

# JUST WAR AND GLOBAL JUSTICE\*

*Laura Valentini*

*London School of Economics and Political Science*

forthcoming in David Held and Pietro Maffettone (eds), *International Political Theory Today*, (Cambridge: Polity Press, 2016).

## 1. Introduction

The field of international ethics has been growing exceptionally fast in the last three decades. This is especially true of two areas of inquiry: global justice and just war theory. For the most part, though, scholars working in the former area have taken little notice of developments in the latter, and vice versa. Only recently have international ethicists started to explore the possibilities for cross-fertilization between the two. In this chapter, I reflect on this recent trend, and sketch a systematic framework for integrating debates about just war theory and debates about global justice. I suggest that a central concern of just war theory—namely the just cause for war—can only be adequately addressed by appeal to theories of global justice. In making this suggestion, I revisit and elaborate on a valuable insight by Terry Nardin (2006)—i.e., that the justification of coercion might be central to both global justice and the ethics of warfare—the potential of which has been under-appreciated by international ethicists.<sup>1</sup>

---

I am grateful to the participants at the CSSJ seminar (Oxford, May 2011), the workshop on Just War and Global Justice (IAS, Jerusalem, July 2011), the SCAS Fellows' Seminar (Uppsala, Sweden, October 2011), the Harvard University Political Theory Colloquium (March 2012), and the Political Philosophy Seminar Series, Pavia University (April 2012) for discussion. Special thanks go to James Brandt, Emanuela Ceva, Cécile Fabre, Benjamin Hertzberg, Seth Lazar (twice), Alex Leveringhaus, Christian List, Kasper Lippert-Rasmussen, Pietro Maffettone, Andrea Tivig and Lea Ypi for their written comments on an earlier version of this piece. Finally, I thank the Editors of this volume for their comments, assistance and support.

<sup>1</sup> In his piece, to which I am indebted and which has partly inspired my work on this subject, Nardin suggests that designing a general framework for thinking about just war and global justice is an important challenge for political theory, and hypothesizes (drawing on Kant) that focusing on the justifiability of coercion might help us address it. As a first step in building such a framework, Nardin then discusses the ethics of humanitarian intervention. This discussion, though, suggests that Nardin himself has not fully appreciated the implications of his original insight. He argues that humanitarian intervention is grounded in concerns of justice, rather than beneficence. From this, he extrapolates a general duty of justice to protect people from violence. But, he continues, “if states have a duty to intervene when people are being massacred, they might also have a duty to act [coercively] when people are dying of starvation or disease” (2006, 464). Nardin then concludes that “a coercive (tax-based) scheme of global poverty relief might be justified” (2006, 465). The problem with this argument is that it does not show any so-far unappreciated connection between global justice and just war theory. If one's preferred theory of justice says that the current global distribution of entitlements is unjust, then *it follows* that coercion may be rightfully employed to enforce the correct scheme. The idea that people might be taxed for the sake of justice is one most

The chapter proceeds as follows. In Section 2, I sketch the “orthodox” approach to the just cause for war, and contrast it with recently developed cosmopolitan alternatives. In Section 3, I articulate the widely accepted conceptual thesis that principles of justice, in general, set out rightfully enforceable entitlements. In Section 4, I show that this thesis offers a conceptual entry-point for linking debates about the just cause for war to debates about global justice. On the view I sketch, while principles of justice tell us which entitlements are rightfully enforceable in general, just causes for war focus on a subset of such entitlements: those that are in principle enforceable through lethal means. Making this conceptual move explicit allows us holistically to test theories of global justice against accounts of the just cause for war and vice versa, so as to achieve “reflective equilibrium” between the two.<sup>2</sup> In Section 5, I illustrate the substantive and methodological implications of my analysis, by looking at the interplay between just cause for war and three prominent accounts of global justice: cosmopolitanism, statism, and public reason theories. Section 6 concludes.

My argument and its conclusions are limited in four respects. First, my analysis is set against the background of contemporary just war theory, and does not engage with the tradition as a whole.<sup>3</sup> Second, my discussion is exclusively confined to the just cause for war, and sets aside other standards for the justification of armed conflict. Third, my exploration of the relationship between the just cause for war and global justice is premised on a broadly liberal perspective on political morality, according to which political conduct is just if, and only if, it is consistent with the fundamental moral equality of persons (see, e.g., Waldron 1987). Finally, and most importantly, my aim in this chapter is not to defend a substantive view about either the just cause for war or global justice. Rather, my aim is methodological: taking the lead from recent developments in the field of just-war theory, I want to sketch a systematic approach for thinking about just war and global justice together, and highlight how doing so enriches both domains of international ethical concern.

---

theorists of justice already accept. The more interesting point, which I try to develop in this chapter, is not that justice-based entitlements may be rightfully enforced, but that *war itself* (which involves not only the use of coercion, but of *lethal* coercion) can be seen as a species of enforcement of *entitlements*. This, in turn, opens up the possibility for mutual testing between theories of the just war (specifically *jus ad bellum*) and theories of global justice—a possibility Nardin himself does not consider.

<sup>2</sup> On reflective equilibrium see Rawls (1999a, 18 and 43–4).

<sup>3</sup> For an overview of that tradition, see Orend (2008) and Lazar (2013).

## 2. Just Cause for War: Orthodox vs Cosmopolitan Approaches

Let me begin by briefly explaining what I mean by war. War is what Gallie (1955) termed an “essentially contested concept.” The stakes are high when it comes to drawing the conceptual boundaries of “war.” When a conflict acquires the status of a war, particular normative consequences follow—e.g., about the applicable legal and, arguably, moral standards—and this partly explains the concept’s contested nature. To keep things simple, I am going to offer a broad definition of “war,” so as to delimit the scope of my inquiry. I do not claim that this definition is optimal, but simply that it captures a large class of phenomena we would intuitively call “wars.”

