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ABSTRACT

Cosmopolitanism – the view that moral concern, and consequently moral duties, are not limited by borders – seems to justify colonialism with a ‘civilizing’ mission, because it supports the enforcement of moral norms universally, with no distinctions between territories, and settler colonialism, because it promotes ideas like common ownership of the Earth and open borders. I argue that existing attempts to defend cosmopolitanism from this worry fail, and that instead the cosmopolitan should embrace a cosmopolitan instrumentalist defence. According to cosmopolitan instrumentalism, colonialism is wrong (when it is wrong) for instrumental reasons: it has all sorts of terrible effects. There is nothing *per se* wrong with colonialism itself, so cosmopolitanism need not worry about licencing it in principle. There is much that is wrong with colonialism in practice, so cosmopolitanism can easily condemn colonialism as egregiously wrong, although it cannot condemn it as *per se* or necessarily wrong.

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Introduction

Cosmopolitanism – the view that moral concern, and consequently moral duties, are not limited by borders – is an admirable ideal, so much so that according to some understandings of cosmopolitanism it is hard to see how it could be rejected (Blake 2013). But there is a deep worry attached to the cosmopolitan project. If the moral precepts of cosmopolitanism apply equally to everyone around the world, and if the affairs of distant strangers ought to concern us as much as those of our compatriots, then this seems to justify of colonialism of two sorts. First, cosmopolitanism seems to justify colonialism with a ‘civilizing’ mission. This is because cosmopolitanism supports the enforcement of universal moral norms in places where they are not being enforced, and it draws no distinctions between different territories. Thus just like we may think it is legitimate for a state to protect human rights within its borders via force if necessary for as long as this is required, cosmopolitanism seems to licence interference beyond borders, via force if necessary, for as long as this is required, which would be colonialism or something akin to it according to certain understandings of intervention

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(Glanville 2022; Hutchings 2019). Second, cosmopolitanism seems to justify settler colonialism, because cosmopolitans promote ideas like common ownership of the earth or open borders, which seem to give groups a right to settle wherever they please even to the detriment of existing inhabitants (Fabre 2021; Moore 2019, 88; Risse 2012, 2013).¹

The typical cosmopolitan response to the colonial worry is to articulate a nuanced form of cosmopolitanism according to which the colonialism objection does not arise. Kant, for instance, argues that cosmopolitanism grounds a right to ‘seek commerce’ with others, but nothing beyond this, and certainly not European colonialism of the sort practiced in the Americas, Africa, India, China, Japan, and elsewhere (Kant and Gregor 1999, 329/8:358-9). Some recent cosmopolitans follow Kant’s legacy and endorse a right to self-determination or a principle of rightful political association which serves to block colonialism (Stilz 2015, 2019b; Ypi 2013). Other cosmopolitans weaken the cosmopolitan thesis so as to re-justify special associative concerns, so that cosmopolitanism becomes a different road to a familiar destination (Lenard, Moore, and Sugden 2011; Moore 2006, 2015, 2019; Tan 2002).

It is not clear how well these cosmopolitan responses to the colonialism worry succeed. Either they fail to block off all potential justifications of colonialism, or they give up some core of the cosmopolitan project.² In light of (or in anticipation of) these sorts of worries, a few cosmopolitans bite the bullet: they accept that there is nothing *per se* wrong with colonialism, and that colonialism’s injustice is exhausted by the way it is practiced, not by the mere fact that it is colonialism (Beitz 1979, 104; Valentini 2015). Biting the bullet is not a popular response. As Margaret Moore notes, this response ‘cannot explain our deep intuition that colonial rule invariably wrongs those subjected to it, regardless of the particular way in which it is implemented. Indeed its injustice, along with that of slavery, is often taken to be one of the fixed points of our moral compass, from which we build our normative theories’ (Moore 2016, 449).

In this article I defend a version of the bullet biting response. I argue that cosmopolitanism can be saved from the threat that it justifies colonialism by accepting that, in principle, cosmopolitanism actually *does* licence colonialism. More appositely, I argue that cosmopolitanism can resist the colonialism objection by pointing to the anodyne fact that colonialism is typically horrendous, so much so that it is hardly worth asking whether it is endorsed by cosmopolitanism, because in typical cases it most clearly is not (although in principle it could be). Worries about settler colonialism and civilizing missions should be dealt with by showing that any given instance of settler colonialism and any given civilizing mission would be objectionable. In the rare cases in which settler colonialism or a so-called ‘civilizing mission’ is justifiable in principle on cosmopolitan grounds, we should accept this rather than see it as a problem for cosmopolitanism. I suggest that the bullet biting response, which I label cosmopolitan instrumentalism, is preferable to the alternatives.

¹For a recent illustration see (Nine 2023; Weltman 2023a; Ypi 2013). Stilz similarly accuses Nine’s view of admitting the possibility of ‘benevolent colonialism’ (Stilz 2020, 805).

²Daniel Sharp, for instance, argues that Stilz ‘seems to let settler-colonial states too much off the hook’ (Sharp 2020, 608). For additional discussion see (Miller 2016a; Simmons 2015, 168–70; Moore 2020; Stilz 2020, 797–98).

Colonialism and cosmopolitanism

For the purposes of this discussion, I will take colonialism to be when one political agent or group brings a territorially distinct political agent or group under its control without the consent of the agent or group being colonized.³ Cosmopolitanism entails two commitments. The first, often called call ‘moral cosmopolitanism,’ is a commitment to moral duties owed to everyone on Earth, regardless of nationality (Kleingeld and Brown 2014; Miller 2007, 24). The second is a commitment to a suite of political proposals ranging from stronger duties of international distributive justice to a world state, the justification of which is derived from moral cosmopolitanism, the scope of which depends on the particular cosmopolitan theory that one endorses. This second commitment is variously called ‘political cosmopolitanism’ or ‘strong cosmopolitanism’ cosmopolitanism or ‘cosmopolitanism about justice’ (Kleingeld and Brown 2014; Miller 2007, 28; Scheffler 1999, 256).

