that "every human being has a global stature as an ultimate unit of moral concern;"⁵³ and to advocate applying "to the whole world the maxim that answers to questions about what we should do, or what institutions we should establish, should be based on an impartial consideration of the claims of each person who would be affected by our choices."⁵⁴

Yet, as far as social liberalism is concerned, this seemingly authentic picture is mistaken. It believes that there is a moral justification for unequal treatment related to the basic significance of the national

⁵¹ Kai Nielsen, "Cosmopolitan Nationalism," *The Monist* 82 (1999): 446-468.

⁵² Compare Amartya Sen, "Global Justice: Beyond International Equity," in *Global Public Goods: International Cooperation in the 21st Century*, ed. Inge Kaul, Isabelle Grunberg, and Marc A. Stern (New York: Oxford University Press, 1999), p. 119; Buchanan, "Rawls's Law of Peoples," pp. 697-698; Beitz, "Social and Cosmopolitan Liberalism," p. 529; Onora O'Neill, "Justice, Gender and International Boundaries," in *International Justice and the Third World*, ed. Robin Attfield and Barry Wilkins (London: Routledge, 1992), pp. 55-57.

⁵³ Thomas W. Pogge, "Cosmopolitanism and Sovereignty," in *Political Restructuring in Europe: Ethical Perspectives*, ed. Chris Brown (London: Routledge, 1994), p. 90.

⁵⁴ Charles R. Beitz, "Cosmopolitan Liberalism and the States System," in *Political Restructuring in Europe: Ethical Perspectives*, ed. Chris Brown (London: Routledge, 1994), pp. 124-125; compare *Political Theory and International Relations*, pp. 199-200.

community. Nationality should have fundamental weight in practical reasoning, and so persons should acknowledge special moral obligations that override the requirements of egalitarian global morality. To avoid misunderstanding, the objection is not that we should take no account of the interests of foreigners at all; it is not about “national egoism” or *raison d'état*. Rather, it entails that we should take account of the interests of non-compatriots in a different, less important way from that in which we should take account of the interests of compatriots.⁵⁵ Even so, accepting the objection implies that at the end of the day global justice cannot be seen as obligatory.

Before turning to the social-liberal counter-argument in more detail, it is important to be precise about the cosmopolitan-liberal stance. Again to avoid misunderstanding, it is not that cosmopolitan liberalism differs from social liberalism about whether people’s identities and memberships matter. The real issue is not so much whether identity and membership matter, but how.⁵⁶ Thus, cosmopolitan liberalism consistently regards communities as valuable only insofar as they engender sufficient freedom from impersonal moral constraints to seek the fulfillment of “projects and commitments that express our separate identities as autonomous persons.”⁵⁷ Given this criterion, as Beitz points out, the best case for the priority thesis may arise from the value associated with honoring one’s significant relationships, for this value seems particularly deep and may generate conflicts with impersonal requirements that are especially difficult to reconcile. But so construed, the priority thesis will be made substantially weaker compared with the conventional version. For the deepest source in personal morality of the permission to give priority to the self and its projects, that is, the obligations arising from special relationships, is only contingently related to priority to compatriots. Everything depends on whether it is reasonable to see one’s relationship to one’s compatriots as the kind of relationship that can generate pervasive conflict with impersonal moral requirements. But ethically, as Beitz contends, citizenship in the modern state is not obviously analogous to the kinds of personal relationships (such as those to a parent, a spouse, or one’s children, or even to the members of a face-to-face community) that produce the most wrenching conflicts with impersonal morality.⁵⁸

⁵⁵ Beitz, “Cosmopolitan Ideals and National Sentiment,” p. 593.

⁵⁶ Beitz, “Cosmopolitan Liberalism and the States System,” p. 129.

⁵⁷ Beitz, “Cosmopolitan Ideals and National Sentiment,” p. 598. For a good elaboration, see Brian Baxter, “The Self, Morality and the Nation-State,” in *Ethics and International Relations*, ed. Anthony Ellis (Manchester: Manchester University Press in association with the Fulbright Commission, 1986), pp. 113-126, especially 113-114 and 123-125.

⁵⁸ Beitz, *Political Theory and International Relations*, p. 212.

The nation, obviously, is an “imagined community,”⁵⁹ which means that the vast majority of one’s compatriots are complete strangers to one. It would, then, be a mystery as to why they would count for one in the way that one’s nearest and dearest do.⁶⁰ In any event, if special obligations to compatriots could constrain a global difference principle for being grounded in personal morality, then they would still not weaken the basic obligation of global justice.

Yet David Miller has offered a remarkable justification of the social-liberal view that the national community, although “imagined,” has basic significance, determining one’s impersonal moral obligations.⁶¹ Miller supports his case by advancing two key arguments. First, it is legitimate to see nationality as part of individual identity, for it is not irrational to think that belonging to a nation is an important part of who one is. This follows from the five elements that distinguish a national community: the members recognize one another as compatriots, and believe to share relevant characteristics; the community has an identity that embodies historical continuity; its identity is active in character, which means that nations do things together, take decisions, achieve results; it connects a group of people to a particular geographic place or homeland; and it is marked off from other communities by its distinct public culture.⁶² To have a nationality, then, is to believe oneself to be a member of a community so special, and therefore it is justified.

Second, Miller argues that nations are “ethical communities,” which entails that members acknowledge special obligations to compatriots that they do not owe to other human beings. Drawing on a distinction between two positions, “ethical universalism” (cosmopolitanism) and “ethical particularism,” he holds that only ethical particularism is compatible with taking nationality to have independent significance. Crucially, ethical particularism gives a more realistic account of moral experience by recognizing that communal affiliations and connections in fact enter into reasoning about how to act powerfully, thus by relying on motives for human action stronger than those of abstract reason. Since ethical particularism is the more plausible position, we should acknowledge that allowing obligations to compatriots to override those to outsiders is justified. Yet, as we are also related to non-nationals as human beings, an exception is possible. Thus, if the basic rights of a people are being violated and the local government cannot protect them, and if we can act effectively without endangering the important interests of our own

⁵⁹ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983), p. 15.

⁶⁰ Baxter, “The Self, Morality and the Nation-State,” p. 124.

⁶¹ See especially Miller, *On Nationality and Citizenship and National Identity*.

⁶² Miller, *On Nationality*, pp. 21-27.

national community, then we may be required to put global responsibilities first.⁶³

I believe, however, that both Miller's key arguments fall short as justifications of the fundamental significance of nationality and unequal treatment. Concerning the first one: why should individuals care about a community they normally have not chosen but is thrust upon them by birth, and that survives partially because its members have false beliefs (myths: falsehoods, half-truths) about their individual characteristics and common history? At this point, Miller offers a twofold response. First, it may be rational to believe a community's myths even if they are, strictly speaking, false, if their widespread acceptance serves such important purposes as reinforcing a sense of community between generations or conveying moral values central in the life of the culture.⁶⁴ Second, although one cannot have chosen one's nationality, one may, in a process of critical self-examination, affirm one's national identity based on one's membership experience in a particular historic community as integral to a good life.⁶⁵ For Miller, a universal adoption of this procedure would show that "for a great many people it matters a great deal that they belong to a particular nation, that the nation should continue to exist, and that it should enjoy self-determination."⁶⁶

But there are many problems with this double response. First, both points seem troublingly circular, and from a liberal perspective not sufficiently persuasive for accepting nationality as an important part of identity to compete with, let alone to override, the value of global justice.⁶⁷ Second, even if it can be shown that most people value their membership in a national community, for a philosophical defense of the basic significance of nationality that would be inconclusive. Third, the problem of historical arbitrariness is much more serious than Miller acknowledges. As Charles Jones puts it: "In so far as nations...are historical fictions or historically more...ambiguous than generally believed, they cannot legitimately generate significant obligations on the part of co-nationals for one

⁶³ Ibid., pp. 49-80.

⁶⁴ Miller, *On Nationality*, pp. 35-42. Michael Walzer tends to a similar view, writing that "imagined, invented...[c]onstructed communities are the only communities there are, and so they can't be less real or authentic than some other kind." See *Thick and Thin: Moral Argument at Home and Abroad* (Notre Dame: University of Notre Dame Press), p. 68.

⁶⁵ Miller, *On Nationality*, pp. 42-46 and *Citizenship and National Identity*, p. 165.

⁶⁶ Miller, *Citizenship and National Identity*, p. 166.