**War:** a conflict involving the use of lethal violence on a large scale.

The component parts of this definition should be further elucidated. First, I take wars to be conflicts characterized by the use of lethal violence—it is the use of lethal violence that renders them both particularly tragic, and justificatorily challenging. Second, the definition I have offered is very general, but in what follows, I shall exclusively focus on war as an international phenomenon—e.g., I exclude civil wars—that is, as a conflict involving agents who belong to different states. That said, I remain open about which sorts of agents may be involved in the relevant kinds of conflicts. These need not be exclusively state officials or representatives, but can also be private individuals, or armed groups that do not represent any given political community. Finally, wars involve the international use of force on a large scale. How large is “large enough” for a conflict to count as a war is something on which I again remain agnostic. It is obvious, though, that a conflict involving lethal violence between two nationals of different states would not meet the “large scale” condition; while a conflict involving millions of individuals would. Readers themselves may choose the cut-off point they find most plausible between these two extremes.

Having offered a rough sketch of what I mean by “war,” I now turn to the ethical norms governing it. The ethics of war, or “just war theory,” is divided into three areas: (i) *jus ad bellum*—concerning the principles governing justified *resort* to war; (ii) *jus in bello*—concerning the principles governing the justified *conduct* of war; and (iii) *jus post bellum*—concerning the principles governing just peace-making and reconstruction. In

order for a war to be all-things-considered justified, the principles governing all three areas have to be complied with.<sup>4</sup>

In this chapter, I zoom in on one standard of *jus ad bellum*: the just cause for war. A just cause is a *necessary but not a sufficient condition* for resort to war to be justified. In addition to (a) just cause, the following further standards have to be met: (b) legitimate authority, (c) last resort, (d) right intentions, (e) proportionality, and (f) likelihood of success.<sup>5</sup> To say that a war has a just cause, then, is to simply rule out one possible ground for the impermissibility of resorting to it; it is far from positively establishing that resort to war is, in any given circumstance, justified. Readers should bear this in mind as my discussion proceeds. In particular, they should not be tempted to draw overall conclusions about the justification of any given war solely based my reflections about the just cause. Given the limited role played by the just-cause condition in this process of justification, overall conclusions are necessarily unwarranted.

So, when is there a just cause for war? On what is sometimes termed the “orthodox” view—most prominently defended by philosopher Michael Walzer (1977), and generally accepted in contemporary just-war practice—war has a just cause only when it is a response to *aggression* (Fisher 2011, 68–71). On this view, depending on who the target of aggression is, wars with a just cause may be fought:

- in national defence—i.e., the target is the particular state fighting a war;
- in defence of a third-party state—i.e., the target of aggression is a different political community, or
- with humanitarian aims—i.e., the targets of aggression are civilians brutalized by their own government.<sup>6</sup>

Differently put, on the orthodox view, resort to large-scale lethal force at the international level has a just cause only when it is used in defence of the “bodily integrity” either of individuals—as in the case of humanitarian intervention—or of entire political communities, understood as collective agents—as in the case of wars of national defence.

---

<sup>4</sup> The extent to which principles of *jus post bellum* should contribute to the all-things-considered justification of a war (as opposed to the justification of what occurs after a war) is a matter of debate.

<sup>5</sup> See Coates (1997), Orend (2008) and Caney (2005, chap. 6). What I have offered is only one prominent formulation of the further *ad bellum* conditions. Other formulations are also available in the literature.

<sup>6</sup> As Seth Lazar has pointed out to me, the inclusion of humanitarian interventions under “wars that respond to aggression” is unusual. I am aware of this, but I think considerations of parsimony—at least in the present context—justify the inclusion of humanitarian wars within this broader category.

The intuition behind this aggression-centered perspective is, roughly, that in the same way in which an innocent person may rightfully use lethal force to defend herself or another innocent person from a culpable assailant, so too political communities are permitted to defend themselves, and others, from violent aggression.<sup>7</sup>

This “aggression-centered” view is intuitively plausible, and informs much contemporary just-war practice; yet it has not gone unchallenged. Especially—but not exclusively—in recent years, just-war theorists of a broadly *cosmopolitan* disposition have started to question the conviction that aggression is the only admissible just cause for war (e.g., Beitz 1979; Luban 1980; McMahan 2005; Fabre 2012). Two observations appear to motivate this development. First, while aggression of course jeopardizes very important rights—from the physical security of individuals, to the “bodily integrity” of collective agents—these are not the *only* rights worth defending through lethal means. For instance, as natural-law theorists such as Hugo Grotius (1625) and Emer De Vattel (1758) had already remarked, rights to subsistence (or “of necessity”), i.e., to access the material resources necessary to lead a minimally decent life, might also be defended by means of violence (see also S. Miller 2007).

