

Republican International Relations



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Abstract

Contemporary proponents of republican political theory often focus on the concept of freedom as non-domination, and how best to promote it within a state. However, there is little attention paid to what the republican conception of freedom demands in the international realm. In this essay I examine what is required for an agent to enjoy freedom as non-domination, and argue that this might only be achieved for individuals if one of two possibilities is pursued internationally: either (1) all nations are made equally powerful, such that none may arbitrarily impose its will on another without penalty, or (2) all nations are joined under a global sovereign which guarantees that the weaker states are not subject to the whims of the stronger. I further argue that the first condition cannot suffice for achieving true non-domination, and as a result, republicanism must prescribe working toward the establishment of a global state. This paper provides an important contribution to the literature by addressing the international implications of the republican conception of freedom.

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1 Introduction

Republicanism has seen a marked revival in contemporary political theory, especially following the publication of *Republicanism: A Theory of Freedom and Government* by Philip Pettit [14]. The core tenet of republicanism is that an agent is only free to the extent that he or she is not dominated by another. Roughly, to be non-dominated requires that one not be subject to an arbitrary power of interference in one's affairs. However, despite the renewed interest in republicanism, much of the contemporary literature focuses solely on the concept of freedom, or its implementation within a state, with little attention paid to the

international aspect of the theory.¹ This is problematic because, as I will argue, the republican conception of freedom cannot be understood as an exclusively domestic ideal, but instead requires non-domination at every level of society, be it individual, state, or international.

In this essay I argue that if we take the republican understanding of freedom as non-domination seriously, we must arrive at one of two conclusions for international relations. Either we must pursue a policy of “reciprocal power”, where we “make the resources of dominator and dominated more equal so that, ideally, a previously dominated person can come to defend themselves against any interference”, or we establish some “constitutional provision” to defend “against arbitrary interference... by introducing a constitutional authority – say a corporate, elective agent – to the situation” [14, pp. 67–68].² What this amounts to in the context of nations is either a policy whereby we level the power of each nation, so that none is at the mercy of any other, or we establish a global state which guarantees the non-domination of all member polities. I will argue that the first policy is normatively unacceptable, and in fact theoretically infeasible, and that as a result, we must work toward the establishment of a global state in order to realize the ideal of freedom as non-domination. I would like to stress that the aim of the argument to follow is not to defend republicanism, but rather to explore what follows from it in the international realm. As such, republican conceptions and prescriptions will be introduced and explained, but not defended.

The argument will be structured as follows. In section 2 I will briefly expand on the republican notion of freedom, and how it is to be secured in a society. In section 3 I will extend this notion to the context of states, arguing that the republican conception of freedom requires not only domestic but also international non-domination. In section 4 I will present the possible alternatives for achieving international non-domination, namely the strategies of “reciprocal power” and “constitutional provision”, and argue that the policy of “reciprocal power” is both normatively and practically problematic. Because of the untenability of pursuing “reciprocal power”, I will argue in section 5 that we must work towards a global state, and I will indicate how this global state would be capable of meeting the requirements for non-domination. In section 6 I will address objections and then briefly conclude.

2 *Freedom as Non-Domination*

In order to determine what freedom as non-domination requires in the international realm, we must first be clear on what it means to say that an individual agent enjoys freedom as non-domination, and what this requires within a state. According to Philip Pettit, to be non-dominated requires that no one “1. have the capacity to interfere 2. on an arbitrary basis 3. in certain choices that the other is in a position to make” [14, p. 52]. What this means is that we suffer domination insofar as another has power of interference in our choices, and that power is not forced to track our (relevant or avowed) interests. The reason for this is because domination is characterized by two somewhat conflicting elements. On the one hand, not just any power of interference will constitute domination, otherwise by necessity every state would dominate its citizens. Only power of a certain type, i.e. arbitrary power, will result in domination. On the other hand, a power of interference which does in fact track one’s interests will not necessarily be non-dominating. Consider for example a slave who is well treated by his master. The master’s power might in all cases track the interests of the slave, but that does not alter the slave’s status or degree of freedom in the least. He remains a slave, albeit a slave that is well treated. What makes the master’s power constitute a dominating power is not contingent on how it is in fact dispensed, but rather with how it *could be* dispensed. The master’s power is dominating because there is nothing which forces it to track the slave’s interests, and therefore the only restriction on its use is the master’s will or pleasure. Put differently, the slave is at the mercy of the master, regardless of how he is in fact treated. This renders the master’s power arbitrary, and hence the slave unfree, and is at the core of the republican understanding of freedom. However, the three clauses specified by Pettit still call for closer inspection.

The requirement that no one have the capacity or power to interfere sets a very high standard for freedom. It is not enough if we merely find ourselves not being interfered with, or somehow manage to cleverly avoid interference, perhaps by ingratiation or subterfuge. It must be the case that others *cannot* interfere with us without penalty. This is because mere non-interference is compatible with the situation of the well-treated slave discussed above. He may be granted great latitude by his master, but insofar as he is a slave, he cannot be considered free. In the same manner, he will not be made more free by tailoring his actions so as to ingratiate himself with his master. He might be able to reduce the frequency or intensity of the master’s interference by acting

in this way, but it will still be the case that his master could at any time destroy him on a whim, without any penalty for that action. In order to escape domination and enjoy freedom in the republican sense, it must be the case that were one to interfere in his choices, there would be assurance of penalty for that interference. This assurance guarantees that he need not “kow-tow” or “curry favor” with the more powerful in order to retain his freedom between certain choices, because he knows full well that any interference or attempted interference will be met with severe consequences on the part of the interferer.

