

Reflections

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I am grateful to all five contributors to this Forum for the generosity of their comments about *Political Theory and International Relations* and their critical interest in the issues taken up in the book. It is a good thing that these issues have attracted the attention of so many talented scholars. This would certainly have occurred even if *PTIR* had never been written, but I am delighted that the book seems to have been a constructive provocation.

PTIR originated as a doctoral thesis in the mid-1970s, so it is really nearly 30 years old, not the 25 one gets by counting from the publication date. It is a challenge to respond to critics at this remove: one feels a responsibility to the original text while at the same time recognising that one's views have changed. It is a challenge for another, more idiosyncratic, reason as well. At the time *PTIR* was written, there was little to go on in either academic political theory or international relations that could give structure to its subject. The book was necessarily exploratory: it had to provide its subject-matter with an architecture and to characterize the substantive problems that could most profitably be explored. Looked at in retrospect, the architecture can seem crude – more rough carpentry than finished work. Yet I think this was essential to the book, and in replying to criticisms one does not want to represent it as aiming for greater precision or closure than it could or did.

My commentators raise a host of questions from several distinct points of view. I could not possibly comment on all of these, so I shall reply selectively, concentrating on some points of continuing critical interest about which I have something to say that does not simply reproduce remarks made elsewhere.¹ Regrettably, this means I shall have to leave some other matters aside.

Context

Neither the book nor the thesis from which it derived aimed to be a comprehensive study, or for that matter even a survey, of the history or substantive content of international political theory. The thesis was conceived as a series of four connected essays that had little more in common than a preoccupation with moral issues in world politics. Three of these – about realist scepticism, the idea of state autonomy, and international distributive justice – formed the basis of the three main parts of

¹ For example, in the Afterword to the recent reissue of *Political Theory and International Relations* (Princeton, NJ: Princeton University Press, 1999) and 'Cosmopolitanism and Global Justice', *Journal of Ethics* (forthcoming).

the book. The fourth essay – actually the third in the original order of presentation – concerned social justice in developing societies. It was dropped from the book because it did not fit what became the book's tripartite intellectual structure.² (The cost was that the references to 'appropriate principles of justice' in Part Two, which David Miller understandably finds puzzling, had to be left undeveloped). I chose the topics of these essays on grounds of timeliness and philosophical interest and initially without any very clear overall argument. This means one would have to consider the intellectual context of the 1970s to see why the book is what it is and not the more inclusive work that readers like Chris Brown might have preferred it to be.

The two pertinent aspects of the context are familiar. First, the academic study of international relations was then still dominated by a realist paradigm that was connected in the minds of many scholars with two overlapping dogmas: a stubborn and occasionally unreflective scepticism about the meaningfulness and significance of moral judgment in foreign policy and a belief that there is a deep distinction, both analytical and normative, between the domestic and the international realms, considered as arenas of political life. Both of these dogmas might be seen as legacies of Hobbes; or so, anyway, they were believed to be by most international relations scholars of the time who had thought about it.³ These dogmas were accepted by many scholars, but not all. Academic international relations in the UK was never as sceptical about norms as it was in the postwar US, and even in the US there were important voices – particularly among functionalists and students of international law – who resisted. For that matter, as Brown rightly observes, some of the leading realists were ambivalent – though there is no denying that when they addressed themselves explicitly to the role of moral norms in practical judgment about foreign policy, they were consistently if not unanimously sceptical. One might, for example, compare George Kennan's critique of American diplomacy before World War II in his Walgreen lectures – a critique plainly influenced by his views about the norms of responsible statesmanship – with his official remarks about morality in foreign policy.⁴ There were also writers – again including the functionalists – whose work capitalised on continuities between the domestic and international political realms. And, of course, there developed in the 1970s an awareness of economic and other forms of transnational relations that drew into question the realist emphasis on states as the only significant units of analysis.⁵ Still, the two dogmas were pervasive among academic specialists and nobody who hoped to engage normative inter-

² Elements, much revised, surfaced eventually in two articles: 'Democracy in Developing Societies', in Peter G. Brown and Henry Shue (eds.), *Boundaries: National Autonomy and its Limits* (Totowa, NJ: Rowman and Littlefield, 1981), pp. 177–208, and 'Economic Rights and Distributive Justice in Developing Societies', *World Politics*, 33 (April 1981), pp. 321–46.

³ For an argument that this misunderstands Hobbes, see Noel Malcolm, 'Hobbes's Theory of International Relations', in *Aspects of Hobbes* (Oxford: Clarendon Press, 2002), pp. 432–56.

⁴ The Walgreen lectures were published as *American Diplomacy 1900–1950*, expanded edn. (Chicago: University of Chicago Press, 1984 [1951]). For Kennan's official scepticism, see, for example, 'Morality and Foreign Policy', *Foreign Affairs*, 64 (1985/86), esp. pp. 205–6, 208. I discussed nonsceptical aspects of realism, with particular reference to Kennan, in the 1999 Afterword to *PTIR*.