Second, the aggression-centered paradigm is excessively collectivist, and clashes with the commitments of a normative individualist political morality. In particular, from a normative individualist perspective, it appears to both over-generate and under-generate just causes for war. Over-generation occurs when violations of the “bodily integrity” of a state do not put into question the fundamental rights of individuals. For instance, the occupation and annexation of an uninhabited, resource-less piece of territory belonging to “state A” would be an act of aggression and, on the orthodox paradigm, constitute a just cause for war. Yet its impact on the rights of individual members of “state A” appears too minimal to justify resort to lethal force in response (cf. Fabre 2012, chap. 2; Rodin 2002). Under-generation occurs insofar as internally legitimate states are treated as automatically entitled to their territory and resources, in the way we typically think of human beings as “automatically” owners of their bodies. But this assumption is morally dubious, especially from a cosmopolitan perspective. In a deeply unequal world, some of the resources possessed by wealthy states, cosmopolitans insist, “morally” belong to the global poor. This has led some cosmopolitan theorists to suggest—in stark contrast to the orthodox

---

<sup>7</sup> Cf. Walzer’s (1977, 58) treatment of what he calls “the domestic analogy.” For a discussion and critique of the extent to which war can be seen as an act of collective self-defence analogous to individual self-defence see Rodin (2002).

paradigm—that culpably bringing about severe poverty and/or failing to remedy it constitute just causes for war (see, e.g., Fabre 2012, 103; Luban 1980; Lippert-Rasmussen 2013; Øverland 2013).<sup>8</sup>

This is only a rough (and incomplete) “snapshot” of current thinking about the just cause for war, and specifically of the division between cosmopolitan and orthodox approaches to the topic. In what follows, I do not wish to evaluate the substantive merits of either of these approaches. Instead, I want to unearth the broader conceptual connections between just-war theory and theories of global justice that implicitly underpin them—connections that only cosmopolitan theorists have recently started to explore, and which have far-reaching consequences, beyond cosmopolitan theorizing. Once those connections have been brought to the surface, it will become possible *systematically* to examine the implications of different approaches to global justice for the just cause for war, and vice versa.

### **3. (Global) Justice and Rightful Enforceability**

To appreciate how theories of (global) justice might systematically feed into an account of the just cause for war, we need to gain a firmer grip on the nature of justice as a special type of moral concern for political philosophy.

As is well known, principles of justice differ from other types of moral principles in that they determine persons’ *rights*: they tell us who is entitled to what. The claim that I have a duty of justice to X implies that there is some other agent (or group of agents) who has a right to my X-ing. Duties of justice are correlative to rights and therefore *owed* to others. Other duties, by contrast, lack this structure. Take, for instance, duties of charity to help the needy: although their performance is required, they are not correlative to rights, and therefore not *owed* to particular others (Buchanan 1987; Barry 1991; Valentini 2013b).

The conceptual space occupied by rights is still broader than that occupied by the justice-claims *central to political philosophy*. The latter pick out only a subset of rights, namely those that are *enforceable*, by which I mean “rightfully enforceable”—in principle enforceable as a matter of right (Nardin 2004; Kant 1999/1797; Miller 2007, 261; Pogge

---

<sup>8</sup> Other cosmopolitan treatments of just war can be found in Caney (2005) and Moellendorf (2002).

2006; O'Neill 1996; Valentini 2013).<sup>9</sup> For instance, promises give rise to rights, yet we do not typically think that they may be rightfully enforced by the state or other agents. To that extent, promise-generated rights may be a matter of “interpersonal justice,” but not a matter of justice in the sense relevant to political philosophy. In what follows, I will use the notion of justice in the narrower, political sense.

To see the connection between justice and rightful enforceability, take the two most prominent contemporary theories of *domestic justice*: Rawls's liberal egalitarianism and Nozick's libertarianism. According to Rawls's (1999a) theory, a society is just if, and only if, its citizens have equal basic liberties, fair equality of opportunity, and economic inequalities are to the greatest absolute benefit of the worst off. These principles set out citizens' entitlements, entitlements that may be rightfully enforced by the state.<sup>10</sup> Nozick (1974), by contrast, holds that, provided entitlements have the right historical pedigree, a just society is compatible with significant levels of inequality. To be sure, such an unequal society, although just, would not be morally optimal. Libertarians like Nozick therefore acknowledge the existence of duties of charity to help the destitute. Such duties, however, are not correlative to rights and may not be rightfully enforced by the state or any other agent. In sum, despite their substantive differences, both Rawls and Nozick hold that principles of justice are distinctive insofar as they ground rightfully enforceable entitlements.

While the enforceability-aspect of justice is explicit in discussions concerning the domestic realm, it is not equally prominent in discussions about global justice—i.e., about what rightfully enforceable entitlements exist beyond borders—probably due to the lack of effective enforcement mechanisms at the global level.<sup>11</sup> But the enforceability of global justice is often implicitly alluded to in the literature, for instance by those who advance proposals for global tax-based redistributive schemes (Pogge 2008, chap. 8). If the demands of global justice were not enforceable, taxation would not be a legitimate means of fulfilling them.

---

<sup>9</sup> There may be circumstances in which certain in-principle enforceable entitlements are not ‘effectively enforceable’ due to the lack of well-functioning enforcement mechanisms. In such circumstances, the said entitlements would still count as rightfully enforceable, despite not being *de facto* enforceable.

<sup>10</sup> Indeed, on Rawls's account, principles of justice place moral demands (duties) on state, or state-like institutions; what he calls the “basic structure” of society.

<sup>11</sup> One exception is Nagel (2005)—although the role that enforcement plays in his view is not entirely clear. That is, it is not clear whether Nagel thinks of enforcement as instrumental to justice, as a ground of justice, or (as I suggest here) as something that can be rightfully done in relation to duties of justice.

More generally, if the “justice” in “global justice” refers to the same type of moral concern as the “justice” in “domestic justice”—which is what participants in the debate on global justice imply—rightful enforceability must be one of its defining features. (Of course, which entitlements may be rightfully enforced through *lethal* means is a further question, which will be discussed below.) The contemporary debate on global justice—involving disagreements between statist, cosmopolitan, nationalist, internationalist and so forth—is thus best understood as a debate concerning people’s rightfully enforceable entitlements beyond the state (for an overview see Valentini 2011). In sum, it appears plausible to stipulate that justice, whether domestic or global, always concerns rightfully enforceable entitlements. This conceptual stipulation, in turn, gives us a basis for drawing a systematic connection between the just cause for war and theories of global justice. I elaborate on this conceptual connection in the next section.

