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The Middle-Income Kingdom: China and the Demands of International Distributive Justice

Let China sleep, for when she wakes, she will shake the earth.
-attributed to Napoleon Bonaparte

I. CHINA AND INTERNATIONAL JUSTICE

China's rise to global power status is set to be among the primary shapers of politics and life more broadly in the 21st century, upending established patterns of trade and economic activity, the global balance of political power, perhaps even the international prospects of democracy. Yet despite its immense significance and the ample commentary it has received from strategic and geopolitical perspectives, political philosophers have been surprisingly quiet on the normative implications of China's rise.¹

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1. For rare exceptions, see Richard W. Miller, *Globalizing Justice: The Ethics of Poverty and Power* (Oxford: Oxford University Press, 2010), 208–9; Paul G. Harris, Alice Chow, and Rasmus Karlsson, “China and Climate Justice: Moving Beyond Statism,” *International Environmental Agreements: Politics, Law and Economics* 13, no. 3 (2013): 291–305; Tadhg Ó Laoghaire and Thomas Wells, “Trade Justice and the Least-Developed Countries,” *Journal of Political Philosophy* 30, no. 4 (2022): 516–7. Special mention should be made here of Richard W. Miller, 民主, 与国家主权:东西方的和 [Equality, Democracy and National Sovereignty: Reconciling East

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This, I will argue, is a mistake. Not only does China's rise generate interesting normative questions in its own right concerning how China ought to wield its growing economic muscle and how geopolitical rivals are permitted to respond; it also upends some basic assumptions that many of us have hitherto adopted in our thinking about international distributive justice. Within the literature on distributive justice, states are often assigned differential duties and claims based, at least partly, on their level of advantage. Where this is done, states are commonly divided into two categories—developed and developing—with demanding positive duties² being assigned to the former, and the latter being afforded expansive permissions to further their own development. China's status as both a genuine superpower and a middle-income country facing significant development challenges calls into question the continued functionality of such simplifying assumptions. In light of China's rise—and, to a lesser extent, that of other large emerging economies—this paper develops a more fine-grained account of how to conceive of states' differential levels of advantage, distinguishing between states that are incapable, precariously capable, and robustly capable of realizing a minimally decent standard of domestic justice. This account reaffirms the assignment of the most onerous duties to developed states, but also assigns duties and claims to developing states in a scalar fashion, with the upshot that better-off developing states in particular bear onerous positive duties of international justice, owed to least-developed countries (LDCs).

The paper has five subsequent sections. In Section II, I briefly synopsize China's economic rise and highlight its practical and theoretical significance for questions of international distributive justice. In Section III, I argue that, for purposes of assigning differential duties and claims, we ought to think of states' level of advantage as tracking their capacity to realize a minimally decent standard of justice (MDSJ). In Section IV, I

and West] (*Beijing: People's Publishing House, 2016*). *In the context of rational medium-term fears of a Sino-American military conflict driven by hostility and lack of mutual comprehension (discussed in his Chapter 4), Miller draws on the distinctive Chinese and Western philosophical traditions to make the case that they support convergence on key moral judgments on a range of questions, concerning for instance the value of political equality and the moral hazards of humanitarian intervention.*

2. The boundaries between positive and negative duties can be murky in the context of economic affairs. In what follows, when referring to "positive duties" I mean only to exclude negative prohibitions of a standard sort, against e.g., aggression and manipulation.

argue for the moral significance of a *robust* capacity to realize MDSJ, identifying those states that have achieved this as “developed states,” those that are precariously capable of realizing MDSJ as “developing states,” and those that are incapable of realizing MDSJ as “least-developed states” (LDCs). In Section V, I outline a particular conception of state capacity and identify empirical proxies which we can use to categorize and rank states according to their capacities so understood, before discussing how the account developed can help make sense of the advantage-based duties and claims of developing states such as China. Section VI concludes.³

II. CHINA'S RISE AND INTERNATIONAL DISTRIBUTIVE JUSTICE

Among the world's poorest countries when it began undertaking major economic reforms in 1978, during the following four decades China's economy grew by over 9 percent annually, doubling in size roughly every 8 years. As a result of this extended growth miracle China has firmly established itself alongside the United States as one of the world's two economic superpowers, each having a GDP several times larger than that of any other country.⁴ While the US economy is still considerably larger when measured at market exchange rates,⁵ China is the major driver of many important global trends—it accounts for two-thirds of the total fall

3. Note that the challenge China's rise presents to the status quo as I discuss it here is independent of China's authoritarian form of governance; if China became democratic tomorrow, little would change about the discussion to follow. Moreover, given their shared interest in continued economic development, I believe that the Chinese government's domestic and foreign economic policies will often be informed by goals which are at least congruent with the interests of the Chinese people. Hence, I do not discuss China's authoritarianism here and—for ease of expression—I will sometimes talk about the actions of the Chinese government and state as “China's actions,” and so on. (I will do the same for other countries.) This should not be taken to overlook important differences between governments, states, and peoples. Doubtless a comprehensive discussion of China's international duties and claims would have to consider the implications of the Chinese state's authoritarianism for how it ought to be treated, but I leave this for another day.

4. World Bank Group Database (for GDP [Current US\$]: <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD>).

5. When measured by purchasing power parity (PPP) China is already the world's largest economy. Generally, measuring by market exchange rate is a better measure of international economic power as it accounts for the relative strength of states' respective currencies, while PPP is better as a measure of well-being insofar as it more accurately tracks people's domestic purchasing power.

in global poverty over the last three decades,⁶ more than 40 percent of all economic growth since the global recession,⁷ and it is now the world's largest trading state and exporter (by far).⁸ Its newfound economic stature means that even when China is uninterested in affecting global affairs it is liable to do so regardless, its footprint evident in everything from deindustrialization in rich countries to commodity booms in poorer ones.⁹

The scale of China's economic significance should perhaps not be so surprising; around a fifth of humanity lives in China and, at 770 million, China has more workers than the entire developed world combined.¹⁰ Indeed, China's extraordinary size explains what would otherwise be paradoxical—that a true global superpower trails so far behind the average prosperity attained by rich countries. At around one-quarter of the United States', China's GDP per capita¹¹ is “remarkably average” from a global perspective,¹² and several of China's regions are still characterized by poverty, poor health outcomes, and worrying levels of educational performance, particularly in its western hinterlands.¹³ In more ways than one, then, China contains multitudes: an economic titan and home to some of the world's most impressive cities and firms, it nonetheless ranks a lowly 79th on the Human Development Index, and 94th on the Social Progress Index.¹⁴

Its unique marriage of awesome economic heft and middling per capita wealth makes determining China's international responsibilities a task of considerable practical as well as theoretical interest. Given this, one might

6. “The Chinese Century is Well Under Way,” *The Economist*, October 27, 2018, <https://www.economist.com/graphic-detail/2018/10/27/the-chinese-century-is-well-under-way>.

7. Graham Allison, *Destined for War: Can America and China Escape Thucydides's Trap?* (Melbourne and London: Scribe, 2017), 12.

8. Kristen Hopewell, *Clash of Powers: US-China Rivalry in Global Trade Governance* (Cambridge: Cambridge University Press, 2020), 5.

9. Arthur R. Kroeber, *China's Economy: What Everyone Needs to Know* (Oxford: Oxford University Press, 2016), 250–1.

10. Barry Naughton, *The Chinese Economy: Adaptation and Growth*, 2nd ed. (Cambridge: London: MIT Press, 2018), 209.

11. When adjusted for PPP; see fn. 5.

12. Naughton, *The Chinese Economy*, 4.

13. Scott Rozelle and Natalie Hell, *Invisible China: How the Urban-Rural Divide Threatens China's Rise* (Chicago; London: University of Chicago Press, 2020).

14. The Human Development Index is a composite index which ranks countries based on their average life expectancy, educational attainment, and income per capita. The Social Progress Index ranks countries based on a much wider range of non-economic measures, including countries' rights protections and people's personal freedoms.

expect to find within the international distributive justice literature several extended discussions of China's responsibilities and how they differ from those of other major powers. Unfortunately, such discussions are thin on the ground,¹⁵ and it is not easy to infer the nature of China's international duties from existing discussions in the literature. This is because, where theorists do explicitly assign differential duties to states,¹⁶ they often do so while separating states into two categories, developed and developing (or, alternatively, "rich" and "poor"), typically assigning any demanding positive international duties to developed states; developing states, meanwhile, are assigned claims as well as often an expansive set of prerogatives.¹⁷ To

15. Though see fn. 1. As a reviewer has rightly noted, detailed discussions of *any* individual states' particular duties and claims are uncommon. This, in my view, is regrettable—given the immense significance of a small handful of states (e.g., China, the United States, India) and their unique profiles relative to one another, such work promises to be both practically vital and intellectually fruitful. I take the latter half of Miller's *Globalizing Justice*, in which he explores the duties that stem from the global imposition of an "American empire," to be the standard bearer of the sort of work envisaged here.

16. Not all discussion of international distributive justice fit this description; see e.g., Charles R. Beitz, "Justice and International Relations," *Philosophy & Public Affairs* 4, no. 4 (1975): 360–89; Simon Caney, *Justice Beyond Borders: A Global Political Theory* (Oxford: Oxford University Press, 2005), 102–47; Joshua Cohen and Charles Sabel, "Extra Rempublicam Nulla Justitia?" *Philosophy & Public Affairs* 34, no. 2 (2006): 147–75; Laura Valentini, "Coercion and (Global) Justice," *American Political Science Review* 105, no. 1 (2011): 205–20. Suffice to say it is no easier to infer the contours of China's duties and claims from such works.