⁶⁷ Charles R. Beitz, "Miller, David, *On Nationality*: Book Review," *Ethics* 108 (1997): 225-229, p. 227.

another.”⁶⁸ And, as “[g]etting its history wrong is part of being a nation,”⁶⁹ this problem seems to affect most, if not all, nations.

Fourth, the belief that the modern nation is, or can be, a community constitutive of its members’ identity, may well falsely depend on a mere “romantic” image of the nation.⁷⁰ Undoubtedly, communitarians such as Michael Sandel and Alasdair MacIntyre would argue that Miller, who turns to communitarianism to detach liberalism from cosmopolitanism, overplays the communal character of many contemporary nations. From their perspective, a priority thesis, which is rational in authentically communal cases, has become indefensible today.⁷¹ Critical of modern nations as historical fictions, MacIntyre also suggests: “Since all modern bureaucratic states tend towards reducing national communities to [a] condition [of reciprocal self-interest], all such states tend towards a condition in which any genuine morality of patriotism would have no place and what paraded itself as patriotism would be an unjustifiable simulacrum.”⁷² In contrast to Miller, MacIntyre totally rejects the nation-state as the locus of community, regarding its at times invitation to lay down one’s life on its behalf as “like being asked to die for the telephone company.”⁷³ Perhaps MacIntyre’s verdict is too strong. Yet it seems clear that, from a communitarian perspective, there is not something so obviously special, something irreplaceable in constituting one’s identity, about the nation and one’s fellow nationals, that the individual should acknowledge its moral identity to be constituted by it.

Fifth, consequently, Miller’s implicit, remarkable claim that nations somehow are entitled to eternal life lacks moral justification. But then, the very belief in eternal nations makes little sense, if only because societies in human history, including nations, have always been contingent and time-bound, that is, functional adaptations to changing social circumstances.⁷⁴ Sixth, finally, the communal character of the

⁶⁸ Jones, *Global Justice*, p. 161.

⁶⁹ Ernest Renan, paraphrased by E.J. Hobsbawm, *Nations and Nationalism since 1780: Programme, Myth, Reality* (Canto edition; Cambridge: Cambridge University Press, 1991), p. 12.

⁷⁰ Compare John O’Neill, “Should Communitarians Be Nationalists?” *Journal of Applied Philosophy* 11 (1994): 135-143.

⁷¹ Alasdair MacIntyre, “Is Patriotism a Virtue?” *The Lindley Lecture* (University of Kansas: Department of Philosophy, 1984); Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982).

⁷² MacIntyre, “Is Patriotism a Virtue?” p. 17.

⁷³ Alasdair MacIntyre, “A Partial Response to My Critics,” in *After MacIntyre: Critical Perspectives on the Work of Alasdair MacIntyre*, ed. John Horton and Susan Mendus (Cambridge: Polity Press, 1994), pp. 302-303, quotation 303.

⁷⁴ Being sociologically functional in the modern, industrial world, the nation, too, is still a contingency, not a universal necessity. See Ernest Gellner, *Nations and*

nation is undermined also by the fact that individuals need not, and in the modern world often do not, live their whole lives in the “narrow” society into which they are born, only to leave it by death.

As regards Miller’s second key argument, this fails, too. He argues that ethical universalism (cosmopolitanism) cannot really regard people’s national relationships as part of the subject matter of ethics, whereas ethical particularism does afford a faithful picture of practical reasoning as we actually experience it. Now again, to say that ethical universalism does not take people’s national relationships into account is misleading; its main concern is that they never be seen as fundamental. Moreover, as Beitz and Jones object, this particularist method is suspiciously conservative. For it seems to deny the capacity of ethical argument to challenge received belief systematically just at the point that it might be effective.⁷⁵ Indeed, cosmopolitan arguments against the ethical principle of nationality as a defense of the priority thesis might, if sufficiently strong, lead us to change the way we actually (seem to) think about such issues.⁷⁶ It may be added here that Miller’s argument is also dubious for pinning ordinary people down to particularistic moral beliefs that they may conventionally hold, but not necessarily so.⁷⁷

Completing the present argument, I would argue that the failure of Miller’s key arguments is rooted in his attempt to merge liberalism and communitarianism into a single perspective, which results in a position difficult to sustain coherently. Miller has tried to develop a theory of international justice based on a compromise between the concern for personal well-being and the conviction that particularistic attachments may have independent moral significance. But his emphasis on national

Nationalism (Ithaca: Cornell University Press, 1983), p. 6. This being so, it seems inappropriate to argue for “national identity” as a “primary good” (see for this concept Rawls, *Theory of Justice*, pp. 62, 92-93 and *Political Liberalism*, p. 188), available to everyone, as Kai Nielsen does in “Cosmopolitan Nationalism.”

⁷⁵ Beitz, “Miller, David. *On Nationality*,” p. 228.

⁷⁶ Jones, *Global Justice*, pp. 155-156, 167. Therefore, it is false to think that cosmopolitan liberalism cannot be morally right because its implications under current circumstances – notably the need to take measures to diminish global inequality – conflict with widely held convictions. The same would have been true two centuries ago if it had been suggested that slavery should be abolished worldwide. Only one century ago, the same would be the case regarding the idea that women should have the same political and civil rights as men. Perhaps in another century, it will be a matter for amazement that transfers from rich countries to poor ones of 0,2 or 0,3 per cent of gross national product were once thought appropriate to meet the moral obligations of people in rich countries. Whether they do or not, to adduce as an argument against there being such an obligation that many people currently do not believe that there is seems wrong. See Barry, “Statism and Nationalism,” p. 60.

⁷⁷ The widespread support for non-governmental organizations such as Amnesty International, Oxfam, and Greenpeace is one sign.

self-determination as the key theoretical element and his belief in serious global obligations do not travel well together. Thus, Miller stresses that “national self-determination” for a people includes the right “to live according to their own particular values.”⁷⁸ But on the other hand, Miller now advances a weakly egalitarian understanding of global justice, which he develops from asking “the basic ethical question: what does each of us, individually, owe to other human beings, regardless of their cultural make-up, or their citizenship, or their place of residence?”⁷⁹ This conception of justice is felt to entail three requirements. We should respect basic rights everywhere; refrain from exploiting communities and individuals vulnerable to our actions; and provide all political communities with the opportunity to achieve self-determination and justice, that is, as seen by these communities themselves. For Miller, the first two set limits to our own national self-determination, the third must be balanced against it, depending upon, say, whether we want an extensive national health service or a national football stadium; the first has priority to concern for other communities, the second has not.⁸⁰

Now, the problem is that such cosmopolitanism, even if relatively minimal, is at odds with the defense of national self-determination in at least three ways. First, suddenly asking “the basic ethical question” is inconsistent with Miller’s ethical particularist method, and seems an ad hoc concession to cosmopolitanism. And when this question now makes sense, surely it is the *first* question to be asked, and answered *before* an ethical case for national-self-determination might be made. Second, the values of a national community, according to which a nation, in Miller’s view, is entitled to live, may be radically opposed to his understanding of global justice and its demands. Third, on Miller’s account it is possible that a nation with a relatively egalitarian conception of justice should promote the self-determination of nations with inegalitarian conceptions of justice, thereby sustaining inequality within those nations. Thus, while Miller’s position ends up as a halfway house between nationalism and cosmopolitanism, it again seems clear that the latter’s value of global justice takes priority.

Since, then, national communities cannot be said to have fundamental significance and the priority thesis thereby lacks a natural foundation, the conclusion must be that global justice, unrivalled by some impersonal standard standing at the same level of significance, is obligatory. Insofar as special responsibilities to compatriots might still be defensible, they will be so only because of their significance for personal morality (which,

⁷⁸ Miller, *Citizenship and National Identity*, p. 162.

⁷⁹ *Ibid.*, p. 174.

⁸⁰ *Ibid.*, pp. 173-178 and “Justice and Global Equality,” pp. 198-209; compare *On Nationality*, pp. 104-106.

as we have seen, is not clear). Being nowhere near as extensive as the priority for compatriots present in conventional morality this way, at best they would constrain but not undermine the obligation of global justice. I think we should even be suspicious of social liberalism as a theoretical defense of the national community. A perfect legitimization of the Western welfare *state*, this meant-to-be theory of the *nation* serves the interests of those relatively affluent, “liberal” societies that have most to gain from the widespread internalization of a doctrine that rejects the requirements of global justice.⁸¹ Again, we have touched upon an implausible moral justification of a resource-consuming way of life, now fueled by a neo-Herderian obsession with “identity,” while it results from individual, social, cultural, and political choice from which liberal theory should keep its critical distance.