#### **4. Global Justice and the Just Cause for War: A Framework**

War involves the use of lethal force at the international level. The use of force, in general, is *in principle* rightful when utilized to protect our justice-based entitlements. What, then, might constitute a just cause for war? The obvious answer seems to be: The protection of our fundamental (by which I mean “most important”) entitlements. In turn, what our fundamental entitlements are, at the international or global level, depends on the particular theory of global justice we subscribe to. Once the connection between justice and rightful enforceability is established, we can see the just cause criterion as focusing on rights so important that they may *in principle* be rightfully enforced through lethal means (though, as explained earlier, whether their enforcement via war is actually justified in any given instance depends on its fulfilling further just-war criteria).<sup>12</sup>

Thinking of the just cause for war as a *special case* of the general question of global justice—as I am suggesting here—has three distinctive, and related, theoretical advantages. First, in line with Nardin’s original suggestion, it allows us to see our thinking

---

<sup>12</sup> This conclusion somewhat echoes a view set out by Rodin (2002, chap. 8). Rodin first exposes the deficiencies of the “domestic analogy” between war and individual self-defence, and then goes on to suggest that war is best understood as a form of punishment or law-enforcement. For Rodin, though, war so conceived could only be legitimate in the presence of a global sovereign with the right to lay down international law and enforce it. The view I am sketching here differs from Rodin’s in two respects. First, I am establishing a connection between war and *justice*-enforcement rather than war and *law*-enforcement. Second, and relatedly, on the general schema I offer, the moral permissibility of war does not depend on the existence of a global state.



about justice in the international realm as being more coherent, parsimonious and well-integrated than it is usually perceived to be (Nardin 2006, 454).<sup>13</sup>

Second, it allows us to put greater discipline on appeals to justice at the global level. The notion of justice is in fact often invoked in discussions about international ethics, mostly because of its rhetorical power. However, the implications of using the language of justice are seldom taken seriously. The conceptualization presented here systematically accounts for the key role played by justice in political philosophy. Matters of justice are of special importance insofar as they concern *rights*, and not just *any* kind of rights, but specifically those rights that may be rightfully enforced. This means that every time we hear the claim “X is a matter of justice,” to evaluate its tenability, we need to ask ourselves whether it is plausible to think that: (i) someone is entitled to X and, if so, (ii) whether the entitlement to X may be rightfully enforced under suitable circumstances. Moreover, whenever a particular object X is given the status of a “fundamental demand of justice,” we need to ask ourselves whether its defence could ever plausibly count as a just cause for the use of lethal force, including war. If our answer is negative, then X’s status as a *fundamental* demand of justice will have to be questioned.

This leads me to the third virtue of the unified approach proposed here. At a deeper level, the approach has the methodological advantage of allowing us to test our views about just war theory against our views about global justice, and vice versa. Most contemporary political philosophers agree that a good theory of justice should be one in which our considered judgments about specific cases stand in “reflective equilibrium” with the principles advocated. The more the theory allows us to account for, and to illuminate, our considered judgments, the better the theory. Moreover, the more considered judgments the theory encompasses, the more reliable the theory is. As John Rawls and subsequently Norman Daniels have pointed out, we should aspire to achieve “wide” reflective equilibrium, reaching consistency in our judgments across a broad range of interconnected issue-areas (Daniels 2013). The view presented here helps us widen reflective equilibrium across the issue areas of just war and of global justice. Theories of global justice will have to stand in reflective equilibrium with judgments about the just cause for war, and approaches to the just cause will need to stand in reflective equilibrium with judgments about global justice (i.e., about people’s and communities’ enforceable entitlements at the global level). This is precisely one of the most advantageous

---

<sup>13</sup> See also note 1 [production, please check] of the present piece for further clarification of the relationship between this piece and Nardin’s.

methodological underpinnings of the recent cosmopolitan turn in just-war thinking. But what cosmopolitans have done—once the conceptual basis for their approach has become transparent—other theorists of global justice can do too.

In fact, *if* the conceptual connection between justice and rightful enforceability is tenable, this is not just what other global-justice theorists can do, it is what they *should* do. A good theory of the just war (of which the just cause for war is a key component) cannot be developed independently of a theory of global justice, and vice versa. If our theory of the just war presupposes an account of global entitlements that strikes us as implausible, we need to revise it. Similarly, if our theory of global justice establishes entitlements the defence of which has implausible implications for the just war, we have reason to revise it.

In the next section, I give some concrete examples of how theorizing about global justice and about the just war might benefit from this mutual testing. My aim is not to argue for any specific *conception* of the just cause for war or of global justice, but to illustrate the implications of the approach sketched here.

## **5. Just War and Global Justice: Reaching Equilibrium**

From the perspective of this approach, a war has a just cause if and only if it is aimed at protecting fundamental entitlements at the international level. This means that whether defence against aggression is a valid ground for waging war depends on the particular outlook on global justice one subscribes to. The aggression-centered model of the just cause is not to be seen as fundamental to the ethics of war—as it has been until recently—but is instead a by-product of a particular account of international justice. In what follows, I illustrate this point with a few examples, drawing on three distinct accounts of international justice: statism, cosmopolitanism (relational and non-relational<sup>14</sup>) and public-reason views. Let me again emphasize that these examples exclusively focus on the *just cause* requirement, which is a *necessary but not a sufficient* condition for justly resorting to war.