Important to the comments above are the notions of “cost” and “penalty”. For the republican understanding of freedom, these concepts are necessary for two distinct purposes. First, costs or penalties are used to substantiate the requirement that (potential) interference track one’s interests. The threat of penalty is what makes interference not just happen to track one’s interests, but rather be *forced to* track one’s interests, by including a penalty for not doing so. Second, in the event that one does in fact interfere with you in a manner which does not track your interests, the execution of the threat ensures that the interferer does not dominate you. By meting out suitable punishment, your status as a citizen is vindicated, and the wrong done to you is (ideally) undone, or at least mitigated. Therefore, the costs (or threat of costs) for interfering in a manner not in line with another’s interests underpins both a deterrent aspect of the republican ideal, as well as a retributive one. Together, these ensure that potential interferers do not dominate you, even when they hold a power to interfere.³

This talk of costs is integrally related to the second criteria of domination, namely interference (or power of interference), *that is perpetrated on an arbitrary basis*. What constitutes an “arbitrary basis” can be cashed out in a number of different ways, but for the purposes of the argument to follow, we will employ Pettit’s notion of arbitrariness as interference which is subject just to the judgment of the interferer, or is not forced to track the interferee’s interests (as judged by the interferee)[14, p. 55]. This means that interference will be arbitrary in cases where either there are no structures in place which force interference to track one’s interests, or there are such structures, but they are ineffectively or inconsistently administered. Interference will be arbitrary in these two scenarios for closely related reasons.

In the former, any potential interference will be guided by nothing other than the will or judgment of the agent interfering, as there exist no structures which could otherwise guide his actions. This will be

the case in “states of nature”, where any power differential necessitates domination, simply in virtue of the fact that the additional power is not constrained by anything other than the wielder’s pleasure. In fact, domination will be most widespread in so-called “states of nature”, because in these scenarios even benevolent agents will dominate those around them (provided they hold more power) due to the fact that their benevolence is subject to nothing other than their wills. It is the mere fact that nothing and no one *forces* them to act benevolently which presents an element of arbitrariness to their, admittedly amiable, dispensations of power.

In the latter scenario, though there exist structures to constrain the more powerful, the fact that they are not fully implemented means that there is *de facto* domination, despite the *de iure* provisions against it. This can be imagined in situations where there is a formal extension of equal rights to all, but perhaps due to sectarian interests, the rights of some group(s) are systematically violated. In such cases, the failure to punish interferers, and consequently the failure to deter future interferers, will result in the interfering actions being subject to nothing other than the wills of those doing the interfering. Furthermore, if there is common knowledge that interference with a certain group will not be punished, then the decision to interfere (or not) will be based solely on one’s own judgments, and thus, on Pettit’s account, will be made arbitrarily.⁴

The final criterion of domination is that an agent has a power of arbitrary interference *in certain choices that another is in a position to make*. This condition is included to indicate that domination may be localized to a specific range of choices. For example, the husband may dominate his wife in the home, or the employer may dominate his employees in the workplace, without holding any special powers outside those domains [10, p. 581], [14, p. 58]. Depending on how many choices another may arbitrarily interfere with, domination suffered may be more or less broad. In the most extreme case, an agent may be dominated in all choices, as in the example of the slave.

So for me to enjoy freedom as non-domination, it must be the case that no other agent, group, institution, or sect has a power to interfere with my choices that is not subject to some form of check. And for this check to ensure that the interference will indeed track my interests, it must also be the case that I have some relevant say in what my interests are, and whether they are being adequately secured by the checks established. This gives us the theoretic basis for establishing the

institutions necessary for securing freedom as non-domination. These institutions will have to meet a number of criteria in order to minimize private *dominium*, where individuals dominate me, while also avoiding public *imperium*, where the state dominates me. To meet these two demands, the institutions will need to strike a careful balance whereby they hold enough power to prevent private domination whilst simultaneously ensuring that the institutions' power remains non-dominating as well.

In order to prevent private domination, it will be necessary to extend formal and effective equal (basic) rights to all, to guarantee competent unbiased enforcement of those rights, and to guarantee at least a minimal level of well-being, such that none may be exploited. These conditions will ensure that no one individual possesses more formal power than others, either in terms of legislative authority or judicial entitlements, because all citizens will be extended the same basic rights. The requirement that all be provided with at least minimal well-being will prevent any (formally equal) citizens from being dominated due to a lack of options, as in the case of an employer who dominates his employees in virtue of being their only source of potential income. In addition to these requirements, the institutions will also need to incorporate a robust contestatory democratic element to ensure that they themselves do not become imperious, and to provide the citizenry with the means to voice their interests. By making the institutions and their decisions democratically contestable, and by providing a forum for citizens to voice their interests, those interfered with will have a guarantee that the interference is not perpetrated with a malign will or on an arbitrary basis. To fully establish and entrench the ideal of freedom as non-domination, much more than this will likely be required, but these criteria will form the core of a republican system. As such, each criterion demands a more thorough treatment.

The formal and effective extension of equal rights to all will be the first step to realizing non-domination, because it places all citizens on an equal footing, both legislatively and judicially. This means that no one need fear the power of another, because it will not be possible to simply impose one's will without consequence. The extension of equal rights should assure this even when others possess much more wealth or power, because the system will ideally be organized such that citizenship gives the same formal and political benefits to all. This means that all citizens will ideally have the same ability to influence legislation and enjoy the same judiciary protections. Even in cases where some individuals do possess more power, the equal extension of rights will guarantee that the

extra power cannot be used to interfere in the realm of choices protected by those rights. Thus, at the very least, an equal extension of rights will increase the range of non-domination, even if it does not suffice for securing it completely.

Competent and guaranteed enforcement of rights will be important for substantiating and maintaining the citizens' faith in those rights they do possess. Thus, if some group is arbitrarily interfered with, and the perpetrators are not brought to trial, or are able to avoid conviction by subterfuge or bribery, the wronged parties will not merely have suffered that interference, but will be subject to a further continuing state of domination. This is because they will be placed in a state of fear, believing they may be interfered with at any future time without hope of protection. Such a belief will lead to ingratiating or slavish behavior toward their persecutors, a state indicative of domination. Furthermore, by failing to punish the perpetrators, the deterrent aspect of the rights will be lost, leading the interferers (and perhaps others) to make decisions in the future based solely on their own judgments, without regard for the interests of the interfeerees.

Once we have established effective equal rights for all, and developed a suitable enforcement mechanism, it will still be vital to establish a minimal level of well-being to shore up any informal but effective domination that might persist. For example, if some segments of society are extremely poor, they may be held hostage by employers or politicians who need not actually interfere, but could force the hand of citizens by threatening to withhold certain necessities. By ensuring some minimal level of well-being, the worse off individuals in society will be in a position to strike fair bargains and avoid exploitation. Thus, it will not be enough if contracts or agreements are struck consensually. They must also be struck in an environment where the worse off parties have suitable alternatives to the contract at hand. This means that when negotiating, it must be the case that the worse off parties do not suffer any form of duress, be it active coercion on the part of the opposing party, or implicit threat of starvation or privation in the case of refusal. If this condition is not met, then individuals will remain dominated, because they will live at the mercy or will of those who can force them into disadvantageous, even slavish, contracts.

