CHAPTER 1

Conceptual Loss in Global Political Thinking

> We live at a time of a heightened sense that civilizations are in themselves vulnerable. Events around the world – terrorist attacks, violent social upheavals, and even natural catastrophes – have left us with an uncanny sense of menace. We seem to be aware of a shared vulnerability we cannot quite name. I suspect that this feeling has provoked the widespread intolerance that we see around us today – from all points on the political spectrum. It is as though, without our insistence that our outlook is correct, the outlook itself might collapse. Perhaps if we could give a name to our shared sense of vulnerability, we could find better ways to live with it.[1]

1.1 The Limits of Liberal Global Theorizing

Why do global theorists generally appear so readily to assume that liberal political morality offers an adequate theory in terms of which to conceive a feasible global normative order? On the face of it, it is hard to see what fuels this apparent optimism. Liberal political morality is statist in inception; its historical sources are the social contract theorists from Hobbes onwards.[2] Like contracts in general, so social contracts are predicated on exclusionary assumptions; liberal statehood is hardly a model for global inclusiveness. Nor have actual states, liberal and non-liberal, generally behaved in an inclusionary manner.

[1] Jonathan Lear, *Radical Hope. Ethics in the Face of Cultural Devastation* (Cambridge, MA: Harvard University Press 2006), 7.

[2] John Rawls, *A Theory of Justice* (Oxford: Oxford University Press 1973), 11–17. I here set aside the question of whether it in fact makes sense to speak of a 'liberal tradition', though I do think it a legitimate and important question: see the excellent Duncan Bell, 'What is liberalism?' *Political Theory* 42 (2014), 682–715. Contemporary liberal thinkers generally *assume* that there is a liberal tradition, and insofar as there is at least a history of Western political thought within which it is possible to identify dominant trajectories of thought, speaking of a liberal tradition is convenient if potentially misleading shorthand.

Despite generally being contractarian and to that extent exclusionary in thinking about political order and institutions, liberal morality is nonetheless also widely seen as universalistis, hence as inclusionary, with regard to its basic moral values and principles. This universalism is most often articulated in terms of a commitment to moral individualism: liberal principles of freedom and equality are said to apply to all natural persons merely by virtue of their status as such and irrespective of particular social contexts, religious creeds or national allegiances.[3] At the level of basic *moral* commitments, liberalism is thus generally thought of as transcending the institutional boundaries it conceives and upholds at the level of *political* organization. This is a familiar tension within liberal political morality.[4]

To some extent, the tension is reflected in current normative global debates. These fluctuate between the affirmation of universalist moral individualism and a concern for political autonomy conceived in terms of bounded collective self-determination. Early cosmopolitans anticipated the demise of sovereign statehood – they thought of the state as a mere institutional means for the distribution of rights and benefits to persons. They accordingly sought to extend states' distributive capacities to the global context even whilst advocating the dispersal of sovereign authority across alternatively envisaged local and global political institutions.[5] More recently, the liberal morality of states has made a comeback. A now increasingly dominant view advocates the global spread of the liberal state model, not existing states' dissolution into a global society of individual persons.[6] This alternative view is premised on a moral conception of the

[3] Cf. Pogge, 'Moral universalism and global economic justice' in *World Poverty and Human Rights* (Oxford: Polity Press 2002), 91–117, esp. 92–4. Proponents of this view of moral individualism as a form of moral universalism often speak of 'Kantian individualism'. In Chapters 2 and 3 I shall say more about why I think it misleading to draw too close a connection between Kantian moral agency and liberal moral individualism.

[4] For searching discussion of this tension and its impact on liberal global theorizing, see Samuel Scheffler, *Boundaries and Allegiances. Problems of Justice and Responsibility in Liberal Thought* (Oxford: Oxford University Press 2002).

[5] This view of the state as mere institutional instrument is especially prominent in Thomas Pogge, 'Cosmopolitanism and sovereignty', *Ethics* 102, (1992), 48–75. It is equally at work in Simon Caney's intuitionistic approach in *Justice beyond Borders. A Global Political Theory* (Oxford: Oxford University Press 2005.)