Consider, first, the account of the just cause dominant in contemporary international practice, according to which any de facto recognized sovereign state may justly fight a war of national defence. If we adopt the “integrated approach,” we must conclude that this account surreptitiously presupposes a particular outlook on global justice. On this outlook, de facto sovereign states are entitled to the resources they

---

<sup>14</sup> For this distinction see Sangiovanni (2007, 5–6).

possess, including the land on which they exist, and may therefore *in principle* rightfully fight in order to protect them. From this perspective, no matter how unequal the distribution of relevant resources between states, no matter whether such unequal distribution prevents some states from building well-functioning communities, attacks on the status quo give rise to just causes for war.<sup>15</sup> That is, any de facto state whose territorial integrity and resource-possession is threatened by a violent attack has a just cause for protecting itself through equally violent means.

Problematically, this view is status-quo biased, and certainly incompatible with a recognizably liberal political morality. It is thus no surprise that even the most “conservative” liberal outlook on international justice, namely *statism*, holds that international justice requires *both* (i) respect for the sovereignty of *legitimate* (peaceful and human-rights respecting) states *and* (ii) assistance towards *needy* societies (e.g., Rawls 1999b; Blake 2001). The duty of assistance, in particular, implies that, whenever a society is “burdened by unfavourable conditions,” and others can help without too much sacrifice, they have an enforceable duty of justice to do so (Rawls 1999b).<sup>16</sup>

International assistance, understood as an enforceable requirement of justice, appears to make a lot of sense from a liberal perspective, until we consider its implications for the ethics of war. If the integrated approach withstands scrutiny, and the principle of assistance sets out fundamental rights, then destitution—*no matter what causes it*—counts as a just cause for war whenever there are others who could end it at moderate cost. Bluntly put, on this picture, if you fail to help the poor and could do so without too much sacrifice, the poor have a just cause to wage war against you.<sup>17</sup> By moving away from the conservative outlook on justice underpinning aggression-based accounts of the just cause, statisticians inadvertently end up with a highly revisionary account of jus ad bellum itself, one they would probably not be happy to endorse.

---

<sup>15</sup> For a sustained critique of this approach see Rodin (2002), and Luban (1980).

<sup>16</sup> In Nagel’s (2005) case, unlike *arguably* in the case of Rawls (1999b), duties of assistance do not count as duties of justice but as duties of charity/humanity. Interpreters of Rawls (1999b) disagree about whether his “duty of assistance” is a duty of justice or one of charity. Pogge (2004) in particular has suggested that it is best understood as a duty of charity, while advocates of Rawls have insisted that it should be considered a duty of justice. For an overview see Brock (2009, chap. 2). In *this* chapter, I assume the latter interpretation, which also seems to apply in the case of Blake (2001). Miller (2007, chap. 9) offers a qualified version of the duty of assistance, according to which a state in need is entitled to assistance, *so long as it is not responsible for its neediness*, and there are other states which could offer assistance at reasonable costs. For a discussion of the demandingness of Rawls’s duty of assistance see Maffettone (2013).

<sup>17</sup> Again, from this it does not follow that they would be all-things-considered justified in doing so; this conclusion could only hold if the other just-war criteria were met in the case at hand—and they probably would not (consider, e.g., “last resort” and “likelihood of success”).

Note that I am not making an exegetical claim about what statist *actually* think. In fact, I am reasonably certain that they would vocally resist the conclusion I am pressing onto them; and understandably so. My point is that, in order to resist that conclusion, they have to deny that the duty of assistance is a *duty of justice correlative to a fundamental right*. Given the importance of the interests protected by that duty, denying the fundamental nature of the corresponding right might be rather tricky. It would perhaps be easier to deny its character as an enforceable duty of justice, and “turn it” into one of charity or beneficence. Doing so, however, would also come at a cost: namely leaving the global poor at the mercy of the good will of the world’s privileged. In sum, tested against its implications for the just cause for war, statism—as an approach to global justice—might need some revision.<sup>18</sup>

Let us look at how another perspective on global justice, namely *relational cosmopolitanism*, fares with respect to its implications for the just cause. Relational cosmopolitans hold that duties of socio-economic justice only apply between those who routinely interact with each other, thereby mutually shaping and constraining their life contexts (e.g., Beitz 1999; Pogge 1989; Moellendorf 2002). For relational cosmopolitans, the fact that certain societies and their inhabitants are burdened by unfavourable conditions triggers concerns of international/global justice only when such conditions can be at least partly traced to the agency of outsiders.<sup>19</sup> A particularly influential version of this view is offered by Thomas Pogge (2008).

Pogge argues that the inhabitants of wealthy countries, and their governments, support a global institutional structure that *causes* other societies to be unable to protect their citizens’ basic rights. In fact, Pogge goes so far as to assert that the global order, supported mostly by the wealthy of the west, *foreseeably and avoidably* causes millions of people to die from poverty and destitution every year. It is because of this causal/moral link, Pogge argues, that the poor’s predicament may be appropriately regarded as an injustice. This is why the wealthy may be said to *owe* the poor (i) a better-designed global

---

<sup>18</sup> Though, of course, I am not excluding that some might want to just bite the bullet, and radically expand our understanding of what counts as a just cause for war; or altogether reject the integrated approach sketched here.

<sup>19</sup> In the case of relational cosmopolitans, the expression “burdened” by unfavourable conditions can be given more or less expansive readings. On one reading, being burdened means being affected by absolute deprivation. On the other, being burdened means being comparatively disadvantaged, even when one is not deprived in absolute terms. While, for relational cosmopolitans, both types of “burdened conditions” raise concerns of justice (provided the right social relations are in place), only the former, involving absolute deprivation preventing individuals from leading minimally decent lives, might rightfully invite war as a response.

institutional structure, allowing them to build well-functioning societies, and (ii) compensation for the harms imposed on them.

