Do citizens of relatively affluent countries have obligations founded on justice to share their wealth with poorer people elsewhere? Certainly they have some redistributive obligations, founded on humanitarian principles requiring those who are able to help those who, without help, would surely perish. But obligations of justice might be thought to be more demanding than this, to require greater sacrifices on the part of the relatively well-off, and perhaps sacrifices of a different kind as well. Obligations of justice, unlike those of humanitarian aid, might also require efforts at large-scale institutional reform. The rhetoric of the United Nations General Assembly’s “Declaration on the Establishment of a New International Economic Order” suggests that it is this sort of obligation which requires wealthy countries to substantially increase their contributions to less developed countries and to radically restructure the world economic system. Do such obligations exist?

This question does not pose special theoretical problems for the utilitarian, for whom the distinction between obligations of humanitarian aid and obligations of social justice is a second-order distinc-

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tion. Since utility-maximizing calculations need not respect national boundaries, there is a method of decision available when different kinds of obligations conflict. Contractarian political theories, on the other hand, might be expected to encounter problems in application to questions of global distributive justice. Contractarian principles usually rest on the relations in which people stand in a national community united by common acceptance of a conception of justice. It is not obvious that contractarian principles with such a justification underwrite any redistributive obligations between persons situated in different national societies.

This feature of contractarian principles has motivated several criticisms of Rawls’ theory of justice. These criticisms hold, roughly, that it is wrong to take the nation-state as the foundation of contractarian principles, that, instead, such principles ought to apply globally. I want to pursue this theme here, in part because it raises interesting problems for Rawls’ theory, but also because it illuminates several important features of the question of global justice, a question to which too little attention has been paid by political philosophers. In view of increasingly visible global distributive inequalities, famine, and environmental deterioration, it can hardly be denied that this question poses a main political challenge for the foreseeable future.

My discussion has four parts. I begin by reviewing Rawls’ brief remarks on international justice, and show that these make sense only on the empirical assumption that nation-states are self-sufficient. Even if this assumption is correct, I then claim, Rawls’ discussion of international justice is importantly incomplete, for it neglects certain problems about natural resources. In part three, I go on to question the empirical foundation of the self-sufficiency assumption, and sketch the consequences for Rawlsian ideal theory of abandoning the assumption. In conclusion, I explore the relation of an ideal theory of


international justice to some representative problems of politics in the nonideal world.

This is a large agenda, despite the absence of any extended consideration of the most familiar problems of international ethics, those concerning the morality of war, which I take up only briefly. While these are hardly insignificant questions, it seems to me that preoccupation with them has too often diverted attention from more pressing distributive issues. Inevitably, I must leave some problems undeveloped, and merely suggest some possible solutions for others. The question of global distributive justice is both complicated and new, and I have not been able to formulate my conclusions as a complete theory of global justice. My main concern has been to see what such a theory might involve.

I

Justice, Rawls says, is the first virtue of social institutions. Its “primary subject” is “the basic structure of society, or more exactly, the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation” (7). The central problem for a theory of justice is to identify principles by which the basic structure of society can be appraised.

Rawls’ two principles characterize “a special case of the problem of justice.” They do not characterize “the justice of the law of nations and of relations between states” (7–8) because they rest on morally significant features of an ongoing scheme of social cooperation. If national boundaries are thought to set off discrete schemes of social cooperation, as Rawls assumes (457), then the relations of persons situated in different nation-states cannot be regulated by principles of social justice. As Rawls develops the theory, it is only after principles of social justice and principles for individuals (the “natural duties”) are chosen that principles for international relations are considered, and then only in the most perfunctory manner.

Rawls assumes that “the boundaries” of the cooperative schemes to which the two principles apply “are given by the notion of a self-contained national community” (457). This assumption “is not relaxed until the derivation of the principles of justice for the law of
nations" (457). In other words, the assumption that national communities are self-contained is relaxed when international justice is considered. What does this mean? If the societies of the world are now to be conceived as open, fully interdependent systems, the world as a whole would fit the description of a scheme of social cooperation and the arguments for the two principles would apply, a fortiori, at the global level. The principles of justice for international politics would be the two principles for domestic society writ large, and their application would have a very radical result, given the tendency to equality of the difference principle. On the other hand, if societies are thought to be entirely self-contained—that is, if they are to have no relations of any kind with persons, groups, or societies beyond their borders—then why consider international justice at all? Principles of justice are supposed to regulate conduct, but if, ex hypothesi, there is no possibility of international conduct, it is difficult to see why principles of justice for the law of nations should be of any interest whatsoever. Rawls' discussion of justice among nations suggests that neither of these alternatives describes his intention in the passage quoted. Some intermediate assumption is required. Apparently, nation-states are now to be conceived as largely self-sufficient, but not entirely self-contained. Probably he imagines a world of nation-states which interact only in marginal ways; perhaps they maintain diplomatic relations, participate in a postal union, maintain limited cultural exchanges, and so on. Certainly the self-sufficiency assumption requires that societies have no significant trade or economic relations.

