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# THE COMBINATORIAL USE OF STATISM AND COSMOPOLITANISM IN THEORIES OF GLOBAL JUSTICE

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## ABSTRACT

*This paper discusses how to deal with the inadequacies of statism and cosmopolitanism. The paper argues that the inadequacies of statism can be compensated for by the adequacies of cosmopolitanism, and the inadequacies of cosmopolitanism can be compensated for by the adequacies of statism. The crux of the paper is that statism is primarily applicable to institutions while cosmopolitanism is secondarily applicable to institutions, and cosmopolitanism is primarily applicable to individuals while statism is secondarily applicable to individuals. Therefore, simply relying on statism or cosmopolitanism alone will not be sufficient to deal with the subject of global justice. We need a combination of both theories. This alternative approach which combines statism and cosmopolitanism is what the paper refers to as 'the combinatorial use of statism and cosmopolitanism.' The paper is divided into three sections. In the first section, the paper reviews some prominent alternative approaches to statism and cosmopolitanism. In the second section, the paper lays the foundation on which the argument for the primary and secondary applicability of statism and cosmopolitanism is built. In the last section, the paper argues for the primary and secondary applicability of statism and cosmopolitanism, and consequently the combinatorial use of statism and cosmopolitanism.*

## Introduction

This paper discusses how to deal with the inadequacies of statism and cosmopolitanism. The paper argues that the inadequacies of statism can be compensated for by the adequacies of cosmopolitanism, and the inadequacies of cosmopolitanism can be compensated for by the adequacies of statism. The crux of the paper is that statism is primarily applicable to institutions while cosmopolitanism is secondarily applicable to institutions, and cosmopolitanism is primarily applicable to individuals while statism is secondarily applicable to individuals. Therefore, simply relying on

## KEYWORDS

- *Cosmopolitanism*
- *Global Justice*
- *Individual*
- *Institutional Moral Analysis*
- *Interactional Moral Analysis*
- *Statism*

statism or cosmopolitanism alone will not be sufficient to deal with the subject of global justice. We need a combination of both theories. This alternative approach which combines statism and cosmopolitanism is what I refer to as ‘the combinatorial use of statism and cosmopolitanism.’

What I attempt to do in this paper, as outlined above, is essentially at once an acknowledgment of the weaknesses of statism and cosmopolitanism, and a provision of an alternative to the exclusive reliance on statism by statists and the exclusive reliance on cosmopolitanism by cosmopolitans. But I will first review some prominent alternative approaches to cosmopolitanism with statism. In view of the above statement, this paper is divided into three sections. In the first section I will review David Miller’s (2007) ‘national responsibility’, Mathias Risse’s (2012) ‘internationalism’ or ‘pluralist internationalism’ and Sebastiano Maffettone’s (2013) ‘liberal internationalism’. In the second section, I will lay the foundation on which I will later argue for the primary and secondary applicability of statism and cosmopolitanism. In the last section, I will argue for the primary and secondary applicability of statism and cosmopolitanism, and consequently the combinatorial use of statism and cosmopolitanism.

### **National Responsibility, Pluralist Internationalism and Liberal Internationalism**

In recent times, statism and cosmopolitanism, the two dominant theories of – or approaches to – global justice, have been deemed either individually implausible or at least individually inadequate in dealing with the subject of global justice (Miller: 2007; Risse: 2012; Maffettone: 2012; Maffettone: 2013). As a result there have been attempts to proffer alternative theories or approaches which are deemed plausible and adequate to deal with the subject of global justice. However, the alternative theories or approaches are neither totally different from statism nor totally different from cosmopolitanism. In essence, these alternative theories or approaches are a melange of some of the characteristics of both statism and cosmopolitanism, and in effect each of the alternative theories or approaches either tilts towards statism, cosmopolitanism or is middle-of-the-road.

Among the alternative theories or approaches, David Miller’s (2007) ‘National Responsibility’, Thomas Risse’s (2012) ‘Internationalism’ or ‘Pluralist Internationalism’ and Sebastiano Maffettone’s (2013) ‘Liberal Internationalism’ are outstanding, and hence will be my focus in this paper. While Miller’s (2007) national responsibility tilts towards statism in that it is more statist than cosmopolitan, Risse’s (2012) internationalism or pluralist internationalism tilts towards cosmopolitanism in that it is more cosmopolitan than statist and Maffettone’s (2013) liberal internationalism is much more middle-of-the-road between statism and cosmopolitanism. Since what I will attempt to do in this paper is to do a balanced combination of statism and cosmopolitanism, my main focus will be on Maffettone’s (2013) liberal internationalism since it is this theory or approach that comes closest to creating an adequate balance between statism and cosmopolitanism.

In *National Responsibility and Global Justice*, Miller defends what he refers to as national responsibility (Miller: 2007, p. 81). In explaining and defending the idea of national responsibility, Miller distinguishes between ‘outcome responsibility’ and

‘remedial responsibility.’ On the one hand, outcome responsibility is “the responsibility we bear for our own actions and decisions” (Miller: 2007, p. 81). On the other hand, remedial responsibility is “the responsibility we may have to come to the aid of those who need help” (Miller: 2007, p. 81). Two terms, ‘harm’ and ‘minimalism’, are crucial to understanding Miller’s (2007) idea of national responsibility in general and his ideas of outcome responsibility and remedial responsibility in particular. As far as ‘harm’ is concerned, we are morally responsible for any harm we have caused, and thus have a duty of justice to remedy such harm. As far as minimalism is concerned, we have a moral duty to assist the worse-off whose lives are endangered by the lack of the basic necessities of life. But this duty is simply to provide those basic necessities, no more, no less.

On the one hand, in terms of outcome responsibility and ‘harm’, Miller argues that:

“human beings are choosing agents who must take responsibility for their own lives. This means that they should be allowed to enjoy the benefits of success, but it also means that they must bear the burdens of failure. And where their actions impose costs on others, they should be held liable for those costs, which entails in some cases making redress to the people whose interests they have damaged” (Miller: 2007, pp. 5 – 6).