Finally, in order to prevent the institutions themselves from becoming dominating, and to make them responsive to the interests of the citizenry, it will be necessary to implement some form of contestatory democracy. What is meant by this is that the institutions and organs

of the state must at least be subject to review by the citizens. It is not necessary that citizens have a direct hand in the governance of the state, or that they even necessarily be able to participate in any voting-based democratic fashion. What is necessary is that each and every citizen have a protected right to contest the decisions of the state in an open and communicative forum. This ensures that when citizens have complaints, they may voice them in a setting where they know those complaints will be heard and given due consideration. Thus, “the control achieved under the democratic institutions envisaged will be enough to guard against government domination if it enables people to think that when public structures and policies and decisions frustrate their personal preferences, that is just tough luck”, but is not an indication of a malign will [11, p. 143]. To be sure, these considerations will not necessarily get us all the way to the ideal of freedom as non-domination, but they represent the core elements required.

3 *Freedom: A Global Ideal*

With the basic requirements for non-domination roughly sketched and the minimal necessary institutions presented, we are now in a position to explore what, if anything, the republican standard calls for internationally. This can be most easily evaluated by simply taking the domestic inter-personal standards for non-domination and applying them to inter-state relations. Therefore, just as the republican ideal gives us a blueprint for when agents dominate one another, by extrapolation we can see when groups of agents, i.e. nations, dominate one another. The republican ideal can be extrapolated in this simple fashion because the criteria for non-domination will be the same, and will be satisfied in the same manner; just as citizens within a state will suffer domination insofar as others have a power of arbitrary interference, the citizens of a state will suffer external domination by other nations if those nations possess an arbitrary power to interfere in the choices of the former. To make this point clear, consider an example. Say a small republican nation is situated such that a much larger nation is adjacent to it, and this larger nation has significantly more economic, military, and international political power. This more powerful nation will dominate the smaller to the extent that the stronger has a power to interfere which is not in some fashion forced to track the interests of the weaker. And just as in the case of the benevolent master, it will not suffice if the stronger nation is

simply disposed to not interfere, because this disposition will be at the whim of the stronger, and hence arbitrary. It must rather be the case that the stronger party cannot interfere without some penalty attending that interference. Barring this assurance, the smaller nation will live at the mercy of the stronger.

To provide such an assurance, and thus to remove the domination hanging over the small republic, it will be necessary to establish the minimal institutions required for achieving interpersonal non-domination, or to render them unnecessary. This will amount to either making it such that no nation in fact could interfere, thus eliminating the need to establish the institutions, or by making it such that interference, were it to occur, would be forced to track the interests of the interferee (i.e. the state). Therefore, republicanism will require either “leveling the field”, as it were, or creating an empowered supranational organization to remove any potential arbitrariness from the decisions of states.

This should indicate the rough shape of what republicanism demands on the international scale. Since nations have greatly varied power, in terms of economic abilities, military might, and political clout, in order for the people of these nations to remain non-dominated, there must exist some check on the power of the stronger, guaranteeing that the weaker will not be subject to their vagaries. Such a check will be provided by extending and enforcing equal sovereign liberties to all states. Furthermore, as in the discussion of the domestic requirements, it must be the case that the poorer nations are not so destitute as to make them targets of exploitative contracts. This will require that those worse off nations are guaranteed at least some minimal standard of welfare, such that they can stand as equals in the community of nations. Finally, in order to ensure that any actual interference is not also arbitrary, it will be necessary that the nations of the world have some contestatory say in any decisions which will affect them. These conditions represent nothing more than the minimal requirements for a republican society, broadened to the international scale.

If it is our wish to effectively implement republicanism within a society, it will be necessary that the domestic conditions be broadened in this manner in order to meet global republican demands. If this were not the case, then a state with maximal internal non-domination would be deemed maximally free even in the event that that country was dominated by its neighbor. This conclusion is untenable in the republican framework. For a people to be free, they must govern themselves, or at least be able to effectively contest the laws, for, in the words of Richard

Price, “a country that is subject to the legislature of another country in which it has no voice, and over which it has no controul, cannot be said to be governed by its own will” [17, p.30]. If a country, or the people of a country, are not governed by their own will, then they are by necessity governed by the will and judgment of another [14], an alien control [13]. This represents the archetype of arbitrary power, and compromises any level of internal non-domination achieved. Therefore, in order to achieve freedom as non-domination, it cannot be enough to merely preserve it domestically, but must also include an international set of constraints guaranteeing that those countries which have achieved internal non-domination do not suffer external domination. Only in this way can true non-domination be realized.

4 Freedom Through Reciprocal Power

As indicated above, external non-domination could be achieved in one of two ways, by either “leveling the field”, as it were, ensuring that all nations have the same (or a roughly comparable) level of power, such that none could effectively dominate the other, or by imposing some empowered global order which would prevent domination between states in the same manner that the state prevents domination between individuals. Following Pettit, we will call the former strategy “reciprocal power”, and the latter “constitutional provision” [14, pp. 67–68].

In some respects, the strategy of reciprocal power seems more readily achievable, in that it does not appear to necessarily call for any significant reordering of the current set of states. Strictly speaking, all that it requires is that individuals “can defend themselves effectively against any interference that another can wield” [14, p. 67], but this seems feasible without necessarily fragmenting larger states or redrawing boundaries. Admittedly, the simplest (theoretical) method of ensuring that each state could defend itself would be to make each state as equal as possible, in terms of size, population, military strength, and economic productivity, but it is not clear that such a program could be carried out in a manner which does not dominate the people whose nations are being forcibly partitioned. However, it is theoretically possible to provide each state with adequate military means of self-defense without employing such a radical procedure. This could even be done in such a way that states are given the military power to defend themselves, yet are incapable of using that power for belligerent purposes, getting us very close to the

ideal of non-domination. The idea would be to construct an impassable network of defenses which are totally fixed, such that each state would be enabled to protect itself, but could not use that protection for any offensive ends. [4] argues for just such a method, claiming that “a government strengthened with forts in passes, and other convenient places, might be very capable to defend itself, and yet altogether unfit for conquest”, because their military defenses would be immobile [4, p. 207]. Thus, it appears to be at least theoretically possible to prevent military domination in this fashion, without adding any probability for armed conflict, because the methods of defense could be designed so as to be unusable for offense.