Why, in such a world, are principles of international justice of interest? Rawls says that the restriction to ideal theory has the consequence that each society's external behavior is controlled by its principles of justice and of individual right, which prevent unjust wars and interference with human rights abroad (379). So it cannot be the need to prohibit unjust wars that prompts his worries about the law of nations. The most plausible motivation for considering principles of justice for the law of nations is suggested by an aside regarding the difficulties of disarmament (336), in which Rawls suggests that state relations are inherently unstable despite each one's commitment to its own principles of justice. Agreement on regulative principles would
then be a source of security for each state concerning each other's external behavior, and would represent the minimum conditions of peaceful coexistence.

For the purpose of justifying principles for nations, Rawls reinter- prets the original position as a sort of international conference:

One may extend the interpretation of the original position and think of the parties as representatives of different nations who must choose together the fundamental principles to adjudicate conflicting claims among states. Following out the conception of the initial situation, I assume that these representatives are deprived of various kinds of information. While they know that they represent different nations each living under the normal circumstances of human life, they know nothing about the particular circumstances of their own society. . . . Once again the contracting parties, in this case representatives of states, are allowed only enough knowledge to make a rational choice to protect their interests but not so much that the more fortunate among them can take advantage of their special situation. This original position is fair between nations; it nullifies the contingencies and biases of historical fate [378].

While he does not actually present arguments for any particular principles for nations, he claims that "there would be no surprises, since the principles chosen would, I think, be familiar ones" (378). The examples given are indeed familiar; they include principles of self-determination, nonintervention, the pacta sunt servanda rule, a principle of justifiable self-defense, and principles defining jus ad bellum and jus in bello.4 These are supposed to be consequences of a basic principle of equality among nations, to which the parties in the reinterpreted original position would agree in order to protect and uphold their interests in successfully operating their respective societies and in securing compliance with the principles for individuals which protect human life (378, 115).

One objection to such reasoning might be that there is no guarantee that all of the world's states are internally just, or if they are, that they

4. These principles form the basis of traditional international law. See the discussion, on which Rawls relies, in J.L. Brierly, The Law of Nations, 6th ed. (New York, 1963), especially chaps. 3 and 4.
are just in the sense specified by the two principles. If some societies are unjust according to the two principles, some familiar and serious problems arise. In a world including South Africa or Chile, for example, one can easily imagine situations in which the principle of non-intervention would prevent other nations from intervening in support of an oppressed minority fighting to establish a more just regime, and this might seem implausible. More generally, one might ask why a principle which defends a state’s ability to pursue an immoral end is to count as a moral principle imposing a requirement of justice on other states.

Such an objection, while indicating a serious problem in the real world, would be inappropriate in this context because the law of nations, in Rawls, applies to a world of just states. Nothing in Rawls’ theory specifically requires this assumption, but it seems consonant with the restriction to ideal theory and parallels the assumption of “strict compliance” which plays a role in arguments for the two principles in domestic societies. It is important to see, however, that the suggested justification of these traditional rules of international law rests on an ideal assumption not present in most discussions of this subject. It does not self-evidently follow that these rules ought to hold in the nonideal world; at a minimum, an additional condition would be required, limiting the scope of the traditional rules to cases in which their observance would promote the development of just institutions in presently unjust societies while observing the basic protections of human rights expressed by the natural duties and preserving a stable international order in which just societies can exist.

Someone might think that other principles would be acknowledged, for example, regarding population control and regulation of the environment. Or perhaps, as Barry suggests, the parties would agree to form some sort of permanent international organization with consultative, diplomatic, and even collective security functions. However, there is no obvious reason why such agreements would emerge from an international original position, at least so long as the constituent societies are assumed to be largely self-sufficient. Probably the parties, if confronted with these possibilities, would reason that fundamental questions of justice are not raised by them, and such issues of policy

as arise from time to time in the real world could be handled with traditional treaty mechanisms underwritten by the rule, already acknowledged, that treaties are to be observed. Other issues that are today subjects of international negotiation—those relating to international regulation of common areas such as the sea and outer space—are of a different sort. They call for a kind of regulation that requires substantive cooperation among peoples in the use of areas not presently within the boundaries of any society. A cooperative scheme must be evolved which would create new wealth to which no national society could have a legitimate claim. These issues would be excluded from consideration on the ground that the parties are assumed not to be concerned with devising such a scheme. As representatives of separate social schemes, their attention is turned inward, not outward. In coming together in an international original position, they are moved by considerations of equality between "independent peoples organized as states" (378). Their main interest is in providing conditions in which just domestic social orders might flourish.