17. See e.g., Thomas Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms* (Cambridge: Polity, 2002); Jon Mandle, *Global Justice* (Cambridge and Malden: Polity Press, 2006), 130–6; Gillian Brock, *Global Justice: A Cosmopolitan Account* (Oxford: Oxford University Press, 2009), 220–44; Darrel Moellendorf, *Global Inequality Matters* (Basingstoke, Hampshire: Palgrave MacMillan, 2009), 90–99; Miller, *Globalizing Justice*, 69–83; Aaron James, *Fairness in Practice: A Social Contract for a Global Economy* (Oxford: Oxford University Press, 2012), 285–303; Michael Blake, *Justice and Foreign Policy* (Oxford: Oxford University Press, 2013), 108–31; Sylvie Loriaux and Alexia Herwig, "International Trade, Fairness, and Labour Migration," *Moral Philosophy and Politics* 1, no. 2 (2014): 289–313; Christian Barry and Gerhard Øverland, *Responding to Global Poverty: Harm, Responsibility, and Agency* (Cambridge: Cambridge University Press, 2016); James Christensen, *Trade Justice* (Oxford: Oxford University Press 2018), 63–90; Mathias Risse and Gabriel Wollner, *On Trade Justice: A Philosophical Plea for a New Global Deal* (Oxford: Oxford University Press, 2019), 139–53. See also the neat summation of what "most philosophers writing on the subject" of global distributive justice agree on in Helena De Bres, "How Association Matters for Distributive Justice," *Journal of Moral Philosophy* 13, no. 2 (2016): 161–2. What all these discussions share is that they make a distinction between two groups of states, differentiated in terms of their level of advantage, central to their identification of the practical demands of international justice, overwhelmingly emphasizing the duties of developed states and the claims of developing ones. They of course differ in several important ways, including with regards to

hold fast to such a clear-cut categorization of states and their corresponding obligations seems, in light of China's rise, untenable—doing so would either imply that China bore the same profile of duties as countries several times better-off than itself, or else that the world's second superpower bore little-to-no positive international duties. More generally, large emerging economies such as China, India, Indonesia, and Brazil are expected to account for 70 percent of global growth and half of all global GDP by 2030;¹⁸ as such, while dividing the world into the categories of “developed” and “developing” was likely a good enough heuristic for thinking about international justice when there was no meaningful global middle-class to speak of, our world no longer fits such a description.¹⁹ In light of these changed empirical circumstances, how we categorize states in our theorizing needs to be updated.

For illustrative purposes, consider James Christensen's otherwise excellent discussion of the permissibility of trade restrictions. After discussing several grounds on which states might justify imposing such restrictions against one another, he concludes that developed countries cannot impose such restrictions when doing so would harm developing countries' development prospects. Developing countries, however, may permissibly impose them as a means to furthering their own legitimate goals (e.g., protecting infant industries or preserving their cultural distinctiveness), given that in doing so “they are not wronging their own citizens, and they are certainly not wronging citizens of the developed world.”²⁰ To say as much, however, is to overlook three important normative issues. First, it completely ignores the costs that such restrictions might impose on other developing states; such costs may be considerable given the size of major developing states and the fact that developing states typically

bases on which they assign differential duties and claims to states, and in the extent to which they acknowledge that this dyadic picture of international relations is a simplification of a more complex story.

18. Jonathan E. Hillman, *The Digital Silk Road: China's Quest to Wire the World and Win the Future* (London: Profile Books, 2022), 211.

19. Compare Branko Milanovic, *Worlds Apart: Measuring International and Global Inequality* (Princeton; Oxford: Princeton University Press, 2005), 128–35, with Branko Milanovic, *Global Inequality* (Cambridge, Massachusetts: Harvard University Press, 2016) and Branko Milanovic, “The Great Convergence: Global Equality and Its Discontents,” *Foreign Affairs*, June 14, 2023, <https://www.foreignaffairs.com/world/great-convergence-equality-branko-milanovic>.

20. Christensen, *Trade Justice*, 88.

erect much higher trade restrictions than developed countries.²¹ Second, it overlooks the enormous differences between nondeveloped countries (between, say, Somalia and Costa Rica), while likely overstating the moral significance of differences between the best-off developing states and the worst-off developed ones (between, say, Costa Rica and Uruguay).²² Third, despite implicitly attaching great importance to the threshold separating developed and developing states, Christensen says nothing about how we ought to determine which states fall above or below this threshold. Admittedly, no such criteria are required to determine the status of, say, Norway or Somalia. But where the world's second superpower is a self-declared developing state whose status as such, and hence its entitlement to receive favorable treatment within international regimes, is increasingly challenged (particularly by the United States),²³ discussions of international justice can no longer assume it is obvious which states are “developed” in the relevant sense and hence bear the most demanding duties—this must itself become a central part of our theorizing. Christensen's discussion, then, passes over in silence the duties of nondeveloped states, the moral significance of the differences between them, and the criteria by which we separate developed from nondeveloped states. This is far from unique to Christensen—while it would be an overstatement to say they have been entirely overlooked, there are few substantive discussions in the literature of any of the three issues.²⁴

21. Chad P. Bown, *Self-Enforcing Trade: Developing Countries and WTO Dispute Settlement* (Washington, DC: Brookings Institution Press, 2010); Heritage Foundation (2023 *Index of Economic Freedom: Raw Data*, accessed June 28, 2023), <https://www.heritage.org/index/download>.

22. The specific countries chosen here matters less for present purposes than the general thrust of the point.

23. See Hopewell, *Clash of Powers*. The US House of Representatives recently passed the *PRC Is Not a Developing Country Act*, which would commit the US Secretary of State to seeking to strip China of this designation within international organizations. See Mychael Schnell, “House Unanimously Passes Bill to Work to Remove China's ‘Developing Country’ Label,” *The Hill*, March 27, 2023, <https://thehill.com/homenews/house/3921082-house-unanimously-passes-bill-to-work-to-remove-chinas-developing-country-label/>.

24. The only paper I know that discusses developing countries' international duties at any length is Julian Culp, “Rising Powers' Responsibility for Reducing Global Distributive Injustice,” *Journal of Global Ethics* 10, no. 3 (2014): 274–82. Even Culp, however, ultimately treats such states' duties primarily in terms of reducing domestic poverty within their own territory. On nondeveloped countries' duties, see also Fernando R. Tesón, “Why Free Trade is Required by Justice,” *Social Philosophy & Policy* 29 (2012): 138–40; James, *Fairness in Practice*, 281; Ó Laoghaire and Wells, *Trade Justice*, 523–5. Rawls' distinction between liberal and

To see the practical significance of such issues, consider agricultural subsidies. Rich-world farm subsidies, which artificially undermine the competitiveness of poor farmers in the Global South, have long been treated by philosophers as emblematic of the inequities at the heart of the trade regime.²⁵ Today, however, China is by far the largest provider of agricultural subsidies; in 2017 alone it provided \$212 billion in domestic agricultural support, six times as much as the United States and over twice as much as the EU.²⁶ In cotton where China provides almost three-quarters of all global subsidies,²⁷ the countries most gravely affected are among the world's poorest, including the "Cotton 4" (Benin, Burkina Faso, Chad, and Mali). Measured in GDP per capita, the gap between China and these cotton-producing countries is proportionality much larger than the gap between China and the United States: China's GDP per capita in 2022 was \$12,720, while the GDP per capita of the Cotton 4 ranged from \$1,303 (Benin) to \$716 (Chad).²⁸ Absent global subsidies, these countries would have a strong comparative advantage in cotton production and have thus long fought for greater disciplines on their use.²⁹ Despite this, China has refused to countenance disciplines on its subsidies, arguing that it remains a developing country and that such subsidies play an important role in facilitating rural development and in alleviating domestic poverty.

decent people, on the one hand, and burdened societies on the other may, as a reviewer has rightly pointed out, be interpreted as an effort to separate developed from nondeveloped states, although the moralized nature of "peoples" as Rawls discusses them may tell against such an interpretation; see John Rawls, *The Law of Peoples with The Idea of Public Reason Revisited* (Cambridge, Massachusetts: Harvard University Press, 1999). For a discussion of the moral significance of differences between developing countries, see e.g., James, *Fairness in Practice*, 191-3; Aaron James, "Fortune and Fairness in Global Economic Life," *Journal of Moral Philosophy* 14, no. 3 (2017): 280-1.

25. See e.g., Ryan Pevnick, "Political Coercion and the Scope of Distributive Justice," *Political Studies* 56, no. 2 (2008): 407; Miller, *Globalizing Justice*, 78; Peter Singer, *One World Now: The Ethics of Globalization* (New Haven; London: Yale University Press, 2016): 109-10, Christensen, *Trade Justice*, 90.

26. Hopewell, *Clash of Powers*, 65.

27. *Ibid.*, 88.

28. World Bank Data: GDP (Current US\$), available at: <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD>.

29. Matthew Eagleton-Pierce, *Symbolic Power in the World Trade Organization* (Oxford: Oxford University Press, 2013), 84-119.