However, this line of thought, albeit seemingly theoretically possible, is practically problematic for a number of reasons. First of all, the types of equipment typical of modern militaries are not things that can be easily made “unfit for conquest”. Even if we were to build forts or strong points of defense, ensuring that countries could not be conquered, there would likely still be tanks, aircraft, and naval vessels, not to mention rifles, grenades, and hand-held weapons. By relying more on fixed defenses, it might be possible to restrict the number of mobile weapons, but it is not clear that these could be wholly removed, leaving the possibility for countries to wage aggressive wars. This might even be made more likely if all countries’ defenses are bolstered by fixed weapons, because the mobile weapons could then be deployed abroad without fear of vulnerability at home. Furthermore, even if we suppose that the physical arm of the military could be designed and executed in the fashion imagined by Fletcher, an important aspect of modern defense hinges on cyber-security, both for the state and individual. A country must not only be secured against invasion, but must also be secured against cyber-warfare. However, much of the research and technology which goes into cyber-defense can be just as easily used for offensive purposes.⁵ Given this, it is hard to see how we could ensure that countries could defend themselves without also simultaneously increasing the risk of small-scale armed conflict. This is problematic because armed conflict, even when extremely small-scale, results in extensive and deeply penetrating domination. Whether it is localized to one village on the frontier of a nation or to the capital city, when soldiers carrying rifles fire at each other in the streets, there is no longer anything protecting one’s interests or forcing potential acts of interference to track them. In most cases, the acts of soldiers in war are nothing if not arbitrary with respect to the local populations, and if by establishing defensive networks we increase

nations' propensity for war, then the republican ideal cannot condone this. Therefore, it is not, as initially thought, possible to "level the field" militarily without simultaneously introducing another potentially graver source of domination, i.e. war.

In addition to this, the strategy of reciprocal power initially outlined – supposing the above objections could be surmounted – could only ever get us stable non-domination of a military sort. However, in order to truly be free, it must be the case that nations escape all forms of domination, be they military, economic, political, or otherwise. Given this, the strategy of reciprocal power begins to look very implausible. For supposing we somehow could make all nations incapable of being invaded or conquered, they could still be beggared or bullied by those with the economic might to pressure their decisions. Moreover, short of a radical reordering of states, it is not clear that there exists any method for establishing the self-defensive measures required for reciprocal power to be effective. If small nations lack the economic clout to command equal footing in negotiations, there will be nothing to prevent the stronger from exploiting them by threatening to withhold contracts or investments, or threatening to embargo trade. These considerations will conspire to make the leaders of small nations act deferentially toward the stronger, currying favor and ingratiating where possible. Such actions are not indicative of a free and undominated individual (or state).

The problem is further compounded if we recognize the global nature of current economics. Even if a nation is fully self-sufficient, such that a total trade embargo could easily be tolerated, other nations will still be able to interfere in subtle but considerable ways. For example, a nation which is home to large international corporations could, by threatening to move factories elsewhere, leverage the weaker in ways which are not "forced to track their interests". This type of action will often lead to "bidding wars" between small nations, where each party undercuts the other, leaving benefit only to the stronger, and since the stronger is in a position to hold out longest, it can always force the hands of the weaker in this manner. This policy of playing the weaker parties off each other is common practice for many large corporations, and represents a significant form of domination for the people being exploited, as their choices are restricted without them having any ability to effectively object.⁶ Furthermore, their inability to object is not due to some malign will or interfering agency, but is simply because without some supra-national agency, they have no one to object to. In a world where the state is the highest power, there is no guarantee against domination for the weak or

poor.

The underlying problem with the strategy of reciprocal power is that it is predicated on the assumption that the power of agents (individual or corporate) can be equalized, at least to a high enough degree that no one may dominate the other. However, this simply cannot be done unless we forcibly divide the larger and more powerful nations so that none holds (substantially) more power than another. Furthermore, if there exist some states with virtually no resources or military assets, it might never be possible to achieve such a total equalization through mere division of states. Finally, even were we to (counterfactually) assume that the resources and power of the world could be so easily divided, a division of this kind would be extremely dominating for the people of states which do not wish to be divided. For example, if a people identifies very strongly with their nationality, such that to take that away could never track their interests, then by eliminating their nation (through division among smaller polities) we impose a significant force of domination on this particular group for no other reason than that they have the 'misfortune' of living in a prosperous land they are proud to call home. We might try to mitigate this domination by giving them an effective say in the division process, perhaps along the lines of democratic contestation, but this will go beyond the strategy of reciprocal power.

To achieve non-domination internationally, the strategy of reciprocal power simply will not be enough, and moreover, could not be enough, because it is self-defeating. The actions required for securing non-domination in this manner would introduce just as much or more domination along the way, by forcing entire peoples to submit to interference which would be, from their vantage, arbitrary. Instead, we will need to pursue a policy more in keeping with the prescriptions for securing non-domination domestically. Just as individuals are protected from domination by assurance that they will enjoy equal rights, a say in contestatory democratic processes, and a minimal level of welfare, the state can be protected by the same measures. If we grant all states equal rights (in terms of their sovereign liberties), an equal ability to contest the decisions of others in an effective manner, and a minimal level of economic well-being, such that they cannot be forced into exploitative contracts, then states will be able to enjoy (at least minimal) non-domination in the international realm.

5 Freedom Through a Global State

If, as argued, the strategy of reciprocal power cannot establish inter-state non-domination, then we must look to other alternatives for securing freedom. The most obvious candidate for this would be the global state. Reciprocal power fails in the international realm because it could only be pursued using dominating means, and because it lacks the institutional framework necessary for guaranteeing rights and mitigating the effects of large economic inequalities. The global state, on the other hand, would be ideally positioned to handle these sorts of problems and would not (necessarily) itself constitute a force of domination, and thus presents a *prima facie* suitable alternative. In this section, I will argue that the global state is fully capable of meeting all of the criteria set for achieving international non-domination, and can do so without becoming a force of *imperium* itself. However, before arguing for the global state, a potential alternative must first be explored.