II

Thus far, the ideal theory of international justice bears a striking resemblance to that proposed in the Definitive Articles of Kant's *Perpetual Peace.* Accepting for the time being the assumption of national self-sufficiency, Rawls' choice of principles seems unexceptionable. But would this list of principles exhaust those to which the parties would agree? Probably not. At least one kind of consideration, involving natural resources, might give rise to moral conflict among states and thus be a matter of concern in the international original position. The principles given so far do not take account of these considerations.

We can appreciate the moral importance of conflicting resource claims by distinguishing two elements which contribute to the material advancement of societies. One is human cooperative activity itself, which can be thought of as the human component of material advancement. The other is what Sidgwick called "the utilities derived from any portion of the earth's surface," the natural component.

While the first is the subject of the domestic principles of justice, the second is morally relevant even in the absence of a functioning scheme of international social cooperation. The parties to the international original position would know that natural resources are distributed unevenly over the earth's surface. Some areas are rich in resources, and societies established in such areas can be expected to exploit their natural riches and to prosper. Other societies do not fare so well, and despite the best efforts of their members, they may attain only a meager level of well-being due to resource scarcities.

The parties would view the distribution of resources much as Rawls says the parties to the domestic original position deliberations view the distribution of natural talents. In that context, he says that natural endowments are "neither just nor unjust; nor is it unjust that men are born into society at any particular position. These are simply natural facts. What is just or unjust is the way that institutions deal with these facts" (102). A caste society, for example, is unjust because it distributes the benefits of social cooperation according to a rule that rests on morally arbitrary factors. Rawls' objection is that those who are less advantaged for reasons beyond their control cannot be asked to suffer the pains of inequality when their sacrifices cannot be shown to advance their position in comparison with an initial position of equality.

Reasoning analogously, the parties to the international original position, viewing the natural distribution of resources as morally arbitrary, would think that they should be subject to redistribution under a resource redistribution principle. This view is subject to the immediate objection that Rawls' treatment of natural talents is troublesome. It seems vulnerable in at least two ways. First, it is not clear what it means to say that the distribution of talents is "arbitrary from a moral point of view" (72). While the distribution of natural talents is arbitrary in the sense that one cannot deserve to be born with the capacity, say, to play like Rubinstein, it does not obviously follow that the possession of such a talent needs any justification. On the contrary, simply having a talent seems to furnish prima facie warrant for making use of it in ways that are, for the possessor, possible and

1959), p. 430. Sidgwick's entire discussion of putative national rights to land and resources is relevant here—see Elements, pp. 239–244.
desirable. A person need not justify his possession of talents, despite the fact that he cannot be said to deserve them, because they are already *his*; the prima facie right to use and control talents is fixed by natural fact.

The other point of vulnerability is that natural capacities are parts of the self, in the development of which a person might take a special kind of pride. A person’s decision to develop one talent, not to develop another, as well as his choice as to how the talent is to be formed and the uses to which it is to be put, are likely to be important elements of his effort to shape an identity. The complex of developed talents might even be said to constitute the self; their exercise is a principal form of self-expression. Because the development of talents is so closely linked with the shaping of personal identity, it might seem that one’s claim to one’s talents is protected by considerations of personal liberty. To interfere with the development and use of talents is to interfere with a self. Or so, at least, it might be argued.