CONCLUSION

If my argument in this essay has been correct, then global justice is natural, relevant, fair, and obligatory, and so the international realm should be seen as a single society of persons to be governed by an egalitarian doctrine of distributive justice. Consequently, cosmopolitan liberalism, not social liberalism, is the ethically adequate international liberal position. I end by making two comments on the significance of this result.

First, cosmopolitan liberalism being ethically adequate means that it is adequate as an international *moral* theory, entailing a critical perspective on individual, social, cultural, and political choice that is in no way affected by its potentially utopian character. Pogge puts the point well: “Perhaps it is naïve or utopian to hope that any future world will better accord with a Rawlsian conception of global justice. But this is an indictment not of that conception but of ourselves...We cannot reasonably demand of moral principles that they vindicate the status

⁸¹ Compare Debra Satz, “Equality of What among Whom? Thoughts on Cosmopolitanism, Statism, and Nationalism,” in *Global Justice*, ed. Ian Shapiro and Lea Brilmayer (New York: New York University Press, 1999), p. 68. It has been correctly noted that Miller’s argument is problematic in granting autonomy to *states* based on an argument about the ethical significance of *nationality*. Thus, his ethical defense of nationality falsely turns on treating all states as if they had the attributes that he ascribes to nations. See Margaret Moore, “Miller’s Ode to National Homogeneity,” *Nations and Nationalism* 2 (1996): 423-429, p. 425 and Brian Barry, “Nationalism versus Liberalism?” *Nations and Nationalism* 2 (1996): 430-435, p. 431.

quo.”⁸² Indeed, it is false to suggest that principles of justice have no useful role to play prior to the point at which they can be successfully implemented. They need not be implemented ever or fully in order to serve their distinctive normative function: their tendency to undermine the legitimacy of the status quo.⁸³ Under present circumstances, it would rightly hold particular fundamental value orientations within global society to be wrong, including the belief, legitimized by social liberalism, that unequal treatment of persons can be morally justified. That is why it is anything but useless setting out morally binding principles for reforming the global basic structure, even if in fact we have no means to implement these reforms.⁸⁴

But second, my argument in this essay, even if correct indeed, does not mean that cosmopolitan liberalism may now be regarded as an adequate normative international *political* theory, which is how Beitz has presented his neo-Rawlsian cosmopolitanism.⁸⁵ Perhaps the recent conception of political philosophy as a branch of ethics (i.e., moral philosophy)⁸⁶ cannot be extended from the domestic domain of hierarchy to the international domain of anarchy. And if so, an international political theory might have to incorporate more normative elements than the liberal value of global justice alone. One must therefore also consider the relationship between morality and politics in international life, which might lead one to include, alongside global justice, particular values that are non-moral yet fundamental to international politics.⁸⁷ In any event, the political-philosophical adequacy of cosmopolitan liberalism is a distinct question demanding separate treatment.

⁸² Pogge, *Realizing Rawls*, p. 260; compare Andrew Kuper, “Rawlsian Global Justice: Beyond the Law of Peoples to a Cosmopolitan Law of Persons,” *Political Theory* 28 (2000): 640-674, p. 655.

⁸³ Ian Shapiro and Lea Brilmayer, “Introduction,” in *Global Justice*, ed. Ian Shapiro and Lea Brilmayer (New York: New York University Press, 1999), p. 9; Buchanan, “Rawls’s Law of Peoples,” pp. 713-714.

⁸⁴ Here again, I disagree with Miller, *Principles of Social Justice*, p. 6.

⁸⁵ Beitz makes no distinction between normative “political theory” and “moral judgement,” but seems to believe that the latter expresses the real meaning of the former. See Terry Nardin’s review of the first, 1979 edition of *Political Theory and International Relations* in *The American Political Science Review* 74 (1980): 795-796, p. 795.

⁸⁶ See Kymlicka, *Contemporary Political Philosophy*, especially pp. 3-5. For a critique, see Frank R. Ankersmit, *Aesthetic Politics: Political Philosophy beyond Fact and Value* (Stanford, Cali.: Stanford University Press, 1996).

⁸⁷ Compare David Boucher, *Political Theories of International Relations: From Thucydides to the Present* (Oxford etc.: Oxford University Press, 1998).

GLOBAL JUSTICE AND ITS LIMITS: INTERNATIONAL POLITICAL THEORY FROM COSMOPOLITAN LIBERALISM TO COSMOPOLITAN PLURALISM

When John Rawls's magnum opus *A Theory of Justice* was published in 1971, it did not take long for liberal political theory to go international. Having started with a critique of the standard, skeptical political realist doctrine of the impossibility of meaningful international choice, international liberalism most radically expresses itself in a position called "cosmopolitan liberalism."⁸⁸ In its most plausible version, the neo-Rawlsianism of Charles Beitz (presumably the leading cosmopolitan-liberal theorist) and Thomas Pogge,⁸⁹ cosmopolitan liberalism broadly supports a global version of Rawls's theory of distributive justice.⁹⁰ The basic idea is that it is more consonant with the individualist spirit of the Rawlsian project that parties to the second, international original position be persons, not societies – indeed, that there be only a single, persons-populated original position generating a single set of norms for global application. This procedure will result in a – maybe somewhat constrained – "global difference principle," entailing a commitment to (re)arranging material resources for the benefit of those with the least, wherever on earth they may reside.⁹¹

This essay examines the question of how an adequate international political theory looks like. This means, specifically, that I shall examine to what extent cosmopolitan liberalism qualifies. In doing so, I assume its

⁸⁸ Charles R. Beitz, *Political Theory and International Relations* (with a new afterword by the author; Princeton, N.J.: Princeton University Press, 1999), pp. 214-216 and "Social and Cosmopolitan Liberalism," *International Affairs* 75 (1999): 515-529, p. 515. Variations include Beitz, *Political Theory and International Relations*; Thomas W. Pogge, *Realizing Rawls* (Ithaca: Cornell University Press, 1989); Philippe Van Parijs, *Real Freedom For All: What (If Anything) Can Justify Capitalism?* (Oxford: Clarendon Press, 1995); Brian Barry, "Humanity and Justice in Global Perspective," in *Liberty and Justice: Essays in Political Theory 2* (Oxford: Clarendon Press, 1991); Charles Jones, *Global Justice: Defending Cosmopolitanism* (Oxford: Oxford University Press, 1999).

⁸⁹ See for this opinion Brian Barry, "Statism and Nationalism: A Cosmopolitan Critique," in *Global Justice*, ed. Ian Shapiro and Lea Brilmayer (New York: New York University Press, 1999), p. 36.

⁹⁰ John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971) and *Political Liberalism* (New York: Columbia University Press, 1993).

⁹¹ The "difference principle," as defined by Rawls, holds that "[s]ocial and economic inequalities are permissible provided that they are...to the greatest expected benefit of the least advantaged." Rawls, *Political Liberalism*, p. 271.

moral superiority from the outset, that is, its rightness about international justice as global distributive justice. Although I have offered a defense of this assumption elsewhere,⁹² my argument will therefore be hypothetical. However, it is important to consider whether the conception of political philosophy as a branch of moral philosophy, dominant since *A Theory of Justice*,⁹³ can plausibly be transported from the domestic to the international domain, even if this procedure means accepting *arguendo* the moral value of global distributive justice. In advocating the application of Rawls's theory to international politics, cosmopolitan liberalism seems to assume exactly this. Therefore, what we must know is whether there are non-moral yet normative aspects typical of international politics that might threaten the adequacy of cosmopolitan liberalism as an international political theory, and if so, give rise for the need to develop a better one.