This general dynamic can be seen in other areas of international governance: China, for instance, has the world's largest fishing fleet, but insists on continuing to heavily subsidize its industry on the basis of food security concerns—while its long-distance fishing fleets eat into the fish stocks of poor West African countries heavily reliant on seafood.³⁰ It can be seen in climate negotiations, where China, as the world's largest emitter (and second largest historic emitter), has been urged to contribute to “Loss and Damage” funds, which China refuses to do on the basis of its developing country status—thereby reducing the funds available to the worst-affected countries, as well as the willingness of developed countries to contribute.³¹ It can be seen in sovereign debt negotiations, where China's unwillingness to join the Paris Club (a forum where rich major creditors coordinate their response to debt crises) has complicated the IMF's efforts to provide debt relief, leading to protracted negotiations with debtors and, as a result, greater instability and financial distress.³² In none of these instances is it obvious that China should be held to the same standards as rich states, nor is it obvious that its status as a major power requires it to conform to the behaviors or expectations of the established major powers. At the same time, its increased importance and the deleterious effects that its international positions can have on the world's worst-off countries give us good reasons to consider more seriously the advantage-based responsibilities of China (and, to a lesser extent, states like India and Brazil³³). In light

30. Andrew Jacobs, “China's Appetite Pushes Fisheries to the Brink,” *New York Times*, April 30, 2017, <https://www.nytimes.com/2017/04/30/world/asia/chinas-appetite-pushes-fisheries-to-the-brink.html>; Miren Gutiérrez, Alfonso Daniels, Guy Jobbins, Guillermo Gutiérrez Almazor, and César Montenegro, *China's Distant-Water Fishing Fleet: Scale, Impact and Governance* (London: Overseas Development Institute, 2020).

31. Gloria Dickie and William James, “China Will Support Climate Damage Mechanism But Not With Cash,” *Reuters*, November 9, 2022, <https://www.reuters.com/business/environment/china-willing-contribute-climate-compensation-mechanism-chinese-climate-envoy-2022-11-09/>; Maxine Joselow and Vanessa Montalbano, “How China, The World's Top Climate Polluter, Avoids Paying for the Damage,” *The Washington Post*, November 23, 2022, <https://www.washingtonpost.com/politics/2022/11/23/how-china-worlds-top-climate-polluter-avoids-paying-damage/>.

32. Lauren L. Ferry and Alexandra O. Zeitz, *China, the IMF, and Sovereign Debt Crises*, under review (2022) available at: <https://debtcon6.princeton.edu/sites/g/files/toruqf3611/files/documents/ferry.pdf>.

33. For the increased significance of India and Brazil in the WTO, for instance, see Kristen Hopewell, *Breaking the WTO: How Emerging Powers Disrupted the Neoliberal Project* (Stanford, California: Stanford University Press, 2016). For the detrimental effects these countries' agricultural policies have had on other developing states, see Kristen Hopewell, “Heroes

of this, in what follows I set out a theory of state advantage in international distributive justice which, inter alia, provides a conceptual account of what distinguishes states in one development category from another, and makes space for assigning onerous duties as well as claims to the best-off developing states, in particular.

III. STATE CAPACITIES TO REALIZE JUSTICE

In this and the following section, I will argue that states ought to treat one another in accordance with where they each sit in relation to two distinct morally salient thresholds. Below the lower of the two thresholds are “least-developed” states; between the two thresholds are “developing” states; above the higher threshold are “developed” states. When a state in one bracket crosses one of the relevant thresholds, there is a shift in the weight of other states’ reasons for benefitting that state further.³⁴ On this account, states are categorized in a tripartite fashion based on their capacity to realize a minimally decent standard of justice (“MDSJ” for short), and their duties are determined in part by their position along this “capacity spectrum.” “In part,” because the account developed here is not intended to be a complete theory of international distributive justice. It argues for a morally relevant sense in which some states are more advantaged than others and are properly assigned more onerous duties on that basis; while I say little about other bases of international duties in what follows (e.g., reparative duties), I certainly do not rule out their existence.³⁵

I assume in what follows that the state system will endure, and how states treat one another will remain central to determining the contours of the international economy for the foreseeable future. I conceive of states’ advantage-based duties and claims toward one another as deriving from their shared participation in and reproduction of the state system. (Here,

of the Developing World? Emerging Powers in WTO Agriculture Negotiations and Dispute Settlement,” *The Journal of Peasant Studies*, 49, no. 3 (2022): 561–84.

34. Here I draw on Liam Shields, “The Prospects for Sufficiencyarianism,” *Utilitas* 24, no. 1 (2012): 101–7. On the role of shifts and thresholds in distributive justice, see also Dick Timmer, “Thresholds in Distributive Justice,” *Utilitas* 33, no. 4 (2021): 422–41.

35. Though note that on more or less any plausible account of international justice, states’ differential level of advantage will at least condition how we ought to assign duties and claims among them.

“states”—as duty-bearers and claim-holders—refers to the incorporated political agents that rule a territory, rather than any specific governments or people of those territories.) In the contemporary international system, states reciprocally recognize one another as having more or less exclusive jurisdiction over a territory within which they are authorized to coercively enforce their laws and policies. In the economic sphere, this translates into, among other things, a recognition of other states’ authority to sell off the natural resources found within their territory, to take out loans ultimately borne by their citizens, and to set the terms of entry of goods, services, and people crossing their borders. For such extensive affordances to be justifiable, recognized sovereign powers must correspond to a set of recognized responsibilities—to recognize an agent’s authority to accumulate and wield such powers without any such corresponding responsibilities would be morally bankrupt.³⁶ Given the pervasiveness and immediacy of the state’s impact upon all aspects of their lives, responsible exercise of sovereign power must involve, first and foremost, exercising it in the service of a state’s citizens.³⁷

This does not entail that sovereign responsibilities stop at a state’s borders—on the contrary, much the same reasoning suggests that sovereigns bear considerable responsibilities toward one another. Consider first that sovereign power, even if exercised domestically, can have grave international repercussions; a state might, for instance, ban the export of a good upon which another state strongly depends, or it might raise tariffs which decimate the export industries of trading partners. If responsibilities track impacts, such cases entail that at least some sovereign responsibilities extend outwards. (The precise nature of these responsibilities will depend on what states can reasonably claim against one another—see below.)

36. For related arguments, see efforts to reconceptualize the notion of sovereignty so that responsibility is central to it—e.g., Peter Dietsch, “Rethinking Sovereignty in International Fiscal Policy,” *Review of International Studies* 37, no. 5 (2011): 2107–20; Miriam Ronzoni, “Two Conceptions of State Sovereignty and their Implications for Global Institutional Design,” *Critical Review of International Social and Political Philosophy* 15, no. 5 (2012): 573–91; Eyal Benvenisti, “Sovereigns as Trustees of Humanity: On the Accountability of States to Foreign Stakeholders,” *The American Journal of International Law* 107, no. 2 (2013): 295–333.

37. On pervasive and immediate impact and why this grounds especially demanding duties to and between fellow citizens, see e.g., Miller, *Globalizing Justice*, 31–57; Mathias Risse, *On Global Justice* (Princeton: Princeton University Press, 2012), 23–40; Patrick Taylor Smith, “A Normative Foundation for Statism,” *Critical Review of International Social and Political Philosophy* 24, no. 4 (2021): 532–53.

Moreover, for the same reason it would be morally bankrupt to recognize a state's right to exercise its extensive powers without corresponding responsibilities, so it would be to accept a situation where states lack the means to effectively discharge those responsibilities.³⁸ Thus, states are liable to bear international duties both in order to justify their own exercises of sovereign power, as well as to justify their continued participation within, and upholding of, the state system and the international assignment of powers that it entails.³⁹ Insofar as they are a corollary of the sovereign powers vested in states by the state system and its constitutive practices, international duties of assistance are, on this account, institutionally-dependent ones, their contours shaped by what it would take to render the contemporary state system justifiable—they thus differ in kind from any external duties that a single state might hold if it were an island in a sea of anarchy. Yet while all states may thus bear pro tanto duties to ensure that the state system is justifiable, more advantaged states can bear greater burdens than others without thereby suffering excessive moral costs; all else being equal, this is sufficient to assign a greater share of such international duties to advantaged states.⁴⁰

I take the paramount domestic responsibility of states to be providing their citizens with a minimally decent standard of justice (MDSJ). For present purposes, I assume that this requires the fulfillment of all citizens' basic needs, though this in turn necessitates several collective-level achievements—such as the maintenance of public order, and provision of public goods such as transport and sanitation infrastructure—that are not

38. Ronzoni's account of positive sovereignty, as the capacity to make meaningful choices and retain internal problem-solving capacities, is relevant here; see Ronzoni, "Two Conceptions."

39. For similar arguments, see Blake, *Justice and Foreign Policy*, 114–7, Oisín Suttle, *Distributive Justice and World Trade Law: A Political Theory of International Trade Regulation* (Cambridge: Cambridge University Press, 2017), 101–3, Risse and Wollner, *On Trade Justice*, 132–5, Gillian Brock, *Corruption and Global Justice* (Oxford: Oxford University Press, 2023), 53–4.

