

CONTENTS

Acknowledgements	vii
1 Introduction	1
1.1 A troubled world	1
1.2 Human rights and global justice	3
1.3 The nature of justice	6
1.4 Arguing about justice	8
1.5 Replying to the “realists”	11
1.6 Everyday “realism”	16
2 Rights	19
2.1 Understanding rights	20
2.2 Understanding human rights	22
2.3 Justifying human rights	26
2.4 Cultural relativism	29
2.5 A Western imposition?	33
2.6 Toleration and respect	35
2.7 Rawls on toleration	38
2.8 Diversity	42
3 Poverty	45
3.1 Peter Singer and the drowning child	46
3.2 Alternatives to Singer’s view	50
3.3 Symptoms and institutions	54
3.4 Is poverty caused by local or global factors?	55
3.5 Is the global order really harming the poor?	61
3.6 Conclusion	64
4 Inequality	65
4.1 Cosmopolitanism	65
4.2 The case for global equality	68
4.3 The case against global equality: The Coercion argument I	71

CONTENTS

4.4	The case against global equality: The Coercion argument II	77
4.5	The case against global equality: Cooperation	80
4.6	Conclusion	83
5	Nationalism	85
5.1	Nations and nationality	85
5.2	National self-determination	88
5.3	National self-determination and international redistribution	90
5.4	National self-determination and global egalitarianism	92
5.5	Global egalitarianism and special duties to compatriots	95
5.6	Global egalitarianism and national responsibility	96
5.7	The limits of human motivation	98
5.8	The value of natural resources	102
5.9	Conclusion	104
6	Immigration	105
6.1	Immigration and radical global inequality	106
6.2	Immigration and the domestic poor	114
6.3	Freedom of movement	117
6.4	Immigration and cultural preservation	121
6.5	Moving beyond the status quo	125
7	Trade	127
7.1	The world poverty argument for free trade	127
7.2	The sweatshop argument for trade restrictions	129
7.3	The domestic labour argument for trade restrictions	133
7.4	A nationalist perspective	136
7.5	Special and differential treatment for developing countries	137
7.6	Fair trade as reciprocity	140
7.7	Fair trade as equality	142
7.8	Conclusion	145
8	Climate	147
8.1	The nature of the problem	148
8.2	The moral dimensions of our task: Avoiding the violation of human rights	151
8.3	The moral dimensions of our task: Sharing the burden	156
8.4	Why not make future generations pay?	164
8.5	The problem of uncertainty	169

9 War	171
9.1 <i>Jus ad bellum</i> : Regulating the resort to war	173
9.2 <i>Jus in bello</i> : Regulating conduct within war	180
9.3 The relationship between <i>jus ad bellum</i> and <i>jus in bello</i>	183
9.4 The blameworthiness of unjust combatants	187
9.5 Conclusion	190
10 Intervention	191
10.1 State sovereignty and communal self-determination	193
10.2 Humanitarian intervention and the principles of just war	199
10.3 Massacres and poverty	212
Bibliography	215
Index	225

1 INTRODUCTION

1.1 A troubled world

To those of us who grow up in affluent Western countries, the world can feel very small. During our childhoods, the boundaries of our home towns constitute, for the most part, the borders within which we live our lives. Our experiences are narrowly circumscribed, and we take them to be representative. To the extent that we think about other people, we imagine them living lives not dissimilar to our own. Often, the trips we take abroad reinforce rather than undermine these perceptions. Our parents take us on holidays to other rich societies or to tourist enclaves within poorer countries where we are cut off from the lives of the natives. We are perhaps vaguely aware of a wider, less familiar world, but our vision of it remains hazy and obscured.

Gradually, however, the fog starts to lift. Events from the outside begin to intrude upon our insulated bubble. At one point in the Philip Roth novel *American Pastoral*, the narrator describes a scene in which the main character (“the Swede”), his wife (Dawn), and their young daughter (Merry) are confronted with a shocking news broadcast concerning a street protest in South Vietnam. During the protest, a Buddhist monk had set himself on fire. We are told that the disturbing footage seems to appear in their home “[o]ut of nowhere”, leaving “Merry and the Swede and Dawn, horrified together in their living room”.¹

Young Merry is especially upset by the experience and is unable to sleep alone for a week. Countless children undoubtedly endure similar experiences, their perception of the world recast by fragmentary images of distant tragedy: of mass graves in Srebrenica; emaciated peasants in Sahel; an apparently endless procession of stretchers wheeling lifeless protesters into an overwhelmed Bahraini hospital in the midst of the Arab Spring. When I began work on this book, newspapers were displaying harrowing images of dead refugee children washed up on our beaches like driftwood.

1 Philip Roth, *American Pastoral* (London: Vintage, 1997), p. 153ff.

These events trouble us. They bring sharply into focus the existence of a world beyond our own, a world populated by individuals living lives that we struggle to comprehend. They also reveal the indifference with which these people are so often regarded. Reflecting on his daughter's reaction to the monk's act of sacrificial protest, the Swede observes that "for her it had only to do with the extremes to which gentle people have to resort in a world where the great majority are without an ounce of conscience".² As we grow older and the fog obscuring the tragedies unfolding beyond our borders begins to lift, the worry that we are living our lives without an ounce of conscience only grows stronger.

Moreover, we learn that we are not mere bystanders. On the contrary, our lives are bound up with those of the poor and dispossessed in multiple ways. Our clothes are manufactured in Asian sweatshops, the oil that fuels our cars is purchased from African and Middle Eastern dictators, and our consumer lifestyles generate climatic changes that threaten Bangladeshi peasants with drought and famine.

These discoveries prompt us to reflect on our conduct. Is our behaviour justified? Should we be doing more to help the distant needy? What do we owe to disadvantaged individuals living in other countries? What can these people demand of us as a matter of right? Of course, not all advantaged individuals think to ask these questions. Some instead become so inured to their privilege that they begin to regard it as a natural and innocent feature of the world.

Some readers of this book will perhaps have had experiences very different from those described above. Some will have grown up in countries devastated by poverty and war or have been raised by parents who immigrated to richer nations in order to escape from such evils. For some readers, the fog that shrouds one's horizons during childhood may have obscured not the severe hardships that are endured by so many but rather the highly unequal distribution of those hardships; the fact that so many of the world's inhabitants are left relatively unscathed by the crushing burdens that devastate the lives of others.