⁵ The canonical works are Robert O. Keohane and Joseph S. Nye, Jr. (eds.), *Transnational Relations and World Politics* (Cambridge: Harvard University Press, 1972), and their text, *Power and Interdependence: World Politics in Transition* (Boston, MA: Little, Brown, 1977).

national problems in a systematic way could afford to overlook them. This is the main reason why, for example, the first part of *PTIR* concentrates on realist scepticism rather than on various other elements in the realist tradition that Brown complains are missing.

Perhaps this is the place to acknowledge, what is obvious anyway, that the book takes its cues mainly from American rather than British IR scholarship. This is in some ways regrettable but I think probably unavoidable: there was then, even more so than now, a considerable gulf between academic international relations in the US and the UK, and within mainstream American IR, a widely-held view that British IR was unrigorous analytically and excessively historical. Thinking back to my experience as a graduate student, I am astonished that the English School was represented in only one of my courses (significantly, in international law), and then only by a few essays in the Butterfield and Wight collection.⁶ With the appearance of constructivism in international studies and the growing interest in the influence of international norms this, fortunately, has begun to change.

In academic political philosophy, the main event of the early 1970s was, of course, the publication of John Rawls's *A Theory of Justice*.⁷ It would be difficult for those who did not experience that event to grasp its intellectual impact. Here was a work whose aspirations placed it with the great books of the tradition of political philosophy, and so represented a level of ambition almost entirely missing in the literature of the time, and which undertook to defend a conception of justice fundamentally at odds with the prevailing and occasionally naive utilitarianism of the normative disciplines. Brown's comparison of *PTIR* with *A Theory of Justice* seems to me wildly (though generously) overstated, but he is right to observe how thoroughly indebted my thinking was to Rawls's work. This was not only, or even primarily, in the details of the account of distributive justice, but rather in various other respects: for example, in the method of justification expressed in the idea of 'reflective equilibrium' and in the conception of membership in the political community as nonvoluntary rather than consensual. These features of Rawls's view are, I think, clearly reflected in *PTIR*'s critique of the morality of states and in the attempt to extend principles of justice to the global level. It is a fair observation that these basic ideas are not systematically defended within the book. But philosophical argument has to begin somewhere, and in the environment of the 1970s the main challenge was to see how far these ideas could be pressed rather than to rehearse their grounds, which were extensively discussed by Rawls himself.

That this should be seen as the main challenge shows another aspect of Rawls's influence. The form of political philosophy found in *A Theory of Justice* is Socratic. It takes conflicts of moral beliefs, in society and within ourselves, as occasions for a certain kind of reflection. In its simplest form this kind of reflection consists of a movement from particular judgments to general principles that seem to express the basis and motivation of the judgments. It invites critical consideration of the possible

⁶ Herbert Butterfield and Martin Wight (eds.), *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen and Unwin, 1966). Hedley Bull's *The Anarchical Society*, which Brown chastises me for ignoring, was not published until 1977, when the book was substantially finished.

⁷ John Rawls, *A Theory of Justice*, revised edn. (Cambridge: Harvard University Press, 1999 [1971]).

grounds of these principles, the outcomes they would generate in different cases and their relationship to other principles we have reason to accept. The process is dialectical and anticipates adjustments at both levels of reflection. The aim is to render as coherent as possible the particular judgments about which we feel most assured, to induce revisions when judgments come to seem unjustified and to enable us to extend the moral sensibility so revealed to cases about which we may be uncertain, perhaps because they are new or reflect changes in our circumstances.⁸ *PTIR* was an exercise in political philosophy so understood, arising at the most general level out of conflicts imminent in what was then conventional thought about ethics in international relations – for example, between the sceptical rejection of moral principles in foreign affairs and their acceptance in domestic life, and between the belief in the primacy of domestic communities and the idea inherent in our political morality that all persons have equal moral worth. Thus, while the book, and particularly the discussion of Rawls's view of international justice, presents itself as a critique, as a philosophical activity it aspired to be continuous with Rawls's own enterprise. (Its success in this respect, of course, is another question.)

Moralities of states

Part two of *PTIR* describes and criticises a view about international morality I call 'the morality of states'. I share David Miller's puzzlement that this part of the book has not attracted more critical comment than it has: the constructive view of the global normative order presupposed by the critique of the morality of states is at least as much at odds with conventional conceptions as the distributive cosmopolitanism adduced later on. I shall comment here on the content of the morality of states and its uneasy relationship with forms of nationalism that can be extensionally similar and then turn to Miller's substantive concerns about the critique.

The morality of states was intended as an idealisation of a picture of the international moral order held in various forms by many people throughout the modern period of international relations and by many contemporary scholars and analysts of foreign policy. It is found most clearly in Vattel and, less so, in Wolff, both of whom develop the picture from an application of the domestic analogy to the international realm. The main ideas are that the bearers of rights and duties in the international realm are states rather than persons; they are obligated to follow a system of norms analogous to those that apply among individuals in the state of nature, reasonably adjusted for the international case; and the value of equality is expressed in a principle requiring states to treat each other as moral equals.⁹

Views of this kind were enormously influential in the development of modern international law and it would be fatuous to dismiss them as unimportant. In retro-

⁸ This, of course, is crude shorthand for a more complicated idea. See Rawls's concluding remarks on justification in *A Theory of Justice*, §87, and his *Political Liberalism* (New York: Columbia University Press, 1993), lecture I, §8.