“Political theory,” as I use the term here, refers to a specifically normative theory that offers critical guidance to political choice and the justification of it in matters of institutions and practices. The appropriate criterion of adequacy for such an “ideal” conception of politics is the criterion of “realistic utopia” offered by John Rawls. As Rawls writes, “political philosophy is realistically utopian when it extends what are ordinarily thought to be the limits of practicable political possibility and, in so doing, reconciles us to our political and social condition.” As a result, a political theory must be ideal in a sense inspired by Rousseau, taking “men as they are and laws as they might be.” This means that a political theory is adequate if it both has a vision of what is ideally just and keeps an eye on what is workable and applicable to ongoing political and social arrangements, feasible, and could possibly exist.⁹⁴ Thus, I would say that an adequate international political theory includes an ideal conception not merely of the national or global *society* (the “utopia”), but

⁹² My ethical defense of cosmopolitan liberalism entails that its conception of international justice as basically one of fairness between persons is adequate, because: (i) the international realm must be regarded as a global society, which includes a basic structure resembling that of domestic society; (ii) the moral relevance of global justice is not affected by whatever determines the poverty or wealth of societies; (iii) at least beyond a certain level, global distributive inequality matters; and (iv) national communities have no fundamental significance, which means that no extensive moral obligations to compatriots exist that offset the demands of global justice. I defend these claims against non-cosmopolitan but “social” liberal moral criticisms offered by John Rawls and David Miller. See Menno R. Kamminga, “Global Justice: The Morality of Cosmopolitan Liberalism,” forthcoming.

⁹³ See Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (second edition; Oxford: Oxford University Press, 2002), especially pp. 3-5.

⁹⁴ John Rawls, *The Law of Peoples: With “The Idea of Public Reason Revisited”* (Cambridge, Mass.: Harvard University Press, 1999), quotations pp. 11, 13.

in particular of international *politics*, in which the “utopian” stands in interaction with the “realistic.”

My main thesis in this essay will be twofold. First, (even) if one thinks that the problem of international justice is about fairness to persons, then one should still acknowledge that cosmopolitan liberalism is inadequate as an international political theory, namely for being “idealistically utopian.” It is inherently revolutionary for being incompatible with the present states system, assuming a world state and government to be desirable as well as possible. In abstracting too much from the international political context of which tragedy seems an ineradicable feature, cosmopolitan liberalism cannot offer appropriate assistance to the making of justified political choice. Second, again if one believes in the morality of global justice, then in international political theory one should, in view of the fundamental political significance of a decentralized system of international politics, move beyond liberalism towards a position of “cosmopolitan pluralism” that does meet the realistic utopia criterion. Such a theory includes global justice, but also non-liberal values such as international order or peace, and national security and well-being. Thus, an ideal conception of international politics must still incorporate particular aspects of political realism.

COSMOPOLITAN LIBERALISM AS INTERNATIONAL POLITICAL THEORY

There is no doubt that neo-Rawlsian cosmopolitanism is meant as an international political theory in the specifically normative sense. Beitz in particular presents his version as a concrete answer to the political question: “When choices are to be made regarding the ends and means of political action, or the structure and rules of institutions and practices, it is natural to ask by what principles such choices should be guided.”⁹⁵ Thus, cosmopolitan liberalism is the ideal theory that “prescribes standards that serve as goals of political change in the nonideal world.”⁹⁶ Again, this ideal theory applies “to the whole world the maxim that answers to questions about what we should do, or what institutions we should establish, should be based on an impartial consideration of the claims of each person who would be affected by our choices.”⁹⁷ The first question to be answered below is whether cosmopolitan liberalism is indeed

⁹⁵ Beitz, *Political Theory and International Relations*, p. 5.

⁹⁶ *Ibid.*, p. 156.

⁹⁷ Charles R. Beitz, “Cosmopolitan Liberalism and the States System,” in *Political Restructuring in Europe: Ethical Perspectives*, ed. Chris Brown (London: Routledge, 1994), pp. 124-125.

capable of offering adequate guidance to international political choice. This question may be said to have two parts, as I now try to show.

A core thesis of cosmopolitan liberalism is that it may well be agnostic about the proper structure of international institutions, and does not necessarily have to hold that states should be subordinated to a global political authority or a world government.⁹⁸ For cosmopolitan liberalism, political institutions, be they non-national, national, or global, have at best instrumental significance as means to the achievement of the goal of global distributive justice, and thus are subject to consequentialist reasoning. Now, as soon as it conceives of this thesis as a political-theoretical one, cosmopolitan liberalism takes on board a crucial assumption: global justice could be achieved as a result of adequate political choice, irrespective of the way the international realm happens to be institutionally organized at present. Thus, while it naturally does not assume that a globally just world is guaranteed to come about, cosmopolitan liberalism does assume that the ideal of global justice is not beyond the scope of politics, to which no “starting-position,” so to speak, could pose insuperable obstacles.

This crucial assumption has far-reaching implications. Given the undeniable fact that contemporary international politics is organized as a decentralized system of states as primary actors,⁹⁹ the assumption may mean either of two things. First, the ideal of global justice is compatible with the states system. Second, alternatively, it could be achieved by working cooperatively towards either some other effective decentralized political system or a centralized one. For cosmopolitan liberalism to be adequate as a political theory, one of these implications must be both possible and desirable. In the following two sections, I examine these two parts of which our original question about the political-philosophical adequacy of cosmopolitan liberalism consists.

COSMOPOLITAN LIBERALISM AS IDEALISTIC UTOPIA I: THE INCOMPATIBILITY WITH THE STATES SYSTEM

Is the ideal of global distributive justice compatible with the present states system? Hedley Bull has offered a basic reason to believe that this is not so. “Demands for world justice are...demands for the transformation of the system and society of states, and are inherently revolutionary. World justice may be ultimately reconcilable with world

⁹⁸ Beitz, *Political Theory and International Relations*, p. 199; Barry, “Statism and Nationalism,” p. 35.

⁹⁹ This is acknowledged in Beitz, *Political Theory and International Relations*, pp. 153, 215-216.

order, in the sense that we may have a vision of a world or cosmopolitan society that provides for both. But to pursue the idea of world justice in the context of the system and society of states is to enter into conflict with the devices through which order is at present maintained.”¹⁰⁰ Now it seems true indeed that what the present states system at most can establish by itself, that is, insofar as states form a “society” because of common interests and values, is “international order,” which is something different from “world order,” essential for global justice to flourish. This results from the fundamental feature of international decentralized politics: anarchy, that is, the absence of an institution that enforces moral norms.¹⁰¹

A second reason to doubt the compatibility of global justice and the states system is also related to the problem of international anarchy: under anarchy, the first virtue of politics seems to be prudence, rather than justice. At the heart of cosmopolitan liberalism lies a moral commitment to an equal consideration for everyone’s interests, given substance by the inclusion of a roughly equal sharing of resources,¹⁰² and this entails a rejection of the belief in a natural basis for priority for compatriots. However, international political theory must take account of the problem that at present “international politics occurs among individuals organized into states.”¹⁰³ Equal consideration of the interests of everyone affected is a sound guideline for moral criticism of the status quo, but not for political choice within the context of the states system. It cannot be the responsibility of political leaders, who are bound by their role to at least some normative political realism,¹⁰⁴ to practice global justice. For that

¹⁰⁰ Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (London: Macmillan, 1977), p. 88. Note that Bull’s definition of “cosmopolitan or world justice” is, like that of cosmopolitan liberalism, characterized by an egalitarian conception of it. For him, it entails “a more equitable distribution of wealth among all individual members of human society” or “minimum standards of wealth and welfare within this society.” *Ibid.*, p. 85.

¹⁰¹ See Lea Brilmayer, “Realism Revisited: The Moral Priority of Means and Ends in Anarchy,” in *Global Justice*, ed. Ian Shapiro and Lea Brilmayer (New York: New York University Press, 1999).

¹⁰² Kai Nielsen, “Cosmopolitan Nationalism,” *The Monist* 82 (1999): 446-468.

¹⁰³ Joseph S. Nye, Jr., “Ethics and Foreign Policy,” *An Occasional Paper* (Aspen Institute for Humanistic Studies, 1985), p. 1.