Still, first-hand experience of deprivation does not resolve moral questions. Being saddled with any given burden does not, in itself, enable one to determine who is required to do what (if anything) in order to alleviate that burden. On the contrary, deprivation may actually *reduce* one's ability to answer such questions. Just as the fortunate can become habituated to their privilege, so the worse-off can become habituated to their disadvantage. In order to gain an adequately critical perspective on the troubled world in which we live, whatever our personal experience, we shall have to engage in moral theory. More specifically, we shall have to engage in philosophical reflection on the nature of *justice*.

² Ibid., p. 155.

1.2 Human rights and global justice

In the international domain, concerns about justice are often framed using the language of human rights. Traditionally understood, human rights are entitlements that all human beings possess simply by virtue of their humanity. These entitlements, which find legal expression in a variety of national and international documents, include rights to life, to freedom of thought, to education and healthcare, and to much else besides. In international politics, the language of human rights carries considerable weight. Neglecting human rights is widely regarded as a serious offence.

Despite the prominent role it plays in international affairs, human rights discourse is unlikely to be able to capture every dimension of global justice. As we shall see, recognizing the full extent of justice requires us to venture beyond the domain of human rights, at least as that domain is commonly conceived. This book, then, is not simply a book about human rights. On the contrary, a large part of the debate around human rights will not be addressed. In recent years, the traditional understanding of the nature of human rights has been challenged. According to revisionist thinkers, human rights are best understood not as entitlements grounded in a common humanity but as standards that enable us to assess the legitimacy of states and the appropriateness of international intervention.³ Important and interesting as these issues are, they shall here be set aside.

Nevertheless, many of the issues to be addressed in this book have a human rights dimension, and reflection on human rights provides a useful starting point to our enquiry. Chapter 2 provides an account of the nature of rights and sketches one approach to justifying their existence. Chapter 2 also addresses a common criticism of human rights, according to which the universalist perspective embodied in such rights is unduly insensitive to radical cultural diversity. Chapter 2 shows how this challenge can be met and thereby paves the way for the debates that occupy the rest of the book.

Among the most important human rights are those to subsistence. As Charles Jones writes, “To subsist is to survive... Subsistence rights are rights that protect and promote our interests in obtaining what is necessary to survive”.⁴ Elaborating, Jones notes that the goal of subsistence rights “is to ensure that each person has secure access to clean water, adequate food and shelter, and basic health care”.⁵ These rights are especially basic, for without them, we would struggle to enjoy any other rights.⁶

3 John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 1999); Charles Beitz, *The Idea of Human Rights* (Oxford: Oxford University Press, 2009); Joseph Raz, “Human Rights without Foundations”, in Samantha Besson and John Tasioulas (eds.), *The Philosophy of International Law* (Oxford: Oxford University Press, 2010).

4 Charles Jones, “The Human Right to Subsistence”, *Journal of Applied Philosophy*, vol. 30, no. 1, 2013, pp. 57–72, at p. 61.

5 Ibid.

6 Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy* (Princeton, NJ: Princeton University Press, 1980).

If there is a human right to subsistence, the existence of extreme poverty represents a catastrophic failure to respect human rights. At present, hundreds of millions of human beings lack access to the various goods that the right to subsistence is supposed to protect. With regard to some goods, the number is in the billions. For example, according to the World Health Organization, two billion people are forced to rely on contaminated drinking water sources.⁷

Considerations such as these prompt us to ask what is owed, morally, to those living in extreme poverty. To what extent must better-off individuals sacrifice their own wellbeing in order to ensure that the world's poorest people can satisfy their vital interest in subsistence? If the more advantaged have obligations to the world's poor, what is the source of these obligations? Are they grounded in the mere fact that the better-off have the capacity to assist? Or are these obligations grounded, as some philosophers have claimed, in the fact that the better-off are actually *contributing* to world poverty? These questions are taken up in Chapter 3.

Rights to subsistence are extremely minimal. As we have seen, they are rights to survival, not to a decent existence. Even if extreme poverty were erased, millions of people would continue to lead lives marked by various deficiencies. Significantly, many people would lead lives that are considerably worse than those enjoyed by individuals residing in the world's most privileged countries. Global *inequality* would endure even if global poverty were eliminated.

Rectifying material inequality is often thought to be beyond the purview of human rights. Indeed, the human rights project is sometimes criticized for failing to take inequality seriously. According to this line of critique, human rights activists have set their sights too low. Social rights have been subordinated to civil and political rights, and the social rights that are recognized are conceived too narrowly, as protections of only the most fundamental human interests.⁸

As we shall see in Chapter 4, there are compelling reasons to think that global justice requires the elimination of material inequality. The disadvantages that many people suffer are traceable to the bad luck of being born in the “wrong” country, and many philosophers believe that justice cannot allow people's life prospects to be determined by luck. If human rights do not guarantee equality, human rights cannot be the whole of global justice.

This view is not shared by all. While there is consensus about the need to alleviate severe deprivation, some philosophers doubt that justice requires us to aim for the more ambitious goal of equality. Nationalist philosophies are especially sceptical of this claim. As we shall see in Chapter 5, nationalists

7 World Health Organization, “Drinking Water”, 7 February 2018, available at <https://www.who.int/news-room/fact-sheets/detail/drinking-water>.

8 Samuel Moyn, *Not Enough: Human Rights in an Unequal World* (Cambridge, MA: Harvard University Press, 2018).

maintain that global inequality is a natural concomitant of national responsibility. As nations must be held responsible for their actions, global inequality must be tolerated. If the case for global equality is to be successfully made, this nationalist challenge must be answered.

Chapter 6 is about immigration. This issue interacts with the themes of earlier chapters in multiple ways. First, a right to immigrate is conspicuously absent from the major human rights documents. While some of these documents acknowledge a right to *internal* free movement (i.e., within states), they do not recognize a right to move freely *between* states. Many have found this asymmetry puzzling. After all, our interest in moving between states might be just as weighty as our interest in moving within a state. Second, if movement across borders were less restricted, many of those who suffer from poverty and inequality would be able to escape their plight by emigrating to a wealthier country. If we prevent them from doing so, we are arguably neglecting our duties of justice. Third, nationalists are concerned to preserve the cultural integrity of their nation, and many think that this requires restrictions on immigration. But can such restrictions be reconciled with the claims of needy outsiders?