Cosmopolitanism understood in this sense often brings along commitments to open borders (Mendoza 2015). Charles Beitz, for instance, takes ‘adherence to cosmopolitan policies’ to require the elimination of immigration restrictions (Beitz 1979, 209). Almost by definition cosmopolitanism opposes nationalism, the view that redistributive justice duties and other duties hold largely between co-nationals and not between different nations, and cosmopolitanism similarly opposes views according to which states, nations, or other groups (rather than individuals) are ultimate units of moral concern.⁴ The cosmopolitan approach works as a sort of acid against the moral status of borders. It dissolves fundamental distinctions between peoples and polities (Arneson 2016).

The largest looming colonialist threats in the cosmopolitan approach come from the protection of rights and from open borders. The protection of rights threatens to justify civilizing colonialism because a cosmopolitan seems committed to saying that in cases of widespread rights violations, it would be permissible or even obligatory to invade (say) a brutal dictatorship in order to protect the inhabitants (Fabre 2012, chap. 5; 2019, 393–8; Lango 2014; Lippert-Rasmussen 2019; Stilz 2019a, 377). Open borders (or a similarly sceptical approach to the legitimacy of immigration restrictions) threatens to justify settler colonialism because vast numbers of people could settle in an area and seize control of it (through democratic procedures) or at least significantly alter the polity in ways that are detrimental to the lifestyles of existing inhabitants (Moore 2019; Nine 2023; Weltman 2023a; Ypi 2013).

One way for cosmopolitans to avoid the colonialism worry is to deny that cosmopolitanism supports humanitarian intervention or other practices that may amount to civilizing colonialism, and to deny that cosmopolitanism supports open borders or other removals of immigration restrictions. This could be accomplished either by

³For a similar definition see Ypi (Ypi 2013, 162). This usage is in accord with Moore’s analysis of the term in a ‘loose sense’ which in her eyes captures how philosophers tend to use the term (Moore 2016, 448). As Moore points out, this usage is more or less synonymous with ‘imperialism.’ Moore also argues that colonialism in a narrower sense, ‘settler-colonialism,’ is wrong because it violates territorial rights (Moore 2019, 89). Whatever the merits of that argument, it fails to show that anything is wrong with colonialism that does not include settlement and thus does not have particular relevance to the argument here. Moore herself notes that there may be no ‘single feature that explains all forms of colonialism as wrongful,’ which is compatible with my argument, because I argue that it is not necessarily the case that all forms of colonialism are wrongful (90).

⁴Paradigmatic nationalists include Miller, Tamir, Walzer, and Margalit and Raz (Margalit and Raz 1990; Miller 1988, 1994, 1995; Tamir 1993; Walzer 1980, 1983).

arguing that these things are not central to cosmopolitanism in the first place, or by arguing that there are additional features of a plausible cosmopolitan theory which rule out these colonial practices. The former possibility is not plausible: to the extent it succeeds, it loses what is distinct about cosmopolitanism. The latter possibility is more promising, and it is typically accomplished by arguing that self-determination is compatible with cosmopolitanism. Below I argue against that view as advanced by Ypi. First, though, I will examine a third, under-explored option: accept that in principle cosmopolitanism cannot rule out colonialism, and instead object to particular instances of colonialism on the contingent basis of cosmopolitanism's commitments to rights, justice, and so on.

The cosmopolitan instrumentalist argument against colonialism

The argument against colonialism that the cosmopolitan ought to endorse is what I will call the cosmopolitan instrumentalist argument against colonialism.⁵ This argument says that colonialism is wrong (when it is wrong) because it is unjust according to one's cosmopolitan theory of justice. In other words, cosmopolitanism says that everyone counts equally from a moral point of view, borders have no fundamental moral significance, and so on. Colonialism typically entails suffering and rights violations on an incalculable scale, with horrific effects enduring through generations. The injustices of colonialism, far from fading out over time, serve instead to cement a global hierarchy that creates and sustains unjustifiable economic and political inequalities and which generates continual cultural erosion amounting to a perpetual genocidal campaign against indigenous groups (Getachew 2019; Mongia 2018; Nuti 2019, 2021; Sharma 2020). Colonialism is a disaster of untold proportions when measured using any of the metrics the cosmopolitan turns to in order to adjudicate injustice, and it is a disaster not because it's colonialism but because of its results. The argument is thus an instrumental one: colonialism is bad not because of anything intrinsic to it but because it leads to unjust outcomes judged according to the cosmopolitan's theory of global justice.

So, according to the cosmopolitan instrumentalist argument against colonialism, the effects of colonialism explain why colonialism is wrong. It is wrong because 'burning native settlements, torturing innocents, slaughtering children, enslaving entire populations, exploiting the soil and natural resources available to them, and discriminating on grounds of ethnicity and race are only some of the most familiar horrors associated with it' (Ypi 2013, 162). It is wrong because of the cultural imperialism, dehumanization, exploitation, and violence it inflicts upon Blacks in Africa, the Caribbean, and the entire world (Césaire and Pinkham 1950, 2001; Fanon and Philcox 1961, 2004; [1952] 2008). It is wrong because of the millions that died in the genocides in Africa and the Americas, in the countless colonial wars, in the famines of South Asia, and in all the other manifest injustices that colonialism generates. To put the point in terms that undersell the injustice but which otherwise accurately describe the situation,

⁵Another label for the view is 'functionalism,' although this label can generate confusion because some who deny the label, like Stiliz, are given this label by others, like Simmons (Stiliz 2019b, 90–93; Simmons 2016, 63). Stiliz at one point does use the 'instrumentalist' label to describe the view I defend here (Stiliz 2015, 2).

‘decolonization was morally required because subject peoples were *unjustly governed*. What gave these peoples self-determination rights was the fact that colonial states failed to achieve minimally just rule’ (Stilz 2015, 2). Colonizers failed to achieve minimal justice just like Hitler and Pol Pot failed to achieve minimal justice, and it is on this basis that the cosmopolitan can critique colonialism.