¹⁰⁴ Importantly, realism is different from nationalism. Prominent realists such as Hans Morgenthau, Hedley Bull, and Robert Gilpin, in stressing the key role of the state in an anarchical international milieu and their sober expectations regarding human possibilities, are by no means nationalists who believe the national community to have deep moral significance. Gilpin, *Global Political Economy: Understanding the International Economic Order* (Princeton: Princeton University Press, 2001), pp. 15-16. Notably Bull may be seen as a moral cosmopolitan. Compare *Anarchical Society*, p. 21.

could imply, for example, that a political leader would have to give precedence to others, all of the others abroad who are poorer, before using any of his resources for domestic self-improvement. Before he or she can spend a penny on the poor within one's own state, he has to spend on all those infinitely poorer elsewhere. "That is not the way politics can work."¹⁰⁵

Given the anarchical character of the international political system, the problem here is that the role-bound duties of the statesman or (-woman) entails that he acts as a trustee for the security and economic interests of those he represents, and that he preserves international order.¹⁰⁶ This means that he, in helping others, cannot go beyond what can be consented to domestically. A leader cannot violate domestic public opinion in this matter. He should educate it, making it less parochial or selfish. But he cannot go so far ahead as to be rejected.¹⁰⁷ But even if domestic public opinion favors drastic measures to promote global justice, then responsible statesmen would still act according to a certain kind of cynicism that lies at the core of the normative vision of political realism: people cannot generally be expected to act as they should morally. Thus, statesmen should act prudentially, and this means that the extent to which they can be expected to act according to the obligation of global justice is seriously limited.¹⁰⁸

Finally, a third reason to doubt the compatibility of global justice and the present system of states is suggested, remarkably, by Beitz himself. Beitz believes that for the ethics of statesmanship one particular aspect of political realism contains an essential truth: "heuristic realism." Strongly adverse of "utopianistic"¹⁰⁹ or "legalistic-moralistic" approaches,¹¹⁰ heuristic realism advances a cautionary (but not skeptical) view about the role that moral considerations should be allowed to play in practical reasoning about international affairs, particularly that of individuals charged with making decisions about national foreign policy. It warns of the predictable kinds of errors that can occur when moral principles are

¹⁰⁵ Stanley Hoffmann, *Duties beyond Borders: On the Limits and Possibilities of Ethical International Politics* (Syracuse, N.Y.: Syracuse University Press, 1981), p. 155.

¹⁰⁶ Nye, "Ethics and Foreign Policy," pp. 9-12.

¹⁰⁷ Hoffmann, *Duties beyond Borders*, p. 157.

¹⁰⁸ Compare Brilmayer, "Realism Revisited."

¹⁰⁹ E.H. Carr, *The Twenty Years' Crisis, 1919-1939* (second edition; London: Macmillan, 1946), p. 10.

¹¹⁰ Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace* (fifth edition, revised; New York, N.Y.: Alfred A. Knopf, 1978), p. 12; George F. Kennan, *American Diplomacy* (expanded edition; Chicago: University of Chicago Press, 1984), p. 95.

applied naively or in the wrong way.¹¹¹ Now indeed, the contribution of heuristic realism is constructive, since calculating the consequences of actions is much more difficult in the international domain of anarchy than the domestic one of hierarchy. Political actions may have various effects on the system of states, individual states, and individuals within states, including effects that lead to greater injustice. And indeed, to strengthen the point, it is a fundamental feature of international politics that the freedom to judge and act is limited; that the outcomes of action are uncontrollable and unpredictable, and may even lead to chaos; and that the difficulty of assessing the situation renders all action insecure. “Far more than domestic statecraft, international statecraft is statecraft in the dark. It is often blind statecraft.”¹¹² This being so, we must accept caution to be a primary international political virtue, too. But the international political theorist must then also do what Beitz never seems to do, namely acknowledge that the establishment of a just global society is hampered by the duty of the statesman to practice caution.

One could object that the above analysis is unduly pessimistic. I consider two versions of such an objection. First, one might think that, eventually, the ideal of global justice could be the result of piecemeal changes, gradual advances, or incremental improvements. Thus, Beitz’s reply to critics claiming that cosmopolitan theories are politically unrealistic is that such a theory “might...establish incremental or reformist goals capable of being accomplished under prevailing conditions and seek ways to change these conditions so that further incremental improvements can eventually be brought about.”¹¹³ However, if meant to demonstrate the compatibility of global justice and the states system, then this reply fails. Tragically, the highly inegalitarian global distribution of wealth is protected and reinforced by the political division of the world into sovereign states that differ greatly from one another in their political power and over whom no international authority is binding.¹¹⁴ A chain of incremental improvements, still relying essentially on the dynamics of “self-help,” does not go at the roots of the moral blemishes that proliferate in international affairs, and its occasional good results are reversible only too easily (a lesson, indeed, from heuristic realism).¹¹⁵

¹¹¹ Beitz, *Political Theory and International Relations*, pp. 186-191; for a similar point see Andrew Kuper, “Rawlsian Global Justice: Beyond the Law of Peoples to a Cosmopolitan Law of Persons,” *Political Theory* 28 (2000): 640-674, p. 653.

¹¹² Hoffmann, *Duties beyond Borders*, p. 21.

¹¹³ Charles R. Beitz, “International Liberalism and Distributive Justice: A Survey of Recent Thought,” *World Politics* 51 (1999): 269-296, p. 290.

¹¹⁴ Ian Shapiro and Lea Brilmayer, “Introduction,” in *Global Justice*, ed. Ian Shapiro and Lea Brilmayer (New York: New York University Press, 1999), p. 5.

¹¹⁵ Stanley Hoffmann, “The Political Ethics of International Relations,” *Seventh Morgenthau Memorial Lecture on Ethics & Foreign Policy* (New York: The Carnegie

Thus, incrementalism will never bring the goal of global justice within our reach, as a problem-solving approach leaving the main roots of the inequality between rich and poor states and persons intact.

A second, more radical version of our objection may be derived from Stanley Hoffmann's concept "transformism." Essentially, he explains, transformism aims at reforming the present world order so as to introduce as much interstate and transnational society into the framework of anarchy as is possible. Such a strategy requires certain kinds of leaders and – not to forget – certain kinds of citizens, broad-minded and daringly active. The leaders should not be narrow tribalists, just like they should not be heroes or ideological crusaders. They need to be compassionate, open, and capable of making informed decisions. More importantly, citizens should be able and willing to pressure, to prod, to censor their government, and also to act independently across borders, notably by creating transnational civil networks. This approach, then, would push politics as far as possible in a more cosmopolitan direction.¹¹⁶ Hoffmann's suggestion, even if vague, is interesting and important, for it invites not only statesmen but also their citizens to work effectively to "soften," so to speak, the logic of anarchy. It might entail a more successful version of the pessimism objection: global justice is still a possibility within the context of the states system, for citizens and statesmen can be said to have an obligation to create the required additional transnational social bonds and institutions, or strengthen present ones.

But what ground is there for believing that the logic of anarchy could ever be softened? A basis may be found in Alexander Wendt's constructivist approach to international politics. According to Wendt, there is no "logic of anarchy" *per se*. Rather, anarchy is a social construction, and so "anarchy is what states make of it."¹¹⁷ Thus, the "culture" of anarchy is dependent on what states and other actors (mainly) through those states do. Wendt claims that anarchy can have at least three distinct cultures: "Hobbesian," "Lockean," and "Kantian," which are based on different role relationships: "enemy," "rival," and "friend" respectively. For much of international history, states lived in a Hobbesian culture, where the logic of anarchy was kill or be killed. But in the seventeenth century European states founded a Lockean culture,

Council on Ethics and International Affairs, 1988), p. 19. Note that Beitz himself warns for "the pitfalls of a false incrementalism." *Political Theory and International Relations*, p. 170.

¹¹⁶ Hoffmann, "The Political Ethics of International Relations," p. 19.

¹¹⁷ Alexander Wendt, "Anarchy Is What States Make of It: The Social Construction of Power Politics," *International Organization* 46 (1992): 391-425 and *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999).

where conflict was constrained by the mutual recognition of sovereignty. This culture eventually became global, albeit in part through a Hobbesian process of colonialism. In the late twentieth century, the international system underwent another structural change, that is, cultural change, to a Kantian culture of collective security. So far this change is mostly limited to the West, and even here it is still tentative, but a case can be made that it has happened.¹¹⁸ Now, if Wendt is correct on this point, then there could be significant progress in international politics, so that it may be possible to work towards the ideal of global justice after all. What is needed to eliminate the strong need to be prudent and cautious instead of straightforwardly just seems possible: the construction of a worldwide “Kantian culture.” In this way, we have construed a Hoffmann-Wendt objection to the view that global justice and the states system are incompatible.