[6] This reversion occurred in the wake of Rawls' publication of *The Law of Peoples* (Cambridge, MA: Harvard University Press 1999); Rawls there denies that the difference principle can be extended to non-liberal domestic and global institutions. While Rawls's position was initially greeted with dismay, the longer-term effect of *Law of Peoples* has been the reaffirmation of the argument that borders matter morally. For a Kant-inspired argument to this effect, see Anna Stilz, *Liberal Loyalty* (Princeton: Princeton University Press 2011). For a more general treatment of the implications for international justice of the moral significance of political community, see Andrew Altman and Christopher Wellman, *An International Theory of Justice* (Oxford: Oxford University Press 2011).

state as an artificially created collective agent through the participation in which political associates co-determine the polity's own affairs. The new liberal internationalists favour a system of nationally independent though internationally interdependent states, each of which is internally governed by human rights respect for its citizens and all of which cooperate with each other on issues of shared international concern even whilst respecting the sovereign status of each.[7]

In sum, while early liberal cosmopolitans displayed a bias towards moral individualism, current liberal internationalists seek to give the morality of liberal statehood its due. At the same time the debated differences over the envisaged general structure of a global normative order – world government or a globally just association of internally just states – conceal a remarkable continuity at the level of underlying norms and value commitments. Cosmopolitan and statist liberals alike argue their respective positions by drawing on a shared moral vocabulary the terms of which revolve around notions of individual rights and personal autonomy, assume the centrality of justice as the first virtue of social institutions (whether national or global in scope), presuppose the indispensability of human rights to cross-cultural political toleration and endorse liberal democracy as the most advanced form of political participation.[8]

What justifies this presumption in favour of a supposedly global outlook that is all but indistinguishable, in terms of underlying value commitments, from traditions of domestic liberal theorizing? Turning to the question of normative justification, there is once more less real disagreement than meets the eye initially. Especially notable is the shared methodological commitment to what goes under the name of philosophical modesty. Current liberal theorists take their philosophical predecessors to have advanced claims to universal validity on the basis of foundationalist or a prioristic justificatory reasoning of one kind or another: theological or teleological naturalism, deductive natural law reasoning, reflexive transcendentalism. We are told that under contemporary conditions of radical value pluralism, appeal to ultimate sources of justificatory authority is

For an early non-Rawlsian defense of the moral standing of states, see David Miller, *National Responsibility and Global Justice* (Oxford: Oxford University Press 2007).

[7] Allen Buchanan, *Justice, Legitimacy, and Self-Determination: Moral Foundations for International Law* (Oxford: Oxford University Press 2003).

[8] In his recent 'progress report' on global normative theorising Samuel Scheffler notes that 'the relatively unreflective identification of the concept of global justice with a substantively egalitarian theory of justice has exerted a limiting and distorting influence on the discussion of the topic to date'. Samuel Scheffler, 'The idea of global justice: A progress report', *Harvard Review of Philosophy* 20 (2014), 17–35.

futile, given widespread disagreement over those sources. Particularly since Rawls, liberal theorists rescind from raising strongly a prioristic claims to universal validity. Most favour philosophically modest justificatory strategies voided of contentious metaphysical premises and capable of fostering practical agreement across otherwise divergent viewpoints. And yet, strategies of justification employed in the global debate tend to be modified versions of philosophical modesty initially deployed in relation to liberal domestic contexts.[9] Some global theorists are methodological Rawlsians: they construct principles of just conduct from ideal descriptions of perceived actual global practices or 'global public reason(s)'.[10] Others offer deflationary versions of pre-Rawlsian justificatory strategies. Non-teleological naturalists invoke what they take to be generalizable (i.e., cross-cultural) conceptions of human flourishing or well-being.[11] Non-realist intuitionists depart from assumed common-sense views about the value of persons and related rights, and obligations.[12] Some adopt mixed strategies – advancing both practice-based or associationist considerations *and* appealing to common-sense intuitions, say, about collective ownership of the earth.[13] Despite sophisticated exchanges about differences in methodological detail – modestly naturalist or non-Platonically intuitionist, contextually practice-based or reasonably constructivist – there is broad convergence on the desirability of philosophical moderation as a condition of the general acceptability of normative principles proposed. The apparent expectation is that shallow theorizing is more likely to be practically efficacious – efficacious in the sense of ensuring general agreement among all affected as a precondition to 'getting the job done', where the job to be got done is the identification of normatively acceptable solutions to urgent problems of global poverty and deprivation. And yet, and perhaps precisely because of this reliance on philosophical modesty, there is once more, from a methodological point of view, conversion on specifically *liberal* norms and commitments, norms and commitments which divergent justificatory