On the other hand, in terms of remedial responsibility and ‘minimalism’, Miller argues that:

“On the one hand, human beings are needy and vulnerable creatures who cannot live decent, let alone flourishing, lives unless they are given at least a minimum bundle of freedoms, opportunities, and resources. They must have freedom to think and act, the opportunity to learn and work, and the resources to feed and clothe themselves. Where people lack these conditions, it seems that those who are better endowed have obligations of justice to help provide them” (Miller: 2007, p. 5).

A brief distinction between egalitarianism and minimalism will help elucidate Miller’s position. Minimalists<sup>11</sup> argue that principles of global distributive justice should be applied to meeting the basic needs and rights of the worse-off (Armstrong: 2012, p. 34). Once the basic needs and rights of the worse-off are satisfied, the remainder inequalities between the worse-off and the well-off are morally permissible. But egalitarians argue that it is not enough to satisfy the basic needs and rights of the worse-off. Since most of the remainder inequalities are liable to moral objection (Armstrong: 2012, p. 34), justice demands that such inequalities are eradicated.

1 Minimalism is similar to sufficientarianism because both views are concerned with absolute poverty rather than relative poverty. “When one is described as poor in the absolute sense, one is said to be living at or below the level of subsistence. The emphasis here is on biophysical survival: if one is poor, one’s needs that make living possible are not met” (Hull: 2007, p. 9). But the concept of relative poverty “tends to emphasise the needs for living in a more substantive or qualitative sense. This is because it tends to pinpoint the gap, or gulf, between those who enjoy a high standard of living and those in the same society who do not, even if they cannot be said to be poor in an absolute sense [...]. The concept, then, becomes meaningfully operative only after subsistence has been achieved” (Hull: 2007, p. 10).

In effect, the egalitarian argument is that inequalities are only permissible if they are not morally objectionable, and since many inequalities are morally objectionable, many inequalities are not permissible. In other words, while egalitarians permit fair inequalities, they argue that unfair inequalities should be eradicated. Here, the problem is not with inequality as such, but with the unfairness of unfair inequalities. In other words, what egalitarians object to is not inequality as such, but unfair inequality. In critique of the egalitarian approach and in defence of the minimalist approach, Miller argues that what matters is that there is a fair basis for global cooperation and that the global order ensures that every society has enough opportunities to be able to develop (Miller: 2007, p. 253).

In a nutshell, in his defence of the idea of national responsibility based on outcome responsibility (and ‘harm’) on the one hand and based on remedial responsibility (and ‘minimalism’) on the other hand, Miller argues that:

“an adequate theory of justice, and especially perhaps of global justice, has to strike the right balance between two aspects of the human condition: between regarding people as needy and vulnerable creatures who may not be able to live decently without the help of others, and regarding them as responsible agents who should be allowed to enjoy the benefits, but also to bear the costs, of their choices and their actions” (Miller: 2007, p. 81).

Having explored the first view which is Miller’s (2007) national responsibility, the second view which I will explore is Risse’s (2012) internationalism or pluralist internationalism. In *On Global Justice*, Risse deems statism and cosmopolitanism to be implausible and thus rejects them. On the one hand, he rejects statism because it “limit[s] the applicability of justice to states”<sup>2</sup> (Risse: 2012, p. ix). On the other hand, he rejects cosmopolitanism because it extends the applicability of justice “to all human beings” (Risse: 2012, p. ix). Relying on Rawls to some extent, and heavily relying on Hugo Grotius, Risse proposes and defends a theory of global justice which he calls internationalism or pluralist internationalism.

According to Risse:

“Internationalism grants particular normative relevance to the state but qualifies this relevance by embedding the state into other grounds that are associated with their own principles of justice and that thus impose additional obligations on those who share membership in a state. Other than shared membership in a state, it is humanity’s common ownership of the earth that receives the most sustained argument. And it is probably in the contextualization of common ownership as a ground of justice that my view seems strangest” (Risse: 2012, p. ix).

In a nutshell, what distinguishes Risse’s (2007) internationalism or pluralist

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2 According to Risse, “Internationalism transcends the distinction between relationism and nonrelationism by recognizing both relational and nonrelational grounds. Therefore, I must defend it against three views [...]: statism, the view that all principles of justice apply within states, owing to a single ground, a relation among people that is present only within the state; globalism, the view that all such principles apply globally, owing to a single ground, a relation between people that is present among everyone living under the global order; and nonrelationism, the view that all such principles apply globally, owing to a single, nonrelational ground” (Risse: 2012, p. 41).

internationalism from statism is that unlike the latter, the former “recognizes different considerations or conditions based on which individuals are in the scope of different principles of justice” (Risse, p. ix). And in a nutshell, what distinguishes Risse’s (2007) internationalism or pluralist internationalism from cosmopolitanism is that unlike the latter, the former “regard[s] the state as special within a theory of global justice” (Risse: 2012, p. x). Although internationalism or pluralist internationalism relies on Rawls and gives a special place to the state in a theory of global justice, it is still more cosmopolitan than it is statist. It is only statist to the extent that it relies on Rawls. But since it only relies on Rawls to a lesser extent compared to its reliance on Grotius, then arguably it is more cosmopolitan than it is statist. Similarly, although internationalism gives a special place to the state in a theory of global justice, this special treatment of the state pales in comparison to internationalism’s heavy reliance on Grotian common ownership of the earth. Therefore, I contend that internationalism or pluralist internationalism is more cosmopolitan than it is statist.

The third view I will explore is Maffettone’s (2013) liberal internationalism. Maffettone’s (2013) liberal internationalism is more realistic than cosmopolitanism and more utopian than statism (Maffettone: 2013, pp. 126, 135). According to Maffettone, it creates a continuum on the spectrum of global justice with statism on the 0 global justice end and cosmopolitanism on the 1 global justice end (Maffettone: 2013, p. 128). In order to defend it, firstly he proffers normative regionalism, using the European Union as the key example, which he conceives as a relational institutional argument. Secondly, he proffers a humanitarian duty which he conceives as a non-relational argument (Maffettone: 2013, p. 126).