Is this more radical objection successful? It must be admitted that it does modify the original account somewhat, for, apparently, the “depth” of anarchy can vary, and so also the freedom of movement of political leaders for promoting global justice. Yet it faces serious limits, and we should refrain from carrying it too far. First, in accepting a constructivist analysis such as Wendt’s, cosmopolitan liberalism would make itself dependent upon a theory of international politics that, like others, is subject to serious theoretical and empirical dispute.¹¹⁹ Second, being skeptical of simple progress himself, Wendt actually stresses the fundamentally conservative rather than progressive nature of these cultures.¹²⁰ Third, we must doubt the possibility of a Kantian culture truly worldwide rather than merely Western. States becoming “friends” on a worldwide scale seems possible in science fiction cases alone, for only then could there be deeply shared interests and values. There is no reason to expect that the states system, even if transformed, can ever overcome human weaknesses (cognitive as well as moral) and countervailing incentives to maintain the status quo, and is able to create this culture by making conscious choices, without producing counter-effective results. In short, to base one’s claim of the compatibility of global justice and the states system on the potential emergence of a global Kantian culture has no other foundation than sheer optimism.

¹¹⁸ Wendt, *Social Theory of International Politics*, pp. 246-369.

¹¹⁹ See the critical reviews of *Social Theory and International Politics* and Wendt’s response to them in *Review of International Studies* 26, 1 (2000).

¹²⁰ Wendt, *Social Theory of International Politics*, pp. 308-312.

Thus far, we must conclude that the ideal of global distributive justice is incompatible with the states system.¹²¹ Indeed, it would be “idealistically utopian” to believe otherwise.

COSMOPOLITAN LIBERALISM AS IDEALISTIC UTOPIA II: THE NEED FOR AN IDEAL WORLD GOVERNMENT

I now examine the alternative claim that global justice may be achieved by working cooperatively towards either some other effective decentralized political system or a centralized one, starting with the decentralized option.

A liberal theorist recognizing that a cosmopolitan political theory may not be silent about political institutions, Thomas Pogge once offered a plea for global economic centralization combined with political decentralization. Thus, from the standpoint of a cosmopolitan morality, the concentration of power at one level – that of the state – seems indefensible today.¹²² For Pogge, what is needed is a global order in which sovereignty is widely distributed vertically. Persons should be citizens of, and govern themselves through, a number of political units of various sizes, without any one political unit being dominant and thus occupying the traditional role of the state. Their political allegiance and loyalties should be widely dispersed over these units: neighborhood, town, county, and province. People should be politically at home in all of them, without converging upon any one of them as the lodestar of their political identity. Pogge believes that one great advantage of this multi-layered scheme is that it can be reached gradually from where we are now. This requires moderate centralizing and decentralizing moves involving the strengthening of political units above and below the level of the state.¹²³

In effect, what Pogge argues for is what Bull calls “neo-mediaevalism”:¹²⁴ “a system of overlapping authority and multiple loyalty.”¹²⁵ However, such a new mediaevalism might turn out to be worse than the present states system. While a neo-medievalist international society could “avoid the classic dangers of the system of

¹²¹ See also Kimberly Hutchings, *International Political Theory: Rethinking Ethics in a Global Era* (London: SAGE Publications, 1999), pp. 40-41.

¹²² Thomas W. Pogge, “Cosmopolitanism and Sovereignty,” in *Political Restructuring in Europe: Ethical Perspectives*, ed. Chris Brown (London: Routledge, 1994), p. 99.

¹²³ *Ibid.*, pp. 99-117.

¹²⁴ Hidemi Suganami, “Comments and Conclusions,” in *Political Restructuring in Europe: Ethical Perspectives*, ed. Chris Brown (London: Routledge, 1994), p. 242.

¹²⁵ Bull, *Anarchical Society*, p. 254.

sovereign states” by encouraging “overlapping structures and criss-crossing loyalties,”¹²⁶ such a world would be subject to serious dangers. Mediaevalist society with its complex structure of overlapping jurisdictions and multiple loyalties has been even more violent than the modern system of states.¹²⁷ While any decentralized political system has to solve the problem of order and peace, the present states system seems better equipped to carry out this task than so complex a neo-mediaeval one. For all their drawbacks, the state and the state system play a positive role in world affairs by maintaining domestic and international order; without them, there would perhaps not be any order at all.¹²⁸ Thus, Pogge’s vision, even if we would accept *arguendo* the unlikely possibility that it is not out of reach, might entail an undesirable alternative for the present states system, offering insufficient basis for trusting that the alternative device will establish global justice more likely.

Thus far, the conclusion is that global justice is not to be realized within the context of some decentralized political system or another. Negatively speaking, as a theory meant to have not merely moral but political impact, cosmopolitan liberalism cannot plausibly maintain an attitude of institutional agnosticism, as Beitz wishes to do. Positively speaking, it cannot avoid opting for global institutional centralization as a “reliable way of enforcing compliance with international redistributive policies.”¹²⁹ This stance I now elaborate.

Importantly, the practical-political suggestions cosmopolitan liberals offer stand a chance of being effective only if implemented by a world government. Analogously to the domestic case, this is because such proposals, if consistent with the basic tenets of cosmopolitan liberalism, should ideally guarantee that the worst-off *citizens* in the world are made better off, directly or indirectly, and one cannot simply expect or trust their local governments to do this. Thus, Beitz writes: “[Concerning the role of considerations of distributive justice], the international situation seems to me not very different from the domestic. Within a society, it is naïve and possibly false to think that the most effective means of improving the situation of the worst-off is engage in a continuing process of income transfers from rich to poor; other strategies – such as a system of wealth taxation combined with aggressive measures to ensure equality of educational and economic opportunity – may be more successful.”¹³⁰ But

¹²⁶ *Ibid.*, p. 255.

¹²⁷ *Ibid.*, p. 254-255.

¹²⁸ Hedley Bull, “The State’s Positive Role in World Affairs,” *Daedalus* 108, 4 (1979): 111-123.

¹²⁹ Beitz, *Political Theory and International Relations*, p. 155.

¹³⁰ Charles R. Beitz, “Rawls’s Law of Peoples,” *Ethics* 110 (2000): 669-696, p. 690. Compare the radical proposals for an international gross national product taxation in

if so, then why not endorse a world government? For that will be needed to implement global justice effectively, both because then the bureaucracy to deliver global welfare state measures would be in place and because then the measures could be financed through international taxation.¹³¹

Strengthening the point, I would stress that, while in well-governed domestic societies one can mostly act with the moral confidence that “right” actions will have “good” results, in global society the lack of a good and strong global political system increases the likelihood that well-intentioned actions will backfire. It follows that the confidence required for full justice - assurances that if one acts morally the consequences will generally work out for the best - internationally can only be given in the same way as it is given domestically, namely by a strong and good, well-ordered political system.¹³² And, to quote Bull again: “World order, or order in the great society of all mankind, is...the condition of realisation of goals of...cosmopolitan justice. If there is not a certain minimum of security against violence, respect for undertakings and stability of rules of property...a just distribution of burdens and rewards in relation to the world common good can have no meaning.”¹³³ Hence a Rawlsian cosmopolitan political theorist cannot completely disavow support for global organization, and the natural duty of justice would be to work for the creation of just global institutions, or for the improvement of existing ones.¹³⁴ We must ask, then, if it is possible and desirable to try to

Barry, “Humanity and Justice,” pp. 202-203 and “Statism and Nationalism,” p. 40; for a global basic income in Van Parijs, *Real Freedom For All*, pp. 223-228; and for a global resources dividend in Thomas W. Pogge, “A Global Resources Dividend,” in *Ethics of Consumption: The Good Life, Justice, and Global Stewardship*, ed. David Crocker and Toby Linden (Lanham, Md., Rowman & Littlefield, 1997).

¹³¹ Kai Nielsen, “World Government, Security, and Social Justice,” in *Problems of International Justice*, ed. Steven Luper-Foy (London: Westview Press, 1988). Note that, alternatively, to allow poor people to come to where the resources are, which would require rich countries to open their borders to people from poor countries, would need new global institutions, too. This option is insufficient, since it is usually only the better-off within poor countries who can afford to uproot themselves and travel to rich countries; compare Kymlicka, *Contemporary Political Philosophy*, pp. 269 and 282-283, n. 46. But more importantly, given the compliance problem, it, too, would have to be enforced by a world state.

¹³² Brilmayer, “Realism Revisited.” Compare Hoffmann, *Duties beyond Borders*, p. 196.

¹³³ Bull, *Anarchical Society*, p. 97.