[9] For most, the focus is on finding points of agreement among liberal egalitarians, libertarians and utilitarians as divergent positions *within* the liberal tradition.

[10] Examples include Charles Beitz, *The Idea of Human Rights* (Oxford: Oxford University Press 2009); Aaron James, *Fairness in Practice: A Social Contract for a Global Economy* (New York: Oxford University Press 2012).

[11] Amartya Sen, *The Idea of Justice* (Cambridge, MA: Harvard University Press 2009); Martha Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge, MA: Harvard University Press 2011).

[12] Caney, *Justice beyond Borders*.

[13] Mathias Risse, *On Global Justice* (Princeton: Princeton University Press 2012).

strategies declare intuitively obvious or reasonably agreeable or reflectively endorsable by all reasonable persons.

I am struck by the unquestioned underlying dominance of liberal political values, principles and methodological starting points within the parameters of these nominally *global* debates. I find this unquestioned dominance of one particular set of norms within the context of global theorizing troubling, for several reasons. One is the noticeable lack of philosophical curiosity. Surely a *global* normative debate ought not to appear quite so obviously parochial from the get-go: If the concern genuinely is with the possibility of *global* thinking, might one not legitimately expect global theorists to read outside their home canons a little? By and large, this has not happened.[14] A second reason for puzzlement is the *prima facie* incongruity between stated diagnosis and proffered solution. Global normative theorists often view the current system of international institutions and arrangements as centrally implicated in diagnosed global ills.[15] Most also acknowledge the fundamentally liberal character of post–World War II international arrangements. Yet if current global arrangements are both acknowledged as essentially liberal in character and are seen as implicated in the diagnosed crisis, does it make sense to assume that liberal political morality is the most likely source of a plausible solution to those ills?[16]

One may begin to suspect ideological bias: a more or less *wilful* assertion of the liberal way of life. Given liberal politics' current *de facto* global dominance, this is hardly a far-fetched thought.[17] Nonetheless, I want here to pursue an alternative line of inquiry. I want to consider the possibility of conceptual lack or loss within current global normative debate. By conceptual loss I do not mean an ideologically motivated *unwillingness* so much as a conceptually based *inability* to broaden or change dominant

[14] Again, this is also noted in Scheffler, 'Global Justice: A Progress Report'. See also David Harvey, *Cosmopolitanism and Geographies of Freedom* (New York: Columbia University Press 2009).

[15] Cf. Thomas Pogge, *World Poverty and Human Rights*, 1–26.

[16] Early on in the debate, theorists often diagnosed inconsistency combined with weakness of will: while liberal principles mandated global action, liberal agents were unwilling to act consistently with their affirmed principles. See Peter Singer, 'Famine, affluence, and morality', *Philosophy and Public Affairs* 1 (1972), 229–43; Thomas Pogge, 'Loopholes in moralities', *Journal of Philosophy* 89 (1992), 79–98.