40. For an extended discussion of such capacity to help arguments in the context of global poverty, see Barry and Øverland, *Responding to Global Poverty*, 11–75. The case for better-off states bearing more onerous duties than worse-off ones is in all likelihood overdetermined; above I focus on (cost-sensitive) capacity to help as I take it to be the most ecumenical basis on which to make the case.

reducible to individual-level achievements.⁴¹ Where states are incapable of realizing such a standard, this generates claims to assistance against other states; where some states can realize MDSJ and others cannot, this constitutes an important sense in which the former are more advantaged than others. Our ultimate moral concern here is with whether a state *does* realize MDSJ for its citizens. Our focus on interstate relations, however—and specifically, on what differentially-advantaged states owe one another—entails that facts about the states in question properly shape the justification of any putative duties. Given this, it does not follow that two states that fall equally short along one dimension of realizing justice have equivalent claims to favorable international treatment on that basis. Consider the following cases. In his classic work on human development, Sen observed that despite their absolute income advantage, African Americans as a group had a lower chance of growing old than people in several much poorer countries, such as Sri Lanka.⁴² Thought of as instances of human deprivation, the shortened lifespans of African Americans and Sri Lankans are comparable and equally tragic. As bases of international claims that states could make against one another, however, the United States' claims to assistance on behalf of its citizens would be much weaker than any equivalent claim from Sri Lanka—and this would be so even if the African Americans did not have an absolute income advantage. Rather, the relevant difference is that the United States presumably has more than adequate means with which to rectify the relevant deprivations, provided its political elites were sufficiently motivated to do so. Similar claims hold at lower levels of development; while India is home to more of the world's poor than any other country, it has—relative to countries like, say, Somalia, Burundi, or the Democratic Republic of Congo (DRC)—greater

41. Miller, *Globalizing Justice*, 156. For an account of basic needs to which I'm sympathetic, see Brock, *Global Justice*, 63–72. One reason to focus on MDSJ so understood rather than alternative state-level currencies of justice such as the capacity to be self-determining or to realize positive sovereignty is that not all powers that states might want, and which might be reasonable expressions of their self-determination or their sovereignty, are strong bases for claims against other states—Scanlon's famous example of the man who “would be willing to forego a decent diet in order to build a monument to his god” is pertinent here, Thomas M. Scanlon, “Preference and Urgency,” *The Journal of Philosophy* 72, no. 19 (1975): 659. Claims based on the state's responsibility to realize domestic justice, however, *are* strong bases for such claims. For self-determination, see Blake, *Justice and Foreign Policy*; and Suttle, *Distributive Justice*. For positive sovereignty, see Ronzoni, “Two Conceptions.”

42. Amartya Sen, *Development as Freedom* (Oxford: Oxford University Press, 1999), 21.

resources and a more functional administrative apparatus with which to respond to such poverty. Such differences give us good reason to think that India's claims to assistance are not quite as strong as those of the abovementioned African states. Finally, consider two states that are at similar levels of development, such as the United Kingdom and France. Remarkably similar in their total and per capita economic size, in 2018 the United Kingdom nonetheless experienced a sharp uptick in its absolute poverty rate, from 0.2 percent to 0.5 percent of its population, while France stayed around 0.1 percent.⁴³ While we might hold that such differences alone entitle the United Kingdom to somewhat more favorable treatment than France from economic partners, to do so evinces a strange unwillingness to attribute any responsibility for shortfalls of justice to the United Kingdom itself.

Rather than assume that states' advantage-based duties and claims are a direct function of their domestic outcomes, then, I propose we focus instead on states' differential *capacities*—doing so allows us to track a meaningful sense in which states are better or worse off, while nonetheless ascribing some responsibilities for domestic shortfalls to domestic governments, the costs of which cannot be justly displaced onto international partners. “States capacities,” as I understand them here, are only one factor that feeds into the realization of MDSJ; it will be useful for the ensuing discussion to draw out a quick schema of how capacities relate to states' efforts to realize MDSJ more broadly (call it the “domestic justice schema”). Whether or not a state realizes domestic justice at any given time will be determined by the interplay of three factors; over time these factors will interact intensively with and shape one another, but they can be usefully separated when looking at states from a more static perspective (as we do when judging which states are currently more advantaged than others).⁴⁴ First, its capacities: the total combination of goods (broadly defined) such as wealth, domestic infrastructure, and social and political

43. If this increase sounds trivial, note that 0.3% of the UK's population is over 200,000 people. For figures, see World Bank, Group Database (Data for France, United Kingdom: <https://data.worldbank.org/?locations=FR-GB>).

44. We can still make relative judgments, for instance, about how different politicians and governments perform within the same system and its constraints, though over time their decisions will increasingly alter the constraints facing their successors.

institutions that are internal to and at the state's disposal.⁴⁵ Goods are at the state's disposal in the relevant sense if it has the de facto power to call on, take advantage of, or make use of them in its efforts to realize domestic justice.⁴⁶ We can consider capacities so understood the "hardware" of a state. Second, the international political environment to which the state is subject. We can further distinguish between structural features of a state's environment (e.g., the terms of their current trade relationships, the countries they border, the dollar system, etc.), and the more contingent features which are shaped, but not determined, by the structural features (e.g., current energy prices, civil conflict in neighboring regions, the strength of the dollar, etc.). A state's international political environment conditions the ease or difficulty with which capacities can be translated into just outcomes at any given time—hence, what constitute favorable international circumstances will differ depending on the state in question and its capacities. Third, there is the decision-making quality of the state's functionaries, i.e., the government and its bureaucracy. We might think of this as the state's "software"; this determines not the level of a state's capacities, but how successfully it converts its capacities into realizations of domestic justice. State functionaries can make better or worse use of the capacities at their disposal depending on their competence and the priorities which guide their decisions. To what extent they give the requisite priority to realizing justice over other, less morally stringent concerns (e.g., winning votes, placating influential interest groups, enhancing executive authority, enjoying the privileges of office), I capture by referring to functionaries' "political will." By separating these three factors out from another, we can usefully distinguish three distinct sources of state improvement (internal structural change, improved international conditions, improved decision making), and can separate out the basis of states' advantage-based claims from, on the one hand, the responsibilities of international partners to respond to such claims and, on the other, and

45. Here, I'm only interested in those goods that a state can make use of to realize justice—states may be able to assemble a barnstorming brass band to provide musical accompaniment for national ceremonies, but such abilities are not relevant for defining a state's capacities as I discuss them in what follows. Many goods, however, are "dual use," in that they can be used to further justice or for other purposes.

46. So, where a state is home to e.g., high levels of illicit mining (as is the DRC), some of the wealth created in the country may not count toward determining the state's capacity.

the responsibilities of incumbent political functionaries to respond to existing domestic shortfalls.

Because they all have distinctive internal profiles and are subject to at least somewhat different international conditions, it is impossible to provide a complete account of all the goods that a state may possibly require in order to realize MDSJ—states in tropical regions may require vaccines that no other states do, island nations may require safe ports capable of handling large ships and cargo efficiently, and so on. We can largely avoid such problems by considering “goods” at a higher level of generality, as I’ve done above by listing wealth (which can, e.g., buy vaccines and fund ports), infrastructure (e.g., medical storage and distribution facilities, port construction and transport links), and institutions (e.g., professional medical teams capable of administering vaccines, performance-orientation among port workers and transparency mechanisms to prevent corruption). Neither level of description is more correct than the other, only more or less useful for our given purposes. To the extent that it abstracts from states’ countless peculiarities, a high level of generality is better suited to our systematizing goals of comparing and categorizing states. When considering states’ capacities from a dynamic perspective, however, this more general approach should not wholly displace more fine-grained analysis, as states’ specific bundle of capacities may interact in complex ways. Take wealth, for instance; while some of it is vital, and more is usually better than less, not all wealth-generating activity has equivalent impacts on a state’s overall capacities—wealth derived from oil revenues, for instance, is well-known to sometimes have deleterious impacts upon a state’s institutions,⁴⁷ while reliance on export markets renders a state vulnerable to different threats relative to reliance on domestic consumption. Given this, any general-level categorization of states ought to be supplemented with a more fine-grained analysis of the prospects and threats facing particular states, in order to determine what structural changes to their environment might be conducive to their development or to determine what sorts of duties would be too onerous for them to bear. I illustrate such a two-step approach in Section V. There I characterize capacity in terms of states’ economic productivity, administrative capacity, governmental

47. For philosophical discussions, see e.g., Pogge, *World Poverty*; Leif Wenar, “Property Rights and the Resource Curse,” *Philosophy & Public Affairs* 36, no. 1 (2008): 2–32; David Wiens, “Natural Resources and Government Responsiveness,” *Politics, Philosophy and Economics* 14, no. 1 (2015): 84–105.

responsiveness, and economic sophistication, with economic productivity and administrative capacity being more heavily weighted at lower levels of development. (It might be helpful to think of this as a particular conception of state capacity, as opposed to the more general concept of state capacity as defined above.) Before doing so, however, in the next section I want to distinguish more clearly three categories of state, differentiated according to their capacities to realize MDSJ.