This alternative is the proposal for a *league of nations*, famously advanced by Kant. According to Kant, no nation (or its people) can enjoy freedom if they fear the vicissitudes of their neighbors, just as no individual can enjoy freedom in the lawless “state of nature” [6, p. 81]. Because of this, it is necessary that states join some form of union to secure the peace, thus allowing freedom to flourish. However, for this union to present an *alternative*, it must fall short of a global state in terms of coercive powers and institutional apparatus. As a result, we must strike for a middle-ground, and seek to establish a league of nations which is capable of preserving global peace while furthering the cause of individual freedom, but which also avoids amalgamating all peoples of the earth under a single homogeneous institution. This envisaged order would be structured so as to encourage states to deliberate and negotiate as equals, rather than resorting to violence and coercion to further their agendas. Importantly, the league would also be designed in such a way that states could enter or leave it freely, and states would not be permitted to use coercive power against others, making it essentially a consensual endeavor based on voluntary agreement. The requirement of free entry (and exit) and the restriction against coercion are vital for distinguishing the league of nations from the global state. Without these conditions in place, the league would be more akin to a global federalized state than a league of independent states.

This proposal is, on republican grounds, much stronger than the strategy of reciprocal power, in that it provides for a loose institution capable of solving at least some of the global problems indicated above.

However, what it achieves will still fall short of the republican ideal for one important reason. To argue for this, let us first suppose that there exists such a league, and furthermore that all nations belong to it and are in good standing. By being “in good standing”, I mean that all members agree with the republican principles of freedom laid down, and live up to them. Further suppose that the republican principles advocated are in accordance with the most demanding understanding of republican freedom. What we then have is a situation where all nations of the earth freely choose to follow republican norms, and seek to secure maximal non-domination globally.

However, crucial to the idea of a league of nations is that members may opt out as they please, and that members may not coerce others in any fashion. If they could not leave at will, or if others could legitimately interfere with their choices, they would no longer constitute a league of separate nations, but would rather be members of a global confederate state. This means that despite all members commitment to securing freedom, none of them will actually be compelled to secure freedom. More importantly, there will be nothing and no one that could legitimately force their actions to follow the interests of other confederates, as the terms of the agreement do not allow for coercion between member states. Therefore, there will exist no guarantee that other states will not interfere in their choices arbitrarily, because the only legitimate constraints on any state’s actions will be its own domestic politics. In this imagined situation, it will indeed be the case that nations, and the people of those nations, enjoy great (perhaps maximal) latitude in their choices, but they will still not be free in republican terms. This is because republican freedom demands that any *potential* interference be *forced to track* the interests of the interferee, regardless of whether or not others do in fact interfere. But without a legitimate means of coercion between members, there can be no guarantee that interference will be forced to track the interests of the interferee. Though the imagined league fares better than a state of abject and arbitrary interference, this situation is not qualitatively different than when a slave is granted great latitude by his master.⁷ Wherever there exist power differentials and no authority *guaranteeing* that potential interference will track the interferee’s interests, there exists domination. The league of nations will get us closer to global (and hence individual) non-domination, by increasing the potential costs of interference (perhaps through loss of prestige or esteem within the league), but it alone cannot secure it completely. In order to achieve this, it will be necessary that there be some higher agency to

which all members belong, and which meets the criteria laid down for the establishment of domestic freedom.

If, as argued, both reciprocal power and a league of nations are insufficient for securing freedom, then the only possible alternative remaining is a global state. As argued in section 2, minimal non-domination requires at the very least the formal and effective extension of equal rights to all, competent and guaranteed enforcement of those rights, a minimal level of equality between citizens, and some degree of contestatory democracy. For states to be free, and hence for the citizens of those states to be free, these minimal requirements must also be realized at the international level. This means that each nation must enjoy an effective extension of the same sovereign liberties that all other states possess, each must be provided with a guarantee that those liberties will be enforced, each must be secured from gross poverty, and each must be able to effectively contest the decisions made by others, in order that their relevant interests be observed. In the remainder of this section I will argue that these conditions can be satisfied by a global state.

The first criterion for non-domination to be achieved internationally is that all nations enjoy the same effective sovereign liberties. This is necessary because if some states possess more rights than others, then they will also possess more power than others, and absent some supra-national agency, they will hold that additional power arbitrarily. Such a state of affairs is inimical to freedom. One might object that a state could hold more rights, but only ones which concern the domestic functions of that state. For example, the treaty of Westphalia gave each prince the right to dictate the religion of his kingdom, but demanded that he not interfere with other kingdoms. This effectively extended the rights of rulers, but did so in a manner which did not impact the rights of other countries.

However, a right of this kind is in and of itself a violation of republican liberty, as it constitutes an arbitrary power of interference the prince holds over his people. If we are trying to secure freedom as non-domination, both internally and externally, then a state's sovereign liberties must first and foremost be compatible with internal non-domination. Taking this constraint for granted, the only liberties left that a state possesses which are then relevant for non-domination are those liberties which involve interactions with other states, because these represent the last scenario where agents or agencies may have a power of arbitrary interference in others' choices. If the only relevant sovereign liberties are liberties in interaction between states, then it is clear that an unequal

distribution of these will constitute domination. This is because some countries will then have more freedom in negotiation or diplomacy than others, granting them a power to interfere, and barring some empowered supra-national agency (like a global state), this additional power will be held arbitrarily. Thus, it will be necessary that all nations have equal sovereign liberties or rights.

Providing this assurance of equal rights will be the first task of a global state. However, it is a task that a global state is well-equipped to handle. Just as in the establishment of equal rights in domestic society, the global state can realize this agenda by simply including some form of constitutional provision extending the same rights to all. This would grant all nations the same formal rights, and would constitute an important first step toward establishing international non-domination.