[17] For measured historical assessments along these lines, see James Tully, *Public Philosophy in a New Key, Vol II: Imperialism and Civic Freedom* (Cambridge: Cambridge University Press 2008); Thomas McCarthy, *Race, Empire, and the Idea of Human Development* (Cambridge: Cambridge University Press 2009). See also, more generally, the recent Lorna Finlayson, *The Political Is Political. Conformity and the Illusion of Dissent in Contemporary Political Philosophy* (London: Rowman & Littlefield 2015).

terms of global debate. The thought is not that we cannot be bothered to think differently about the global order or that we have a vested political interest in not doing so. Rather, we may not know *how* to think globally: we may lack the relevant concepts.

I borrow the notion of conceptual loss from Jonathan Lear's discussion of it in *Radical Hope: Ethics in the Face of Cultural Devastation*.[18] In that book, Lear explores the response of the Crow Indians to the calamity that befell them when, in the course of their negotiated move from a nomadic life to settlement on a reservation, they discovered that the concepts and related practices that had governed their nomadic life were no longer enactable, hence became meaningless to them. Nor were alternative practices and concepts readily available to them. The Crow experienced the end of their world as they knew it: they suffered cognitive and moral breakdown and had to try to reorient themselves under radically changed conditions. One may respond that this is all very sad and yet that such is the historical fate of warrior cultures.[19] However, Lear contends that the Crow experience shows conceptual loss to be a permanent human possibility: in principle, it can befall any people or culture at any time. Lear further believes that reflective acknowledgement of this permanent possibility of one's losing one's world may impact one's attitude towards one's world even during times of relative conceptual settledness. Lear's claims regarding the permanent possibility of conceptual loss for any of us thus have nothing to do with the end of history or with the threat posed by other cultures to Western civilization (or vice-versa) or with culture-specific degeneration. His point is that human life remains constitutively fragile, morally and cognitively, under any culturally articulated circumstances. Our ability to cope with and adequately to respond to unexpected historical events and calamities – the end of nomadic life, the onslaught of vastly accelerated political and economic globalization – depends to a large extent on our readiness to acknowledge our own fragility and fallibility, including *liberal* fragility and fallibility.

[18] Jonathan Lear, *Radical Hope. Ethics in the Face of Cultural Devastation* (Cambridge, MA: Harvard University Press 2006). Lear analyses loss of concepts – I am here mainly concerned with lack of concepts. As Fergus Greene has pointed out to me, loss and lack are not equivalent. I think, however, that the one may imply the other: if you have lost your concepts, then you lack the necessary concepts by means of which to navigate your understanding of the world. Conversely, if you lack the concepts needed for an adequate understanding of the world, the concepts you in fact rely on have lost their grip on the world.

[19] Cf. Nancy Sherman. 'The fate of a warrior culture. On Jonathan's Lear's *Radical Hope*', *Philosophical Studies* 144 (2009), 71–80.

Although my starting point is Lear's notion of conceptual loss and its relevance to our possible crisis in global thinking, my ultimate interest in this book lies in asking a larger though related question: What is global normative thinking, or perhaps, what might it be – what general form would it have to take to count as such? This is a methodological question more than a substantive one. I want to ask, not what we should do about global poverty, the inequities of the global market, excessive state violence and failure, but how we would have to learn to *think* in order to think more globally. Putting it thus implies that I do not believe we currently think globally. I may be mistaken about this – my suspicion that we don't is only a hunch. But, observing the twists and turns of the global literature over the past twenty-five years, it has turned out to be a persistent hunch on my part.

My question is inspired by Kant's oddly titled essay, 'What Is Orientation in Thinking?'[20] Originally published in 1784, Kant's immediate objective in that essay is to intervene in the pantheism dispute between Jacobi and Mendelssohn. However, appearing barely three years after the publication of the first edition of the *Critique of Pure Reason* and just before the publication of the amended second edition, the 'Orientation' essay simultaneously continues to thematize the first *Critique's* diagnosis of a general 'crisis in thinking' and Kant's related quest for philosophical reorientation.[21] I am primarily drawn to the essay's title: I believe that, as with Lear's notion of conceptual loss, Kant's question, suitably adapted, is of a kind we should be asking ourselves in the context of global theorizing. I increasingly believe that before we can productively focus on substantive issues, we must begin to reflect more critically on what it may mean to think more globally. This thought, too, is admittedly no more than a hunch – I have no very clear idea at all about what a more properly global form of normative thinking would look like.