The manifest injustice of colonialism is so extreme that it is hardly necessary to note how various cosmopolitan theories rule out colonialism. For instance, Beitz’s cosmopolitanism uses a global original position to argue that international distributive justice requires resource redistribution of some kind, perhaps so that each person has an equal share, or so that departures from equality are justified insofar as they leave the worst-off person better off (Beitz 1979, 141–42). Colonialism, meanwhile, typically entails massive transfers from the poorly-off to the well-off as part and parcel of the metropole’s exploitation of the colony or the settlers’s exploitation of the indigenous inhabitants. Onora O’Neill’s cosmopolitanism requires us to create institutions that secure external freedom for everyone (O’Neill 2000). Colonial regimes engage in widespread oppression and consequently fail to secure universal external freedom in any sense. Gillian Brock defends a duty to provide everyone a minimum floor of opportunity to meet one’s needs (Brock 2009). Colonialism actively *destroys* the ability of people to meet their needs. And so on.⁶

It is true that nowhere here do we get a defence of why colonialism is, according to the cosmopolitan, *per se* wrong. If some instance of benign colonialism were compatible with distributive justice as Beitz describes, or external freedom for individuals as O’Neill discusses, or the opportunity to meet one’s needs that Brock is concerned with, the cosmopolitan would not have anything to say. In principle, let us grant for the sake of the argument that there could be colonialism without these sorts of effects. This is not a big bullet to bite. What is important is that actual colonialism is shown to be wrong, and that it is shown to be very deeply wrong, such that there are overwhelmingly weighty reasons to object to it. The cosmopolitan can easily secure this. Certainly no actual colonial project has ever satisfied cosmopolitan justice as conceived of by any cosmopolitan theorist. Rather, colonial projects have been among the worst things humans have done to each other from the cosmopolitan’s point of view.

Moreover, it is not clear that we should want to secure the conclusion that colonialism is *per se* wrong as opposed to actually wrong. This is because some hypothetical cases of colonialism might not be wrong.⁷ Consider the example of a famine in Afghanistan that causes a group of Afghans to claim part of Colorado in order to grow subsistence crops to keep from starving to death (Weltman 2023a). If the Afghans set up a peaceful democratic government that respects everyone’s rights, implements distributive justice, and otherwise does what governments ought to, the Coloradans living in the colonized area might not have a complaint of the same sort that typical colonial subjects have and had against empires, according to the cosmopolitan.⁸ Or, imagine citizens of a former British colony find their territory uninhabitable due to

⁶A final example: a utilitarian cosmopolitan will oppose colonialism because of the tremendous destruction of utility that accompanies the violence, exploitation, and oppression. Mill and Sidgwick failed to see the incompatibility of utilitarianism and colonialism and on this point their political philosophies are unconvincing (Miller 2020).

⁷Justifying hypothetical colonialism does not amount to justifying actual colonialism. I am not saying any actual colonialism is or would be justifiable.

⁸For discussion of a related case see (Fabre 2019; Wellman 2019).

climate change, and so they peacefully seize the Isle of Wight after being denied the right to immigrate to Britain. The Coloradans and the British can certainly claim a violation of their right to political self-determination, but as I will argue below, the cosmopolitan should not accept that this is what makes colonialism wrong because the cosmopolitan should not endorse such a right.

Another example of hypothetically (albeit not actually) justifiable colonialism is humanitarian intervention. If, for instance, the United States descends into a violent, repressive dictatorship that vigorously engages in genocide against many ethnic groups, and if an international coalition could intervene to prevent the genocide, it is not obvious that this would be objectionable (Fabre 2016, chap. 3; chap. 8; Weltman 2023a, 9). Again, this is a defence of hypothetical colonialism, not actual colonialism. The ostensible humanitarian intervention undertaken by the United States and its allies in Iraq, for instance, is hardly something the cosmopolitan must endorse. But insofar as we might think hypothetical humanitarian intervention is justifiable, and insofar as this plausibly amounts to a colonial project, it is good (rather than bad) that the cosmopolitan can only say that colonialism is typically, rather than *per se*, wrong.⁹

An alternative anti-colonial argument

Because the above cosmopolitan instrumentalist argument only shows that colonialism is typically wrong, as opposed to showing that it is *per se* wrong, many will be unsatisfied with it. For some, this is a reason to reject cosmopolitanism. Theorists like Moore, Altman and Wellman, and others thus argue in large part on the basis of colonialism's *per se* wrongness that we should reject approaches like cosmopolitan instrumentalism (Altman and Heath Wellman 2009; Moore 2016, 2019). As Altman and Wellman put it, 'principles of political self-determination cohere well with, and help explain, important considered convictions relating to colonialism' (Altman and Heath Wellman 2009, 16). Thus we should endorse a strong right to political self-determination to explain the wrongness of colonialism, rather than endorsing cosmopolitanism and its consequent instrumentalism.

However, perhaps there is a way to save cosmopolitanism without having to endorse instrumentalism. This is the approach chosen Ypi. She claims that we can endorse cosmopolitanism and also the *per se* wrongness of colonialism by holding the *per se* wrongness to consist in the fact that colonialism is 'objectionable on the grounds of its failure to reflect an ideal of equal treatment and reciprocity that should underpin every attempt to expand the boundaries of political cooperation' (Ypi 2013, 186).

If Ypi is right, we can be cosmopolitans but also reject instrumentalism. We can say colonialism is *per se* wrong without having to endorse something like Moore's or Altman and Wellman's theory according to which there are strong rights to political self-determination which simultaneously explain colonialism's wrongness and rule out cosmopolitanism.

Thus, to endorse cosmopolitan instrumentalism, we must have some reason to think Ypi's approach does not work. Valentini provides convincing reasons to reject Ypi (Valentini 2015). However, some may not find Valentini's extant arguments convincing.¹⁰ Thus here

⁹For more discussion of these topics broadly (without reference to colonialism) see (Øverland 2013, 2014).

¹⁰See e.g. Han van Wietmarschen's reply (van Wietmarschen 2018). I thank a reviewer for this journal for suggesting I engage more with Valentini, although here I am explaining why I do not go that route, rather than explaining Valentini's argument and why I find it compelling even in the face of potential objections.