While I believe that Rawls’ discussion of talents can be defended against objections like these, that is not my concern here. I want to argue only that objections of this sort do not apply to the parallel claim that the distribution of natural resources is similarly arbitrary. Like talents, resource endowments are arbitrary in the sense that they are not deserved. But unlike talents, resources are not naturally attached to persons. Resources are found “out there,” available to the first taker. Resources must be appropriated before they can be used, whereas, in the talents case, the “appropriation” is a fait accompli of nature over which persons have no direct control. Thus, while we feel that the possession of talents confers a right to control and benefit from their use, we may feel differently about resources. Appropriation may not always need a justification; if the resources taken are of limited value, or if, as Locke imagined, their appropriation leaves “enough and as good” for everyone else, justification may not present a problem. In a world of scarcity, however, the situation is different. The appropriation of valuable resources by some will leave others comparatively, and perhaps fatally, disadvantaged. Those deprived without justification of scarce resources needed to sustain and enhance their lives might well press claims to equitable shares.
Furthermore, resources do not stand in the same relation to personal identity as do talents. It would be inappropriate to take the sort of pride in the diamond deposits in one’s back yard that one takes in the ability to play the *Appassionata*. This is because natural resources come into the development of personality (when they come in at all) in a more casual way than do talents. As I have said, talents, in some sense, are what the self is; they help constitute personality. The resources under one’s feet, because they lack this natural connection with the self, seem to be more contingent than necessary elements of the development of personality. Like talents, resources are used in this process; they are worked on, shaped, and benefited from. But they are not there, as parts of the self, to begin with. They must first be appropriated, and prior to their appropriation, no one has any special natural claim on them. Considerations of personal liberty do not protect a right to appropriate and use resources in the same way as they protect the right to develop and use talents as one sees fit. There is no parallel, initial presumption against interference with the use of resources, since no one is initially placed in a naturally privileged relationship with them.

I conclude that the natural distribution of resources is a purer case of something’s being “arbitrary from a moral point of view” than the distribution of talents. Not only can one not be said to deserve the resources under one’s feet; the other grounds on which one might assert an initial claim to talents are absent in the case of resources, as well.

The fact that national societies are assumed to be self-sufficient does not make the distribution of natural resources any less arbitrary. Citizens of a nation which finds itself on top of a gold mine do not gain a right to the wealth that might be derived from it *simply* because their nation is self-sufficient. But someone might argue that self-sufficiency, nevertheless, removes any possible grounds on which citizens of other nations might press claims to equitable shares. A possible view is that no justification for resource appropriation is necessary in the global state of nature. If, so to speak, social cooperation is the root of all social obligations, as it is on some versions of contract theory, then the view is correct. All rights would be “special
rights” applying only when certain conditions of cooperation obtain.8

I believe that this is wrong. It seems plausible in most discussions of distributive justice because their subject is the distribution of the benefits of social cooperation. Appropriate distributive principles compensate those who are relatively disadvantaged by the cooperative scheme for their participation in it. Where there is no social cooperation, there are no benefits of cooperation, and hence no problem of compensation for relative disadvantage. (This is why a world of self-sufficient national societies is not subject to something like a global difference principle.) But there is nothing in this reasoning to suggest that our only moral ties are to those with whom we share membership in a cooperative scheme. It is possible that other sorts of considerations might come into the justification of moral principles. Rawls himself recognizes this in the case of the natural duties, which are said to “apply to us without regard to our voluntary acts” (114) and, apparently, without regard to our institutional memberships.

In the case of natural resources, the parties to the international original position would know that resources are unevenly distributed with respect to population, that adequate access to resources is a prerequisite for successful operation of (domestic) cooperative schemes, and that resource supplies are scarce. They would view the natural distribution of resources as arbitrary in the sense that no one has a natural prima facie claim to the resources that happen to be under his feet. The appropriation of scarce resources by some requires a justification against the competing claims of others and the needs of future generations. Not knowing the resource endowments of their own societies, the parties would agree on a resource redistribution principle which would give each national society a fair chance to develop just political institutions and an economy capable of satisfying its members’ basic needs.

There is no intuitively obvious standard of equity for such matters; perhaps the standard would be population size, or perhaps it would be more complicated, rewarding nations for their efforts in extracting resources and taking account of the differential resource needs of

nations with differing economies. The underlying principle is that each person has an equal prima facie claim to a share of the total available resources, but departures from this initial standard could be justified (analogously to the operation of the difference principle) if the resulting inequalities were to the greatest benefit of those least advantaged by the inequality (cf. 151). In any event, the resource redistribution principle would function in international society as the difference principle functions in domestic society. It provides assurance to resource-poor nations that their adverse fate will not prevent them from realizing economic conditions sufficient to support just social institutions and to protect human rights guaranteed by the principles for individuals. In the absence of this assurance, these nations might resort to war as a means of securing the resources necessary to establish domestic justice, and it is not obvious that wars fought for this purpose would be unjust.9

Before turning to other issues, I must note two complications of which I cannot give a fully satisfactory account. The international original position parties are prevented by the veil of ignorance from knowing their generation; they would be concerned to minimize the risk that, when the veil is lifted, they might find themselves living in a world where resource supplies have been largely depleted. Thus, part of the resource redistribution principle would set some standard for conservation against this possibility. The difficulties in formulating a standard of conservation are at least as formidable as those of defining the "just savings rate" in Rawls' discussion of justifiable rates of capital accumulation. I shall not pursue them here, except to point