IV. ROBUST CAPACITY AND LACK THEREOF

High capacity to realize MDSJ is the result of a large set of interrelated political, social, and economic variables, none of which are fully under the control of any one agent. From a starting point of poverty, attaining it typically requires, among many other things, the durable reform of long-established modes of governance, where such reform reduces the influence of entrenched elites; mobilizing sufficient investment to build the infrastructure necessary to build a productive economy, without thereby triggering debilitating levels of governmental corruption; decades of structural transformation of the economy, with all the economic dislocation and inequalities that come in its wake; building a state powerful enough to enforce laws, settle disputes, and impose onerous obligations upon citizens, yet constrained enough to be trusted and to avoid becoming a vehicle of private extraction. The difficulties of making durable progress on any of these challenges are exacerbated by poor countries' inherent fragility—where even small changes in international markets or financing terms can undermine their macroeconomic stability—and the innumerable vicious cycles that poverty and underdevelopment generate.⁴⁸ Given the number of challenges they must successfully resolve, often more or

48. For instance, poverty leads to poor nutrition, which reduces worker productivity, which increases poverty; poverty leads to poor sanitation infrastructure, which increases disease burden, which increases poverty; poverty leads to low government budgets, which lowers government capacity, which leads to poor rights enforcement, which leads to poverty; and so on. See also the related notion of “poverty traps,” see Paul Collier, *The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done about It* (Oxford: Oxford University Press, 2007).

less concurrently, it is unsurprising that most states' development paths are both turbulent and incomplete.⁴⁹

A proper appreciation for quite how many things must go right—and stay right—in order to engender high capacities makes the enduring success of the world's most advantaged countries all the more remarkable. Such states have benefitted from at least decades, in some cases generations of relatively sound political and economic management, along with an international environment sufficiently conducive to their development, and the sustained willingness of citizens to generally abide by the rules, uphold political processes, and accept the sometimes-onerous impositions the state requires of them.⁵⁰ Recognizing the degree of difficulty and fortuitousness required to accumulate high capacities, the comparative rarity of states that have done so, and the moral value of being able to fulfill its sovereign responsibility to realize MDSJ should serve to underscore to an advantaged state the importance of sustaining and protecting its extant capacities. Put another way, it speaks to the value of retaining a *robust* capacity to realize MDSJ.⁵¹ To say a state's capacity to realize MDSJ is "robust" is not to say that such a state can realize MDSJ under *any* conceivable circumstances—a large enough meteor would put paid to any such conceit—but rather that it currently has enough internal goods at its

49. See, for instance, Lant Pritchett, "Understanding Patterns of Economic Growth: Searching for Hills among Plateaus, Mountains, and Plains," *The World Bank Economic Review* 14, no. 2 (2000): 221–50, on the high growth volatility of developing relative to developed states; see also the trend deterioration of "state capability" (understood as the ability of the state to implement its policies) experienced by 57 of 77 developing states since 1996, noted in Matt Andrews, Lant Pritchett, and Michael Woolcock, *Building State Capability: Evidence, Analysis, Action* (Oxford: Oxford University Press, 2017), 25. This latter finding excludes the very weakest states.

50. On the significance of such intense social cooperation among citizens, Andrea San-giovanni, "Global Justice, Reciprocity, and the State," *Philosophy & Public Affairs* 35, no. 3 (2007): 3–39, Risse, *On Global Justice*, 23–40.

51. For an excellent discussion of the moral value of robust provision of important goods, see Philip Pettit, *The Robust Demands of the Good: Ethics with Attachment, Virtue, and Respect* (Oxford: Oxford University Press, 2015); for Pettit's defense of freedom as robust non-interference, see e.g., Pettit, *On the People's Terms: A Republican Theory and Model of Democracy* (Cambridge: Cambridge University Press, 2012). For an argument that treats attaining resilience—a closely related notion—as a prerequisite for the justice and legitimacy of liberal-democratic states, see Avery Kolers, "Resilience as a Political Ideal," *Ethics, Policy and Environment* 19, no. 1 (2016): 91–107; see also Cara Nine, *Sharing Territories: Overlapping Self-Determination and Resource Rights* (Oxford: Oxford University Press, 2022). For robust protection as a condition for the enjoyment of rights, see Henry Shue, *Basic Rights: Subsistence, Affluence, and US Foreign Policy* (Princeton: Princeton University Press, 1980).

disposal that, over a wide range of nearby counter-factual scenarios and subject to a wide range of foreseeable stressors, a minimally competent and motivated government of that state could realize MDSJ. (This allows that over time a series of major shocks, for example, or a truly reckless or malevolent government could degrade a state's capacities enough that this was no longer true.) Given its great moral value and the difficulty with which it is attained, states with robust capacity should not be expected to undermine or put that status at nontrivial risk—and so render their own citizens' access to MDSJ precarious—just because doing so would benefit other states. But where states are wealthy, have various bases of their prosperity, highly skilled workforces, effective institutions capable of responding to domestic challenges and resolving conflicts, and so on, far fewer potential international burdens will constitute such a risk. On this basis, states with high capacities so understood ought to bear a greater proportion of international duties than those lacking such capacities.

More intuitive ways to distinguish between the most advantaged states and the rest might focus on their level of wealth, technological sophistication, or perhaps their standard of living. I believe, however, that robustness is primary from a moral perspective. If a state had a very high average level of wealth from a global perspective, for instance, but any change to its status quo would undermine its capacity to realize MDSJ, that would itself be a very good reason to exempt that state from bearing onerous duties. By contrast, where a state has only a moderate level of wealth but has the robust capacity to realize MDSJ for its citizens, this robustness *is* a reason to charge a state with bearing proportionally greater duties toward other states, insofar as it is, by definition, capable of absorbing additional stressors while fulfilling its sovereign domestic responsibilities. (In practice, of course, wealth is an important element of robust capacity in any market-based economy.) Hence, where a state passes the point at which it is robustly capable of realizing MDSJ, this plausibly engenders more demanding international duties. Conversely, the failure by such a state to realize justice will not ordinarily generate claims against other states, given that the state retains the capacity to make good on its responsibilities. Given, then, that the robustness of a state's capacity to realize justice provides reasonable grounds for ascribing it demanding advantage-based duties as well a considerable reduction in any advantage-based international claims it has—precisely the effect of the implied threshold separating developed from developing countries in

the work of several authors in the literature⁵²—there are good grounds for considering a state “developed” rather than “developing” for the purposes of international justice theorizing once we deem its capacity to realize MDSJ robust.

States that lack a robust capacity to realize MDSJ can be divided into those that have a precarious capacity to realize it, and those that lack the capacity completely. Let’s start with the latter group of states, which we can call LDCs. Think here of states like the DRC, Somalia, or Burundi. Even under maximally auspicious circumstances—that is, where the state’s functionaries make all the right calls, are motivated to realize justice, and where the contingent features of the state’s international environment are as propitious as is reasonably possible—these states have insufficient capacities at their disposal to have any chance of realizing MDSJ in the near future. The precise nature of their incapacity can differ, but typically LDCs will lack at least one of the two basic prerequisites of realizing MDSJ—a productive economy and a functional state administration. Such sources of incapacity are mutually reinforcing, so LDCs will often lack both at once, and hence many LDCs are characterized by intense poverty, a lack of rights protections, civil unrest, and an absence of public order and public goods.⁵³ Mirroring how we understood “robustness” above, the sense in which such LDCs are “incapable” of realizing MDSJ is not a truly immutable one; rather, it denotes a need for a dramatic change in fortunes if their status is to be revised⁵⁴—in this case perhaps the domestic discovery of lucrative commodities (e.g., Botswana), or major structural changes in the international economy which generate new export opportunities (e.g., Bangladesh, which has benefitted immensely from China’s rise). Absent such dramatic shifts, LDCs’ lack of capacity—especially their characteristic mixture of poverty, insecurity, and governmental weakness—mean that they will remain prey to the vicious cycles of underdevelopment and unable to realize MDSJ for many

52. See fn. 17.

53. See, for instance, Collier, *Bottom Billion*.

54. This coheres with how LDCs are defined in the international order, as those countries “suffering from the most severe structural impediments to sustainable development”; see UN Department of Economic and Social Affairs, *Handbook on the Least Developed Country Category: Inclusion, Graduation and Special Support Measures*, 4th ed. (October, 2021), <https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/LDC-Handbook-2021.pdf>, 8.

decades. Given this, their international partners have very strong pro tanto duties to take steps to render LDCs' structural environment more favorable.⁵⁵

Between least-developed states and developed states are, predictably enough, “developing states”—states that have a precarious capacity to realize MDSJ. Under highly auspicious circumstances—very strong international demand for their products, generous terms of lending, sound and virtuous leadership, domestic stability, regional peace—they have the resources and the institutions required to respond adequately to domestic shortfalls. Relative to developed states, however, there is comparatively little slack in the system, and so unfavorable circumstances—or even circumstances which are not *very* favorable—can undermine developing states' earnest, competent efforts to realize MDSJ. It is in this sense that developing states' capacities to realize MDSJ are precarious. To be sure, all developing states will have at least a relatively productive economy, and a functional state—these are *sine qua nons* of realizing MDSJ. Given this group of states spans all the distance from LDCs to developed states, however, developing states are incredibly diverse, with some being able to realize MDSJ in many nearby scenarios and under considerable stressors while others will require a great deal of luck, highly auspicious international circumstances, and consistently judicious decision-making throughout the state and its administration to do so.⁵⁶ Such considerable differences among developing states ought to translate into differences in the strength of their duties and claims. Take, for instance, Bulgaria and Paraguay. Assuming they are both developing countries on my categorization, their economic risk profiles nonetheless appear very different. Paraguay is a little less than half as wealthy so its resources would be

55. “More favourable” here is a matter of fit with an LDCs' existing capacities. We should not, for instance, assume that developed states fulfill their duties by granting free market access to an LDC unless we have reason to think that the LDC in question would benefit substantially from this.