¹³⁴ The logical outcome of globalizing the Rawls’s notion of a “natural duty of justice” is stressed in Ryszard Legutko, “Cosmopolitans and Communitarians: A Commentary,” in *Political Restructuring in Europe: Ethical Perspectives*, ed. Chris Brown (London: Routledge, 1994), p. 226-227. Compare R.J. Vincent, *Human Rights and International Relations* (Cambridge: Cambridge University Press, 1986), pp. 119,

implement global justice by establishing a world state – a centralized monopoly of violence strong enough to eliminate the basic problem of anarchy.

The idea of a world state has found much opposition among Kantian liberals and others, and, it seems to me, with good reason. Thus, Michael Walzer plausibly holds that global justice would entail a state of affairs in which a set of international bureaucrats seize power in order to enforce global solidarity “from above.” The required drastic redistribution of the world’s resources and/or creation of truly fair international economic and ecological regimes “could not be enforced without breaking the political monopolies of existing states and centralizing power at the global level.”¹³⁵ Since no communal cohesion at the global level exists - there is no sign of a truly global “Kantian culture” (Wendt) - the emergence of an authoritarian global regime, employing “massive coercion on a global scale”¹³⁶ would be very likely. If we want to avoid this, then we must accept the territorial nation-state¹³⁷ - in any event some decentralized political system or another. Theorists varying from John Rawls to Kenneth Waltz rightly agree that a world government “would either be a global despotism or else would rule over a fragile empire torn by frequent civil strife as various regions and peoples tried to gain their political freedom and autonomy.”¹³⁸ One such outcome of a world state is that then, as David Miller notes, “states would have an obligation to accept outside economic management in the event that this proved to be the most effective way of raising the living standards of the worst-off members of the poorer states.”¹³⁹ This drastic outcome illustrates how dangerous a world state would be.

124 and Richard Devetak and Richard Higgott, “Justice Unbound? Globalization, States and the Transformation of the Social Bond,” *International Affairs* 75 (1999): 483-498, p. 496.

¹³⁵ Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books), p. 30, compare p. 34; see also Stanley Hoffmann, “Dreams of a Just World,” *New York Review of Books* 42 (November 2, 1995): 52-57, p. 54.

¹³⁶ Walzer, *Spheres of Justice*, p. 38.

¹³⁷ *Ibid.*, p. 44.

¹³⁸ Rawls, *Law of Peoples*, p. 36; compare Kenneth N. Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979), p. 112: “The prospect of world government would be an invitation to prepare for world civil war.”

¹³⁹ David Miller, *On Nationality* (Oxford: Clarendon Press, 1995), p. 108 and “The Nation-State: A Modest Defence,” in *Political Restructuring in Europe: Ethical Perspectives*, ed. Chris Brown (London: Routledge, 1994), p. 151. This objection is raised against Beitz, but could also have been raised against Barry, who explicitly favors international intervention as well as international redistribution: if the members of a government make the case for aid disappear by putting resources away in Swiss bank accounts, “a strong prima facie case for international intervention to displace this government then exists.” See “Statism and Nationalism,” quotation p. 40.

Consequently, an “ideal” world government, fully committed to the ideal of global justice, is simply utopian.¹⁴⁰ It would be false to believe that the United Nations will ever be able to play such a role: it is not strong enough and not in a position to guarantee compliance. Indeed, as only its name indicates, its very conception is thoroughly dependent on drawing on the basic political and social organizations prevalent in the respective states.¹⁴¹ The United Nations itself is a main sign that it would be false, at best naïve, to believe that the decentralized state of worldwide international politics is some remediable contingency.

In conclusion, as a political theory cosmopolitan liberalism fails to meet the realistic utopia criterion. It is not capable of offering adequate guidance to international political choice, for applying the moral ideal of global justice to international politics would be to overstrain it. Politically, cosmopolitan liberalism, despite its own claim to institutional agnosticism, seems to reason as if a centralized state and government of the ideal sort either is already in place or will fall down from heaven on earth, so to speak.¹⁴² As such, its utopianism is idealistic: for all its critical, moral power, it is politically inadequate.

FROM COSMOPOLITAN LIBERALISM TO COSMOPOLITAN PLURALISM AS REALISTIC UTOPIA

Thus far, my argument has been that cosmopolitan liberalism is inadequate as an international political theory. If correct, then the belief that the basic task of international politics is to create global justice must be deemed naïve. It is sometimes argued that the recent dominance of political theory by the Rawlsian paradigm of politics as applied ethics and political philosophy as a branch of ethics¹⁴³ has doomed it to irrelevance and danger.¹⁴⁴ While I have not examined the validity of this argument in

¹⁴⁰ Compare Hoffmann, “Dreams of a Just World,” p. 55.

¹⁴¹ Amartya Sen, “Global Justice: Beyond International Equity,” in *Global Public Goods: International Cooperation in the 21st Century*, ed. Inge Kaul, Isabelle Grunberg, and Marc A. Stern (New York: Oxford University Press, 1999), p. 119; compare Barry, “Statism and Nationalism,” pp. 27-28 and Brilmayer, “Realism Revisited,” p. 211.

¹⁴² Only then it makes sense to proceed on the assumption that “the consequences of political action can be predicted with sufficient confidence to establish their relationship to the social ideal.” Beitz, *Political Theory and International Relations*, p. 170.

¹⁴³ Compare Kymlicka’s treatment in his textbook *Contemporary Political Philosophy*.

¹⁴⁴ Frank R. Ankersmit, *Aesthetic Politics: Political Philosophy beyond Fact and Value* (Stanford, Cali.: Stanford University Press, 1996), pp. 1-20.

the domestic case, I believe to have shown that it holds in the international case. In hiding itself behind a veil of institutional agnostic consequentialism, cosmopolitan-liberal political theory plays down the question of what basically is typical of international politics. In fact, it tacitly assumes that international politics possesses the capacity to create a just global society; is not deeply hampered by path-dependencies, power relations, institutional realities, unintended consequences, plain ignorance, limited trust, technical problems; and is not fundamentally affected by the conditions of anarchy and mixed human nature. In short, cosmopolitan liberalism takes the overridingness of the moral value of justice in international politics for granted, as if its historical and power dimensions of international politics do not matter at a basic level.

The above analysis does not imply that one must return from cosmopolitan liberalism to international skepticism.¹⁴⁵ Nothing I have said suggests that moral considerations, particularly of justice conceived of as fairness between persons worldwide, have no independent role to play in international politics, even if that role should be subjected to certain limits. What does follow from my account is that international political theory should widen its horizon, and move beyond the liberal ethical focus on global distributive justice. Thus, we must search for a position that synthesizes the cosmopolitan-liberal ideal of justice and the realist emphasis on order and power, offering an ideal conception of international politics that does meet the criterion of realistic utopia.¹⁴⁶ I now elaborate this.

Ethically, I have assumed that we should endorse the cosmopolitan-liberal view of global justice - a value so important as to be overriding. This assumption entails that justice should govern the global society uncompromisingly, and that a global injustice is tolerable only when it is

¹⁴⁵ For convincing critiques of international skepticism see Beitz, *Political Theory and International Relations*, pp. 11-66; Marshall Cohen, "Moral Skepticism and International Relations," *Philosophy & Public Affairs* 13 (1984): 299-346; Nigel Dower, *World Ethics: The New Agenda* (Edinburgh: Edinburgh University Press, 1998), pp. 27-48; Michael W. Doyle, "Ethics and Foreign Policy: A Speculative Essay," in *New Labour's Foreign Policy: A New Moral Crusade?* Ed. Richard Little and Mark Wickam-Jones (Manchester: Manchester University Press, 2000); Joseph S. Nye, Jr., *Nuclear Ethics* (New York, N.Y.: The Free Press, 1986), pp. 6-10.

¹⁴⁶ Compare David Boucher, who argues that a satisfactory international political theory somehow synthesizes the insights of the traditions of "universal moral order" – global justice - and "empirical realism" – state power - into a third position that simultaneously incorporates the historical dimension of international politics. *Political Theories of International Relations: From Thucydides to the Present* (Oxford etc.: Oxford University Press, 1998).

necessary to avoid greater injustice.¹⁴⁷ But politically-philosophically, we should abandon liberalism in international theory precisely because of its monism. Rather than to overplay the value of global justice, international political theory must be pluralist in including a set of different basic, possibly conflicting values.