In their rejection of cosmopolitanism which they consider to be utopian, statist argue for a minimalist conception of global justice in which the world is populated by “states and peoples that all behave in a reasonably fair manner in order to achieve a more egalitarian society” (Maffettone: 2013, p. 128). While cosmopolitans are optimistic about global justice, on the contrary statist are pessimistic about global justice - however, statist create room for or accept the plausibility of certain human rights and humanitarianism in favour of the globally worse-off (Maffettone: 2013, p. 129 – 134).

Cosmopolitans argue that given the level of globalisation and global interdependence, it is implausible to argue for the non-existence of global forms of coercion and reciprocity which statist see as quintessential characteristics of the state. The rules made by global multilateral institutions “are enacted in the name and on behalf of citizens of the States that must accept them. Even if there is a possibility that the citizens of these States find these rules wrong or unjust, that does not seem to go against the idea that even in such a case there is a sort of co-authorship [...] however *sui generis* the co-authorship may be” (Maffettone: 2013, p. 130). The rules made by global multilateral institutions and the regimes put in place and promoted by them constrain the state’s power to make and implement policies and impact states regardless of boundaries. Given that statist base their plausibility and necessity or justifiability of distributive justice within the state on such characteristics as coercion and reciprocity, and given that these characteristics also exist globally, global distributive justice is also plausible, necessary or justifiable.

According to Maffettone, although states are intermediaries between their citizens and multilateral institutions, these institutions seem to impose their rules coercively on the citizens of the states (Maffettone: 2013, pp. 130 – 132). Nevertheless, he says, statisticians can argue on two grounds against the cosmopolitan claim that multilateral institutions coercively enforce rules on citizens globally (Maffettone: 2013, pp. 130 – 132). The first ground is that of voluntariness while the second is that of arbitrariness. On the voluntariness ground, statisticians can argue that such rules are analogous to rules binding voluntary associations. While they entail certain obligations, both individual and collective obligations, such obligations are limited and do not cover the entirety of the life of the members. They are only meant for specific reasons, times (Maffettone: 2013, pp. 130 – 132) and, if I may add, places. On the ground of arbitrariness, statisticians can argue that the conditional character of international relations negates the possibility of a lasting or continuous cooperation and reciprocity in this sort of relationship. Since distributive justice is predicated on such a continuous cooperation and reciprocity, we cannot plausibly argue for global distributive justice because cooperation and reciprocity in international relations are transient (Maffettone: 2013, pp. 130 – 132).

Against the above objections, cosmopolitans argue that the above categorisation of international relations is misleading because continuity, rather than discontinuity, and consistency rather than ‘occasionality’, have come to characterise international relations. For cosmopolitans, it can be argued that while there is discontinuity and ‘occasionality’, they are not the order of the day, they are in fact mere exceptions (Maffettone: 2013, p. 131 – 132).

The above-mentioned cosmopolitan claim leaves statisticians with only two alternatives, “either the full continuity of political relations in the domestic case or the dominion of voluntaristic arbitrariness in the global case. Cosmopolitans invoke a third option where the creation of ever more stable and lasting international constraints generate a form of embryonic political community where cooperation and reciprocity progressively gain ground” (Maffettone: 2013, p. 132). Here, I may add that if this third option is successfully argued for by cosmopolitans, statisticians’ claims will be much weakened and principles of global distributive justice may become as relevant as principles of domestic distributive justice.

Maffettone argues that the trend of regionalisation which has led to the formation of regional organisations in a few parts of the world seems to support the idea of continuity rather than discontinuity in the nature of international relations as described above (Maffettone: 2013, p. 135). Furthermore, he argues that the special characteristic of the domestic basic structure<sup>3</sup>, “the effectiveness of social institutions over time and their ability to create a truly social dimension”, is at least in principle attainable on the global level (Maffettone: 2013, p. 135).

He says the above argument might be countered in two ways. The first way is to argue that regionalisation does not equal globalisation. One will be apt to say this argument implies that that some parts of the world are regionalised, that is, have formed a regional political community, does not mean that the whole world is globalised, that is, the whole world has formed a global political community. Consequently, perhaps

3 According to Rawls, “the basic structure of society...[is] the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation” (Rawls: 1999a, p. 6).



the furthest we can go here is to talk of regional distributive justice rather than global distributive justice. Nevertheless, even regional distributive justice seems implausible given that many of the regional organisations are not authentic political communities.

The second way is to argue that although there is less voluntariness and arbitrariness in global institutional constraints due to more global institutionalisation, this does not necessarily imply that we currently have every necessary condition that permits the globalisation of constraints of normativity among citizens globally. However, if we think about how the global society is currently ordered, we may be lured into accepting that the relationships between the basic structures of domestic societies and the basic structure of the global society will in due course be characterised by continuity instead of discontinuity (Maffettone: 2013, p. 135). Such global organisations as the United Nations (Maffettone: 2013, p. 135), the International Monetary Fund, the World Bank, the World Trade Organisation, the International Labour Organisation, etc. will suffice as examples of such continuity.

Statists argue that there is a qualitative difference rather than mere quantitative difference between the domestic basic structure and the global basic structure. It is not only that the basic structure which cosmopolitans assumed exists on the global level is not quantitatively enough to justify the sort of coercion and cooperation that will serve as the source of any authentic associative duties. The qualitative difference is that unlike the global basic structure, “the domestic basic structure corresponds to a genuine political society” (Maffettone: 2013, p. 131). For statists:

“distributive justice is not an end in itself [...it] serves a political purpose.

It may be argued that an excessive income or status difference does not allow for actual freedom and equality and, therefore, it is likely to distort the original political relations between equality and liberty among fellow citizens within their political community. [...] since there is nothing like a worldwide State [...] the same type of political argument does not apply to a global level” (Maffettone: 2013, pp. 131 – 132)

In Liberal Internationalism our global justice responsibilities, according to Maffettone, originate principally from our universal obligation to protect and ensure the security and subsistence of every person irrespective of his or her citizenship, state or relational linkages (Maffettone: 2013, p. 136). Furthermore, he argues, even if we agree with statists that the idea of distributive justice is only plausible domestically but implausible globally, “there can nonetheless be other sources of moral obligations which are based on justice towards the poor around the globe. These sources are connected to natural duties, but are non-relational. This way, they do not depend on any existence of a controversial basic structure” (Maffettone: 2013, p. 136). Consequently, the global poor have rights to security and subsistence irrespective of their associations, relations or linkages.