I will argue that Ypi does not in fact provide an alternative approach for the cosmopolitan to endorse the *per se* wrongness of colonialism. In fact, Ypi's argument relies on a strong right to self-determination like Altman and Wellman's or Moore's. Below I will explain why this strong right to self-determination is in tension with cosmopolitanism, such that we end up back where we started: the cosmopolitan either gives up cosmopolitanism, or endorses cosmopolitan instrumentalism and accepts there is nothing *per se* wrong with colonialism. First, I will explain why Ypi's view must rely on a strong right to self-determination.

Colonialism as an unjust form of political association

Ypi argues that colonialism is wrong because by its very nature it is an unjust form of political association. Drawing from Kant, she argues that there is a cosmopolitan duty to treat people equally and with reciprocity when forming any kind of political association with them (Ypi 2013, 173). Colonialism fails to respect this duty. 'What made the colonialism practiced by European states particular abhorrent,' she argues, 'was its violation of standards of equality and reciprocity in setting up common political relations, and the consequent departure from a particular ideal of economic, social, and political association' (174).

These standards of equality and reciprocity break down into two parts. The first is that the associations in question must be imposed in the correct way. 'The process through which such norms are first established' is important – cosmopolitanism condemns 'unilateral imposition' of political associations, and colonialism is a unilateral imposition (Ypi 2013, 178). The second part is about the character of the associations. It 'asks us to ensure that equality and reciprocity are reflected in the design of institutions facilitating that cooperation' (178). Thus 'colonialism is wrong because it violates the ideal in the first but *often* also in the second of these dimensions' (178, emphasis added). As the '*often*' in the previous sentence highlights, the second wrong of colonialism is one that is not *necessarily* a wrong of colonialism. One could unilaterally impose political arrangements that are equal and reciprocal, and if we want to say this is wrong we must advert to the first wrong of colonialism.

Thus the heart of Ypi's argument that *all* colonialism *must* be wrong, then, is the first issue: unilateral imposition. On Ypi's account, if we wish to say that colonialism is *necessarily* wrong, we must rely on the fact that the manner in which colonial political associations are entered into is morally unacceptable. This is the only moral wrong that is *necessarily* going to accompany all instances of colonialism, because some instances could be equal and reciprocal and thus not instantiate the second wrong. Ypi could give up the idea that colonialism is *necessarily* wrong, and say that unilateral imposition is quite alright so long as one does not uphold institutions that fail to secure equality and reciprocity.¹¹ This would make Ypi into a kind of instrumentalist: it's quite alright to colonize so much as one wishes (via unilateral imposition, the first kind of wrong) so long as one does not carry out the second kind of wrong (upholding unequal and nonreciprocal political associations). I take it Ypi is not an instrumentalist of this sort: she thinks colonialism is *per se* wrong, not wrong merely insofar as one upholds bad rather than good institutions. So, because Ypi admits that colonialism could involve good institutions but still holds that colonialism is *per se* wrong even when it does

¹¹I thank a reviewer for this journal for suggesting I address whether Ypi can make this argument.

involve these good institutions, the only wrong that *must always* accompany colonialism is the first wrong: unilateral imposition.

The problem with the first wrong, Ypi claims, is that ‘an offer with the potential to be coercively imposed is not really an offer at all, even if it promises an association reflecting criteria of equality and reciprocity of decision making after it has been imposed’ (Ypi 2013, 179). Resisting these coercively imposed offers is not unjust, even if it is sometimes morally wrong (say, because the group being colonized has some duty to share its resources with the colonizing group). It is not unjust because there is a fundamental right to resist the coercive imposition of associations, according to Ypi. To impose a political relationship like this without violating another group’s right to refuse the imposition of associations, that group’s consent is required (179). Thus we might think that colonialism is wrong because it ignores the group’s lack of consent and proceeds with the imposition of political association.

This argument proves too much, and Ypi realizes this. ‘One might wonder whether this commits us to a consent theory of obligation claiming that all political associations (including the state) are illegitimate unless all those subjected to it authorize its creation’ (Ypi 2013, 179). Assuming we wish to avoid a consent theory of political obligation that is this strong, Ypi argues that we can do so by noting that colonialism is different from other sorts of political association.¹² ‘In the colonial case, colonizers impose their will over the colonized, and the rules of association endorsed by the latter reflect the power of the former’ (Ypi 2013, 180). In the non-colonial case of the state, meanwhile, ‘we think of all citizens as equal in their subjection to the laws, but also equal in their capacity to change the content of such laws’ (Ypi 2013, 180). Ypi’s picture, however, is a fiction, for two reasons.

First, many states do not provide all citizens with an equal capacity to change the laws over time. States have disenfranchised groups, political and social institutions that sustain this disenfranchisement, and no clear path towards an organization of political power that will alleviate these problems.¹³

Second, colonialism can be undertaken such that the colonized group is granted a capacity to alter the content of the state’s laws equal to that enjoyed by any other group. We could imagine this happening when the United States unjustly colonized Hawaii, for instance. The U.S.A. could have immediately granted statehood to the territory and citizenship to the people. Anna Stilz argues that because the United States presently grants equal citizenship to residents of Hawaii, its jurisdiction over Hawaii is legitimate, even though it was originally illegitimate when Hawaiians were not treated equally (Stilz 2011, 599). Had the United States immediately incorporated Hawaiians as equal, Hawaii would be a case where Ypi is wrong about colonialism necessarily treating the colonized people as unequal.

Ypi acknowledges the first point, which is that domestic arrangements can be as bad as colonial ones. She says of a domestic state that is unjust in this way that ‘we can condemn that association as wrongful for the same reasons we condemn colonialism as wrongful’ (Ypi 2013, 180). If this is the case, though, there is nothing wrong with us

¹²Wellman, although he does not have a consent theory of political obligation, endorses something quite close to it. This is why his view of secession mirrors that of Harry Beran’s, which is built on a consent theory (Beran 1984, 1987; Wellman 2005).