*If* Pogge were right, given the gravity of the injustice at stake, burdened societies and their inhabitants would have a *just cause* for war against the wealthy as a means of enforcing those basic entitlements the wealthy are violating (again, let me emphasize that, a just cause would not suffice to render such a war justified). However, unlike in the case of statist assistance, their potential act of violence could be more easily reconciled with the “aggression-centered” paradigm central to contemporary *jus ad bellum*. There is a sense in which, by (allegedly) supporting deeply unjust institutions, the wealthy are “attacking” the poor, preventing them from building, and living in, decent states. In other words, the agency of the wealthy is so deeply involved in the predicament of the poor, that we can construe a hypothetical war of the latter against the former as a non-paradigmatic instance of defence against aggression (Lippert-Rasmussen 2013; for a response see Pogge 2013; for discussion see Räikkä 2014; see also Fabre 2012, chap. 3; Øverland 2013; 2014). Once again, let me emphasize that I am not making an exegetical claim about what Pogge, or relational cosmopolitans more generally, are committed to. Indeed, Pogge (2013) himself strongly insists that he is *not* committed to the conclusion I am envisaging. All I am saying is that *if* we look at relational cosmopolitan theories of global justice from the perspective of the proposed integrated approach, we obtain a particular account of the just cause. This account, in turn, can help us reconcile a liberal commitment to normative individualism in thinking about justice, with the strong (independent) conviction that lethal force at the international level may primarily be used in response to aggression—though, as we have seen, the notions of aggression, and defence against aggression, will have to be broadened here, so as to include some non-paradigmatic instances.

This is only one of the possible outcomes delivered by the mutual testing (between considered judgements about *jus ad bellum* and global justice) I am proposing. Other outcomes are also possible, for instance if we start from non-relational cosmopolitan premises. For *non-relational cosmopolitans*, the egalitarian principles of justice that liberals defend in the domestic arena should apply globally, independently of the existence of particular types of relations across the world’s population (Caney 2005; arguably Tan 2004). Specifically, for many non-relational cosmopolitans, justice demands that nobody in the world should be worse off through no fault of his/her own (cf. Temkin 1993, 17). If remediable luck-based inequalities exist *and* prevent the disadvantaged from leading minimally decent lives, on the integrated approach, it would follow that lethal force could

*in principle* be rightfully employed to redress this injustice. Imagine a society hit by a natural catastrophe, whose inhabitants consequently find themselves poor and destitute. To the extent that other, more prosperous societies refuse to assist the disaster-stricken one, its inhabitants would have a just cause to use lethal force to appropriate the resources they need for their own survival (Luban 1980, 177–8).

Non-relational cosmopolitans might variously respond to the just-war implications of their view, under the integrated approach. Some might bite the bullet and simply accept that their account of justice requires a radical revision of the just-cause requirement. National and other-defence are not the only just causes for war; on the revisionary picture, redistribution and subsistence are too. Indeed, this is precisely what the cosmopolitan theorists I have mentioned at the outset conclude (most prominently Luban 1980; Fabre 2012, chap. 3). Others might instead feel uncomfortable with such an expansion of the just-cause condition and revise their preferred account of justice in either of two ways. One option consists in switching to relational cosmopolitanism which, as we saw earlier, can arguably more comfortably accommodate both a commitment to normative individualism and a plausible (not too revisionary) account of the just cause for war. The other option consists in modifying the status of non-relational principles of justice. Although this move has not been explicitly made in the debate on global justice, it is a relatively familiar one in the debate on domestic justice, and I illustrate it in what follows.

Faced with the somewhat counter-intuitive implications of their views, proponents of so-called luck-egalitarianism—which we can treat as a domestic analogue of non-relational cosmopolitanism—have often responded that their preferred distributive principles are in fact only one ingredient in an overall account of enforceable rights-based morality, i.e., what I here call justice (Cohen 2003; Cohen 2008; Arneson 2000). The principle that nobody should suffer disadvantages through no fault of her own can be factored into an account of justice in at least two ways.

First, it can be said that such a principle needs to be balanced with other principles, including principles of assistance, of efficiency and so forth. Once all of the relevant moral considerations have been taken into account (in conjunction with empirical facts), we can devise what G.A. Cohen (2003) famously called “rules of regulation,” namely moral norms which should govern society and be enforced by the state. But if justice is, as I have argued, rightfully enforceable morality, then such rules of regulation *are* more aptly termed rules of justice. If non-relational cosmopolitans follow this strategy, they need no longer worry about the implications of their preferred account of justice for the theory of

the just war because what they offer is *not* an account of justice, but only one component of such an account. To that extent, it is unclear what non-relational cosmopolitanism implies for our enforceable entitlements and, consequently, for the theory of the just war and, crucially, *of global justice*.

The second way in which the luck-egalitarian principle underpinning several versions of non-relational cosmopolitanism might be incorporated into a broader account of justice moves us in the direction of what I would term “public-reason theories.” For public-reason theories, the demands of justice should be established “omnilaterally,” rather than unilaterally.<sup>20</sup> Within any specific domain of human interaction—the international domain in our case—people reasonably disagree about what justice demands. When reasonable disagreements occur, the morally correct way of determining people’s entitlements, public-reason theorists suggest, is *procedural*: first by identifying the areas of overlap between different reasonable views, and then by filling remaining gaps through impartial (usually democratic) decision-making. Since there exists no global democratic state, a public-reason view of global justice will only be able to proclaim as valid those rights which lie in the area of overlap between different reasonable views about global justice—where “reasonable” is understood (broadly) in terms of consistency with normative individualism.