However, for those rights to be at all effective, both the formal right “and sovereignty (*dominium*) have to be exercised” [9, p. 82]. By “sovereignty”, we mean *supreme authority in a range of affairs*.⁸ This understanding maintains that there exists a sovereign power insofar as an agent (or agency) is the ultimate decider and executor in a given range of decisions. This agent could be an individual or a corporate body. For example, the state holds sovereign power over military decisions, and the individual holds sovereign power over personal choices like religion or profession. If sovereignty, so understood, is not present alongside the rights being invoked, those rights lose their legal and protective value, because they then lack an enforcer. In such a scenario, the rights will not suffice to ensure non-domination.

For sovereignty to underpin a right held by a state, it must either be the case that that state has the power to protect its own rights, making the state its own enforcer, or that its rights are protected by a greater sovereign of which the state is a member, making that higher authority the enforcer. The former notion has already been considered and rejected in our treatment of “reciprocal power”. The latter simply amounts to saying that a nation’s rights are effective rights when they are secured by a global sovereign, who exercises the power to protect all rights of individuals, be they states, territories, peoples, or single agents. Thus, to hold equal sovereign liberties requires both that all nations have the same formal rights, and that those rights are equally protected by a common sovereign, i.e. a global state. The global state would be able to guarantee the enforcement of each state’s rights as long as it held some form of coercive powers which could be exercised against would-be infringers. Therefore, provided the global state has at its disposal some

form of global policing agency, it will be able to provide the “competent and guaranteed” enforcement of rights required to establish international non-domination.

The condition that all nations be secured from gross poverty more straightforwardly points to a global state. Pettit says that each state “ought to enjoy the capacity to frame its expectations and proposals on the assumption of having a status no lower and no higher than others and so to negotiate in a straight-talking, open manner” [11, p. 128]. However, if some nations are so destitute as to rely on foreign assistance for their very survival, then they will be at the mercy and goodwill of others, and will be forced to ingratiate themselves with those who might offer assistance. This will prevent them from any kind of “straight-talking, open” negotiation, and will instead relegate them to a lower status. In fact, even a nation who is highly disposed toward charity will present a problem on this front, because unilateral assistance is antithetical to the republican ideal, insofar as it places the poorer nation under the power its benefactor in the same way a slave is dependent on his master. By providing unilateral aid, even well-intentioned unilateral aid, a benefactor reduces the status of a beneficiary to that of a client or dependent, undermining the likelihood of future treatment as an equal. This means that it cannot be enough for individual nations to reduce poverty, but instead requires that aid be provided multilaterally, such that no nation is made dependent on a single other.

One might object here that multilateral aid can be provided without a global state, so republicanism need not call for such a drastic measure. However, the republican ideal demands not just that one have the good fortune to be lifted from extreme poverty, but that one be *guaranteed* of this assistance. If this guarantee were not in place, then there would still be good reason for the impoverished to act in a servile or subservient manner toward those who might provide assistance. Only in knowing with certainty that assistance will come are those worse off parties allowed to “hold their heads high” and demand treatment as equals. Multilateral aid will certainly allow for less arbitrariness and more certainty of assistance than mere unilateral aid, but it is still possible for all donors in the aid scheme to simply opt out. We cannot secure non-domination by trading the arbitrary power of one for an arbitrary power of many. It must rather be the case that aid is guaranteed by a larger body in which the recipient has a say, so as to ensure that the actions of this larger body are “forced to track the interests” of the recipient. This will allow those impoverished nations to meet the stronger on an equal

footing in negotiation, knowing that their actions and opinions will not be cause for penalization.

A global state will be able to offer such a guarantee by simply extending a right to all nations stipulating that they will not be allowed to suffer extreme privations. Similar to the case of domestic society, the global state could enforce this right by extracting some proportionate level of taxes from member states and using the funds to guarantee that the worst off would not be so destitute as to be exploitable. Importantly, the global state would not necessarily have to eliminate global poverty or impose cosmopolitan demands on member states. All it must ensure is that the poorer or worse off are not dominated, but this might be achieved without necessarily eliminating global poverty.

This brings us to the final condition necessary for minimal non-domination to be achieved for a nation and its people. If, as argued, the rights of nations, the enforcement of those rights, and an assurance of assistance can only be secured by some global sovereign, then it will be vital that this sovereign is not itself dominating. This mirrors the domestic case, where we must establish sufficient institutions for eliminating private domination, without also making those institutions into a force of public domination. The simplest way to achieve this, like in the domestic case, would be to make the decisions and structures of the institutions democratically contestable by member states (or their people). By allowing states to voice grievances in an open forum which is responsive to their positions, we can ensure that the actions of the global state will in fact track the interests of members. Making the decisions of the global state contestable in this manner will also be relatively undemanding, in that it requires nothing more than that the decisions be made in an environment of (relative) transparency, and that the media and citizens are free enough to openly demonstrate against those decisions. If non-domination has been secured domestically, these requirements will likely already be fulfilled.

Since we have so far been discussing the *minimal* requirements for securing non-domination, we need only seek to establish a minimal global sovereign, whose sole functions would be to extend and protect all states' (non-dominating) sovereign liberties [11, p. 168], and guarantee assistance in the event of extreme poverty [11, p. 176]. Additionally, to ensure that the global sovereign's power does not become arbitrary, it must be the case that its decisions are democratically contestable by member states [11, p. 169]. Given these considerations, it will not be the case that the sovereign need have any say in the day-to-day affairs

of the individual constituent nations. In fact, for non-domination to be most deeply secured, it ought rather to be the case that the sovereign actively avoids as much interference as possible. Just as in the case of domestic non-domination, a state whose presence is felt in too many of one's decisions will begin to present a force of *imperium*, compromising the freedom of agents. In the same manner, a global sovereign should work to ensure that all individual states escape domination from others, but should also strive to be as unobtrusive as possible. This will allow for the broadest and deepest enjoyment of non-domination on the part of states and people.