⁹ See E. de Vattel, *Le Droit des gens [The Law of Nations]*, trans. Charles G. Fenwick (Washington, DC: Carnegie Institution, 1916), vol. III, Introduction, §§2–6, and vol. II, chs. 1, 3, and 5.

spect, however, I do not believe I fully appreciated the diversity of moral positions that fall under the book's broad characterisation of the morality of states. This is not a single conception but rather a family of conceptions which are similar in their practical requirements but different in their foundations.¹⁰ So I would not follow Brown in identifying the position he describes as 'liberal nationalism', which he associates with J.S. Mill and Michael Walzer, with the morality of states. Positions of this kind are better understood as belonging to a subfamily, distinguished by a claim of the general form that the political integrity of national groups can only be secured in a world characterised by respect for the autonomy of nation-states. In other writings Miller himself has defended a view of this kind in persuasive detail.

It is worth recalling the difference between the ideas of state and nation: the idea of a state is a juridical idea, whereas that of a nation is sociological. States are legal and political entities: they exercise authority and control over a population and a territory. Nations are not, or not necessarily, political in this way: they are groups whose members are united on the basis of some common set of features. A state may be a nation-state or it may not be; a nation may inhabit a single state or it may not. As a first approximation, the thesis of liberal nationalism is that certain national groups are entitled to (independent) statehood. But this thesis is not implied by anything intrinsic to the morality of states. (This is true even though Vattel, for one, referred more-or-less interchangeably to 'states' and 'peoples'.) Considered as a normative doctrine, the morality of states is essentially conservative: its norms tend to the preservation of an order of states, whatever their principles of composition. By contrast, liberal nationalism is reformist: its norms tend toward a refashioning of the world political order as an order of *national* states. It is a historical contingency that the practical requirements of these views tend to converge (though hardly completely) in a post-colonial world.

The most important practical consequence of the morality of states is the principle that every state has a right against other states to respect for its political autonomy. The international-law rule of nonintervention is an application of this, but the moral requirement has a broader reach: it forbids any nonconsensual effort by one state to interfere in the internal political life of another, whether by military intervention or by other means. *PTIR* advances a revisionist view about the grounds of this right, summarised in a sentence quoted by Miller: 'The analogue of individual autonomy, at the level of states, is conformity of their basic institutions with appropriate principles of justice' (p. 122). According to the revisionist view, states whose institutions are unjust (for example, because they do not respect human rights) cannot claim a right of autonomy (though there may be other reasons why outsiders should not interfere). In contrast to the traditional view, the revisionist position holds that the right of autonomy applies asymmetrically.

Miller is sceptical that a state's rights against other states can be derived from considerations about the justice of the state's basic structure. He observes that the book is agnostic about the content of the principles of justice that would be appropriate to various kinds of societies. I did not claim, for example, that standards

¹⁰ I discussed this briefly in 'Cosmopolitanism and Global Justice' and in the 1999 Afterword, p. 214.

like those embodied in Rawls's two principles appropriately apply to societies at low levels of development.¹¹ Miller asks how we are to decide which principles would be appropriate. The schematic answer given in *PTIR* is that 'appropriate principles of justice' are those that would be accepted by the members of a society as part of a hypothetical social contract. But Miller says this comes close 'in a practical sense' to being circular. He does not mean there is some formal flaw in the position (he says it 'is not circular in a logical sense'). The critical point is substantive: it is that a society can actually be governed according to principles its own members would endorse under suitable conditions only if it is governed through democratic institutions, or if it is not ready for democracy, then at least through 'mechanisms that make government responsive to the people that it governs, whether these take the form of elections or of other forms of consultation'.

Three remarks about this criticism. First, it points towards a moral position whose structure seems to be very similar to that of the view defended in *PTIR*. The basic question is whether a state's institutions must satisfy some substantive standards of political morality in order for the state to qualify for a right of autonomy. In the morality of states, and in public international law before 1945, the answer was no: the only criterion for recognition as an entity with a right of autonomy was possession of the functional characteristics of statehood (roughly, the capacity to exercise political control over a population within a territory).¹² *PTIR* rejects this position, and as I understand him, Miller rejects it too. The difference is that whereas on my view a state's right of autonomy is conditioned on the justice of its institutions, what emerges from Miller's remarks is that a state's right of autonomy is conditioned on 'democratic self-determination' (his emphasis), or perhaps some other form of institutionalised responsiveness to the popular will.¹³ (He also holds that a state might sacrifice its right of autonomy if it violates people's 'basic human rights.') According to both views, some states will satisfy the condition and others will not, so according to both views, the prohibition of interference would seem to apply asymmetrically. (Whether the prohibition applies to the same states or types of states on each view is a further question.)

Second, one might reasonably wonder, as a matter of political theory, why the democratic character of a society's political institutions should argue for a right of

¹¹ Miller notes that my view about this was influenced by Rawls's remarks about poor societies (*A Theory of Justice*, §§11 and 39). This is true, but I think my views were at least as much influenced by the structure, if not the details, of J. S. Mill's ideas about conditions unfavourable to representative institutions in *Considerations on Representative Government*, [1861], in J. M. Robson (ed.), *Collected Works*, vol. 19 (Toronto: University of Toronto Press, 1977), ch. 4.