¹³See also Valentini’s discussion of this point (Valentini 2015, 318–23).

endorsing certain colonial associations as acceptable in the same way we endorse domestic associations as acceptable. Ypi admits as much. ‘If, domestically, ‘with the passage of time, the position of the historically wronged group changes such that the subsequent substantive principles of political association genuinely track its will and the effects of path dependence disappear, we can say that injustice has been superseded. And the same point could be made about the suppression of injustice in colonial cases’ (180).¹⁴ So the unequal nature of the relationship that Ypi adduces as a reason for thinking colonialism is unjust is, on closer inspection, not a reason to think that colonialism is necessarily unjust.

Why, then, does Ypi think that colonialism is necessarily wrong? Why not think that it is only as wrong as any other form of political association is ever wrong, and that it can be as right as any other form of political association can be right, perhaps after some time has passed? Ypi responds to this objection by considering the case where a colonial association is basically well-organized, more so than the political association of the colonized group that is being replaced. ‘If a group is ruled paternalistically, shouldn’t another, allegedly less paternalistic group annex the territory in which the group resides and offer its members equal and reciprocal representation’ (Ypi 2013, 185)?¹⁵ If Ypi’s argument about the wrong of colonialism is correct, there must be something about colonialism *itself* as a form of political association that explains why we would not endorse the replacement of a paternalistic domestic regime by a non-paternalistic colonial regime.

Ypi, however, does not advert to a characteristic of colonialism. Instead, she relies on the right of the colonized group to political self-determination. Her argument turns on an analogy. If you have been forced by your parents into a bad marriage, is it any less objectionable to be subsequently forced by your parents into a good marriage (after ending the first, bad marriage) (Ypi 2013, 185)? Ypi says no. But notice what is doing the work in the analogy. It is your being *forced* into the marriage that makes your parents’ actions objectionable. The qualities of the spouse (and the fact that the arrangement is *marriage* as opposed to cohabitation or something similar) are *irrelevant*. The application of this analogy to the question of political association, then, suggests that the problem is being *forced* into some given political association, *not the characteristics of the political association into which one is forced*. Colonialism is nothing if not a *characteristic* of political association. However, via Ypi’s analogy, we discover that colonialism, and in fact *any* characteristic of a political association, is irrelevant to explaining what it is wrong with being forced into the association. The *forcing* is what makes it wrong. So, we confirm the earlier claim that it is the first wrong (unilateral imposition) that explains the *per se* wrongness of colonialism, according to Ypi, rather than the second wrong (unjust terms of association).

¹⁴For discussion of Ypi’s usage of supersession in this context see (Weltman 2023a).

¹⁵The word ‘allegedly’ in this passage is not helpful. Nobody would argue that a group that is only *allegedly* less paternalistic could rightly annex the territory. Moreover, paternalism is the wrong flaw to focus on. The relevant case is if a group that governs in an *actually* (and *significantly*) more just fashion annexes the territory. Consider a group subject to a brutally *unjust* government that is colonized by a much more just government. For instance, take the Coloradan government replaced by the Afghan government in the earlier example. If the Coloradan government was deeply unjust due to engaging in genocide against the Indigenous Coloradans, and the Afghan government protected the rights of the Indigenous inhabitants, Afghan colonialism does not seem as objectionable.

This is not yet to say that an argument based on the wrongfulness of forcing someone into a political association is implausible. This is just to get clear on what the argument is. All the argumentative work is done by the fact that the political association is one that is contrary to the one desired by the group being colonized. The only argument that can address what colonialism *necessarily* is rather than the characteristics that *often* apply to colonialism is one that focuses on the *imposition* of colonialism itself rather than the typical *character* of colonialism. Ypi's view, in the end, is in a sense *not* adequately captured by her claim that 'the wrong of colonialism consists in the creation and upholding of a political association that denies its members equal and reciprocal terms of cooperation' (Ypi 2013, 158). Whether colonialism represents a political association of *this* kind or a political association of a different, more benign kind is irrelevant. Similarly, it is irrelevant whether your parents force you into a good marriage in which you're treated on equal terms or a bad marriage in which you're denied equal treatment. Instead, what makes colonialism wrong is just that it is a form of *forced* political association. Or, in other words, what makes colonialism wrong is that it violates the right to political self-determination of the group being colonized, just like being forced to marry violates one's autonomy and personal self-determination.

Ypi might attempt to save her characterization of her argument by replying that forced political arrangements are themselves, by their very nature, incompatible with standards of equality and reciprocity and thus are a departure from a cosmopolitan ideal of political association. Colonialism, as a forced political arrangement, is thus wrong for the cosmopolitan reasons she highlights. The question, though, is *why* this would be the case. What makes it the case that forced political arrangements *necessarily* run afoul of her cosmopolitan requirements?

One way to answer this question is to accept a blanket consent theory of political obligation. According to this sort of theory, we must all agree to be a member of whatever political associations we find ourselves in, and if we do not agree, then these associations are all illegitimate. That view is implausibly strong. As Altman and Wellman point out, 'no modern state has garnered the morally meaningful consent from all, or even most, of its citizens,' and as noted above, Ypi joins Altman and Wellman in rejecting it, as should we (Altman and Heath Wellman 2009, 5). Thus we must have some *other* theory that explains what makes any given instance of political association compatible or incompatible with the cosmopolitan ideal. It's not enough to say that colonial political association is incompatible with the ideal because it is coercive in ways that domestic political associations are not typically coercive. That only pushes the question back to what makes these coercive political associations wrong.

So, we have noted that, according to Ypi, colonialism is wrong because it violates the cosmopolitan ideal. But, what explains the fact that it violates the cosmopolitan ideal if not the right to political self-determination held by the colonized group? If this right is doing the work, why not simply advert to the right itself?