In what follows, I shall thus be moving from hunch to hunch: the hunch, first, that Lear's notion of conceptual loss is instructive in relation to the *absence* of conceptual development within the current global justice

[20] *The Cambridge Edition of the Works of Immanuel Kant* translates the title as 'What does it mean to orient oneself in thinking?' (Volume 6, *Religion and Rational Theology*, Cambridge: Cambridge University Press 2001; 1–19 Prussian Academy pagination: 8:133–46) The revised translation has the merit of referencing the subject; I nonetheless prefer the older translation, perhaps simply for stylistic reasons.

[21] Not much has been written on Kant's 'Orientation' essay specifically, but see Onoa O'Neill, 'Orientation in Thinking: Geographical Problems, Political Solutions' in Stuart Elden and Eduardo Mendieta (eds.), *Reading Kant's Geography* (Albany: SUNY Press 2011), 215–32.

debate; and the hunch, second, that Kant's notion of possible reorientation may prove instructive in the attempt to overcome the problem of loss or lack of concepts. Before turning to the details of Lear's own account in relation to the experience of the Crow, I want to give more precise expression to my suspicion that we may be confronting conceptual loss in the global debate. In the next section, I draw on Thomas Nagel's 'The Problem of Global Justice' for this purpose.[22] Following this, I set out Lear's analysis of conceptual loss among the Crow (Section 1.3) before returning to the current global context to ask in what ways more specifically Lear's analysis of conceptual loss among the Crow may prove fruitful in thinking about our own current theoretical predicament (Section 1.4). Throughout, I shall be making certain methodological assumptions about how to go about diagnosing possible conceptual loss in current liberal global theorizing. These are broadly Kantian in inspiration; however, I have found that it disturbs the flow of the argument to seek to explicate them in the course of developing that argument. I will therefore end the chapter with a brief separate discussion of some of these underlying assumptions – this should also ease the transition from the current chapter to the two that follow.

1.2 Nagel on the Problem of Global Justice

When it first appeared, Nagel's 'The Problem of Global Justice' received a hostile reception among global theorists.[23] In the article, Nagel rejects the widely assumed analogy between domestic and global justice on the basis of an argument that affirms a justificatory relation between state coercion and social justice but rejects a similar justificatory relation between international coercion and global justice.[24] In response, critics either contested Nagel's claims regarding the uniqueness of the justificatory relation between justice and state coercion or charged him with being out of touch with the increasingly coercive nature of global institutions and practices.[25] My aim in this section is not to offer a reconstruction of Nagel's argument

[22] Thomas Nagel, 'The problem of global justice', *Philosophy and Public Affairs* 33 (2005), 113–47.
[23] A.J. Julius, 'Nagel's atlas', *Philosophy and Public Affairs* 34 (2006), 176–92; Joshua Cohen and Sabel, 'Extra rempublicam nulla justitia?', *Philosophy and Public Affairs* 34 (2006), 147–75.
[24] Nagel's conception of what justice at the global level would comprise tends to shift in the article. Though he starts out with a focus on global *distributive* justice, he moves progressively closer to a Hobbesian position according to which no relations of justice at all are possible between states.
[25] In his associationist account, Andrea Sangiovanni rejects the idea of a justificatory relation between state coercion and social justice, instead favouring social practices as the relative social cement. See Andrea Sangiovanni, 'Global justice, reciprocity, and the state', *Philosophy and Public Affairs* 39