Questions about immigration concern the regulation of state borders. This issue is further explored in Chapter 7, which is about international trade. International trade is governed by the World Trade Organization (WTO), the primary aim of which is to “open up” or “liberalize” trade by encouraging the removal of various obstacles such as import tariffs and quotas. This aim can seem laudable. Many economists tell us that free trade is important for economic growth and that growth in turn is important for economic development. If we care about the world’s poor, perhaps we should support the WTO’s mission of liberalizing trade.

On the other hand, there are reasons to be suspicious of free trade. Many of the goods imported from poor countries are produced in grueling “sweatshop” conditions, and it is natural to worry that, by purchasing these goods, rich-world consumers are implicating themselves in the exploitation of very poor workers abroad. Moreover, cheap imports can appear to undermine domestic industries and destroy the jobs of our fellow citizens. Whether trade ought to be freed is therefore a difficult question to answer.

We just noted that economic growth can be important. But growth traditionally has been pursued in a manner that we now realize is causing profound and perhaps irreparable damage to our planet. Economic progress has been driven by the reckless burning of fossil fuels, a process that has caused carbon dioxide and various other greenhouse gases to accumulate in the atmosphere and prevent heat from escaping into space. The resulting climatic changes could be devastating. Most significantly, these changes pose severe threats to fundamental human rights such as the right to subsistence. These matters are taken up in Chapter 8.

Burning fossil fuels is one activity through which political communities impose harms on outsiders. In Chapter 9, we address one of the most

harmful practices of all: war. War is often spectacularly unjust, but can it ever be justified? How can we distinguish between an unjust war and a just one? A right to wage war is not usually among the entitlements that we first think of when human rights are discussed, but it is plausible to think that there is such a right. After all, if we are morally entitled to certain goods, it would be odd to think that we are not also morally permitted to take the necessary steps to retain those goods when unjust individuals try to take them away. And perhaps these necessary steps will sometimes involve taking up arms. Needless to say, if we are permitted to wage war, we are permitted to do so only under extraordinary circumstances.

Among these extraordinary circumstances are perhaps those that often provoke calls for “humanitarian intervention”. When a government is massacring its people and military action seems necessary to end the massacre, many people are inclined to think that war can be justified. But is intervention in such cases always permissible? What about in cases where governments are violating the rights of their citizens in less extreme ways? Can intervention be permissible in less dramatic circumstances? These important questions are addressed in Chapter 10.

1.3 The nature of justice

So far, I have relied on an intuitive grasp of the kind of thing that justice is, but we should now consider its nature in a bit more detail. It might be helpful to start by distinguishing between the *concept* of justice and a *conception* of justice.⁹ The concept of justice refers to the proper or correct distribution of rights and duties, benefits and burdens. A conception of justice describes what such a distribution would look like. For example, we might endorse an *egalitarian* conception of justice, which says that the proper distribution of relevant goods is one that gives everyone a roughly equal share. Alternatively, we might prefer a more minimal conception of justice, which says that the proper distribution of relevant goods is one that ensures everyone can lead a minimally decent life.

Often, when people profess scepticism about justice, what they are sceptical about is not the concept of justice, but a particular conception. They recognize that rights, duties, benefits, and burdens can be distributed improperly, but they have doubts about a particular account of what a proper distribution entails. Indeed, their doubts arise precisely because they are attracted to a different, rival conception.

Many people have great faith in the various ethical convictions that their conceptions of justice comprise. They confidently proclaim that foreign aid should be cut, say, or that immigration should be reduced. But this confidence is rarely justified. Consider an analogy. While walking in the woods,

9 John Rawls, *A Theory of Justice*, Revised Edition (Cambridge, MA: Harvard University Press, 1999), pp. 5, 8–9.

Amy notices a shiny, metallic object, apparently lying on the ground. Believing the object to be a cigarette lighter, Amy reaches down to pick it up. On closer inspection, the object turns out not to be a cigarette lighter but one corner of a larger object that is jutting out of the earth. Her curiosity piqued, Amy begins digging with her hands but finds herself unable to extract the object. Undeterred, Amy runs home to fetch a shovel. After spending several minutes digging with the shovel, Amy realizes that the object is *much* larger than she originally believed and that extricating it from the ground will probably require mechanized equipment.

When we first encounter an issue of justice, what we typically see is an outer edge of a much larger problem. We may feel confident that we understand the nature of the issue – in the same way that Amy felt confident that the object in the ground was a cigarette lighter – but further exploration will reveal that our confidence is unfounded. Different people have different amounts of time and patience for philosophical investigation. Some are willing to dig about a bit with their hands (listen to a podcast), others to fetch a shovel (read an article or two); very few engage in the extended philosophical deliberation that would be the equivalent of commandeering powerful digging machinery.

One may lose interest in philosophical inquiry and choose to bow out of the debate. And doing so is one's prerogative. But if one does this, one cannot expect to be taken seriously if one nevertheless continues to make bold ethical proclamations. One cannot justify believing that foreign aid should be cut, or immigration reduced, if one is unwilling to put in the philosophical legwork necessary to evaluate the plausibility of such beliefs. Of course, not everyone enjoys the luxury of being able to devote large amounts of time to philosophical reflection. One aim of this book is to introduce readers to some of the results achieved by the heavy lifting of others.

As the above remarks suggest, a conception of justice can be more or less fully developed. A fully developed conception will specify several aspects of justice: its *content*, its *scope*, and its *grounds*. (A word of warning: the remainder of this section is somewhat technical. Readers who are new not only to global justice but to philosophy more generally may wish to skim these paragraphs and not worry too much about their finer details.) The *content* of a conception of justice specifies a state of affairs that should be brought into being. For example, a particular conception might recommend a state of affairs in which all relevant persons can live a minimally decent life. This recommendation often will be said to reflect the fact that all relevant persons have a *right* to a particular state of affairs. (The concept of a right will be explored in detail in the next chapter.)