¹² Thus Oppenheim: 'The Law of Nations prescribes no rules as regards the kind of head a State may have. Every state is, naturally, independent regarding this point, possessing the faculty of adopting any Constitution it likes and of changing such Constitution according to its discretion.' *International Law: A Treatise* (London: Longmans, Green, 1901), vol. I, §341 (p. 405).

¹³ Miller suggests that 'the communitarian argument' against interference applies primarily to societies with democratic institutions, or anyway with institutions under which state power is somehow made responsive to the people. ('This argument does not fly out of the window as soon as we turn from states that are formally democratic to those that are not, *so long as in the latter case there are mechanisms that render the political institutions responsive to the community's values and traditions*' [my emphasis]). This is true enough of the view that Miller himself has defended, but it is not obviously true of other communitarian views such as that of Michael Walzer in *Just and Unjust Wars* (New York: Basic Books, 2000), ch. 4, and 'The Moral Standing of States', *Philosophy and Public Affairs*, 9 (1980), pp. 209–29.

autonomy. Miller's article is not, of course, intended to develop his own position, so it is not a criticism to say that this question is left open. There are several possibilities. One is to understand a society's collective right against interference as an expression of the individual rights of self-government of the society's members. But this reductionist approach is open to familiar objections, some of which Miller evidently shares. (For instance, what about dissenting minorities?) Alternatively, one might argue for democracy as a requirement of political justice; in that case the right of autonomy could be seen as deriving from a natural duty to support just institutions (where they exist). But this would make the view indistinguishable from that taken in *PTIR*. I therefore suspect that Miller inclines toward a third possibility, at which I can only gesture because I am not sure how to state it clearly. The idea is that a society in which there is a more-or-less widely shared conception of political justice, embedded in a political culture with its own traditions, has a collective right, not analysable in terms of the individual political rights of its members, to conduct its affairs in accord with this conception. This is a form of what I called the 'communal integrity thesis' in the 1999 Afterword to *PTIR*. I will not rehearse my general difficulties with this thesis here, but note that in Miller's account it seems to be in tension with the importance attributed to democracy (or responsiveness) as a condition of the right of autonomy. There is plainly no assurance that communities governed in accord with values embedded in their own political cultures will be governed responsively, much less democratically. The theoretical problem is to explain how it is possible to combine, in one coherent view of the grounds of autonomy, the concern to respect communal integrity with the concern about responsiveness. These seem to represent deeply different values.

Finally, another kind of conflict arises when we try to explain why outside interference in a *democratic* society's affairs is objectionable. Consider the argument for noninterference that Miller frames with the example of the death penalty in the US. We may believe, he says, that the death penalty is unjust, but we do not also believe that outside interference is justified in a democratic state whose laws authorise its use: 'There is a universal presumption against outside interference, on the grounds that each democratic state is entitled to resolve these issues through its own procedures'.

Recalling that interference can take other forms than coercive intervention, it seems to me hardly clear (and I am sure it is not universally presumed) that a group has a collective right against outside interference in its government's efforts to impose policies on its members that violate their individual rights. Suppose for the sake of argument that the death penalty is inconsistent with respect for basic human rights. Why should the fact that the citizens of the US, acting through their own democratic procedures, have authorised the use of the death penalty give rise to a collective right against outside interference? I can think of many reasons why interference would be a bad idea, and in some cases morally objectionable, but these reasons do not seem to derive from a right of self-government, either collective or individual. I can also think of some kinds of interference that might be unobjectionable, such as those sometimes practiced within the international human rights regime – for example, public criticism, censure, shaming and support for domestic groups aiming at reform. When I reflect on this example, it seems to me that the reasons why interference would be a bad thing, in circumstances where it would be, have to do with considerations like the incapacity of outside agencies to

make well-informed decisions about how to interfere, the improbability that the available modes of interference would succeed at reasonable cost and risk, and the existence of means of redress and reform within the society. It also seems to make a difference how interference is decided upon: for instance, the chances that interference would be objectionable would be reduced if the decision to interfere came about through a fair multilateral process rather than as a unilateral determination by a single foreign power. I do not mean to minimise the complications of practical judgment in such cases, only to say that it does not seem obvious that considerations of collective self-government are necessarily decisive against interference when a democratic government violates (some of) its people's rights.

The death penalty is Miller's example, but perhaps it stacks the deck. The argument for deference to a local decision-making process is stronger where the policy question at stake is more plainly open to reasonable disagreement. Consider, for example, tax and benefit policies aimed at regulating economic inequality. As Miller suggests elsewhere, it is implausible that an external agent could permissibly interfere to bring about a change in policy on the grounds that the local society had made a mistake about the requirements of distributive justice.¹⁴ I agree, but even here it seems to me more straightforward to regard interference as a violation of a natural duty to respect just institutions than as an infringement of a collective right to a group's 'own' decision process. How can the grounds of this right be accounted for, if not as a requirement of justice?