56. Note an implication of my analysis. While states have a moral responsibility both to realize justice and to render their capacities to realize justice robust, the two will not always pull in the same direction—providing adequate material provision today might reduce the available funds for necessary investments tomorrow. Hence, developing states must sometimes countenance troubling trade-offs between equity today and development tomorrow. Such troubling trade-offs characterize developing states specifically—LDCs lack the means to MDSJ today, while developed states' provision for their citizens does not come with such high domestic opportunity costs. Worse-off developing states, it goes without saying, will face more acute versions of this trade-off than better-off ones.

stretched thinner in any effort to realize MDSJ. It also has a much less sophisticated economy, heavily reliant upon a small handful of agricultural exports.⁵⁷ Such agricultural specialization has more limited growth potential relative to specialization in manufacturing,⁵⁸ while also exposing a country to the caprices of nature and the volatility of international commodity markets. These differences entail that, all else being equal, Paraguay has a greater moral claim than Bulgaria to financial assistance when opening its markets, technology transfer from developed countries to help it diversify its economy, a greater entitlement to erect tariffs on other developing countries' exports,⁵⁹ and so on.

Where some states can realize MDSJ, albeit precariously, while others are simply incapable of realizing it irrespective of favorable conditions, this too represents a morally salient distinction, and translates into qualitatively different claims within the international order insofar as it tracks an important difference in domestic governments' degree of responsibility for injustice. By responsibility, here, I mean forward-looking responsibility, in the sense that one has the wherewithal and authority to do something to respond to a problem. LDCs characteristically lack the resources as well as the administrative capacity to adequately respond to domestic shortfalls; the same is not true (albeit to varying extents) of developing countries, whose governments on this basis bear a qualitatively different degree of responsibility for failures to realize MDSJ. Recalling the discussion in Section III, India can be held responsible for the persistence of domestic poverty in a way that, say, the DRC cannot (which is not to say the DRC's government cannot be criticized for failing to earnestly pursue MDSJ). Moreover, insofar as better-off developing states in particular have the capacity to realize MDSJ in many if not most nearby scenarios, the large gap between themselves and LDCs entail that such states may reasonably

57. OEC, (Country Profiles: Bulgaria), <https://oec.world/en/profile/country/bgr>; OEC (Country Profiles: Paraguay), <https://oec.world/en/profile/country/pry>.

58. Paul Collier and Anthony J. Venables, "Rethinking Trade Preferences: How Africa Can Diversify Its Exports," *World Economy* 30, no. 8 (2007): 1326-345.

59. Newbery and Stiglitz show that, given incomplete insurance markets within an economy, free trade can reduce national welfare as it eliminates in-built insurance mechanisms within domestic economies, thereby negatively altering the profile of goods which people are willing to produce; see David M. G. Newbery and Joseph E. Stiglitz, "Pareto-Inferior Trade," *Review of Economic Studies* 5, no. 1 (1984): 1-12. The lack of well-developed insurance markets is one of the characteristics of developing countries which will typically make their realization of any given standard of justice more precarious relative to developed countries.

bear advantage-based duties to LDCs. Of course, it may be the case that, say, opening their markets to further competition from LDCs would constitute precisely the sort of policy that could undermine a developing country's abilities to realize MDSJ; in such cases, the developing state might reasonably prioritize preserving its own capacities. Where, however, there is no such trade-off between adopting policies which would benefit LDCs and preserving its own capacity to realize MDSJ, a developing state—having the capacity to help significantly without suffering onerous moral costs in doing so—would have no reasonable objection to this. This will be the norm in the case of better-off developing countries, given that they will typically have a relatively sophisticated and productive economy (see next section). Any major risks for such countries are therefore relatively unlikely to include excessive exposure to domestic competition from very poor countries.

Before moving on, it's worth addressing a potential confusion regarding the status of the implied thresholds separating the three categories of states identified above. Such thresholds are not to be seen as marking out sharp points of discontinuity between radically different sorts of state; rather, they signify points at which cumulative scalar capacity improvements are judged sufficient to have made a qualitative difference in how states ought to be treated. In this sense, they function much as height restrictions on a roller-coaster ride do. The precise point at which we ought to set our thresholds will admittedly be vague. But the vagueness involved should be differentiated from arbitrariness; while the former denotes an admittance of gray areas, the latter involves making unprincipled judgments—in this case, lacking any meaningful criteria for setting our threshold in one place rather than another. So long as there are meaningful conceptual criteria to which we can appeal in setting our thresholds (i.e., those described above), clear and measurable proxies to which we can appeal to decide which states meet the relevant criteria (see next section), and we can refine our measures over time in light of evidence and our considered judgments, the worry about vagueness is not a grave one.

For all that, one important disanalogy with the roller-coaster case is that, as suggested in the above-discussed comparison between Paraguay and Bulgaria, we have the option of adjusting states' duties and claims in a scalar rather than step-change fashion—and, as argued above, we ought to do so. In the same way as we assign different duties and claims to

developing states on the basis of their scalar differences, we may do the same with respect to developed states, and/or with least-developed states. In each case, however, the justification for doing so is less clear. If their citizens can fully blame their own governments for any failures to realize MDSJ, it's not clear why, for instance, a developed country such as the United Kingdom would have any more pressing claims against its international partners than Norway would, even if the United Kingdom on some measure had less robust capacity. Conversely, given their own inability to realize MDSJ and hence the urgent need to increase their capacities, it may be unjust to assign positive international duties to any LDCs, irrespective of capacity differences among them. It may also be the case that capacity differences always matter, but that such differences translate into more onerous duties or more demanding claims at different rates depending on the category of state in question. These are substantive points on which we may reasonably disagree. What's important to note for present purposes is that the moral significance of intra-category capacity differences will itself differ depending on whether the states in question are incapable, precariously capable, or robustly capable of realizing justice. We should therefore expect the assignment of international duties and claims to be kinked rather than fully scalar.

V. PUTTING IT ALL TOGETHER

In ranking states' capacities, we must decide how many parameters to include in our account of such capacities, and on how much weight to give each parameter relative to the others. In Section III, I noted that we face a trade-off of sorts here—while a greater number of parameters is likely to produce a more refined, informationally rich ranking, a lesser number renders interstate comparison more tractable. Given our systematizing goals, I believe we ought to opt for a less informationally rich account of state capacities, so long as a somewhat more informationally rich account would not significantly improve our ability to track morally relevant differences between states; where necessary, this initial rough-cut ranking can be supplemented with detailed country-level analysis.

For present purposes, then, I propose to build on (and somewhat adapt) Lant Pritchett's discussion of "national development." Pritchett treats national development as the combination of a state's economic productivity, its administrative capacity, and governmental responsiveness to

its citizenry, and he identifies empirical proxies to capture each one: for economic productivity, GDP per capita as measured by purchasing power parity; for capable administration, the “simple average of four indicators reported by the World Governance Indicators (WGI): *Rule of Law, Government Effectiveness, Regulatory Quality, and Control of Corruption*”;⁶⁰ for responsiveness, a version of the POLITY democracy/autocracy rankings,⁶¹ amending it so that countries’ scores capture their accumulated “stock” of democratic governance over the preceding period of years rather than just the observed year in question.⁶² As Pritchett acknowledges, such empirical proxies are hardly perfect—and yet, as he illustrates, the three measures combined can explain most of the variation between states in their performance on the Social Progress Index, an omnibus indicator (which we can treat as a proxy for MDSJ) that tracks states’ performance in 58 non-economic indicators of human well-being.

Because Pritchett is interested in explaining state performance rather than robustness, I suggest we add a fourth component to the three identified above⁶³—namely, the sophistication of a state’s economy. Excessive reliance on a small range of exports (typically commodities) may generate considerable wealth, but is problematic for several reasons: commodity exports are subject to considerable price volatility, which generates balance of payments and long-term planning difficulties; commodity production is typically subject to diminishing rather than increasing returns to scale, reducing its long-term development promise; and excessive reliance upon lucrative natural resources such as oil can entrench unaccountable political elites or cause domestic instability by strongly incentivizing state capture. A political economy where the government’s revenues are in no small part derived from the energies and investments of a more diffuse set of actors, by contrast, creates incentives for governments to prioritize

60. Lant Pritchett, “National Development Delivers: And How! And How?” *Economic Modelling*, 107 (2022): 2, see Daniel Kaufman and Aart Kraay, World Bank Group (Worldwide Governance Indicators, Update), www.govindicators.org.

61. Monty G. Marshall and Ted Robert Gurr, Center for Systemic Peace (Polity 5: *Global Trends in Governance, 1800–2018*), <https://www.systemicpeace.org/polityproject.html>.

62. Pertinent to the discussion below, this choice is motivated by the observation that responsive government takes time to impact outcomes, not least insofar as its benefit relies in large part on the gradual transformation of norms.

63. Though sustained high performance will itself contribute to robustness insofar as it, among other things, enhances citizens’ buy-in, and serves to entrench the good institutional habits that have generated such high performance in the first place.

domestic stability and more inclusive policies.⁶⁴ As a proxy for economic sophistication, we might adopt the Harvard Growth Lab's *Economic Complexity Rankings*,⁶⁵ which ranks states according to the diversity of the products that a state exports, as well as the number of other countries that produce the same products—where few other countries produce certain goods, this is typically an indicator that few other countries *can* make those goods. A diverse and unique production profile renders a state's economic successes more durable.