If we are working with a global state that is minimal in this respect, then it will also not be necessary that the state have any extensive democratic institutional apparatus. All that will be required is that the decisions made by the state be contestable in variety of ways, most importantly through judicial appeals, popular interrogations and protests, and through the media and watchdog officials [11, p. 169]. Therefore, even though the decisions need not be *ex ante* democratically approved, they must be democratically acceptable. What it means for decisions to be democratically acceptable is that it be possible to effectively protest or alter the decisions through an open forum of discussion between equals. This form of effective contestability can be achieved in the international realm, i.e. between members of the global state, by providing member states with legal and popular means of contestation which parallel those found in domestic society [11, p. 169]. Such an arrangement might conceivably be achieved by extending institutions like the European Parliament, and delegating more power to them, especially in terms of abilities of enforcement. Furthermore, if we take the European Parliament or the UN as examples of minimal global institutions with properly enfranchised members, we can begin to see what a global state might look like. Granted, a true global state would have to possess far more power to enforce the rights of member states than either the UN or European Parliament currently possess, but the underlying structure of these institutions provides a plausible blueprint for the institution required.

6 *Objections*

Up to this point it has been argued that in order for any agent to enjoy freedom as non-domination, it must be the case that that agent be free

from domination from other agents, his state, other states, and international bodies. That is, an agent can only be free if there is no other agent (individual or corporate) who has a power of arbitrary interference in his choices. This, it has been argued, can only be securely achieved if the agent in question lives in a free society which has its sovereign liberties and minimal well-being guaranteed by some larger global institution whose decisions are democratically contestable. However, it would be remiss not to consider some likely objections to the argument at hand. This section will explore the most pressing objections and present responses to each, followed by a brief conclusion.⁹

The majority of objections will relate to three main concerns: a fear that the argument leads to cosmopolitanism, a concern about whether the envisaged state is at all feasible, and a worry about how the global state should (or could) be organized in a non-dominating but effective manner.

Pettit is sensitive – and sympathetic – to all three objections, but is most resistant to the idea of a global state based on theoretical concerns with cosmopolitanism. He argues that freedom necessitates a world of many states, because the state holds special responsibilities to its own citizens which it does not owe to those of other states.¹⁰ Cosmopolitanism, on the other hand, maintains that there are no such “special” obligations, and the duties we owe are duties owed equally to all.¹¹ However, supposing for the sake of argument that Pettit’s denial of cosmopolitanism is correct, does this entail a denial of the global state? I argue no.

The global state argued for is an extremely minimal state, which only exists to protect and enforce the sovereign liberties of member states and guarantee them a minimal level of well-being. It does not say that all states owe the same duties to the citizens of other states, and there is no reason why it would prescribe or enforce such a notion. In fact, as a state designed to minimize domination, it would do better to leave the details of governance and inter-state diplomacy to the member states, so long as they themselves promote freedom as non-domination within their respective domains. This is because the global state is established expressly for the purpose of minimizing domination *between states*, and this will not likely be achieved by forcing the wealthier or more powerful to give up their resources for the worse off. What it will say is that the wealthier and more powerful must be made incapable of arbitrarily interfering with the weaker, but this by no means entails cosmopolitanism. Therefore, the objection to cosmopolitanism is not an objection to the

global state at all, because it rests on a misunderstanding of what is implied by a global state. The global state exists to enforce member states' sovereign liberties and guarantee assistance in times of need, but it does not demand that states treat all people as their own citizens, because such a demand would be dominating to those peoples without the wish to assist their neighbors. If an individual republican state can permit agents to be selfish and uncaring toward their neighbors, so long as they do not dominate them, then a republican global state can just as easily allow one corporate agent (i.e. member state) to be selfish and uncaring toward its neighbors (i.e. other member states), so long as it does not dominate them.¹²

The second objection concerns the feasibility of such a state. One might argue that even if we grant the theoretical reasons in favor of a global state, it would never be possible to create such an entity, and to think that the powerful would give up the extra privileges they enjoy in negotiations and diplomacy is utopian. The objection is not so much that creating the global state will be impracticable, but rather that it will be impossible. To this concern, not much may be said that is not speculative or open to further objection. However, we can sketch one possibility for establishing the core of such an institution, and build from there. If this possibility is at all plausible, then it is at least possible to create such an entity, even if it might be improbable.

Arguably, the most difficult task in establishing anything like a global state will be getting the first group of core nations on board. As one of the primary aims of the minimal global state is to protect and enforce members' sovereign liberties, it will be necessary that military power be controlled by this global, at least minimally democratic, authority. Since the member states would be asked to delegate command of their armed forces to an international body, it would make most sense to begin with a core of nations that is apt to place trust in one another. A likely candidate would be something like the countries included in NATO, who already are bound by military treaty, and who, at the very least, do not fear invasion by other NATO members. In order to incentivize these nations to establish such an organization, one might indicate that by pooling their defensive forces, each would be allowed to dedicate less domestic funding on military spending, because they could all rely on each other in times of crisis.

If we are able to establish this core of countries in a supra-national agency – which is a rather significant “if” – it would then likely be very simple to rapidly expand the organization. For example, supposing

that all NATO members joined such an agency, where protection was guaranteed by the combined forces, military spending was lowered for each member, and all members had a democratic say in the deployment of forces and a guarantee that they would not be dominated, it would become very attractive for small nations adjacent to member states to join the union. This is because the small nations would suddenly find themselves with a very large and powerful neighbor whom they had no control over, but whom they could co-opt for their own protection by simply joining the union. Once these small adjacent nations had joined, the nations one step further out would then have a good incentive to join, in order to enjoy the protection offered, and so on.¹³ Thus, even though there is a significant and real difficulty in getting the core of such a global state established, once this has been achieved, there would likely be a rapid “snowball effect”, leading to all small nations clamoring to join so as to ensure their safety in international relations.¹⁴ Therefore, even if unlikely, it is possible to create such an entity.

The final objection concerns the organization of such a state, and is rooted in the republican need to constrain individual *dominium* while avoiding public *imperium*. The fear is that a global state, due to its sheer size, might be prone toward either being incapable of any action, because democracy on a global scale is simply too unwieldy, or it would become a force of domination in its own right, because it would possess so much power over the lives of its members, i.e. humanity. However, these twin fears can be addressed using the time-tested republican prescription for federation. If we recall the organization of the United States *at the time of its founding*, we can see quite clearly how we might organize a global state. The United States of America was established to be precisely that; individual *States* of America that were *United*. The idea was not to create a centralized government with large powers over the widely separated peoples of the American continent, but rather to create a federation of independent states, which would all gain by pooling some of their efforts in a common cause for freedom. To be sure, the individual states of the union did not ultimately retain the same level of autonomy enjoyed at the time of foundation, but this need not cast doubt on the model advocated. It is at least possible (if not plausible) that we can establish an order of independent states which enjoy great autonomy in their domestic legislation and governance, but which jointly contribute to a small number of federal projects which facilitate the growth and prosperity of the commonwealth of nations.