For Maffettone, without securing and protecting these basic rights, humans cannot flourish, they will not even be able to exercise the majority of other rights, and they might not even be alive. So these rights are so indispensable that he considered them, as Henry Shue does, as some sort of meta-rights, namely rights “without which no other rights or opportunities may be enjoyed. In this case, they would be a requirement to live one’s life” (Maffettone: 2013, p. 137). These meta-rights are similar

to Hannah Arendt's right to have rights, and arguably these meta-rights play the same role here as Arendt's right to have rights play in *The Origins of Totalitarianism* (Arendt: 1994, pp. 292 – 299).

As Maffettone succinctly puts it, “the basic rights and the correspondent universal duty depend on the nature of our human vulnerability. They are imposed by the fact that our weakness as human beings requires a necessary support that cannot be overlooked” (Maffettone: 2013, p. 137). In reconciling the cosmopolitan view and the statist view, Maffettone argues that we can imagine that there is a line separating members of Rawls' cooperating society from those under the line. While the former are to be treated according to Rawls' liberal principles, liberals should not adopt a neutral position to the latter. Rather the latter should be treated according to the notion of urgency, paying special attention to them due to their urgent situation which needs urgent response (Maffettone: 2012).

Re-echoing Arendt's concept of ‘the right to have rights’ (Arendt: 1994, pp. 292 – 299), the notion of urgency demands that whether there is a global structure that is similar to the nation-state or not, humans have an obligation to protect the ‘dignity and fragility’ of their fellow human beings. In other words, there are ‘a few fundamental basic rights’ that must be guaranteed, these include such socio-economic rights without which other rights cannot be enjoyed and without which life will not be fully lived (Maffettone: 2013, pp. 136 – 137). For the above reasons - that is, due to the characteristics of the basic rights - Maffettone sees these meta-rights as *sui generis* and argues that consequently they neither pose any threat to (liberal) pluralism nor are they subject of controversy, and they are not hinged on any singular notion of the good. Because they either precede any notion of the good or they encompass all notions of the good (Maffettone: 2013, p. 137).

These universal obligations, according to Maffettone, must respect two provisos. We can term the provisos the anti-perfectionism proviso and the less-demandingness proviso. The anti-perfectionism proviso states that the universal obligations “should not violate the anti-perfectionist principles which are treasured by the liberal political conception” (Maffettone: 2013, p. 136). While the less-demandingness proviso states that the universal obligations “should be less demanding than obligations that depend on the soundness of a ‘full’ theory of global distributive justice” (Maffettone: 2013, p. 136). Given that these universal obligations of justice are neither relational nor associative, their justifiability does not need the existence of a basic structure (Maffettone: 2013, p. 136).

One of the desiderata on which Maffettone bases his liberal internationalism is that, unlike cosmopolitanism, it has no tendency to moralise international relations or global politics and, unlike statism, it has no tendency to eliminate the role of morality in international relations or global politics. He believes that, for a liberal, both the cosmopolitan and statist positions should prove scarcely convincing. The cosmopolitan and statist positions, he argues, should be implausible for a liberal political philosopher, and it is on this ground that he calls his intermediary position liberal internationalism (Maffettone: 2013, p. 128). Another desideratum on which Maffettone bases his liberal internationalism is that we usually argue for a greater global distributive justice in two ways which are usually confused to mean one and the same thing, and there is a



need to disentangle these two ways. This disentanglement, I should add, is called for presumably in order for the argument for greater global distributive justice<sup>4</sup> to have a strong case and a wider acceptability.

In the first way, cosmopolitans directly extend distributive justice from the domestic society to the global society. Because they focus on relative poverty, consequently cosmopolitans argue for greater global distributive justice. In the second way, we are concerned with human rights and minimal thresholds (Maffettone: 2013, pp. 126, 128). Maffettone opts for this second way because it is sufficientarian. It does not concern itself with relative poverty. Rather it aims at solving the problem of absolute poverty and hence makes no comparison between global inequality and domestic inequality (Maffettone: 2013, pp. 126, 128). In other words, he asserts that his humanitarian duty of justice is rather 'sufficientarian' than egalitarian, by which he means that while egalitarian duty of justice focuses on relative deprivations, his sufficientarian duty of justice focuses on absolute deprivations (Maffettone: 2013, pp. 126, 128).

In short, Maffettone provides both relational institutional and non-relational moral arguments to support liberal internationalism. He calls the former normative regionalism while he calls the latter humanitarian duty of justice (Maffettone: 2013, p. 126). He criticises statism for not accommodating humanitarian duty of justice and criticises cosmopolitanism on two grounds namely institutional and moral grounds. While his institutional criticism is directed at relational cosmopolitans, his moral criticism is directed at non-relational cosmopolitans (Maffettone: 2013, p. 135).

A notable way in which my position is different from Maffettone's position is the different phenomena we use, and how we use them, for our different positions. While Maffettone uses regionalism, I use the primary and secondary applicability of statism and cosmopolitanism. By using regionalism, Maffettone's argument seems to be geographical and geopolitical concentric circles. Cosmopolitanism is the largest and outermost geographical and geopolitical circle. Statism is the smallest and innermost geographical and geopolitical circle. Regionalism is the medium and intermediate geographical and geopolitical circle. When regionalism contracts towards statism, the more our world looks like the statist's world and the less it looks like the cosmopolitan's world. But when regionalism expands towards cosmopolitanism, the more our world looks like the cosmopolitan's world and the less it looks like the statist's world. Rather than using a phenomenon like regionalism, I am concerned generally with how statism and cosmopolitanism are applicable as theories of global justice. In my usage of statism and cosmopolitanism, they do not depend on any regional or supranational organisation to be applicable as theories of global justice. But in Maffettone's (2013) liberal internationalism, the relevance of statism and cosmopolitanism depends on the existence of regional or supranational organisations, and the degree of the justness and unjustness of our world depends on the degree of the expansion and contraction of regionalism.