In other words, the most perspicuous way for Ypi to make her point would be to rely not on her extensive framework of cosmopolitan conditions that attach to entering into political associations, but to rely instead on the simple right not to be coerced into joining any political association, even one that is perfectly structured according to the most exacting cosmopolitan requirements. If we grant that being coerced into a political association is wrong, then we can also grant that this wrong is condemned by the

cosmopolitan ideals Ypi endorses. This depends, though, not on anything about the cosmopolitan ideals themselves, but about what specifically makes being coerced into a political association a wrong. Running afoul of the cosmopolitan ideal isn't doing the work, because a form of political association can run afoul of the cosmopolitan ideals in all sorts of other ways, and we are interested in the characteristic in virtue of which colonialism *always* runs afoul of the ideals.

Why, then, might we think that coercion (and, thus, colonialism) always run afoul of Ypi's ideals? Being coerced against one's will is a paradigmatic example of a violation of one's autonomy, and just as a personal right to autonomy allows one to associate with others according to one's will, we might think a political right to autonomy for a group of people, in the form of a right to political self-determination, allows the group to choose whether to associate with other groups, politically. It is disregard for this right, the right to political self-determination, that colonialism represents. It is thus this right, rather than more general cosmopolitan considerations, which might plausibly explain the alleged *per se* wrong of colonialism.

No strong self-determination for cosmopolitans

We have seen how Ypi's view relies on the right to political self-determination. What does the work is that the colonized group is being coerced into a political association, which violates its right to political self-determination. Ypi is not alone: for example, Moore and Altman and Wellman also rely on the right to self-determination to explain why colonialism is wrong (Moore 2016; Altman and Heath Wellman 2009, 12–16). Groups with a right to political self-determination have a right to determine which government they are subject to, and colonialism tramples on this right by imposing a government against the wishes of the group being colonized. If this answer explains the wrongness of colonialism, it seems to allow the cosmopolitan to say that colonialism is *per se* wrong.

However, cosmopolitanism cannot consistently endorse a right to self-determination strong enough to secure the conclusion that colonialism is *per se* wrong. To do so is to give up what is distinct about cosmopolitanism. To show this thoroughly would entail going through every defence of self-determination and showing, for each, how they conflict with particular cosmopolitan commitments, and simultaneously showing (for each cosmopolitan commitment) that it cannot be given up. This is beyond the scope of a single article. Thus I will below adduce three central features of cosmopolitanism that are hard to square with a right to self-determination. This cannot provide a conclusive discussion, but it can show the route that the cosmopolitan instrumentalist must take in order to explain why self-determination is not the solution to the question of colonialism. The three central features I will investigate are immigration, distributive justice, and secession. I then discuss a fourth topic, annexation, where one might worry about whether the rejection of self-determination is an acceptable route for the cosmopolitan.

Immigration

The right to self-determination, insofar as it is strong enough to block colonialism, must also be strong enough to allow a state to close its borders against immigrants for

most reasons (Altman and Heath Wellman 2009, chap. 7; Miller 2016b). Given a right to self-determination, it is hard to deny that ‘just as an individual has a right to determine whom (if anyone) she would like to marry, a group of fellow-citizens has the right to determine whom (if anyone) it would like to invite into its political community’ (Altman and Heath Wellman 2009, 164). Self-determination is also the basis of Miller’s rejection of open borders (Miller 2007, chap. 8). Joseph Carens, who argues in favour of open borders, suggests that an argument like Miller’s ‘subsumes the moral claims of human beings under the claims of the community into which they are born and gives participation in a self-determining community a moral weight that it cannot bear’ (Carens 2013, 263).

It is easy to see why a right to political self-determination would allow groups to block immigration. A right to self-determination must entail a right to decide on what the ‘self’ is, at least to some degree. If there can be no limits on the ‘self,’ then any group’s right to self-determination is meaningful only insofar as other people do not join the ‘self’ in numbers sufficient to make it the case that the original group can no longer be said to have any right to self-determine. As Altman and Wellman point out, it is ‘common and uncontroversial to posit a *presumptive* group right to freedom of association’ on the basis of ‘these groups’ rights to autonomy,’ or in other words their rights to ‘group self-determination’ (Altman and Heath Wellman 2009, 160). This leads to at the very least ‘a *pro tanto* case in favor of each legitimate state’s right to control immigration’ (164). This is not to say that one must *necessarily* be committed to the permissibility of restrictions on immigration simply by holding that groups (and specifically states) have a right to political self-determination, but one does at least face a larger argumentative burden if one simultaneously argues for a right to political self-determination and open borders.¹⁶

Cosmopolitans do not by definition *need* to endorse open borders. But at the very least, it is hard for a cosmopolitan to justify immigration restrictions on anything other than a cosmopolitan instrumentalist basis.¹⁷ For example, if immigration would lead to injustice due to worsening global inequality, then perhaps there is a cosmopolitan case for preventing immigration. Justifying immigration restrictions on instrumental justice-based concerns is very different from justifying immigration restrictions based on the right of a community to self-determination. The latter entails something like a right to do wrong (Øverland and Barry 2011; Stilz 2021; Wellman 2021, 2023). It is this sort of right that the cosmopolitan has trouble endorsing without giving up on cosmopolitanism, because once a group has a right to self-determination strong enough to prioritize the question ‘who should decide?’ over ‘what should be done?’ the cosmopolitan has accepted that cosmopolitan commitments must take a backseat to partial concerns (if this is what the group wishes to do), at which point it is hard to see what is left of cosmopolitanism (Margalit and Raz 1990, 455).

¹⁶For a summary of other arguments that endorse restrictions on immigration based on a right to self-determination see (Fine 2013).

¹⁷Recall that by cosmopolitanism I am talking about what Miller calls ‘strong cosmopolitanism,’ which is distinct from Miller’s ‘weak cosmopolitanism,’ which he argues is compatible with immigration restrictions (Miller 2016b, 23). I think Miller’s view is not defensible: for discussion see (Owen 2017). Here I am just making the weaker claim that cosmopolitans with stronger commitments than Miller must lean more in the direction of open borders, even if they need not go that far.