I confess to some uncertainty that this reply takes account of all the relevant considerations in cases of the kind imagined by Miller. Perhaps the missing element involves the value of toleration. The critique of the morality of states in *PTIR* does not touch on this, either as it is expressed in the institutions of a liberal state or as it might be expressed in the legal and political structure of world order. It seems to me a reasonable inference from the book's critique of the domestic analogy that the principle of toleration in domestic society does not generate an analogous principle of international toleration in any simple way. It seems implausible, for example, that the value of toleration as we understand it within a liberal society could justify a principle of international toleration that requires states to tolerate other states that do not tolerate certain kinds of differences among their own people. One might still believe, however, that the value of toleration should find some reflection in principles for international relations. But it is not clear to me what a persuasive doctrine of international toleration would be like.¹⁵

Distributive justice, natural resources, and the significance of cooperation

Part Three takes up the subject of global distributive justice. (The book uses the word 'international'; this word was inaccurate then, and today, of course, it is an anachronism.) The central claim is best seen as having two parts. First, that the institutional structure of global politics, in virtue of the resemblance of its basic

¹⁴ See, for example, Miller's paper, 'Self-determination and Global Justice', in David Miller, *Citizenship and National Identity* (Cambridge: Polity Press, 2000), pp. 161–79.

¹⁵ There is a valuable discussion in Kok-Chor Tan, *Toleration, Diversity, and Global Justice* (University Park, PA: Pennsylvania State University Press, 2000).

structure to that of domestic society, is subject to a requirement of distributive justice. Second, that the applicable requirement is a globalised form of the principle of distributive justice defended by Rawls for domestic society. As the original text makes clear, the overall argument is hypothetical in that it presumes acceptance of the essentials of Rawls's construction of distributive justice (p. 129).

Most critics (like Brown and Rengger in this Forum, Miller in essays published elsewhere,¹⁶ and Rawls in *The Law of Peoples*)¹⁷ dispute the distinctively cosmopolitan conclusion: they hold either that requirements of distributive justice do not apply globally or that the requirements that do apply are significantly different from those that apply domestically. In contrast, Simon Caney does not dispute the conclusion but thinks the arguments advanced for it are faulty. I shall focus here on the some of Caney's doubts that have been shared by many other critics. These mainly involve the significance of globalisation ('interdependence', in the argot of the 1970s) in the argument about global distributive justice. In Caney's remarks this problem arises in two different contexts: once in relation to the book's discussion of a 'resource redistribution principle' and once in relation to the argument for a fully cosmopolitan distributive principle. I comment on these separately.

The discussion of justice and natural resources in *PTIR* tries to stay as fully within the boundaries of Rawls's account of international justice as it can. It accepts the assumption that state-level societies do not participate in a global scheme of social cooperation: each state is assumed to be 'self-sufficient' or autarkic. (This assumption is open to several interpretations; I assumed it meant, not that there is no international basic structure at all – Rawls himself recognises the existence of a system of international law, for example – but rather that international trade and investment, if they exist, are not significant contributors to the total output of any domestic-level economy.) It also accepts his interpretation of the international original position as a congregation of representatives of states rather than of individuals (so, here, we properly speak of international, not global, justice). Rawls's position in *A Theory of Justice* appears to be that the parties to an international original position constructed for an autarkic world would have no occasion to consider principles of international distributive justice.

The point of the discussion of natural resources in *PTIR* is that this is a mistake even within Rawls's account. Even if we grant that state-level societies are self-sufficient, the well-being of these societies would be influenced by the global distribution of natural resources. This fact that would be known to the parties to the international original position as Rawls constructs it. They could not be indifferent to it for a reason analogous to a reason given by Rawls to explain why the parties to the domestic original position take an interest in the distribution among individuals of natural talents. In both cases, these endowments are 'arbitrary from a moral point of view' in the sense that those who find themselves advantageously endowed are not, for that reason, entitled to exclude others from the benefits that might be derived from these endowments. Once the analogy is appreciated the argument for an international resource distribution principle is straightforward (pp. 137–41).

¹⁶ For example, in his 'Justice and Inequality', in Andrew Hurrell and Ngaire Woods (eds.), *Inequality, Globalization, and World Politics* (Oxford: Oxford University Press, 1999), pp. 187–210.

¹⁷ Cambridge: Harvard University Press, 1999, §16.

Caney does not disagree with this argument. His question is why the principle's reach should be limited to natural resources. Why does it not comprehend the full (global) social product? The parties to the international original position would be motivated by a desire to do the best they can for their societies and would be prevented by the veil of ignorance from knowing which societies they represent. Why, under these circumstances, would they not regard the total product of all their societies as fair game for redistribution?