To conclude this section, I should mention that like Miller, Risse and Maffettone, I find the exclusive reliance on statism on the one side and on cosmopolitanism on

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4 Here, greater global distributive justice does not mean greater than what the cosmopolitans argue for. Rather, it means greater than what the statist's allow.

the other side to be implausible, and hence think a third way is needed. I especially agree with Miller and Maffettone that regardless of boundaries, we have a duty of justice to assist the worse-off who lack the basic needs without which their conditions will be considered desperate. I share Maffettone's concern with 'absolute poverty' and 'sufficientarian' arguments for 'positive duties' and 'basic rights' or 'meta-rights.' Furthermore, I especially agree with Miller that we have a duty of justice to remedy any harm we have caused. Consequently, I agree that regardless of boundaries, we have a duty of justice not to cause any harm in the first place.

Nevertheless, unlike Miller, I do not drift towards statism, and unlike Risse I do not drift towards cosmopolitanism. My approach is more inclined to serve as a middle-ground between statism and cosmopolitanism than Miller's and Risse's do. To the extent that Miller's national responsibility tend towards statism and Risse's internationalism tends towards cosmopolitanism while Maffettone's liberal internationalism is nearly adequately middle-of-the-road between statism and cosmopolitanism, my approach is closer to Maffettone's than it is to Miller's and Risse's. Furthermore, while Miller's national responsibility is based on outcome and remedial responsibilities, Risse's internationalism or pluralist internationalism is based on the common ownership of the earth, and Maffettone's liberal internationalism is based on normative regionalism and humanitarian duty of justice, my combinatorial use of statism and cosmopolitanism is based on the primary and secondary applicability of statism and cosmopolitanism.

### **Interactional Moral Analysis and Institutional Moral Analysis**

Before I discuss how statism and cosmopolitanism are primarily and secondarily appropriately applicable as theories of global justice, I will first discuss the distinct actors in our social affairs, the agents of the occurrences of our world and the different ways in which the moral analysis of social affairs and the occurrences of our world is done. The two distinct actors in social affairs or the two distinct agents of the occurrences of our world are individuals and institutions. On the one hand, by individuals I simply mean natural persons. On the other hand, institutions may be understood as former rules and organisations or as informal rules and norms (Steinmo: 2008, pp. 123 – 124). Furthermore, in the context of our discussion, 'individuals' include individual persons and collective agents while 'institutions' include the state (its government and institutions), corporations and similar organisations, and the global order.

Having explained what the two distinct actors in our social affairs and agents of the occurrences of our world are, let us discuss how the moral analysis relating these actors or agents to their activities is done. Thomas Pogge asserts that there are two different ways of doing the moral analysis of the social affairs or occurrences of our world (Pogge: 2010a, pp. 14 – 15). The first way is interactional while the second way is institutional (Pogge: 2010a, pp. 14 – 15). In interactional moral analysis, we view the social affairs or occurrences of our world "as actions, and effects of actions performed by individual and collective agents" (Pogge: 2010a, pp. 14 – 15). In institutional moral analysis, we view the social affairs or occurrences of our world "as effects of how our social world is structured and organised – of our laws and conventions, practices and

social institutions” (Pogge: 2010a, pp. 14 – 15).

In interactional moral analysis, we focus on the morality, immorality or amorality of the actions and omissions of certain individual(s) or collective agents in light of a given event, occurrence or situation. This individual level of analysis (i.e. analysing the individual and collective agents) is a level of analysis which says analysing the role of the individual helps in determining to what extent the individual agent *qua* individual agent causes anything or collective agents *qua* collective agents cause anything and to what extent they should be assigned responsibility.

The method of analysis of institutional moral analysis is the same as that of interactional moral analysis. The only difference is that the former analyses institutions while the latter analyses individual or collective agents. In institutional moral analysis, we focus on the morality, immorality or amorality of the existing features of certain institutions or even the institutions themselves *qua* institutions in light of a given event, occurrence or situation.

When we do interactional moral analysis we mainly rely on cosmopolitanism and to some extent statism. But when we do institutional moral analysis we mainly rely on statism and to some extent cosmopolitanism. Firstly, statism and cosmopolitanism tell us whether certain agents have certain moral responsibilities on certain levels, namely the interactional level and the institutional level. Secondly, statism and cosmopolitanism tell us how the failure of moral responsibility on each level can cause harm. Thirdly, statism and cosmopolitanism tell us what consequent responsibilities agents should have given the agents’ failure in their initial responsibilities. At this juncture, the above conclusion seems like a mere assumption. Admittedly, the conclusion is formulated like an assumption because so far it has not been defended. The remainder of this paper is devoted to defending it.

### **The Primary and Secondary Applications of Cosmopolitanism and Statism**

When I talk of the applicability of cosmopolitanism and statism, in the context of this paper, I mean the domain or remit within which we can appropriately use cosmopolitanism and statism as theories of global justice. In other words, applicability has to do with the site of justice. Here, the notion of applicability is not merely descriptive, but also prescriptive. It is descriptive in that it tells us which theory *is* used in a certain domain, for instance cosmopolitanism in the domain of interactional moral analysis and statism in the domain of institutional moral analysis. More importantly, the notion of applicability is normative because it tells us what cosmopolitanism and statism requires of actors and agents in their respective domains. Usually interactional moral analysis leads to cosmopolitan conclusions. But in the context of this paper and given my conception of applicability, it is the other way around, that is, cosmopolitanism as a theory of global justice is used to do interactional moral analysis. Furthermore, usually institutional moral analysis leads to statist conclusions. But in the context of this paper and given my conception of applicability, it is the other way around, that is, statism as a theory of global justice is used to do institutional moral analysis.

Cosmopolitanism, rather than statism, is *primarily* applicable to interactional moral analysis.

This is because unlike statism which is primarily morally concerned with institutions (especially the institution of the state), cosmopolitanism is primarily morally concerned with individuals. Cosmopolitanism is appropriately primarily applicable to individuals because all the three tenets of cosmopolitanism are individual-centric. According to Pogge, all cosmopolitan positions have three elements in common namely individualism, universality and generality (Pogge: 2010b, p. 114). These three elements are all about the individual. The first element is self-evidently about the individual, and the second and third elements are qualifiers of the first element.