For cosmopolitans who are cognizant of this worry, it is very difficult to endorse a right to self-determination without giving up what we are trying to secure, which is the conclusion that colonialism is *per se* wrong. Stilz advances a theory of self-determination which still allows most immigration (Stilz 2019b).¹⁸ So, she tries to keep the core of cosmopolitanism intact, and still defend self-determination. But Stilz also accepts that colonialism can be justified temporarily, so long as (insofar as it involves military invasion) there is a just cause and the military action is necessary and proportional (Stilz 2019b, 131). The colonialism is justified until the colonized group can establish a decent domestic regime (Stilz 2019b, 131–32). Stilz accepts the conclusion that is for many beyond the pale, and which represents the greatest threat to cosmopolitan instrumentalism.

However, Stilz claims to have avoided the worry. She argues that a colonial power merely has ‘a temporary *enforcement permission*’ to ‘prepare the people for eventual self-government’ (Stilz 2019b, 132).¹⁹ It does not have ‘*full legitimacy*: a claim-right, against rivals, to be the preferred ruler of the territory and its population,’ because the colonial power has ‘reason to work toward a situation in which self-determination can be re-established’ (Stilz 2019b, 132).²⁰ An opponent of colonialism will not be impressed with the claim that colonial governments lack full legitimacy. What we want to secure, we might think, is the claim that colonial governments ought not to exist in the first place, rather than the claim that they have a temporary enforcement permission, rather than full legitimacy. Colonizers, on Stilz’s view, can justifiably say they are there only temporarily, until the colonized ‘become capable of establishing a decent domestic regime’ (Stilz 2019b, 131). The cosmopolitan instrumentalist says that Stilz is right to say this (at least insofar as the colonizers are correct when they make this claim, and surely they typically are not). But this view is not compatible with thinking colonialism is always *per se* wrong.

Even if Stilz is right to claim that, in principle, the division between the enforcement permission and full legitimacy helps her theory avoid a commitment to justifiable colonialism, in practice this division is not enough to satisfy someone who wishes to say that colonialism is *per se* wrong. Full legitimacy, on Stilz’s view, requires conditions that no government in actuality ever meets. This is no objection to her view: a theory has to be aspirational rather than realistic if it is going to be a plausible normative theory (Estlund 2014, 115–18). But this does mean that Stilz has no charge to level against colonial governments that cannot also be levelled at practically every other government. Even the ostensible special feature of colonial governments, which is that their existence is temporary, is also a feature of any government on Stilz’s view. The project of constituting a legitimate government is never complete: ‘On [her] approach, the process of constituting the people is never finished, once and for all. The “people” is a mutable entity and negotiating and renegotiating our institutional arrangements is a process that we can expect to be ongoing’ (Stilz 2019b, 127).²¹

¹⁸Stilz is a cosmopolitan, or at least close enough to cosmopolitanism to show the tensions that arise if we reject cosmopolitan instrumentalism about colonialism (Stilz 2019b, 17; 253–58).

¹⁹This notion of a justifiable civilizing mission will be beyond the pale for many who wish to say that colonialism is *per se* wrong, so the conversation could end here, but it is worthwhile to explore in more depth why Stilz’s solution is inadequate as a defence of the *per se* wrongness of colonialism.

²⁰See also (Stilz 2019b, 127).

²¹Similarly: ‘On my approach, the “people” is a mutable entity, and negotiating our institutional arrangements is an ongoing process’ (Stilz 2019b, 141).

So, the special objection we might have towards a colonial state, which is that it is a temporary arrangement until something better comes along, is an objection we should expect perpetually to have against every state. Even a state that secures full legitimacy does not secure it forever, but for the moment, and if any groups become alienated in the future, then the state will lose its legitimacy with respect to those groups, such that they have a right to secede (Stilz 2019b, chap. 5). Every legitimate state is thus temporary in the sense that it is acceptable only insofar as it continues to meet the standards for legitimacy Stilz details. Again, this is not an objection to Stilz. But it is an objection to the idea that Stilz's attack on colonialism is any better than the cosmopolitan instrumentalist attack on colonialism. Her right to self-determination no more protects citizens of a colony than the cosmopolitan instrumentalist denial of self-determination. Ultimately, with respect to the colonialism question, Stilz and cosmopolitan instrumentalism are aligned on the most important issue: whether colonialism is *per se* wrong. Stilz agrees with the cosmopolitan instrumentalist that the answer is no, and so we must bite the bullet that the proponent of the *per se* wrongness of colonialism tells us we must not bite.

Distributive justice

As with immigration, so it goes with other cases where a strong right to self-determination conflicts with cosmopolitan distributive justice commitments.²² A right to political self-determination would allow groups to refuse to commit themselves to egalitarian global distributive justice, if that right has any strength at all. Christian Schemmel notes that luck egalitarianism as a principle of global redistributive justice 'does not give any consideration to ... the self-determination of communities' (Schemmel 2007, 63). The same could be said for other egalitarian views. Cosmopolitans with luck egalitarian views or similarly sweeping commitments to distributive justice either have to accept that these duties can be overruled by a group right to self-determination, if a group wishes not to contribute to the distributive project, or the cosmopolitan must avoid endorsing a strong right to self-determination. This is one reason why Beitz endorses cosmopolitan instrumentalism about colonialism and self-determination (Beitz 1979, 104).²³

Secession

In addition to immigration and distributive justice, a third place that self-determination is relevant to the cosmopolitan is with respect to secession. Elsewhere I defend a cosmopolitan theory of secession which denies a strong right to self-determination (Weltman 2023a). Here, perhaps, the cosmopolitan perhaps has intuition on their side, because those who endorse a strong right to self-determination (partially for the sake of showing colonialism is *per se* wrong) must also endorse a strong right to unilateral secession. Altman and Wellman defend a right to unilateral secession for any group

²²For discussion of how distributive justice concerns are linked to border control concerns see (Angell and Huseby 2019; Arcos 2019).