Well, in the best theory of global justice, perhaps they should. But the portion of *PTIR* that concerns Caney operates within the constraints of Rawls's own construction of international justice, and in this context, the reply to Caney's question seems clear. Recall that, according to Rawls, we have a problem of distributive justice because we engage together in a scheme of social cooperation that produces benefits and burdens that would not exist otherwise. The problem of distributive justice is to arrive at principles that describe what a fair distribution of these benefits and burdens would be like. It is important to see that this conception of the problem embodies a view about the reason one should care about distributive justice. It is a reason of fairness. As Rawls understands it, principles of distributive justice describe conditions under which it would be reasonable to expect each person who participates in a cooperative scheme to accept and play by its rules, even when doing so means forgoing some advantage that could be obtained by breaking them.¹⁸

To return to Caney's question, the obvious reply is that there is, by hypothesis, no global system or scheme of social cooperation whose benefits and burdens give rise to a problem of fair distribution. There is, as I have said, a rudimentary global basic structure consisting mainly of a system of international law, but this structure does not embrace or organise a global division of labour, individual societies do not specialise and trade, and there is therefore no *global* product – no result of global social cooperation – whose distribution could be commanded by global principles. Perhaps anticipating this reply, Caney suggests that the social product whose distribution should be governed by principles of international justice need not be the product of a single cooperating group. Even in a world of self-sufficient societies, each society has a social product. Why, he asks, should we not think that the global distribution of the aggregate of these separate social products is a matter of justice? Well, again, perhaps we should. But within Rawls's own conception of distributive justice – that is, within the constraints imposed on the argument in *PTIR* – the suggestion is implausible because the argument for it could not appeal to considerations about fair participation in a common enterprise.¹⁹

Someone might think this reply proves too much, for it might seem to undermine the argument for an international resource principle. If there is no cooperation, how can there be *any* principle of distributive justice? In reply I can only refer to the concluding comment in this section of the book (p. 143), which describes how the Rawlsian picture of the basis of distributive justice fragments in the case of a world

¹⁸ Rawls, *A Theory of Justice*, §§2–3.

¹⁹ The conclusion Caney wants follows more plainly from a different argument. See, for example, his article, 'Cosmopolitan Justice and Equalizing Opportunities', in Thomas W. Pogge (ed.), *Global Justice* (Oxford: Blackwell Publishers, 2001), pp. 123–44. I regret that Caney's new book, *Justice Beyond Borders*, is not yet available as I write.

of autarkic domestic economies. In such a world, holding each individual society's institutions accountable for ensuring a fair sharing of the product of that society's productive activity can succeed (if it succeeds at all) in addressing only one source of potential unfairness – that arising from those contingencies whose regulation plausibly falls within the capacities of each society's government and laws. It leaves out of account another source of potential unfairness – that arising from the natural distribution of material resources across the globe, whose regulation is plainly beyond the capacity of any individual society. On Rawls's account, both sets of contingencies are 'arbitrary from a moral point of view'. If just institutions are those that adequately adjust or compensate for arbitrariness in the distribution of the factors that determine how well each individual's life goes, then we must contemplate the prospect of international-level institutions that would do for natural resources what domestic-level institutions do for other contingencies. And this, even if we accept Rawls's own assumptions about the self-sufficiency of states and the character of the problem of distributive justice.

This, anyway, is the idea behind the argument about entitlements to natural resources in *PTIR*. I have sometimes thought it was a mistake to take up the subject of natural resources, not because the view advanced in the book now seems wrong-headed but because it can be a distraction. After all, the discussion proceeds from a premise (the assumption of self-sufficiency) whose rejection in the following section of the book is the pivot of the work's main cosmopolitan thesis. Moreover, once that premise has been rejected, it turns out that the requirements of global justice are more encompassing than those arising only from a consideration of the arbitrariness of resource endowments – indeed, on a fully cosmopolitan view there is no separate question about natural resources. Why consider the subject at all?

As an autobiographical matter, I think the case was pressed mainly in the spirit of arguing for an 'alternative verdict' – that is, for a position one might find plausible even if one were not persuaded by the subsequent argument for a fully cosmopolitan global principle of distributive justice. Today we are in a position to appreciate another and no doubt a better reason to think separately about entitlements to natural resources. When the book was written, I thought of natural resources as consisting of things like soil, vegetation, petroleum, minerals, and so forth – that is, goods taken from the earth and employed in the production of objects for human consumption and use. I did not think about environmental goods and services as natural resources – for example, the environment's capacity to absorb human-made material waste or atmospheric pollution created by human activity, or its capacity to maintain surface temperatures in a range suitable for human life. Yet it is clear that these environmental services are scarce in ways similar to natural material resources and that the allocation of their consumption, both synchronically and diachronically, raises similar questions of justice. These questions are central, for example, in deliberation about responses to global climate change.²⁰ The argument in *PTIR* for a

²⁰ For discussion, see Henry Shue, 'Subsistence Emissions and Luxury Emissions', *Law and Policy*, 15 (1993), pp. 39–59; and Michael Grubb, 'Seeking Fair Weather: Ethics and the International Debate on Climate Change', *International Affairs*, 71 (1995), pp. 463–96. On the connection between environmental justice and broader issues of global distributive justice, see Tom Athanasiou and Paul Baer, *Dead Heat: Global Justice and Global Warming* (New York: Seven Stories Press, 2002), esp. ch. 4.

principle under which each person is equally entitled to benefit from the earth's resources might be suggestive in considering these questions. (The application of this principle would be complex for several reasons, among which the need to take proper account of the consumption of environmental services across time is the most difficult.)