While the most intuitive approach to ranking states would be to take the simple average of states' scores on each of these proxies, I believe we should instead attach greater weight to “economic productivity” and “administrative capacity” at lower levels of development. There are conceptual and empirical reasons for this. Empirically, at lower levels of development, economic productivity and administrative capacity make most of the difference to states' performance on Pritchett's analysis.⁶⁶ Conceptually, while improvements in economic productivity and administrative capacity increase the power of the state to pursue justice, neither responsiveness nor economic sophistication are straightforwardly additive in the same way; instead, their value comes largely from reducing the likelihood of deleterious outcomes—responsiveness by ensuring that government functionaries are constrained or at least have durable incentives to track the public good, and economic sophistication because it diversifies the sources of a state's economic prosperity and shields it from certain sources of political and economic volatility.⁶⁷ Indeed, neither economic sophistication nor governmental responsiveness seem possible (or at least not very valuable) absent some baseline level of economic productivity and administrative capacity, respectively. A weighted average, then, better tracks the special significance ascribed to increasing capacities at lower levels, and renders them more robust at higher levels.⁶⁸

64. See Wiens, “Natural Resources.”

65. Harvard Growth Lab (Country and Product Complexity Rankings), <https://atlas.cid.harvard.edu/rankings>.

66. Pritchett, “National Development Delivers.”

67. On the greater ability of democratic systems to absorb shocks, see Dani Rodrik, “Institutions for High-Quality Growth: What They are and How to Acquire Them,” *Studies in Comparative International Development* 35 (2000): 3–31.

68. Determining the precise weighting we attach to each parameter should be determined by a process of reflective equilibrium, based on which countries fall into each of our three categories and how that coheres with our considered judgment of which states ought to be ascribed the most onerous duties and the strongest claims to assistance.

Pritchett's analysis shows that, empirically, goods of the sort which are constitutive of state capacity reliably translate into high (or low) levels of state performance (though some states over- or under-perform relative to their capacities). I want to supplement this observation by noting two conceptual reasons why capacity and performance are unlikely to diverge significantly—at least, not for very long. The first has to do with the ontological nature of state capacities. In most cases, capacities are less like a material possession of states and more like a skill which they can exercise. To run a productive economy, for instance, requires reliable enforcement of property laws, a functioning banking system, construction and maintenance of adequate infrastructure, and so on; to maintain an effective state bureaucracy requires performance monitoring, meritocratic hiring practices, durable incentives for prioritizing public over private objectives, and so on. Where laws are consistently ignored, essential workers are not hired or adequately trained, wealth is frittered rather than invested, this reduces the state's resources and entrenches debilitating institutional habits, making positive reform harder. It is thus a mistake to think that oil-rich states such as, say, Venezuela or Equatorial Guinea ever had robust capacities to realize justice, or even approximated it, based on their economic productivity alone. Institutional norms matter, and bad institutional norms erode capacities as surely as goods ones enhance them.

The second reason we shouldn't expect large enduring divergences between capacity and performance relates to responsiveness as a constituent feature of high capacity. (It is only with relatively high capacities that a large divergence is possible.) Responsiveness captures the extent to which citizens' views are solicited, incorporated, and play some shaping role in state functionaries' deliberations and decision-making. Irrespective of any intrinsic importance it has, responsiveness instrumentally enhances state capacity for several reasons. Not only does it increase the reliable information available to states and increase citizens' willingness to accept the state's impositions; where the state is constrained to be responsive to its citizens, this mitigates the political dangers of the executive accumulating excessive power. Such excessive power can, in turn, deter large-scale investments from private actors who have little assurance against expropriation.⁶⁹ For all these reasons it is, as Acemoglu and Robinson have put

69. Barry R. Weingast, "The Economic Role of Political Institutions: Market-Preserving Federalism and Economic Development," *The Journal of Law, Economics, and Organization* 11, no. 1 (1995): 1–31.

it recently, “the Shackled Leviathan, not the despotic sort, that develops the most and the deepest state capacity.”⁷⁰ Where a state is responsive to its citizenry, this greatly increases the chances that the state’s capacities will be mobilized in service of its citizens, and so reduces the likelihood of persistent gaps between capacity and performance.

At this point an objection arises: insofar as the account defended here considers responsiveness important in determining which states are the most advantaged, it implies that a wealthy but otherwise low-capacity authoritarian state ought to be considered a developing rather than developed state, effectively rewarding a government for its lack of responsiveness. I believe that this concern is misplaced. First, note that there *are* good reasons to treat such a state differently from developed states as I’ve described them. For one thing, while it would be permissible (and perhaps even required) to seek to improve the capacities of such a state through our economic relations with them (through e.g., incentivizing improved accountability mechanisms),⁷¹ to do so in our relations with mature democracies like Norway or France would, I take it, be disrespectful as well as misguided. Moreover, given its stringent sovereign responsibilities to its own citizens, a high-wealth but otherwise low-capacity state *should* prioritize using its existing resources to further develop its capacities (in this case, e.g., diversifying its economy, reforming its institutions) before taking on more onerous obligations internationally—the same is not true for robustly capable states. That an authoritarian state’s functionaries are failing to do this is no reason to skirt over the moral stringency of its domestic obligations, nor to downplay the perilous path of reform were it to be earnestly pursued. Two qualifications, though, are worth noting here. First, a high level of responsiveness is not strictly necessary for high capacity; a state with an incredibly sophisticated economy and excellent state administration could, in our ranking, attain high capacity so long as

70. Daron Acemoglu and James A. Robinson, *The Narrow Corridor: How Nations Struggle for Liberty* (London: Penguin Books, 2019), 28. See also their *Why Nations Fail: The Origins of Power, Prosperity, and Poverty* (London: Profile Books, 2012).

71. Similarly, we can reframe much of the debate about trading with dictatorships in this light, as a debate at least in part about what would improve those states’ capacities; for contributions, see Pogge, *World Poverty*, Wenar, “Property Rights and the Resource Curse” Chris Armstrong, “Dealing with Dictators,” *Journal of Political Philosophy* 28, no. 3 (2020): 307–31. Here, it is vital to distinguish clearly between the state, whose capacities we ought to seek to improve, and its government, who we may conceivably need to marginalize or shun in order to improve the capacities of the state.

its degree of responsiveness was middling. (This is probably true of Singapore, for instance.) Provided a closer analysis of the country and its outstanding risks did not suggest that its middling degree of responsiveness generated real risks for the country's continued ability to realize MDSJ, it would be reasonable to hold that such a state had high capacity and bore duties commensurate with this status. Second, given the weighting of the various components of state capacity, states with minimal responsiveness but otherwise very high capacities are likely to come out as better-off developing states. Insofar as the account developed here assigns duties to such states, owed to LDCs, where bearing them would not exacerbate risks to domestic capacity, it entails that states with staggering levels of wealth can ordinarily be asked to contribute meaningfully to relevant international causes where financing is important; whatever domestic shortfalls such states do face, they are evidently not related to a shortage of wealth.

Returning to the case of China, on the empirical proxies identified above it scores highly (18th) on economic complexity, but is only middling in its productivity and administrative capacity, and fares very poorly on responsiveness.⁷² On the conception of state capacity put forward here, then, China remains very much a developing country. We can validate this initial judgment by zooming in and focusing on China's economic prospects, where we can identify several real risks to China's continued progress. (We've already noted that, considering its extensive rural poverty, such progress is required.) Let me mention three; one general challenge—often labeled the “middle-income trap”—and two compounding ones which are specific to China. Like many states historically, China's early developmental progress was propelled by reliance on cheap, labor-intensive manufacturing for export. Continued developmental progress after wages inevitably rise and low-skilled production moves to cheaper locales⁷³ requires different enabling conditions, including stronger technological capabilities, higher quality political and economic institutions, and

72. For a contrasting view on the Chinese system's responsiveness, see Daniel A. Bell, *The China Model: Political Meritocracy and the Limits of Democracy* (Princeton; Oxford: Princeton University Press, 2017).

73. As is already happening to China, in favor of places such as Vietnam and Bangladesh; see e.g., Lori Ann LaRocco, “China, ‘Factory of the World,’ is Losing More of its Manufacturing and Export Dominance, Latest Data Shows,” *CNBC*, October 20, 2022, <https://www.cnbc.com/2022/10/20/china-factory-of-the-world-is-losing-its-manufacturing-dominance.html>.

greater levels of domestic innovation—none of which are needed to catalyze the initial heady burst of growth. Because of this, they are unlikely to be in place in a poor country, making it difficult for countries to move seamlessly from the initial development model—where the *mobilization* of resources is key—to the latter, altogether more complex one where *efficient use* of resources becomes central.⁷⁴ The difficulty of this transition largely accounts for the rarity of states with per capita incomes in the middle-income range successfully crossing over to high-income range.⁷⁵

There are some reasons to be concerned about China's prospects for overcoming this economic challenge and joining the rank of robustly capable countries.⁷⁶ First, its demographics. Partly as a legacy of the infamous One-Child Policy, China is now by some measures the fastest-aging country in the world, aging far more rapidly than any of its middle-income peers in particular.⁷⁷ In growing old before growing rich,⁷⁸ China will face significant fiscal pressures in stretching its limited per capita resources to provide a decent social safety net for its aging population, while doing so will reduce the funds available for other essential investments.⁷⁹ Second, its low human capital.⁸⁰ To raise and sustain high average incomes, citizens must be able to perform high-skill jobs which are characterized by their nonroutine nature and hence require a very different skillset—with a greater emphasis on applying general skills (e.g., maths, computing skills, literacy, critical thinking)—than low-wage manufacturing jobs; hence, no non-oil producing state has ever grown rich with a high-school attainment rate below 50 percent.⁸¹ At 30 percent, China has one of the world's lowest

74. Kroeber, *China's Economy*, 210.

75. A World Bank study found that between 1960 and 2008, out of 101 countries that began the period as middle-income countries, only 13 countries subsequently reached high-income status; see The World Bank, *China 2030: Building a Modern, Harmonious, and Creative Society* (2013), 12, <https://documents1.worldbank.org/curated/en/781101468239669951/pdf/China-2030-building-a-modern-harmonious-and-creative-society.pdf>.