The *scope* of a conception has multiple dimensions. First, it answers what we might call the *rights-bearer question*. In other words, it specifies by whom each right is possessed. Is a particular right possessed by all human beings or only by the members of a particular group or association? Second, the scope of a conception answers the *duty-bearer question*. That is, it specifies upon

whom a particular right imposes duties. A right to a particular good (such as a minimally decent life) may be possessed by all human beings but this does not mean that the duty to provide this good to each individual also falls on all human beings. The duty *might* fall on all human beings or it might fall on some subset of the global population (e.g., one's fellow citizens). Third, the scope of a conception answers the *comparator question*. This third dimension of a conception's scope comes into view when we notice that certain goods make essential reference to the condition of others. Most notably, some theories maintain that all relevant persons should enjoy some kind of *equality*. But this raises the question: to whom must they be equal? For example, must they enjoy equality with all human beings or only with their compatriots? (Notice that our answer to the comparator question does not determine our answer to the duty-bearer question. Even if equality must be enjoyed only among compatriots, it does not follow that the duty to ensure this equality is possessed only by one's compatriots. Individuals or organizations in one country may have duties to promote equality within another.)

Finally, the *grounds* of a conception refer to the reasons that we have to endorse it. In order to win our allegiance, a conception of justice must provide a compelling defence of its content. In other words, it must be able to explain *why* certain persons should be thought to possess certain rights and duties, why they should be entitled to certain goods, and why they should be expected to bear certain burdens. Contrary to what the behaviour of our politicians and other public figures might sometimes seem to suggest, moral disputes are not resolved by raising one's voice, shaking one's head, or repeating appealing soundbites. Rather, we must endeavour to support our position with well-developed *arguments*.

1.4 Arguing about justice

People who have not been trained in moral thinking, along with students who are just beginning their training, sometimes express the worry that we will not be able to make progress in resolving justice-based disputes. But this worry often arises prematurely. In many cases, we can effectively adjudicate among rival ethical positions by scrutinizing the arguments that are made, or could be made, in their defence.

Now, when first exposed to philosophical reasoning, some people are slightly puzzled by the arguments that they encounter. When you move on to the more substantive chapters that comprise the majority of this book, you might feel a little lost at first, at least if this is your first foray into philosophical debate. It is therefore important to emphasize that although they depart markedly from the vapid sloganeering of much popular debate, the arguments employed by philosophers are not actually that different from many of those that we encounter in quite ordinary, everyday, scenarios. They are just a bit more sophisticated.

Allow me to illustrate. Suppose your friends are trying to persuade you to go on holiday with them. They say: “you should come with us. We’re going to go bungee jumping. It will be fun!” When they say this, your friends are attempting to defend a particular claim or conclusion (that you should go on holiday with them), and they are doing so by offering an argument. Their argument has two steps, or “premises”. The first premise is factual: they inform you that the holiday will involve bungee jumping. The second premise is evaluative: they assert that bungee jumping is fun. From these two premises they infer their conclusion. Stated much more formally than it ever would be in a normal conversation, your friends’ argument has the following structure:

Premise 1: The holiday involves bungee jumping;

Premise 2: Bungee jumping is fun;

Therefore,

Conclusion: You should come on the holiday.

Now, you might challenge your friends’ argument in a variety of ways. You might challenge it by criticizing the second (evaluative) premise. Your friends have asserted that bungee jumping is fun, but you might simply deny this; you might point out that you are scared of heights and that you cannot imagine anything worse.

Alternatively, you might challenge the argument not by criticizing either of its premises but rather by criticizing its overall structure. Suppose you say: “that does sound fun, but my mum is unwell, and I have to stay home to look after her”. When you say this, you do not deny that bungee jumping is fun (you do not object to any of the premises that make up your friends’ argument); rather, you question the significance of the fact that bungee jumping is fun. You say: from the fact that bungee jumping is fun, it *does not follow* that I ought to go on the holiday. The fact that bungee jumping is fun gives me *a* reason to go on the holiday (what philosophers call a “pro-tanto” reason), but it does not give me a conclusive, *all-things-considered* reason to do so. By pointing out that your mum is unwell, you demonstrate that, although you have *a* reason to go on the holiday, you also have a reason (a “countervailing” reason) *not* to go on the holiday and that reason may well outweigh the first one. To use the philosophical jargon, you show that your friends’ argument is a *non sequitur*; that is, you reveal that their conclusion does not follow logically from their premises. (To say that a conclusion “does not follow” from a set of premises is to say that you can accept the premises without being logically committed to accepting the conclusion; rejecting the conclusion is logically consistent with accepting the premises.)

Your response can also be framed in a slightly different way. We might say that your reply reveals that your friends’ argument is *incomplete*; the considerations you put forward reveal that, in order for the argument to yield its conclusion, it will need to be supplemented with at least one additional

premise, something like: “you ought to take advantage of opportunities to do fun things”. Adding this premise makes the overall structure of the argument a little more robust, in the sense that, if we were to accept it, we would be a little closer to arriving at the conclusion that you should go on the holiday. But it should be pretty clear that we should *not* accept this new premise, for such an unqualified claim is obviously implausible. We could accept a *similar* premise – something like, “you ought to take advantage of opportunities to do fun things *when you can do so without neglecting your duties to others*” – but this more modest premise will not enable us to arrive at the conclusion that you ought to go on the holiday. This is because going on the holiday would prevent you from looking after your mum, and it seems reasonable to suppose that looking after your mum is something that you have a duty to do. Thus, if you should take advantage of opportunities to do fun things only when you can do so without neglecting your duties to others, you should *not* go on the holiday.

Many familiar arguments that we hear when growing up are vulnerable to the kinds of philosophical strategies that I have just described. Parents often tell their young children that they should finish their dinner “because there are children in Africa who are starving to death”. But this argument appears to be an obvious non sequitur. How could it follow from the fact that there are children starving in Africa that we ought to finish our dinner? After all, it is not like finishing our dinner would *benefit* Africa’s starving children. Many of us will remember times in our childhood when we attempted to justify our behaviour to our parents by pointing out that we were simply acting in the way that we had been instructed to act by an older sibling or friend, and many of us will remember our parents responding to these attempts at justification by asking: “If your brother told you to jump off a cliff, would you jump?!” Our parents might not have realized it, but by asking this rhetorical question they were making two important contributions to our intellectual development: they were teaching us to challenge the dictates of those we regard as authority figures, and they were introducing us to a well-known type of philosophical argument known as the *reductio ad absurdum*. This argument works by revealing that a particular claim has absurd consequences that no one would be willing to accept. When we tell our parents that we, say, smoked a cigarette because our older brother told us to, we seem to be making the following argument:

Premise 1: My brother told me to smoke a cigarette;

Premise 2: I should do whatever my brother tells me to do;

Therefore,

Conclusion: I should smoke a cigarette.