First and foremost, individualism posits that “the ultimate units of concern are *human beings, or persons*” (emphasis is original) (Pogge: 2010b, p. 114). This is self-evidently concerned with the individual, for it is individuals who are the ultimate units of concern and not corporations, the state, the global order or institutions. Secondly, universality posits that “the status of ultimate unit of concern attaches to *every* living human being *equally*” (emphasis is original) (Pogge: 2010b, p. 114). It is to individuals that the status of ultimate unit of concern is attached and not to corporations, the state, the global order or institutions. Thirdly, generality posits that everyone is an ultimate unit of concern for everyone (Pogge: 2010b, p. 114). It is every individual that is an ultimate unit of concern for every individual. The principle of generality neither says everyone is an ultimate unit of concern for corporations, the state, the global order or institutions, nor does it say that corporations, the state, the global order or institutions are ultimate units of concern for everyone.

The centrality of the cosmopolitan idea is the individual. The three tenets of cosmopolitanism are centred on the individual. Both interactional moral cosmopolitanism and institutional moral cosmopolitanism are concerned with the well-being of the individual. Interactional moral cosmopolitanism deals with how individuals treat individuals or how some individuals treat other individuals while institutional moral cosmopolitanism deals with how institutions treat individuals.

The difference between interactional moral cosmopolitanism and institutional moral cosmopolitanism is that the former has no consideration for institutions while the latter has a consideration for institutions, but only to the extent that such institutions impact the lives of individuals. Therefore, the appropriate domain of cosmopolitanism is the interactional level.

But cosmopolitanism can also be applied to institutions. In other words, cosmopolitanism is *primarily* applied to the interactional level while it is *secondarily* applied to the institutional level. When we apply cosmopolitanism *primarily* to the interactional level, we employ moral cosmopolitanism and do interactional moral analysis. But when we apply cosmopolitanism *secondarily* to the institutional level, we employ institutional or legal cosmopolitanism and do institutional moral analysis.<sup>5</sup> To the extent that institutions treat individuals well or not, institutional moral cosmopolitanism will

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5 Institutional or legal cosmopolitanism, on the one hand, defends “a concrete political ideal of a global order in which all persons have equivalent legal rights and duties, that is, are fellow citizens of a universal republic” (Pogge: 1992, p. 49). Moral cosmopolitanism, on the other hand, asserts “that all persons stand in certain moral relations to one another; we are required to respect one another’s status as ultimate units of moral concern” (Pogge: 1992, p. 49).

appraise those institutions as just or unjust.

To make the above assertion clearer, let us look at the following illustration. In a free market system or mixed economy system, although a few corporations might be owned by the state, most corporations are usually owned, managed and staffed by individuals or collective agents. So, even if we cannot *primarily* apply cosmopolitanism to corporations because they are not individuals, we can *secondarily* apply cosmopolitanism to corporations because they are owned, managed and staffed by individuals or collectives. The substantive difference here, that is, why it matters whether we say it is “primarily” or “secondarily” applicable is as follows. As earlier explained, when I talk of applicability I mean the domain or remit within which we can appropriately use cosmopolitanism and statism as theories of global justice. I explained that the notion of applicability is not merely descriptive but also prescriptive. It is descriptive in that it says which theory *is* used in a certain domain. More importantly, the notion of applicability is normative because it tells us what cosmopolitanism and statism requires of actors and agents in their respective domains. So when I say cosmopolitanism is not primarily applicable, but only secondarily applicable, to corporations, what I mean is that cosmopolitanism is not applicable to corporations *qua* corporations but only to corporations as an aggregation of individuals whose actions or omissions affect the lives of other individuals. Even in legal parlance, corporations – being legal persons – are considered as if they were persons or individuals and thus have legal rights and obligations.

The primary aim of the owners or shareholders of companies is to make profit for themselves. While one of the essential tasks of the managers and entire staff is to make profit for the owners or shareholders. Hence corporations are quintessentially profit-seeking and profit-making entities. In the course of seeking profit, these corporations (or owners, shareholders, managers and staff) by their actions or omissions positively or negatively affect the well-being of individuals, communities, societies or even our entire world. It is this relationship between (owners and staff of) corporations and the persons that are affected by the actions of the latter that cosmopolitanism is concerned with.

In the cosmopolitan view, on the institutional level, firstly agents are looked at as individuals although they are representatives, heads, etc. of supranational institutions, regional organisations, sub-regional organisations, foreign governments, state governments (ministries, parastatals, from the executive, legislature, judiciary, security agencies, civil service, so on and so forth), etc. Secondly, agents are judged based on how their actions and omissions harm their victims. Given its tenets, cosmopolitanism helps us to understand the role of the individual and collective agents on the interactional level. Cosmopolitanism tells us, *primarily*, how individuals should treat or relate to other individuals. And, *secondarily*, how institutions should treat or relate to individuals.

But cosmopolitanism does not tell us how institutions should relate to one another, that is, for instance (i) how a corporation should relate to other corporations, the state and the global order, (ii) how the state should relate to other states, corporations and the global order, and (iii) how the global order should relate to the state and corporations. So, in our two levels of analysis, cosmopolitanism is *primarily*



used to analyse individuals and collective agents at the interactional level - the moral responsibilities of individuals and collective agents *vis-à-vis* global justice. And it is only *secondarily* used to analyse institutions *vis-à-vis* their duties toward individuals in global justice.

Moreover, the plausibility of the secondarily applicability of cosmopolitanism to institutions is reflected in Pogge's assertion that:

“Institutions are not only ‘staffed’ and enforced by humans (are complex patterns of human conduct); they are also created, shaped, perpetrated, or changed by us. Property and promises, money and markets, governments and borders, treaties and diplomacy – all these do not occur naturally but are invented by human beings and continuously evolve through human conduct. Such institutions are ‘up to us’, collectively, and we therefore have a collective *causal* responsibility for existing institutions. [...] this causal responsibility gives rise to a *moral* responsibility, which is a collective responsibility for our collective role in imposing existing institutions upon, in particular, their most disadvantaged (and involuntary) participants” (Pogge: 1989, p. 276).