Thus, first, international political theory must accept that the moral value of global justice is not the single overriding value, but a conditional one. Second, it must also include those values that, even if non-moral, are normatively inherent to international politics as preferably and ineradicably organized in a decentralized instead of a centralized way. While values such as “national security and well-being” and “international order” are not internationally fundamental in the moral sense – although at times they may be morally significant in an indirect manner - they are so in the political sense. For statesmen are bound by their role to defend the core interests of their own unit, and should, alone and together, do so prudentially and so by preserving order between all the units. And third, it must accept the latter two values to set limits to the moral value of global justice. While a presumption in favor of the value of justice exists for moral reasons - and that is why I keep the adjective “cosmopolitan” - depending on the depth of anarchy the other ones in particular, presumably many, contexts or circumstances may overrule it.¹⁴⁸ Thus, in one context the statesman may have to acknowledge that the value of global justice overrides the value of international order, if that means leaving tyrants with a free hand,¹⁴⁹ and so that he should seek cooperation with leaders of other states to eliminate the injustice. In other contexts, he may have to decide that the security or economic threats his own citizens face have priority, and justify the curbing of global justice. Indeed, the realistically utopian cosmopolitan pluralist would presumably reject one possible outcome of cosmopolitan liberalism, namely that “a war of self-defense fought by an affluent nation against a poorer nation pressing legitimate claims under the global principles (for example, for

¹⁴⁷ What Rawls claims for domestic society holds globally: “Justice is the first virtue of social institutions...[and] an injustice is tolerable only when it is necessary to avoid even greater injustice...[J]ustice [is]...uncompromising.” *Theory of Justice*, pp. 3-4; compare Beitz, *Political Theory and International Relations*, p. 129.

¹⁴⁸ My account is inspired by John Kekes, *The Morality of Pluralism* (Princeton, N.J.: Princeton University Press, 1993), especially chs. 9 and 11. Kekes shows that pluralism is conceptually distinct from liberalism, and also offers a reasonable account of why even moral values cannot always be seen as overriding; in political as well as personal life, moral values do not necessarily take precedence in conflicts with non-moral values. I think Kekes’s pluralist vision of all values as conditional applies in particular to the politics of global society: there is a limit to what can reasonably be asked of states and their trustees for the purpose of global justice.

¹⁴⁹ Barry, “Statism and Nationalism,” p. 38.

increased food aid) might be unjustifiable, giving rise to a justified refusal to participate in the affluent nation's armed forces."¹⁵⁰

Let me offer an example in which the realistically utopian force of cosmopolitan pluralism clearly comes to the fore: the normative evaluation of the European Union (EU). Ethically, if we adopt a cosmopolitan-liberal perspective, then we would presumably criticize the EU *per se* for embodying the wrong value priorities of European states and their leaders. For of course, global distributive justice is not, and cannot be, a primary goal of European integration; instead, its primary goal is global peace and security for Europeans in a broad sense. However defined and legitimized, the EU remains a form of large-scale group particularism that includes some and excludes others, thereby sustaining unequal treatment.¹⁵¹ Particularly, we might condemn its agricultural policy - by far the largest single item of EU spending, taking up about half of the budget every year, dominating EU external trade policy, distorting the world market and seriously undermining the ability of poorer countries to export their own agricultural production - as a flagrant violation of global distributive justice.¹⁵² But politically-philosophically, if we adopt a cosmopolitan-pluralist perspective, then we would have to acknowledge that political leaders who operate on the basis of such a moral critique of the EU would act idealistically and naïvely.¹⁵³ For then we could see the normative significance of the EU, not merely for national security and well-being but especially for international order, since it promotes international peace, geopolitical balance, the rule of law, and sets an example. In so doing, the EU embodies the political virtue of prudence. Yet we should insist the EU leaders to act more according to the ideal of global justice than they seem to do at present, notably by stopping to subsidize European agriculture and resisting the rise of a "European people" who regard Europe as their "second fatherland."¹⁵⁴

In short, as international politics cannot have the moral value of global justice as its sole normative orientation, international political theory

¹⁵⁰ Beitz, *Political Theory and International Relations*, pp. 175-176.

¹⁵¹ Nico Wilterdink, "An Examination of European and National Identity," *Archives Européennes de Sociologie* 34 (1993): 119-136.

¹⁵² Compare Noel Malcolm, "The case against 'Europe'," *Foreign Affairs* 47, 2 (1995): 52-68 and Andrew Hurrell, "Global Inequality and International Institutions," *Metaphilosophy* 32 (2001): 34-57.

¹⁵³ Compare Wilterdink, "An Examination of European and National Identity."

¹⁵⁴ For an argument for "Euro-patriotism," see Jacques Delors, *Le Nouveau Concert Européen*. (Paris: Odile Jacob, 1992), p. 332 and especially Jos De Beus, "Quasi-National European Identity and European Democracy," *Law and Philosophy* 20 (2001): 283-311. For a critique, see Menno R. Kamminga, "For Love of Europe: Ethics and the Case for Euro-Patriotism," *Acta Politica* 36 (2001): 227-251.

must move on from cosmopolitan liberalism to what I have called cosmopolitan pluralism. There are directly normative reasons why one cannot ask of states, statesmen, and international institutions merely to strive for global justice, and these reasons involve the need for concern for such non-moral values as international order, and national security and well-being. In being realistically utopian this way, cosmopolitan pluralism may well possess the action-guiding force appropriate to international political choice.

CONCLUSION

I have argued that, when it comes to offering normative guidance to international political choice, cosmopolitan liberalism suffers from having an overambitious conception of what international politics may establish, and therefore falls short as a political theory. Ethically, I have assumed that cosmopolitan liberalism is right in claiming that international justice is fundamentally about fairness to persons, and so that the more global justice there is, the better the global society is. However, from a political-philosophical perspective, cosmopolitan liberalism falls short for its poor vision of international *politics*, not acknowledging that global justice has its political limits. International politics certainly offers room for moral vision, but is also characterized by cynicism, unpredictability, and the duties of leadership. In conceiving of global justice as the sole normative orientation in international politics, which, however, is a domain of tragedy as well, cosmopolitan liberalism is mistaken for being idealistically utopian.

Consequently, in an effort to make international political theory truly political, which means that its “realistic” quality must be increased, I have opted for a cosmopolitan-realist synthesis, called “cosmopolitan pluralism.” Given both the fundamental moral significance of a just global society and the fundamental political significance of a decentralized international system, international political theory should encompass three basic values: global justice (because of its fundamental moral value), international order, and national security and well-being (because of their fundamental political value). Generally, the main task of international politics is gradually to implement the first as much as it can, constantly paying due regard to the limits set by the second and third – clearly a task that requires much practical wisdom.

Naturally, I accept that the international political theory I favor is subject to ethical criticism; I myself endorse the cosmopolitan-liberal critique that it falls short from the moral point of view. But, given the non-congruence of morality and politics in the international domain, which is

part of our human condition, *c'est la vie*. My point, though, has not been that global justice is impossible *per se*; rather, my point has been that it is beyond the grasp of international politics, and that we should take care not to overstrain it. Closing the gap would at least require that moral cosmopolitanism turns into a cultural fact everywhere, so that the overwhelmingly majority of people will become moral cosmopolitans, ready to part with their institutions in their current form and embark on a great reforming mission.¹⁵⁵ But the reason why this would be purely utopian is that it requires something that politics cannot supply, and it would be false to believe that mere education towards global citizenship, even if necessary,¹⁵⁶ would be sufficient. Indeed, it requires no less than that men - by way of “deep transformation,” that is, conversion - stop being “as they are” (Rawls), and start to make other individual, social, and cultural choices, so that choice on the global scale may eventually develop, too. It is only in such an ideal world that politics could produce the modest global central coordinating mechanism adequate to the task of making the moral dream of global justice come true.¹⁵⁷ But international political theory cannot presuppose such a world, making its ideal conception of politics dependent on it. It must adopt a more modest level of normative discourse, and set standards that can guide the major international political actors forcefully.

¹⁵⁵ Legutko, “Cosmopolitans and Communitarians,” p. 231.

¹⁵⁶ See Martha Nussbaum, *Cultivating Humanity: A Classical Defense of Reform in Liberal Education* (Cambridge, Mass.: Harvard University Press, 1997).

¹⁵⁷ In a weak version, a global government would be needed even when individuals and states do act fairly. As the overall result of separate and independent transactions might well be away from and not toward background justice, the tendency is for background justice to be eroded. Compare for this reasoning by analogy Rawls, *Political Liberalism*, p. 267.

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