that claims to be faithful to Nagel's own concerns. Nagel's argument is long, complex and often obscure. Critics have accused him of moral callousness in the face of evident global suffering; however, Nagel frankly acknowledges that global conditions are grim: so grim, in fact, that 'justice may be a side-issue'.[26] While his argument is to some extent intended to shore up Rawls's non-cosmopolitan approach to global justice, it is not clear, especially given his Hobbesian emphases, how close Nagel's own reading of political liberalism is to Rawls's version of it. Methodologically, the two appear at times poles apart – Nagel does not pursue Rawlsian constructivism but speaks instead of Rawls's 'pluralistic' approach, contrasting it favourably to the 'value monism' of liberal cosmopolitanism. At the same time, Nagel has a deep understanding of the historically informed nature of Rawls's overall conception of political liberalism. Most notable, however, is the difference in tone. Nagel's article is much more sceptical than anything Rawls has written on the topic. In marked contrast to Rawls, Nagel seems concerned to impress upon fellow liberals the limits of political liberalism in relation to the problem of global justice. At one point Nagel remarks,

> [I]f the conditions of even the poorest societies should come to meet a livable minimum, the political conception [of liberalism] might not even see a general humanitarian claim for redistribution. This makes it a very convenient claim for those living in rich states to hold. But that alone does not make it false.[27]

I find the final two sentences striking. They contain an element of criticism, suggesting that merely *wishing* one's settled political morality to be responsive to global justice demands does not make it so. A natural but not especially interesting way of understanding Nagel's remark is to say that the conclusions of sound moral theorizing need not track one's erstwhile moral intuitions. We may have a strong intuition that we have obligations of global justice; however, if sound theorizing tells us otherwise, we should accept its conclusions and adjust our moral intuitions.

(2007), 3–39. By contrast Sabel and Cohen in 'Nullia Justitia' argue that Nagel's position demonstrates his inadequate understanding of the coercive nature of current global relations.

[26] Nagel, 'Global Justice': 'The gruesome facts of inequality in the world economy are familiar. Roughly 20 percent of the world's population live on less than a dollar a day, and more than 45 percent live on less than two dollars a day, whereas the 15 percent who live in high income economies have an average per capita income of seventy-five dollars per day. How are we respond to such facts?' (at 118).

[27] Ibid., 126.

An equally standard response may be to protest that it is not clear why we should give up our initial intuition rather than the theory. If political liberalism cannot accommodate sufficiently persistent global justice intuitions, the theory may be at fault. On this alternative view, we should hold on to our intuition and cast about for a better theory. However, what interests me here is a third possibility. One might accept the soundness of a settled theory's deliverances and yet fail to be morally reassured by them. On this third reading, one both accepts that there are no global justice obligations according to one's settled frame of reference and finds oneself deeply unsettled by that conclusion.

I agree with Nagel that political liberalism's conclusions about global justice obligations are not rendered false (for it) by the fact that one feels uneasy about them. I further agree with him that one cannot assuage one's unease by abandoning one's settled theoretical commitments in favour of a 'new theory'. However, I do not believe that it is always irrational to remain morally troubled even in the face of seemingly conclusive theoretical pronouncements to the contrary. One might find oneself accepting as sound the deliverances of careful theorizing and yet remain troubled by those deliverances. One is then troubled in a twofold way: one remains troubled by the grimness of the global facts, but one is additionally troubled by the apparent inability of one's settled moral theory adequately to respond to those facts. In the remainder of this section, I shall reconstruct Nagel's argument along these lines. Whether true to his own intentions or not, I read Nagel as suggesting that the problem of global justice is a problem for political liberals in the specific sense that political liberals may find themselves unable adequately to respond to a phenomenon which they nonetheless recognize as deeply troubling. I want to make it clear that my argument is not intended as a strike against political liberalism. I share Nagel's view that, as the historically most reflective theoretical statement of liberal political morality currently available to us, political liberalism is also our best available candidate for action-guiding liberal theorizing. But this suggests that if political liberalism is at a theoretical impasse of the kind sketched, we may lack an action-guiding theory of global justice. I begin with a brief summary of what I take to be Nagel's basic substantive argument. I then recast that argument so as to raise a conceptual point about the limits of political liberalism in relation to the problem of global justice.

I take Nagel's basic argument to be as follows. For political liberalism, coercive state authority is a necessary condition of the possibility of social