On the primary applicability of statism, let me start the discussion with a reiteration. It has been argued that states have no duty of justice (Nagel: 2005), or they have limited duty of justice (Rawls: 1999b), or they have only duty of charity *vis-à-vis* global justice (Nagel: 2005). As already mentioned at the end of my overview of Miller's national responsibility, Risse's pluralist internationalism and Maffettone's liberal internationalism, I agree that regardless of boundaries we have a duty of justice to refrain from causing harm and remedy any harm we have caused, and to help the worse-off who lack the basic necessities of life without which their conditions will be considered ‘desperate.’

As earlier mentioned, statism, rather than cosmopolitanism, is *primarily* applicable to institutional moral analysis. This is because, as earlier mentioned, unlike cosmopolitanism which is primarily morally concerned with individuals, statism is primarily morally concerned with institutions - especially the institution of the state. Statism is primarily morally concerned with institutions, especially the institution of the state, because of four reasons. First, it seeks to determine the grounds for cooperation institutionally, rather than interactionally, within the state. Second, it seeks to determine the division of the advantages and disadvantages resulting from the institutional cooperation. Third, it seeks to determine the relationship between the state and other states. Fourth, it seeks to determine the behaviour of the state towards other states. Hence it is internally concerned with the state and its institutions and externally concerned with what, if any, the relationship of the state and its institutions should be with other states and their institutions. Consequently, it is not concerned, or at least it is not directly concerned, with individuals.

Statism is not concerned with interactional moral analysis, so it is not *directly* applied to interactional moral analysis or the individual level and collective level (collective agents). Nevertheless, what it tells us about interactional moral analysis or the individual and collective levels is that when and where there is a just basic structure, individuals and collective agents are likely to act better rather than worse and



individuals and collective agents are likely to be better-off rather than worse-off (after all, the essence of the basic structure is to make society – and individuals and collective agents - better-off on all levels).

To concretise the discussion of the primary applicability of the state to institutional moral analysis, I shall first of all consider the institution of the state. Statism tells us that given the sort of relationship between the citizenry and the state, justice is at once intellectually plausible and practically possible within the state. And in fact, justice is a moral requirement within the state. The state ensures justice through mainly the government and its arms, but also through other agencies of the state. When all these means of ensuring justice are put together, we have what I will refer to as the state's justice apparatus. In other words, the state has a 'justice apparatus' that ensures or is supposed to ensure justice. So, while the sort of relationship that entails between the citizenry and the state is the ground for justice within the state, the justice apparatus is the mechanism that ensures justice within the state.

In view of the above remark, the state is statism's *primary* constituency or remit of analysis. By default statism is readily applicable to the state. Statism helps us to understand the role of the state. Statism shows that the onus is on the domestic state to ensure distributive justice domestically. When the state fails in this duty, then the state is blameworthy for any resultant absolute poverty and morally objectionable relative poverty.

Nevertheless, cosmopolitanism and statism, within the domestic context, are headed toward the same destination but through different directions. Their common destination is justice. The statist route is the 'justice apparatus' while the cosmopolitan route is individualism, universality and generality (Pogge: 2010b, p. 114). Here, on the one hand, in essence statism says if the social institutions are arranged well in a just basic structure there will be justice in society. As Rawls says, "the role of the institutions that belong to the basic structure is to secure just background conditions against which the actions of individuals and associations take place" (Rawls: 2005, pp. 266 – 267). On the other hand, in essence cosmopolitanism says if the social institutions uphold the equality of the moral worth of every individual, there will be justice in both the domestic society and the global society.

The question is, according to Amartya Sen, "whether the analysis of justice must be so confined to getting the basic institutions and general rules right? Should we not also have to examine what emerges in the society, including the kind of lives that people can actually lead, given the institutions and rules, but also other influences [... which] would inescapably affect human lives?" (Sen: 2009, p. 10). For the cosmopolitan, no matter how just the basic structure is and no matter how well the social institutions are arranged or organised, if the equal moral value of everyone is not upheld, if certain individuals still suffer avoidably or unnecessarily especially because of who they are, where they come from, how powerless they are economically, politically and socially, then injustice is still the order of the day.

On its application to the global order, statism readily totally exonerates the global order from any causal and constitutive role and responsibility despite the undesirable institutional consequences in the global order. This is because of statism's major tenet that justice is not applicable or is almost not applicable or is at best only

partially applicable to the global realm. But the total exoneration of the global order by statism is a crucial part of the limitedness of statism. As already mentioned, it has been argued that states have no duty of justice (Nagel: 2005), or they have limited duty of justice (Rawls: 1999b), or they have only duty of charity *vis-à-vis* global justice (Nagel: 2005). But here, I am not concerned with charitable work. I am concerned with the obligations the global order, because of its causal and constitutive role in harm, owes the victims of the harm. Surely, this obligation is not charitable work.

Even if statisticians were to accept the causal and constitutive role of the global order, they would still argue that the realisation of any kind of justice is only possible within the framework of an ‘order’ (Bull: 2002, p. 83). The obligations of the global order are justice obligations, therefore they can only be realised if there is ‘order’ on the global level. Furthermore, since there is no ‘order’ on the global level, the obligations of the global order cannot be realised. However, even if it were to be conceded to statisticians that given the absence or at least partial absence of the necessary conditions for state-like justice on the global level state-like justice is impossible on the global level, the case for moral responsibility can still be argued for. State-like justice is fundamentally politico-legal justice. But the elusiveness of politico-legal justice on the global level does not necessarily mean that moral justice, moral right and moral wrong are also elusive.

Institutions do not have to be present in order for us to do our negative duties. “We do not need institutions *to enable us to refrain* from violating other people’s rights” (emphasis is mine) (Bull: 2002, p. 83). The presence of structures or institutions, whether state-like or not, and whether domestic or global, does not bring into existence moral justice, moral right and moral wrong. It only brings into existence politico-legal justice. And the absence of structures or institutions, whether state-like or not, or domestic or global, do not mean that we cannot have moral justice, moral right and moral wrong, but only means that we cannot have politico-legal justice.