Following this strategy, the luck-egalitarian (or non-relational cosmopolitan) can simply treat her view as one admissible input to a fair decision-making procedure the output of which will determine people’s enforceable rights. From this perspective, non-relational cosmopolitanism would again not operate at the level of defining what counts as enforceable morality, and would thus have no direct consequences for the theory of the just war.

Whether non-relational cosmopolitans would be happy to endorse either of the two solutions I have described is an open question. Both reduce the significance of non-relational cosmopolitan principles in a way that seems at odds with the self-image of their proponents. However, if non-relational cosmopolitans do feel uncomfortable with the just-war implications of their views under my proposed integrated approach, they may have no choice but to scale-down their project in the ways I have suggested.

---

<sup>20</sup> The inspiration for this type of view can be most readily traced to Kant’s (1799/1797) political writings. For contemporary versions of this view see Christiano (2008) and Rawls (1999b). It is a matter of controversy whether Rawls’s preferred version of international public reason is genuinely liberal, insofar as it recognizes the legitimacy of hierarchically organized societies. For a critique of Rawls see Tan (1998).

To sum up, in this section, I have illustrated how thinking about just war theory (specifically, the just cause for war) and global justice together opens up further lines of argument in both fields, and allows us holistically to test our views about the former against our views about the latter, and vice versa. So far, only some cosmopolitan theorists have started systematically to work out the implications of a cosmopolitan moral outlook for the ethics of war. But the same can be done in relation to other approaches to global justice, and the direction of argument need not exclusively be “from global justice to the just cause for war.” The opposite direction is also viable (as, indeed, the method of reflective equilibrium prescribes): we may want to modify our approach to global justice if this turns out to have excessively counter-intuitive implications for the ethics of war. Although such mutual testing is likely to lend greater plausibility to certain views about global justice rather than others, my main aim has not been to defend any particular substantive account of our global entitlements or of the just cause for war. Instead, I have endeavoured to illustrate the methodological advantages, and potentially radical substantive implications, of thinking about the two together.

## 6. Conclusion

In this chapter, taking the lead from Terry Nardin’s insight, and reflecting on recent cosmopolitan approaches to the ethics of war, I have tried to unearth the conceptual connections between theories of global justice and theories of the just war. I have suggested that, while theories of global justice establish rightfully enforceable entitlements at the global level, theories of the just war concern the justified use of *lethal* force to secure entitlements across national borders.<sup>21</sup> This understanding of justice and the ethics of war not only unifies our thinking about justice in the international realm, but also allows us to test our ideas about the just war and international justice against one another.

That said, I should again emphasize the limits of my inquiry. As I anticipated at the outset, my focus here has been specifically (and somewhat artificially) on global justice and the *just cause for war* only. This means that my conclusions are both partial and provisional, and need to be supplemented with an analysis of global justice in connection with other criteria of *jus ad bellum*, *jus in bello* and *jus post bellum*. Most importantly, whatever we think about the just cause for war, we should remember that

---

<sup>21</sup> Recall that I have explicitly focused on wars as international phenomena (while also acknowledging, of course, the existence of domestic wars, such as civil wars).



having a just cause is a necessary, but not a sufficient condition for justifiably resorting to war. The demands of likelihood of success and last resort also have to be satisfied—among others. Once we bear this in mind, it becomes clear that hardly any “global-justice” war would be permissible in the world today. Still, reflecting on the connection between global justice and just causes for war has advantages. In particular, it allows us fully to appreciate the gravity of certain injustices, as well as the urgency of remedying them—even if it leads us to rule war out as the “all things considered” appropriate remedy.

Finally, in the present piece, I have not considered whether there are compelling reasons for keeping just war and global justice separate, and specifically to treat war as “special” and discontinuous with our political-moral thinking more generally. If those reasons exist, they will need to be compared to, and balanced against, the advantages of thinking about just war and global justice together. Here, I have only looked at “one side” of the balance.

## References

- Arneson, Richard J. 2000. “Luck Egalitarianism and Prioritarianism.” *Ethics* 110 (2): 339–49.
- Barry, Brian. 1991. “Humanity and Justice in Global Perspective.” In *Liberty and Justice: Essays in Political Theory* 2, 182–210. Oxford: Clarendon Press.
- Beitz, Charles R. 1979. “Bounded Morality: Justice and the State in World Politics.” *International Organization* 33 (03): 405–24.
- Beitz, Charles R. 1999. *Political Theory and International Relations*. Princeton, N.J.: Princeton University Press.
- Blake, Michael. 2001. “Distributive Justice, State Coercion, and Autonomy.” *Philosophy & Public Affairs* 30 (3): 257–96.
- Brock, Gillian. 2009. *Global Justice: A Cosmopolitan Account*. Oxford: Oxford University Press.
- Buchanan, Allen. 1987. “Justice and Charity.” *Ethics* 97 (3): 558–75.
- Caney, Simon. 2005. *Justice beyond Borders*. Oxford: Oxford University Press.
- Christiano, Thomas. 2008. *The Constitution of Equality: Democratic Authority and Its Limits*. Oxford: Oxford University Press.
- Coates, A. J. 1997. *The Ethics of War*. Manchester, U.K. ; New York : New York: Manchester University Press.
- Cohen, G. A. 2003. “Facts and Principles.” *Philosophy & Public Affairs* 31 (3): 211–45.
- . 2008. *Rescuing Justice and Equality*. Cambridge, MA: Harvard University Press.
- Daniels, Norman. 2013. “Reflective Equilibrium.” In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Winter 2013. <http://plato.stanford.edu/archives/win2013/entries/reflective-equilibrium/>.
- De Vattel, Emer. 1758. *The Law of Nations*.
- Fabre, Cécile. 2012. *Cosmopolitan War*. Oxford: Oxford University Press.
- Fisher, David. 2011. *Morality and War: Can War Be Just in the Twenty-First Century?*. Oxford, United Kingdom: OUP Oxford.