When our parents ask us if we would follow our brother’s instruction to jump off a cliff, they criticize our second premise; they point out that that premise commits us to absurd conclusions that we could not possibly accept

and that it should therefore be abandoned. But if we abandon that premise, the argument we offered in defence of our cigarette-smoking collapses.

The point that I want to make here is that although philosophical argumentation might seem very unfamiliar at first, some of the arguments that philosophers use actually have the same form or structure as arguments that we regularly encounter in everyday life. In subsequent chapters, we shall see how the non sequitur and the *reductio ad absurdum* can be employed in a more political context and can help us to make progress in debates about justice. Needless to say, these two kinds of argument are far from the only kinds used by philosophers – we will encounter other kinds over the course of the book – but hopefully what I have said will help to make subsequent chapters more accessible than they might otherwise have been.

1.5 Replying to the “realists”

I have been talking about how we might make progress with moral debates. However, it is sometimes said that, in the context of world politics, invoking considerations of morality and justice is misguided. In later chapters, I will address “statist” and “nationalist” attempts to identify considerations that drastically constrain the demands of global justice. Here, I want to consider a more fundamental challenge. Often, students who enrol in classes on global justice also take classes on International Relations in which they are introduced to a school of thought known as “realism”. Realism challenges the very possibility of global justice and of international morality more generally. According to realist doctrine, either moral considerations have no application in the international domain or those considerations license the single-minded pursuit of self-interest.

When Charles Beitz addressed realist arguments in his pioneering 1979 book *Political Theory and International Relations*, he wrote: “For many years, it has been impossible to make moral arguments about international relations to its American students without encountering the claim that moral judgments have no place in discussions of international affairs or foreign policy”.¹⁰ Thankfully, this is no longer the case. Since the publication of Beitz’s text, serious academic inquiry into the nature of international morality has flourished. The literature on global justice has burgeoned, and classes exploring that literature have proliferated. (That this book was commissioned is a testament to that fact.) Moreover, students who enrol in these classes often do so because of an antecedent conviction that international affairs are currently marked by deep *injustices* and that various international practices require radical reform or even abolition. They purchase Fair Trade products, belong to human rights organizations such as Amnesty International, and take to the streets to protest their governments’ involvement in unjust wars.

10 Charles R. Beitz, *Political Theory and International Relations* (Princeton, NJ: Princeton University Press, 1979), p. 15.

Indeed, it is safe to say that in recent decades there has been something of a sea change: the realist scepticism that once dominated academic discourse has been supplanted by an altogether more humanitarian outlook. For this reason, I do not want to say much about the realist tradition, but I do want to say something. (It should be noted that some of the “statist” arguments to be examined in Chapter 4 have a realist pedigree.) In what follows, I briefly elaborate on some of the main arguments that underpinned the erstwhile realist hegemony and I sketch some of the key considerations that have been instrumental in turning the tide.

Realism can be interpreted either morally or non-morally.¹¹ On the moral interpretation, states are morally permitted (or perhaps even morally required) to pursue the national interest and to disregard the wellbeing of other states and their citizens: in other words, focusing exclusively on the promotion of the national interest is compatible with the dictates of morality, even when doing so imposes large burdens on others. By contrast, according to the non-moral interpretation of realism, it is misguided to invoke moral concepts such as “permissions” and “requirements” in discussions about international affairs, for morality has no application in the international domain: the foreign policies of governments can be neither just nor unjust. The arguments that I discuss below demonstrate that we can circumvent both versions of the realist challenge.

Realism is an extraordinary view. In our everyday lives, most of us (including most realists) believe that morality constrains our freedom to pursue our ends: it compels us to recognize – and to accommodate – the rights and interests of others. But according to the realist view, no comparable constraints regulate the interactions of states. In the international domain in which states operate, “to have all, and do all, is lawful to all”.¹² This startling phrase is taken from the work of Thomas Hobbes, the 17th-century philosopher who provided much of the inspiration for contemporary realist thought. According to Hobbes and his followers, international affairs take place in a “state of nature”, a realm characterized by the absence of an overarching authority capable of guaranteeing the security of its denizens. While the interaction of individuals within states is regulated by governments, there is no world government with the capacity to regulate the interactions of states themselves. It is this feature of international relations – its “anarchic” character – that grounds realist claims about the freedom of states to pursue their own interests. Given the nature of international relations, realists maintain that states have little choice but to focus on their self-preservation. In a state of nature, it is unreasonable to expect states to comply with principles that require them to respect the rights of others since there can be no guarantee

11 Jeff McMahan, “Realism, Morality, and War”, in Terry Nardin (ed.), *The Ethics of War and Peace: Religious and Secular Perspectives* (Princeton, NJ: Princeton University Press, 1996), p. 79.

12 Thomas Hobbes, *De Cive* [1642] (New York: Appleton-Century-Crofts, 1949), p. 28.

that their counterparts will do likewise, and any state that did comply would thereby render itself vulnerable to exploitation. As Hobbes puts it: in a state of nature, it is irrational for an agent to adhere to other-regarding precepts, “for that were to expose himself to prey, which no man is bound to”.¹³

Ironically, a central objection to realism is that it is not at all realistic. According to this objection, the picture that realists paint of international relations is a poor representation of the world that we know. Although it is of course true that there is no world government, the Hobbesian account is overly simplistic. Hobbes compared the international domain to an “interpersonal” state of nature that he imagined individual men and women inhabiting prior to the establishment of a sovereign power. He identified principles that he believed would be appropriate for the latter scenario, and his followers have applied these to the former. But there are important differences between the two scenarios, differences which undermine the suggestion that a single set of principles could be appropriate for each.

To begin with, states are not as vulnerable as individuals are in the interpersonal state of nature. As Marshall Cohen notes, “nations are not overcome by sleep every day, they are not afflicted with diseases of mind and body, and they are not prostrated by old age”.¹⁴ When individuals in a state of nature expend time and energy assisting others, they deplete their stock of scarce natural resources and thereby jeopardize their own safety. But states lack many of the susceptibilities that render individuals so insecure.