Even in the state of nature (Hobbes: 1651) what we do not have is politico-legal justice not moral justice, moral right and moral wrong. The institution of the sovereign or Leviathan gives birth to politico-legal justice but not to moral justice, moral right and moral wrong. Any action or omission that is morally just or morally unjust, morally right or morally wrong, is said to be so due to its nature, but not because of the law, decree or edict of any sovereign. So, moral justness, moral rightness or moral wrongness is not conferred on actions and omissions by a sovereign rather the sovereign only has the power to confer politico-legal lawfulness on actions and omissions. Morality is independent of the sovereign or Leviathan. What the laws, decrees and edicts of the sovereign bring into existence is politico-legal justice.

As Hedley Bull succinctly puts it:

“clearly, ideas about justice belong to the class of moral ideas, ideas which treat human actions as right in themselves and not merely as a means to an end, as categorically and not merely hypothetically imperative. Considerations of justice, accordingly, are to be distinguished from considerations of law, and from considerations of the dictates of prudence, interest or necessity” (Bull: 2002, p. 75).

Neither the sovereign nor the laws, the decrees and the edicts of the sovereign,

can bring into existence moral justice, moral right and moral wrong. Because moral justice, moral right and moral wrong pre-exist, and are independent of, the sovereign and the sovereign's laws, decrees and edicts.

More than politico-legal justice, moral justice is what is at stake in global justice. Because what are at stake in global justice - in view of my agreement with Miller, Risse and Maffettone - are the basic rights and negative rights of the worse-off which "set universal and pre-political limit to the legitimate use of power, independent of special forms of association. It is wrong for any individual or group [or institution] to deny such rights to any other individual or group" (Nagel: 2005, p. 127).

In view of the above argument, the global order can be held morally responsible for any role it plays in causing harm. However, since the global order is institutional rather than interactional, it is not the natural constituency of cosmopolitanism. So, cosmopolitanism is only secondarily applicable to the global order. Cosmopolitanism is only applied to the global order based on how the actions and omissions of the global order affect individuals.

I have just concluded the analysis of the applicability of statism and cosmopolitanism to the global order. Earlier on, I explained how and why the *primary* constituencies of cosmopolitan analysis are individuals and collective agents, and how and why statism can still be *secondarily* applied to the interactional level. It was quite straightforward to see how and why the *primary* constituency of statist analysis is the state, and consequently why cosmopolitanism is only secondarily applicable to the state. But the analysis of other institutions such as corporations is not as straight forward as those of the individuals, collective agents and the state. Given that cosmopolitanism is *primarily* concerned with individuals rather than institutions, it follows that we can only *secondarily* apply it to corporations. Furthermore, given that statism is primarily morally concerned with institutions, statism can be *primarily* applied to corporations.

Corporations are said to be *primarily* analysed by statism because corporations are a kind of institution. For instance, in Nigeria, every corporation is registered with the Corporate Affairs Commission and such registration qualifies any registered corporation to be an institution or in legal parlance a legal person. It is the duty of the Corporate Affairs Commission to regulate the affairs or activities of corporations. Given that the commission is a body of the government or state, ultimately it is the state that sanctions the existence of corporations and regulates their affairs. For the above reasons, statism is needed to help determine how corporations should relate to the society which includes individuals, collectives, other corporations, other non-state institutions, state institutions and the state itself.

In the analysis of corporations, although statism is primarily needed and cosmopolitanism is secondarily needed, both theories are needed. This is because on the one hand, corporations are seen as part of economic institutions that should be fitted into a well organised basic structure of society by statism. And on the other hand, corporations are seen as properties owned by individual shareholders, managed and staffed by individual persons, whose individuality must not be assigned more, or less, moral value or weight than assigned to other individuals – or whose collective agencies must not be treated as morally superior to other collective agencies.

## Conclusion

In view of the foregoing discussion, I argued that statism is primarily applicable to the institutional level and only secondarily applicable to the interactional level, while cosmopolitanism is primarily applicable to the interactional level and only secondarily applicable to the institutional level. Having already mentioned that interactional moral analysis is concerned with individuals and that in our discussion individuals include individual persons and collective persons, and having already mentioned that institutional moral analysis is concerned with institutions and that in our discussion institutions include the state, the global order, corporations and similar organisations, the particular applicability of statism and cosmopolitanism in our discussion is summarised below.

In the discussion, I explained how and why:

- (i) In the analysis of the individual level, cosmopolitanism is primarily applicable while statism is only secondarily applicable.
- (ii) In the analysis of the collective level (collective agents), cosmopolitanism is primarily applicable while statism is only secondarily applicable.
- (iii) In the analysis of the corporate level, statism is primarily applicable while cosmopolitanism is only secondarily applicable.
- (iv) In the analysis of the state level, statism is primarily applicable while cosmopolitanism is only secondarily applicable.
- (v) When applied to the global order, statism tells us why we should not expect “too much” from the global order. While cosmopolitanism tells us at least there is a cogent reason to hold the global order morally responsible for certain facts and situations of our world.

In the introductory part of this paper, I mentioned that the aim of this paper is to discuss how to deal with the inadequacies of statism and cosmopolitanism. In the course of the discussion, I argued that on the one hand while statism is primarily applicable to institutions, it is only secondarily applicable to individuals. On the other hand I argued that while cosmopolitanism is primarily applicable to individuals, it is only secondarily applicable to institutions. In essence, I established that the inadequacies of statism and cosmopolitanism are that statism can only be applied secondarily, but not primarily, to the interactional level and cosmopolitanism can only be applied secondarily, but not primarily, to the institutional level.

It is in view of the above inadequacies and implausibility that I opt against the exclusive reliance on either statism or cosmopolitanism. But since the domain of statism is the institutional level and the domain of cosmopolitanism is the interactional level, when statism and cosmopolitanism are combined then the problem of inadequacies will vanish because the combination is sufficient to deal with global injustice whether the injustice is interactional, institutional or a mixture of both. This is what I call “the combinatorial use of statism and cosmopolitanism.” It does not entail meshing statism

and cosmopolitanism together to form a new theory. Rather it entails taking statism and cosmopolitanism as they are and using both of them rather than exclusively relying on one and jettisoning the other.

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