- Gallie, W. B. 1955. "Essentially Contested Concepts." *Proceedings of the Aristotelian Society* 56 (1): 167–98.
- Grotius, Hugo. 1625. *On the Law of War and Peace*.
- Kant, Immanuel. 1999/1797. *Metaphysical Elements of Justice: Part I of The Metaphysics of Morals*. Translated by John Ladd. Indianapolis: Hackett Publishing.
- Lazar, Seth. 2013. "War." In *The International Encyclopedia of Ethics*, edited by Hugh LaFollette, 5379–93. Oxford: Blackwell.
- Lippert-Rasmussen, Kasper. 2013. "Global Injustice and Redistributive Wars." *Law, Ethics and Philosophy* 1 (1): 65–86.
- Luban, David. 1980. "Just War and Human Rights." *Philosophy & Public Affairs* 9 (2): 160–81.
- Maffettone, Pietro. 2013. "The Coherence and Defensibility of Rawls' Law of Peoples." Phd, The London School of Economics and Political Science (LSE). <http://etheses.lse.ac.uk/705/>.
- McMahan, Jeff. 2005. "Just Cause for War." *Ethics and International Affairs* 19 (3): 1–21.
- Miller, David. 2007. *National Responsibility and Global Justice*. Oxford: Oxford University Press.
- Miller, Seumas. 2007. "Civilian Immunity, Forcing the Choice, and Collective Responsibility." In *Civilian Immunity in War*, edited by Igor Primoratz, 113–35. Oxford: Oxford University Press.
- Moellendorf, Darrel. 2002. *Cosmopolitan Justice*. Boulder, Colo.: Westview Press.
- Nagel, Thomas. 2005. "The Problem of Global Justice." *Philosophy & Public Affairs* 33 (2): 113–47.
- Nardin, Terry. 2004. "Justice and Coercion." In *International Society and Its Critics*, edited by Alex J. Bellamy, 247–64. Oxford: Oxford University Press.
- . 2006. "International Political Theory and the Question of Justice." *International Affairs* 82 (3): 449–65.
- Nozick, Robert. 1974. *Anarchy, State, and Utopia*. New York: Basic Books.
- O'Neill, Onora. 1996. *Towards Justice and Virtue: A Constructive Account of Practical Reasoning*. Cambridge: Cambridge University Press.
- Orend, Brian. 2008. "War." In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Fall 2008. <http://plato.stanford.edu/archives/fall2008/entries/war/>.
- Øverland, Gerhard. 2013. "602 and One Dead: On Contribution to Global Poverty and Liability to Defensive Force." *European Journal of Philosophy* 21 (2): 279–99.
- . 2014. "Global Poverty and an Extraordinary Humanitarian Intervention." In *New Waves in Global Justice*, edited by Thom Brooks. Basingstoke, Hampshire, UK: Palgrave Macmillan.
- Pogge, Thomas. 1989. *Realizing Rawls*. Ithaca: Cornell University Press.
- . 2004. "'Assisting' the Global Poor." In *The Ethics of Assistance: Morality and the Distant Needy*, edited by Deen K. Chatterjee, 260–88. Cambridge: Cambridge University Press.
- . 2006. "Justice." In *Encyclopedia of Philosophy*, edited by Donald M. Borchert, 2nd ed., 4:862–70. Farmington Hills, MI: Macmillan Reference.
- . 2008. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge: Polity.
- . 2013. "Poverty and Violence." *Law, Ethics and Philosophy* 1 (1): 88–111.
- Räikkä, Juha. 2014. "Redistributive Wars and Just War Principles." *Ratio.Ru* 12: 4–26.
- Rawls, John. 1999a. *A Theory of Justice*. Oxford: Oxford University Press.

- . 1999b. *The Law of Peoples: With “The Idea of Public Reason Revisited.”* Cambridge, MA: Harvard University Press.
- Rodin, David. 2002. *War and Self-Defense*. Oxford: Clarendon Press.
- Sangiovanni, Andrea. 2007. “Global Justice, Reciprocity, and the State.” *Philosophy & Public Affairs* 35 (1): 3–39.
- Tan, Kok-Chor. 1998. “Liberal Toleration in Rawls’s Law of Peoples.” *Ethics* 108 (2): 276–95.
- . 2004. *Justice without Borders: Cosmopolitanism, Nationalism, and Patriotism*. New York: Cambridge University Press.
- Temkin, Larry S. 1993. *Inequality*. New York: Oxford University Press.
- Valentini, Laura. 2011. *Justice in a Globalized World: A Normative Framework*. Oxford: Oxford University Press.
- . 2013a. “Cosmopolitan Justice and Rightful Enforceability.” In *Cosmopolitanism versus Non-Cosmopolitanism: Critiques, Defenses, Reconceptualizations*, edited by Gillian Brock, 92–110. New York: Oxford University Press.
- . 2013b. “Justice, Charity, and Disaster Relief: What, If Anything, Is Owed to Haiti, Japan and New Zealand?” *American Journal of Political Science* 57 (2): 491–503.
- Waldron, Jeremy. 1987. “Theoretical Foundations of Liberalism.” *The Philosophical Quarterly* 37 (147): 127–50.
- Walzer, Michael. 1977. *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. New York: Basic Books.