Taking this model and ideal seriously, we can simply add states to the

global sovereign order, and make no other demand than that they contribute to those projects which are beneficial to all. These projects would include the military infrastructure needed for international law and order, some level of international judiciary to handle crimes of states or leaders, and provisions for maintaining and improving trade. As long as these are secured, the global sovereign can leave all domestic governance to the domestic authorities, in the same way that a federal government leaves state, county, or city legislation to those respective authorities. By looking to the organization implemented in large federal republics, we can see exactly how a global federal republic might be devised which could ensure that no state dominates another, while itself not presenting a force of domination.

It is also important to recall that what ensures that the state itself not become a force of domination is just that the members of the state, be they individuals in domestic society or member-states of the global sovereign, be able to democratically contest the state's decisions. The reason republicanism demands a global sovereign is not because there must always be some higher authority "keeping tabs" on the power of institutions. If this were the case, then republicanism would lead to an infinite regress. What republicanism demands is that the people who could be interfered with by any power have some relevant say in the exercise of that power. One of the age-old questions in republican theory is "who watches the watchmen". The answer is "those being watched". The state exists to protect our freedoms, and we ensure that the state does not overreach its prerogative by contesting decisions we find arbitrary. In the same vein, the global state exists to protect our state's sovereign freedoms, and it is our state's responsibility, and ours, to contest the decisions of the global state which we find to be arbitrary.

7 Conclusion

If we take the republican ideal of freedom as non-domination seriously, it will never be enough to simply ensure domestic non-domination, but will always require that states remain undominated as well. In the domestic realm, non-domination could theoretically be achieved by either the strategy of "reciprocal power", where each individual is given the means to defend him or herself, or by establishing some constitutional provision to ensure non-domination. However, the strategy of "reciprocal power" will not be capable of securing international non-domination,

because implementation of the strategy would result in extensive and long-lasting domination of whole peoples. This means that we should instead seek to establish a minimal global sovereign with the power to enforce each nation's sovereign liberties and guarantee assistance in the event of extreme need. This minimal global state would not go so far as to be cosmopolitan, because it would not require that states help others, so long as they did not dominate others. For this global state to avoid becoming a force of *imperium* itself, it would be necessary to construct it along federal lines, leaving a high level of autonomy to member nations. It would also be necessary that the global state include an element of contestatory democracy, allowing parties to effectively voice complaints in an open and engaged forum, so as to ensure that when decisions go against them, that is simply tough luck, and not an indicator of domination. The largest difficulty in establishing such an order would be in convincing the first group of nations to relinquish control of their militaries to an international body, but once achieved, it is plausible that the federation of nations would grow quickly, as smaller nations recognized the benefits of collective protection. If something akin to this is not achieved, it will not be possible to ensure non-domination between states, and as a result, no agents will be truly free unless they have the good fortune of living in a republican state which is able to defend itself against any foe.

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Notes

- 1 The work of James Bohman is an exception to this statement. See [2, 1] for his arguments connecting republican theory to intranationalism and cosmopolitanism.
- 2 One might object that there is another possibility for securing non-domination, for instance, through a suitably organized league of nations. An example of such a proposal can be found in Kant's *Perpetual Peace*. However, for reasons to be explored in section 5, this response will not suffice for establishing freedom in the republican sense.

- 3 The role of costs in republicanism is still a contested issue. See [10] for a concise treatment of how costs factor into the republican ideal, and [21], Ch. 6 for a critical analysis of the relation between costs and domination.
- 4 Other characterizations of “arbitrariness” presented in the literature include the notions of ‘alien control’ [13], contestation [12, 11], or the Roman law treatment of *arbitrium* as the distinguishing characteristic of the master-slave relationship [19, 20], but all include the same basic arguments.
- 5 This is especially the case for so-called “dual use” weapons, which can be applied to either defensive or offensive purposes. For an exposition of these kinds of weapons, and cyber-security controls more generally, see [3].
- 6 Pettit makes a similar point in *A political philosophy in public life*, with respect to the nations of Europe driving corporate tax rates down in an effort to attract investment.
- 7 The reason for this is because the slave (like the well treated but weak state) has his preferences met, but only because those in power are disposed to meet those preferences. For republican freedom “it must be that [his] preference is satisfied because it is [his] preference, and not for any other reason” [15, p. 4].
- 8 The classic definition of sovereignty is “*supreme authority within a territory*”, [16], but this is inapplicable in the modern world, where virtually no single authority ranges supreme in a given locale. For example, in any federal republic, there will be certain ranges of affairs where the state (or province, territory, or région) is the supreme authority, and other ranges of affairs where the national government is the supreme authority. A common example of such distributed sovereignty in the modern world is the localized authority over education and the national authority over defense. For an in-depth treatment of sovereignty, see [5].
- 9 I only consider objections to the argument that republicanism calls for a global state, and do not address any general objections against the core theory of republicanism.
- 10 [11], pp. 158–159. For the full argument against cosmopolitanism along these lines, see [8].
- 11 This is a very minimal and rough characterization of cosmopolitanism. For a full survey of the position, both as a moral and political principle, see [7].
- 12 This is in fact precisely how federal republics are usually organized. The national government institutes some (minimal) uniform rule of law across all states or provinces to prevent domination, but it does not forcibly redistribute the goods of wealthier states to poorer ones. The national government is a guarantor of basic necessities and fundamental rights, but not a provider of welfare.
- 13 There is a republican-minded worry that in the early stages of creating the global state, domination might actually *increase*, because small nations not yet in the union would have no say in the affairs of the much larger “global state” being established adjacent. However, as long as there are no barriers to entering the global state, this should only be a transitory problem.
- 14 It is not clear whether *superpowers* would be apt to join the global state, since they would stand to lose the most, in terms of powers of interference. However, it is plausible that once most other countries had already become members, the benefits and protections to be had by joining might induce them to join as well.

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