Let me turn to Caney's worries about the argument for a fully cosmopolitan principle of distributive justice. Here I shall make three brief comments, since much of the groundwork has already been laid. First, Caney again presses the issue of the significance of social cooperation for distributive justice in connection with a passage in *PTIR* about the extent of cooperation necessary for considerations of justice to apply. The passage (on p. 165) proposes that there may be a 'threshold' of interaction necessary for justice. Caney finds this unsatisfactory – the threshold is vague, it has no clear normative basis, and it is not explained what, if any, distributive requirements apply below the threshold or how these requirements might be derived. This is all true. What Caney does not say is that the offending passage occurs as part of an effort to make sense of an objection to the argument for cosmopolitan justice that posits a greater intensity of cooperation within rather than among states (pp. 165–7). Without rehearsing the objection and reply, I simply note that the conclusion urged is that on any plausible understanding of such a threshold, global social cooperation falls above rather than below it, so the objection has no force. Caney's questions are interesting in their own right, but it is unclear how they pertain to the argument actually made in the passage to which he objects.

Second, near the end of his article Caney observes that there is an important distinction between a structure of rules and the interactions of persons within such a structure. He suggests that attention to this distinction would have made it unnecessary to explore objections to a cosmopolitan theory of distributive justice based on the variable intensity of social cooperation within and among states. I believe he is right to call attention to the distinction and to the importance for global justice of a global structure of institutions and rules that regulate economic and other forms of interaction. Indeed, the distinction was drawn in the original text and the ethical significance of a global 'basic structure' was explicitly recognised there (pp. 166–7 and pp. 148–9; compare pp. 201–2 in the Afterword). In retrospect I wish these remarks about the global basic structure had been illustrated in greater detail: even today, after more than a decade of public attention to the second great wave of globalisation of production, trade and finance, it is still too easy for political philosophers to underestimate the impact on the life prospects of individuals in many domestic societies of the legal and regulatory structures of the world economy (consider, for example, discrimination in agricultural trade, international intellectual property rules, and the rules of international law defining what Thomas Pogge usefully describes as the 'borrowing' and 'resource' privileges).²¹ I do not believe, however, that shifting the foundation of the argument for a global distributive principle to the global basic structure is sufficient to meet objections from those who hold that 'social cooperation' is substantially more intense within rather than among societies. For the objector can reply that although the existence of a structure shows that global distributive justice has a subject-matter – that is, that there is something

²¹ Thomas Pogge, *World Poverty and Human Rights* (Cambridge: Polity Press, 2002), pp. 112–16.

for principles to apply to – it does nothing to settle the question of the content of the principles or the related question of the relative importance of global and sectional requirements. To resolve these questions, the objector might say, we must look at the intensity and perhaps the forms of cooperation. The objection can probably be met, but its persistence shows that the question of thresholds is not so easily avoided.

Finally, a brief observation about Caney's assertion that the argument connecting social cooperation and global justice was 'relinquished' and 'repudiated' after the publication of *PTIR*. Brown and Rengger are under the same impression. All three refer to a symposium paper written in 1983 on the moral significance of national sentiment, in which there is a passage commenting briefly about interdependence and justice. The passage says that the argument from economic interdependence 'misses the point (though I still accept its conclusion)'.²² The point I had in mind concerned the grounds for determining membership in the original position. As Rawls put it in lectures given after the publication of his book (and mine), the original position is meant to represent 'equal moral persons' defined by their possession of two essential powers of moral personality – a capacity for an effective sense of justice and a capacity to form and revise a conception of the good.²³ I wrote: 'Since human beings possess these essential powers regardless of whether, at present, they belong to a common cooperative scheme, the argument for construing the original position globally need not depend on any claim about the existence or intensity of international social cooperation'.²⁴ My paper was directed at other problems and did not explore the matter further. That was unfortunate because, as any reader of Rawls will recognise, there is a serious theoretical issue here, not only for the case of global distributive justice but also for justice as fairness as a general account of distributive justice. Indeed, I believe it points toward a deep ambivalence in that theory which is still unsettled.²⁵ I will not say more here about the consequences for global justice, but note that I have discussed it further – though no doubt not far enough – in the 1999 Afterword.

Political theory and the world

I complained in the introduction to the original text that owing to the neglect of moral issues in international affairs, 'political theorists have failed to provide the kinds of guidance one normally expects from theory in times of political change' (p. 5). That passage must have seemed to me among the least controversial in the book when I wrote it, but now Nicholas Rengger suggests it bespeaks an excessively narrow, and perhaps a dangerously engaged, conception of the aims of political

²² 'Cosmopolitan Ideals and National Sentiment', *Journal of Philosophy*, 80 (1983), p. 595.

²³ See Rawls's Dewey Lectures, published as 'Kantian Constructivism in Moral Theory', *Journal of Philosophy*, 77 (1980), esp. pp. 521 and 525.

²⁴ 'Cosmopolitan Ideals and National Sentiment', p. 595.