Second, while Hobbes stipulated that individuals in his imagined interpersonal state of nature were of equal power, the distribution of power among states is hugely *unequal*. Thus, while burdening weak developing states with demanding other-regarding responsibilities may drastically undermine their viability (and therefore be unreasonable), stronger developed states can often bear such burdens at little cost.¹⁵

Third, unlike individuals in the interpersonal state of nature, states are not radically ignorant about the intentions of their counterparts. As Cohen observes: “Individuals in the Hobbesian state of nature are anonymous and ahistorical. But nations have names and reputations, geographies and histories, principles and purposes, and these allow others to judge their intentions with considerable confidence”.¹⁶ The knowledge that states have about their counterparts enables them to forge alliances and to engage in cooperative and altruistic endeavours without fear that others will take advantage of them. States have managed to overcome a number of the obstacles generated by

13 Thomas Hobbes, *Leviathan* [1651], in William Molesworth (ed.), *The English Works of Thomas Hobbes: Volume 3* (London: John Bohn, 1841), p. 118.

14 Marshall Cohen, “Moral Skepticism and International Relations”, *Philosophy & Public Affairs*, vol. 13, no. 4, 1984, pp. 299–346, at p. 326.

15 Beitz, *Political Theory and International Relations*, pp. 41–42, 49; Cohen, “Moral Skepticism and International Relations”, pp. 326–327; Simon Caney, *Justice Beyond Borders* (Oxford: Oxford University Press, 2005), p. 137.

16 Cohen, “Moral Skepticism and International Relations”, p. 327.

uncertainty in international affairs by establishing international “regimes”. Regimes enable states to overcome these obstacles by facilitating communication and the exchange of information. As Robert Keohane explains, regimes stimulate the development of “[t]ransgovernmental’ networks of acquaintance and friendship ... with the consequence that supposedly confidential internal documents of one government may be seen by officials of another” and “informal coalitions of likeminded officials develop to achieve common purposes”.¹⁷ Indeed, although there is no world government, there are various practices and institutions that make the international arena a more secure and cooperative domain than Hobbes’s interpersonal state of nature.¹⁸

None of this is to deny the obvious fact that states often feel – and sometimes are – threatened by others. But it hardly follows from this fact that states are free to disregard the interests of outsiders. After all, there are plenty of acts that states can – and often do – perform that are not necessary for self-preservation.¹⁹ A state’s army bombing a school in a rival’s territory, for example, cannot typically be construed as an act of self-defence. This point is acknowledged by the laws of war, which prohibit attacks that cannot be expected to confer a military advantage during a conflict. Similarly, as noted above, there are various other-regarding acts that developed states could perform without thereby jeopardizing their security.

Of course, developed states often *decline* to act altruistically, even when they can do so at little cost to themselves. Indeed, they often act with ruthless disregard for the welfare of others. As Cohen writes, “the history of international conduct is to an alarming degree the history of unconscionable insolence, greed, and brutality”.²⁰ But this does not show that the requirements of justice are suspended in the international domain; it shows simply that states frequently *violate* those requirements. It would be different if states were *incapable* of accommodating others’ interests. (According to a well-known philosophical maxim, “ought implies can”: we cannot say that an agent ought to do something that she is incapable of doing.)²¹ It would also be different if accommodating the interests of others were unduly burdensome. But realists have failed to provide evidence that either of these conditions holds.

17 Robert O. Keohane, “The Demand for International Regimes”, in Keohane (ed.) *International Institutions and State Power: Essays in International Relations Theory* (Boulder, CO: Westview Press, 1989), p. 120.

18 Beitz, *Political Theory and International Relations*, pp. 36–40, 42–49; Aaron James, *Fairness in Practice: A Social Contract for a Global Economy* (New York: Oxford University Press, 2012), Ch. 3.

19 Cohen, “Moral Skepticism and International Relations”, p. 322ff.

20 *Ibid.*, p. 307.

21 James, *Fairness in Practice*, p. 84.

Sometimes, realists suggest that states are not merely permitted but morally *required* to set aside other-regarding concerns and focus exclusively on the national interest. According to this line of thought, states have a special duty to promote the wellbeing of their own citizens, a duty they neglect when they cater to the interests of outsiders. One obvious response to this argument is that individuals often want their government to pursue an ethical foreign policy that is sensitive to the interests of those in other countries. Thus, satisfying the preferences of their own citizens requires governments to act in an other-regarding fashion.²² But there is also a deeper problem with the realist argument, one which arises even in the case of a hypothetical country where everyone is thoroughly selfish. The problem is that we do not generally think that our agents may do anything and everything to promote our interests.²³ For example, we do not think that a lawyer may destroy evidence in the course of defending her client. Although agents are often allowed a degree of partiality toward their principals, their partiality is always constrained by moral considerations. There is no reason to think that the relationship between states and their citizens should be any different. (The degree to which states are permitted to show partiality toward their citizens is an issue to which we shall have reason to return at multiple stages throughout this book.)

Two final points should be made about the realist challenge to global justice. First, although realists often present themselves as opposing the application of any form of other-regarding morality (or even morality *per se*) to the international domain, the specific complaints that they articulate often reveal that their real grievance is with *a particular conception* of (other-regarding) morality – that is, with a particular interpretation of what morality in fact demands.²⁴ Importantly, it will sometimes be possible to advocate global justice while also recognizing the legitimacy of realist grievances. After all, it does not follow from the claim that a particular conception of international morality is deficient that we must abandon the notion of other-regarding international morality altogether. Instead of doing that, we could advocate an *alternative* conception of international morality that is capable of accommodating legitimate realist concerns.

Second, realists often object to specific policies or courses of action that some individuals or groups have supported in the name of global justice. But, again, we might continue to advocate global justice while agreeing that the policies in question are misguided; we might argue that any conception

22 David Reidy, "Philosophy and Human Rights: Contemporary Perspectives", in Claudio Corradetti (ed.), *Philosophical Dimensions of Human Rights: Some Contemporary Views* (New York: Springer, 2012), p. 29.

23 Beitz, *Political Theory and International Relations*, pp. 23–24; McMahan, "Realism, Morality, and War", p. 81; Allen Buchanan, "The Internal Legitimacy of Humanitarian Intervention", *Journal of Political Philosophy*, vol. 7, no. 1, 1999, pp. 71–87, at p. 78.