76. For a good discussion of several of China's major economic challenges, see George Magnus, *Red Flags: Why Xi's China is in Jeopardy* (New Haven; London: Yale University Press, 2019).

77. *Ibid.*, 112.

78. Naughton, *The Chinese Economy*, 206.

79. See fn. 56.

80. Rozelle and Hell, *Invisible China*, is an excellent discussion of China's human capital problem in relation to the middle-income trap.

81. *Ibid.*, 28.

attainment rates, far worse even than its middle-income peers.⁸² Performance is particularly bad in rural regions, where 70 percent of China's children are currently registered. If China were to fall foul of the middle-income trap, this would prolong and potentially exacerbate the deprivations which characterize large swathes of the country today. If this occurred, China's coming to resemble troubled middle-income countries like Mexico, Brazil, and South Africa—all suffering from high rates of violence, corruption, and criminality—cannot be entirely ruled out. While China may well be spared their fate, such comparison cases help to underscore that we should not be cavalier about the human costs of frustrated development, even at higher levels of income than we are ordinarily accustomed to worrying about.

To conclude, it's worth noting what—at least in broad strokes—can be inferred from all this about China's international duties and claims. The most basic implication is that—contra the preferences of the United States—China ought to be treated as a developing country, and is reasonable to insist on its status as such in international forums. China acts unreasonably, however, when it insists (as it often does⁸³) on receiving the same degree of preferential treatment as developing states worse-off than itself. Compared to most other developing states, China is wealthier, less vulnerable to international economic downturns, more capable of mobilizing its own resources to respond to domestic difficulties, and—given its already very high level of economic sophistication—has little continued moral claim to concessionary technology transfer or exemptions from intellectual property regulations. Unlike with many developing states, after all, the risks to China's continued progress no longer rest on the ability to diversify its economy, but rather on its ability to more widely diffuse the benefits of its technological and innovative achievements throughout the country.⁸⁴ Contra the views of someone like James,⁸⁵ then, while it may be a requirement of justice that most developing states have a free

82. *Ibid.*, 5.

83. See Hopewell, *Clash of Powers*.

84. For an interesting account of great power competition which emphasizes the centrality of domestic diffusion capacities, see Jeffrey Ding, "The Diffusion Deficit in Scientific and Technological Power: Re-Assessing China's Rise," *Review of International Political Economy* 31, no. 1 (2023): 1–26.

85. James, *Fairness in Practice*, 285–303.

hand with respect to their intellectual property regime, the same is not obviously true for a technological power such as China.

Consider now what the account above suggests about China's duties to other developing countries. Unlike accounts which give them extensive prerogatives to pursue their own development goals,⁸⁶ the account of international justice sketched here ascribes potentially demanding advantage-based responsibilities to better-off developing countries, owed in particular to LDCs. Hence, where developing states' policies generate nontrivial harms to LDCs, it must be demonstrated that such policies are either necessary responses to existing shortfalls of MDSJ, or else that they are reasonable responses to credible developmental challenges facing the state. To see how this constraint operates in practice, consider China's cotton subsidies. On the surface, these may appear eminently reasonable; China has over 550 million (mostly rural) people living on a monthly income of less than \$145⁸⁷ and, after the introduction of agricultural subsidies, farmers' incomes increased and China's Gini coefficient (a measure of a state's income inequality) began decreasing.⁸⁸ Yet the question is not whether China ought to improve the condition of its rural poor, but whether its cotton subsidies are a justifiable way of doing so. There is little reason to think they are. For one thing, China has other, cheaper means available to it; it could, for instance, relax its household registration rules so as to reduce the disincentives of migration from rural to urban areas;⁸⁹ alternatively, it could send direct transfer payments to farmers⁹⁰—doing so would be cheaper for the state and less damaging to LDCs. Moreover, relying on such subsidies does nothing to help China overcome its remaining structural challenges—such as the middle-income trap, the demographic transition, its low human

86. See fn. 17.

87. Steve Tsang and Olivia Cheung, *The Political Thought of Xi Jinping* (New York: Oxford University Press, 2024), 136.

88. Kyle Anderson, "From Taxing to Subsidizing Farmers in China Post-1978," *China Agricultural Economic Review* 10, no. 1 (2018): 36–47; Naughton, *The Chinese Economy*, 302; Can Wang, Mengzhi Deng, and Junfeng Deng, "Factor Reallocation and Structural Transformation Implications of Grain Subsidies in China," *Journal of Asian Economics* 71, no. 101248 (2020): 1–18.

89. On the household registration, or *hukou* system, see Kroeber, *China's Economy*, 72–74.

90. Anderson, "From Taxing to Subsidizing."

capital—and takes away limited funds which could otherwise be channeled to tackling such challenges. Absent good reasons to think that China's subsidies *are* a reasonable response to some such outstanding challenge,⁹¹ the harm they cause to worse-off LDCs entail that they lack justification.⁹²

VI. CONCLUSION

In the early fifteenth century, Zheng He and his naval fleet undertook a series of expeditions to increase the orbit of China's influence and extend the reach of the Chinese tributary system, establishing maritime control over the Indian Ocean as far as the Arabian Peninsula and East Africa. The expeditions were, as much as anything, expressions of China's grandeur, with Zheng He's largest vessels far surpassing the size of Columbus' ships that sailed to America later that century.⁹³ To observers at the time, it would doubtless have appeared that China was on the cusp of a period of imperial expansion and maritime dominance unrivaled in its history.

Then, all of a sudden, it wasn't. Following the death of the Yongle Emperor, such maritime expeditions fell out of imperial favor—the ships fell into disrepair while China's gaze turned inward away from the high seas, leaving a power vacuum which the European powers would begin to fill several decades later. This episode, this false start, underscores that there is nothing immutable about historical trends. China's rise has been so impressive, over so long a period, that it can be tempting to think it will continue inexorably—such thinking has already led some to prematurely call this “the Chinese century.”⁹⁴ Yet China's development path remains

91. Here, I cannot definitively rule out such a possibility. In any case, what matters for present purposes is to outline the nature of the justification that developing countries must give for policies that appreciably harm much less advantaged states than themselves.

92. Note that much of China's cotton is grown in Xinjiang, the homeland of China's oppressed Uyghur people. Suffice to say that where cotton subsidies are part of China's efforts to undermine or eradicate the culture of the Uyghur, this generates an important additional reason for their removal.

93. John Keay, *China: A History* (London: Harper Press, 2009), 376–88.

94. See e.g., “The Chinese Century.”

fragile, and the road to prosperity is not without peril.⁹⁵ In light of this, we should not require China to prematurely bear the full mantle of duties and obligations that established developed countries with robust capacities to realize a minimally decent standard of justice ought to bear. Doing so understates the moral importance of over a billion Chinese persons' moral claims to secure a decent life, and the vast and potentially grave moral costs of China's failure to consolidate the progress it has made. Yet neither should we ignore the tectonic shifts in the international balance of power that China's rise—and, to a lesser extent, the rise of other large developing countries—has engendered. To properly account for these dual realities, we must retire some of the more simplified framings which we've hitherto adopted when thinking about international distributive justice, in particular the bipartite separation of states into developed and developing states, and the assignment of demanding duties to only the former. In its place I have proposed a tripartite account of states in the international order, which treats states differently in accordance with their capacity to realize a minimally decent standard of justice. Doubtless, one consequence of adopting this tripartite framework is that it complicates the task of theorizing about international justice, not only by increasing the diversity of inter-state relations deemed worthy of extended analysis but also by rendering more complex the notion of state advantage, and by giving detailed country-level analysis an important role in our theorizing. I take it, however, that any additional complexity it generates is not only a price worth paying but a necessary one if the alternative is to overlook questions of increasingly paramount concern within the international order.

95. In its recent Article IV report, the International Monetary Fund recently downgraded China's growth forecast in the medium term from above 5% to below 4%; see IMF, Article IV Staff Report: People's Republic of China, (February 3, 2023), <https://www.imf.org/en/Publications/CR/Issues/2023/02/02/Peoples-Republic-of-China-2022-Article-IV-Consultation-Press-Release-Staff-Report-and-529067>. Other recent projections adopt an even gloomier outlook of around 3%; see Roland Rajah and Robert Walker, "China's Growth Prospects After Zero-Covid," *The Interpreter*, February 8, 2023, <https://www.lowyinstitute.org/the-interpreter/china-s-growth-prospects-after-zero-covid>. Such projections have cast some doubt on what quite recently seemed inevitable: that China would overtake the United States as the world's largest economy; see Mark Williams, "China's 'sorpasso': Will China's Economy Overtake the US?" *Capital Economics*, February 18, 2021, <https://www.capitaleconomics.com/will-china-economy-overcome-us>.

NOTES ON THE CONTRIBUTOR

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