²³Another proponent of strong global duties of distributive justice who leans towards cosmopolitan instrumentalism is Pogge: the only way to justify self-determination for nations, he thinks, is via 'the indirect, instrumental route' which involves 'the empirical claim that human rights ... are more likely to be fulfilled' via national self-determination rights (Pogge 2002, 194). See also his claim that human rights 'morally undermine[] the conventional insistence on the absolute right to national self-determination' (186).

able to rule itself, and nationalists defend a right to unilateral secession for nations (Altman and Heath Wellman 2009, chap. 3; Margalit and Raz 1990; Miller 1995, chap. 4). These theories are implausibly permissive with respect to secession. Thus the cosmopolitan instrumentalist, when they deny a right to self-determination, and thus deny a unilateral right to secede for these groups, offers a more plausible picture.

The cosmopolitan instrumentalist approach to self-determination becomes even more plausible when we consider cases where secession conflicts with justice.²⁴ The indigenous First Nations of Canada, for instance, tend to oppose the potential secession of Quebec, because they fear they would fare worse in an independent Quebec than they do in Canada. A defender of the strong right to self-determination can only advise the First Nations to secede from a newly-independent Quebec, which would leave them with even fewer resources, or to uproot themselves and move out of the independent Quebec into Canada, thus abandoning their homeland. Similarly, if a rich group wishes to secede from the rest of a state in order to keep from paying taxes, then distributive justice concerns and self-determination are at loggerheads.²⁵ The cosmopolitan instrumentalist can give the more intuitive answer here, which is that we should not endorse a right to secede if this will generate injustice.

Annexation

Annexation is a topic that defenders of a strong right to self-determination often bring up to bolster their position. It is hard to explain what is wrong with annexation if we reject a strong right to political self-determination. ‘Imagine that the United States annexes Canada against the will of the Canadian people,’ suggest Altman and Wellman, and ‘also imagine’ (somewhat implausibly) ‘that the Canadians enjoy better protection of their human rights than they did before the annexation and that there is no loss in human rights protection in the rest of the United States or in respect for human rights elsewhere. Is the forcible annexation morally permissible’ (Altman and Heath Wellman 2009, 14):²⁶

The annexation objection is nearly as challenging as the colonialism, and I cannot here provide a full cosmopolitan instrumentalist response. However, it is not hard to imagine what the cosmopolitan instrumentalist would say, because colonialism is annexation under another name, or annexation with an ocean in between. The cosmopolitan instrumentalist opposes annexation because actual annexations involve tremendous human rights violations, because they are occasioned by wars between armies (and, typically, human rights violations committed by the annexing state against the newly annexed territory), and so on.²⁷ Thus it is no mystery why we should typically oppose annexation. If, however, we can imagine a bloodless, beneficial annexation (perhaps Canada annexes the United States, bringing universal health care, better gun control laws, a lessened propensity for starting unjust wars, maple syrup, and so on), we can have no objection to this in principle.²⁸

²⁴See also my (2023b) discussion of this topic.

²⁵For disagreement see (Miller 1998, 74). On secession by the rich see also (Dietrich 2014).

²⁶Valentini bites the bullet here (Valentini 2015, 327–28).

²⁷See (Valentini 2015, 324 fn. 33).

²⁸For more discussion of annexation see (Lippert-Rasmussen 2019; Fabre 2019, 393–98; Stilz 2019b, 103–4; 2019b, 132).

Cosmopolitanism and self-determination

There is, of course, much more to say, both on the four above-mentioned topics and on further topics involving self-determination and cosmopolitanism. As noted above, what I have said here cannot conclusively settle things. Rather, the idea is to illustrate the route for the cosmopolitan instrumentalist to take in response to this question, given at least certain understandings of cosmopolitanism. The cosmopolitan instrumentalist must say that the best hope for showing that colonialism is *per se* wrong, the right to self-determination, might work for some approaches, but it will not work for cosmopolitans. A full exploration of this would require showing both that this is true and also that we should prefer cosmopolitanism to a strong right to self-determination.

Conclusion

The instrumental critique of colonialism is hardly novel. Many historical arguments against colonialism have been framed in terms of its instrumental badness. The declaration of *Purna Swaraj* (complete self-rule) by the Indian National Congress in 1930, for instance, made its case largely in instrumental terms. The declaration noted that ‘the British government in India has not only deprived the Indian people of their freedom but has based itself on the exploitation of the masses, and has ruined India economically, politically, culturally, and spiritually. We believe, therefore, that India must sever the British connection and attain *Purna Swaraj* or complete independence.’²⁹ It then went on to elaborate on the economic damage, violations of freedom of expression and association, miseducation, and other ills attendant to British rule. The charges were not against colonialism as a mode of government but against the way British colonialism had caused particular harms.

When all is said and done, though, many will not be happy with cosmopolitan instrumentalism’s treatment of colonialism, because it accepts that in principle (if not in practice), colonialism could be justified. Hopefully what I have said has helped mitigate these concerns. But, insofar as they still persist, we should reflect on how bad it really is to bite this bullet.

We should not be overly worried about concluding that there is nothing wrong with colonialism *per se*, precisely *because* we thought we had to say that there *was* something necessarily wrong with it. It is the manifest injustice of all past colonial ventures that so clearly marks them as deplorable, and were we to free colonialism of the ill-feelings these events rightly evoke in us, we should not be surprised to find something potentially innocuous left over. The particular nature of the evils visited upon humanity by colonial regimes is a testament to the particular bad things that these regimes did, not a mere addition to what we can universally and generically condemn as a violation of an abstract ideal like self-determination.

We must take care not to let the ills of the specific instances infect the political genera from whence they spring. To do so would force us to rule out practically any form of government, not just colonialism. A proper accounting of what is unacceptable in political relationships does not need to include a mark in the ledger

²⁹https://www.constitutionofindia.net/historical_constitutions/declaration_of_purna_swaraj__indian_national_congress__1930__26th%20January%201930.

against colonialism *per se*. To do this would be to potentially lose sight of the causes of the atrocities in each specific case of colonialism: the racism, nationalistic chauvinism, rapacious greed, arrogance, brutality, and insensitivity displayed by colonizers, and the multifarious damages these things created. *These* are the wrongs of colonialism, and it is a mistake to try to explain anything about how bad colonialism was by looking for some deeper political truth at the core, thus suggesting these ills are only of secondary importance when it comes to explaining the wrongs of colonialism.

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