24 McMahan, "Realism, Morality, and War", p. 83; Cohen "Moral Skepticism and International Relations", p. 300.

of global justice that endorses those policies is deficient. It should go without saying that a commitment to global justice does not entail a commitment to any and every policy that has ever been advocated in its name.

1.6 Everyday “realism”

The arguments addressed in the previous section are associated with a specific intellectual tradition. But it should be noted that theories of global justice might also attract “realist” criticism of a more general, less formal, kind. I shall conclude this introductory chapter by describing the kind of criticism that I have in mind and by explaining how I believe it should be answered.

Many of the political theorists who contribute to the global justice debate defend rather heterodox views, views which depart quite radically from the dominant strands of public opinion. Many citizens of affluent Western democracies are eager to preserve their privileges. They believe that their own interests, and those of their compatriots, should be prioritized by their governments, and they oppose even the minimal efforts that are currently made to alleviate the plight of distant strangers. In the face of these convictions, political theorists have argued for large transfers of wealth to the world’s poor, for minimal controls on immigration, and for radical reform of the international trading system.

One might be tempted to dismiss these proposals on the grounds that they are unrealistic, perhaps even utopian. But it is important to ask what exactly is meant by such claims. It is true that, given the current political climate, many of the proposals in question are politically unfeasible. But this is simply a shorthand way of saying that many people are unwilling to support these proposals and that, for this very reason, they will not be advocated by politicians anxious to be (re)elected. But the reason that many people refuse to support the radical ideas endorsed by political theorists is that the former do not believe they are morally required to do so. When they insist that their government prioritize their own interests, they believe that they are exercising a moral permission. In fact, they often believe that their government is morally *obligated* to make their interests their top priority and that they are simply *demanding* that their government honour its moral obligations.

This is an important point, for it reveals that part of what is involved in making radical proposals feasible is *challenging* these beliefs and demonstrating that they are unfounded. Nobody wants to think of themselves as a “bad guy”, as a defender of injustice. People support the policies they do because they believe those policies to be morally defensible. If we can demonstrate convincingly that those policies, or the principles which underpin them, are *not* morally defensible but are in fact deeply misguided, we will be better placed to mobilize against them.

Political theorists may seem to operate at some distance from political reality but this simply reflects the discipline's distinctive role. The role of political theory is not the sociological or anthropological one of documenting the moral views that people actually hold – what we might call *conventional* morality – but rather the philosophical one of developing a robust *critical* morality that can be used to evaluate and scrutinize conventional views. If political theorists embraced, as a form of methodological constraint, a refusal to stray too far from conventional morality – if they insisted on tethering themselves to the status quo – the whole enterprise would prove to be an unduly conservative endeavour. In order to make a valuable contribution to the movement for global justice, political theorists must “call them as they see them”, even when – *especially* when – this means going against the grain of public opinion.

INDEX

A

Ability to pay principle (APP), 157, 158, 162–164
Abizadeh, Arash, 80, 112
Allende, Salvador, 59
American Pastoral (Roth), 1
Amnesty International, 11, 35
Appiah, Kwame Anthony, 53
Arrhenius, Svante, 147
Ashford, Elizabeth, 52
al-Assad, Bashar, 191–192

B

Beitz, Charles, 11, 19, 198, 199, 204
Blake, Michael, 72–78, 80, 92, 123, 124
Blameworthiness of unjust combatants, 187–190
“Borrowing privilege,” 60
Brain drain, 111, 132
Brock, Gillian, 102
Brown, Gordon, 101
Buchanan, Allen, 21, 211
Bush, George W., 204–205

C

Caney, Simon, 153, 159, 166, 168
Carens, Joseph, 105, 107, 108, 110, 117–121, 125, 126
Central human capabilities, 27
Charlton, Andrew, 139
“China Model,” 30
Climate change, 147–148
 burden, sharing, 156–164
 problem, nature of, 148–151
 rights of future generations, 164–169
 uncertainty, problem of, 169–170
 violation of human rights, 151–155
Cohen, Marshall, 13

Cold War, 45

Communal self-determination, 193–199
Concept vs Conception of justice, 6
Conventional vs Critical morality, 17
Cosmopolitanism, 65–68
Culpable vs Innocent polluters, 159
Cultural critique of human rights, 30
Cultural preservation, immigration and, 121–125
Cultural relativism, 29–33

D

Daesh, 191–192
Developing countries, special and differential treatment for, 137–140
Doctrine of double effect, 181
Domestic labour argument, for trade restrictions, 133–136
Domestic poor, immigration and, 114–117
Dynamic conception of comparative advantage, 139

E

Egalitarianism, 65
Einstein, Albert, 86
Elster, Jon, 37
Equatorial Guinea, 206
Ethnicity vs Nationality, 86
European Court of Human Rights, 34
Executive Board of the American Anthropological Association, 30
Export-oriented firms, 134

F

Fabre, Cecile, 69
Factory farming, 67

INDEX

- Fair trade
 as equality, 142–145
 as reciprocity, 140–142
- First order vs Second order rights, 171
- First World, 46, 65
- Formal vs Substantive egalitarianism, 142
- Freedom of movement, 117–120
- Free trade, world poverty argument
 for, 127–129
- Frowe, Helen, 174, 201
- G**
- Gandhi, Mahatma, 35
- Gardiner, Stephen, 147
- Generalized System of Preferences, 138
- Geneva Conventions, 183
- Global egalitarianism, 66, 71, 72, 77,
 82–83, 144–145
 and national responsibility, 96–98
 national self-determination
 and, 92–94
 and special duties, 95–96
- Global equality
 case against, 71–80
 case for, 68–71
- “Good Samaritanism,” 152
- Greenhouse gases (GHGs), 148–161
- Griffin, James, 31
- Growth discounting, 165
- H**
- Hobbes, Thomas, 12–13
- Hohfeldian incidents, 21–22, 24
- Hohfeld, Wesley, 20
- Humanitarian intervention, 6, 191,
 192–193, 199–211
- Human motivation, limits of, 98–102
- Human rights, 19, 24
 and global justice, 3–6
 violation of, 151–155
- I**
- Identarian value of self-determination, 199
- Immigration, 105–106
 and cultural preservation, 121–125
 and domestic poor, 114–117
 freedom of movement, 117–120
 and radical global inequality, 106–113
- Import-sensitive industries, 134
- Inequality, 4, 65
 case against global equality
 coercion argument I, 71–77
 coercion argument II, 77–80
 cooperation, 80–83
 case for global equality, 68–71
 cosmopolitanism, 65–68
- International Covenant on Civil and
 Political Rights (1966), 22, 118, 153
- International Covenant on Economic,
 Social and Cultural Rights (1966),
 22, 154, 155
- International customary law, 23
- International Labour Organization, 132
- International Panel on Climate Change
 (IPCC), 148, 159
- International redistribution, national
 self-determination and, 90–92
- Irwin, Douglas, 56
- J**
- James, Aaron, 142–143
- Jones, Charles, 3
- Jus ad bellum*, 205
 vs. *Jus in bello*, 173–180, 180–186
- Justice
 arguing about, 8–11
 nature of, 6–8
- Justifying human rights, 26–29
- “Just war” tradition, 172
- K**
- Kauṭilya, 34
- Keohane, Robert, 14
- Kissinger, Henry, 182
- Kukathas, Chandran, 107
- Kuper, Andrew, 54–55
- L**
- Lazar, Seth, 185
- Lee Kuan Yew, 30, 32
- Liability, 175
- Luban, David, 196