²⁵ The most penetrating discussion I know is in Brian Barry, *Theories of Justice* (Berkeley, CA: University of California Press, 1989), esp. §§22, 40–42, and the remarks about international justice in §23.

theory. Indeed, he thinks that political theorists who seek to engage the practical world ‘in the fairly direct way implied by Beitz’ can produce ‘disastrous’ outcomes and suggests, instead, that political theory’s task ‘is simply to *be* theoretical’ (his emphasis).

Rengger offers neither argument nor evidence for the idea that the kind of political theory he thinks epitomised in *PTIR* ‘can, and usually does, have a *terrible* influence’ (his emphasis, again), so I think it is best to pass it by.²⁶ But it is a reasonable question what view of the aims and practice of political theory inspired the book. To answer this question I would first have to dissent from the simple and I think false dichotomy proposed by Rengger between political theory that seeks to ‘offer guidance’ and that which seeks ‘simply to *be* theoretical’. His gloss on ‘simply’ being theoretical – ‘to follow the argument wherever it goes and to be as honest as one can be about one’s assumptions . . .’ – seems to me part of what any intellectually responsible practice of political theory should aim for. I hope it is clear that *PTIR* had this aim, and as a general matter I see no reason to believe that a political theory that tries to understand the nature and grounds of our beliefs about political morality and argues for one or another resolution of matters in dispute must give up on this aspiration.

Rengger may think otherwise because he has imagined the public role of political theory along the lines of rhetoric, which he says ‘plays little role in the world of Anglophone philosophy’. Evidently he thinks it should play a larger role. But the model of normative political theory as a kind of public rhetoric seems to me the wrong way to think about how political theory – or anyway the kind of political theory practiced by university professors like Rengger and me – can influence the world. We write, mostly, for an audience of professors and students, and sometimes for those in other professions who have interests in our subject-matter, and we affect the world, if at all, through the influence of our work on the beliefs of those who pay attention to it. We have no other weapon than the force of our arguments. I would not describe this as a particularly ‘direct’ form of influence, yet it is also not disengaged or detached, ‘wholly unrelated’, as Rengger has it, ‘to what it is that is actually being done’. Indeed it could not be so and still be political.

The thesis from which *PTIR* descended opened with an epigraph from Rousseau: ‘In moral matters, the bounds of the possible are less narrow than we think; it is our weaknesses, our vices, our prejudices, that confine them.’²⁷ The epigraph helps to convey the motivating impulse. This was to enlarge our conception of political possibility by challenging a thicket of received beliefs whose widespread acceptance both caused and explained a neglect by political theorists of some important ethical problems in the political practice of international relations. The hope was to render these problems more difficult for morally sensitive people to avoid and to challenge conventional views about how they are best worked out. In her sympathetic and illuminating remarks about the ‘problem of limited moral vision’ Catherine Lu has

²⁶ In this connection, Rengger refers to James Scott, *Seeing Like A State* (New Haven, CT: Yale University Press, 1998). I am not sure how Rengger thinks Scott’s provocative study bears on his point; Scott himself does not offer or defend any general thesis about the public influence of normative political theory.

²⁷ J.-J. Rousseau, *The Social Contract* (1762), vol. III, p. xii. I have lost track of the translation.

got this exactly right. She is also right to identify the distinction between the domestic and the global as a central target.²⁸

The felt urgency of this hope might be hard to grasp today: in academic international thought, as in prevailing doctrines of foreign policy, sceptical forms of realism have for the moment been discredited;²⁹ humanitarian law and the law of human rights have gained in authority, although less so in the US than elsewhere; absolutist conceptions of sovereignty have become suspect; and world poverty and the global practices that exacerbate it have become subjects of organised international concern. In all of these respects the discourse of global justice is different today than it was in the mid-1970s, when the book was written.

What is still insufficiently represented in this discourse, and was barely recognised in *PTIR*, is the problem of global *political* justice. As Lu observes, *PTIR* distinguishes between cosmopolitanism as an ethical perspective and cosmopolitanism as a political programme. I continue to think that the distinction is sound and important. However, I am also inclined to accept her belief (articulated in different terms by Rengger as well) that today no plausible cosmopolitan political theory can fail to attend somehow to the policies and institutions that would be necessary to carry out its normative commitments. Lu remarks that moral cosmopolitanism ‘would still seem to require the development of numerous international institutions with the teeth of a global leviathan, that is, with significant enforcement powers’. I am not sure about ‘the teeth of a global leviathan’, and for that matter I am not sure that political theorists have a comparative advantage in institutional design. But I believe the more abstract question of the principles that should characterise a fair global political order is one that can no longer responsibly be ignored. Certainly nobody who set out to write a book like *PTIR* today should be allowed to get away without taking it up.

²⁸ I am grateful for the parallel that Lu suggests between my critique of the distinction between the international and the domestic and Susan Okin’s critique of (one form of) the distinction between the public and the private in her book *Justice, Gender and the Family* (New York: Basic Books, 1989). These are, of course, two different subject-matters, but the structural similarity is interesting and provocative.

²⁹ Though they are still around; see, for example, John Mearsheimer’s dismissive remarks about moral values in foreign policy in the introduction to *The Tragedy of Great Power Politics* (New York: W.W. Norton, 2001), pp. 23–27.