M

Macedo, Stephen, 114
 Mahlman, Jerry, 149
 Massacres, 212–214
 McKim, Robert, 183
 McMahan, Jeff, 173–176, 183, 184,
 186–189, 194, 197, 203, 212, 213
 Miller, David, 66, 86–90, 95–97, 99–103,
 118, 119, 121, 136, 137
 Mill, John Stuart, 208–211
 Moral vs Distributive equality, 68
 Moral equality of combatants, 183
 Moral vs Artificial human rights, 22–23
 Morally arbitrary inequalities, 72, 144, 168
 Most Favoured Nation (MFN) rule, 138
 Murphy, Liam, 51–52

N

Nagel, Thomas, 77–80, 180–181, 184
 National culture, 89
 Nationalism, 85
 National responsibility, global
 egalitarianism and, 96–98
 National self-determination, 88–90
 and global egalitarianism, 92–94
 and international redistribution,
 90–92
 Nations and nationality, 85–88
 Natural lottery, 68
 Nehru, Jawaharlal, 35
 Neo-colonialism, 74
 Nickel, James, 32, 34
 Nixon, Richard, 182
 Non-combatant deaths, 181
 Non-ideal vs Ideal theory, 131
 Nordhaus, William, 164–165
 Nussbaum, Martha, 20, 26–29, 33, 36–38

O

Open-borders policy, 111
 Orthodox view of human rights, 23

P

Part IV of the General Agreement on
 Tariffs and Trade, 138
 Pattison, James, 200, 201

Pevnick, Ryan, 116
 Pogge, Thomas, 58–64, 69, 97, 108
Political Theory and International Relations
 (Beitz), 11
 Polluter-beneficiary argument, 159–160
 Polluter pays principle (PPP), 157–162
 Poverty, 4, 45–46, 212–214
 local/global factors, 55–61
 Singer, Peter, 46–54
 Principle of non-combatant immunity, 180
 Protectionist measures, 141
 “Purely Domestic Poverty Thesis” (Pogge),
 63
 Pure time discounting, 167

R

Radical global inequality, immigration
 and, 106–113
 Rawls, John, 27, 48, 56, 68, 131
 domestic inequality, 69
 on toleration, 38–42
 Realism, 11, 16–17
 Reciprocity, fair trade as, 140–142
 Reflective equilibrium, 48
 Refugee Convention (1951), 108
 Resource curse, 58, 59
 Resource privilege, 59
 Ricardo, David, 128
 Rights, 19
 cultural relativism, 29–33
 diversity, 42–43
 justifying human rights, 26–29
 Rawls on toleration, 38–42
 toleration and respect, 35–38
 understanding human rights, 22–25
 understanding rights, 20–22
 Western ideas, 33–35
 Risse, Mathias, 67, 68, 131, 143, 144
 Roth, Philip, 1

S

Saddam Hussein, 179
 Sangiovanni, Andrea, 75, 76, 80–83
 Scheffler, Samuel, 122, 123
 Schindler, Oskar, 55
 Sen, Amartya, 34, 41

INDEX

- 'Sense of justice,' 19
Shue, Henry, 150, 152–154, 156, 166, 169, 170
Singer, Peter, 46–55, 61, 64, 67, 99, 152
Smith, Adam, 128
Sovereignty, 88
Soviet invasion of Czechoslovakia, 176
Stiglitz, Joseph, 139
Subsistence rights, 3
Sweatshop argument, for trade restrictions, 129–133
- T**
Tan, Kok-Chor, 91, 100
Tarkovsky, Andrei, 86
A Theory of Justice (Rawls), 68, 82, 131
Third Reich, 86
Third World, 56, 71, 109, 110, 112, 115, 127, 155
Trade, 127
 domestic labour and, 133–136
 equality, fair trade as, 142–145
 nationalist perspective, 136–137
 reciprocity, fair trade as, 140–142
 special and differential treatment for developing countries, 137–140
 sweatshops and, 129–133
 world poverty argument for, 127–129
Troubles in Northern Ireland, 34
Trump, Donald, 105, 106
- U**
Unger, Peter, 49
United Nations Charter, 24
United Nations Environment Programme, 148
Universal Declaration of Human Rights (1948), 22, 24, 25, 30
- Unjust combatants, blameworthiness of, 187–190
UN Refugee Agency (UNHCR), 108
US Department of Energy, 182
- V**
Vietnam War, 188
Violation of human rights, 151–155
- W**
Waldron, Jeremy, 24
Walzer, Michael, 184, 194–197, 200
War, 6, 171–173
 blameworthiness of unjust combatants, 187–190
 jus ad bellum, 173–180, 183–186
 jus in bello, 180–186
Weinstock, Daniel, 103
Wellman, Carl, 24, 33
Wellman, Christopher Health, 109
Wenar, Leif, 21, 59, 60
Western conception of human rights, 31
Wheeler, Nicholas, 200
“White Australia” policy, 124
Wolff, Christian, 193
Wolf, Martin, 57
Wollner, Gabriel, 143, 144
World Health Organization, 4
World Meteorological Organization, 148
World poverty argument, for trade, 127–129
World Trade Organization (WTO), 5, 56, 91–92
Worldwide Fistula Fund, 46
- Y**
Yong, Caleb, 112, 115