9. On this account, United Nations General Assembly Resolution 1803 (XVII), which purports to establish "permanent sovereignty over natural resources," would be prima facie unjust. However, there are important mitigating factors. This resolution, as the text and the debates make clear, was adopted to defend developing nations against resource exploitation by foreign-owned businesses, and to underwrite a national right of expropriation (with compensation) of foreign-owned mining and processing facilities in some circumstances. While the "permanent sovereignty" doctrine may be extreme, sovereignty-for-the-time-being might not be, if it can be shown (as I think it can) that resource-consuming nations have taken more than their fair share without returning adequate compensation. United Nations General Assembly, Official Records: Seventeenth Session, Supp. No. 17 (A/5217) (New York, 1963), pp. 15-16.
out that some provision for conservation as a matter of justice to future generations would be necessary (cf. 284–293).

The other complication concerns the definition of “natural resources.” To what extent is food to be considered a resource? Social factors enter into the production of food in a way that they do not in the extraction of raw resources, so it may be that no plausible resource principle would require redistribution of food. A nation might claim that it deserves its abundant food supplies because of its large investments in agriculture or the high productivity of its farmers. On the other hand, arable land is a precondition of food production and a nation’s supply of good land seems to be as morally arbitrary as its supply of, say, oil.10 A further complication is that arable land, unlike iron ore or oil, cannot be physically redistributed to those nations with insufficient land, while food grown on the land is easily transportable. These dilemmas might be resolved by requiring redistribution of a portion of a country’s food production depending on the ratio of its arable land to its total production; but the calculations involved would be complex and probably controversial. In the absence of a broader agreement to regard international society as a unified scheme of social cooperation, formulation of an acceptable food redistribution rule might prove impossible.

In failing to recognize resource problems, Rawls follows other writers who have extended the social contract idea to international relations.11 Perhaps this is because they have attributed a greater symmetry to the domestic and international contracts than is in fact appropriate. Resource problems do not arise as distinct questions in the domestic case because their distribution and conservation are implicitly covered by the difference principle and the just savings principle. When the scope of social cooperation is coextensive with the territorial boundaries of a society, it is unnecessary to distinguish natural and social contributions to the society’s level of well-being.

10. This statement needs qualification. After a certain point in economic development, a society could make good much of its apparently nonarable land, e.g. by clearing and draining or irrigating. So we ought not regard the total amount of arable land as fixed in the same sense as the total of other resources like oil. This was pointed out to me by Huntington Terrell.

But when justice is considered internationally, we must face the likelihood of moral claims being pressed by members of the various social schemes which are arbitrarily placed with respect to the natural distribution of resources. My suggestion of a resource redistribution principle recognizes the fundamental character of these claims viewed from the perspective of the parties' interests in securing fair conditions for the development of their respective schemes.

III

Everything that I have said so far is consistent with the assumption that nations are self-sufficient cooperative schemes. However, there are strong empirical reasons for thinking that this assumption is no longer valid. As Kant notes in the concluding pages of *The Metaphysical Elements of Justice*, international economic cooperation creates a new basis for international morality.\(^1\)

The main features of contemporary international interdependence relevant to questions of justice are the result of the progressive removal of restrictions on international trade and investment. Capital surpluses are no longer confined to reinvestment in the societies where they are produced, but instead are reinvested wherever conditions promise the highest yield without unacceptable risks. It is well known, for example, that large American corporations have systematically transferred significant portions of their capitalization to European, Latin American, and East Asian societies where labor costs are lower, markets are better, and profits are higher. A related development is the rise of an international division of labor whereby products are manufactured in areas having cheap, unorganized labor and are marketed in more affluent areas. Because multinational businesses, rather than the producing countries themselves, play the leading role in setting prices and wages, the international division of labor results in a system of world trade in which value created in one society (usually poor) is used to benefit members of other societies (usually rich).\(^2\) It is also important to note that the world economy


has evolved its own financial and monetary institutions that set exchange rates, regulate the money supply, influence capital flows, and enforce rules of international economic conduct.

The system of interdependence imposes burdens on poor and economically weak countries that they cannot practically avoid. Industrial economies have become reliant on raw materials that can only be obtained in sufficient quantities from developing countries. In the present structure of world prices, poor countries are often forced by adverse balances of payments to sell resources to more wealthy countries when those resources could be more efficiently used to promote development of the poor countries' domestic economies.14 Also, private foreign investment imposes on poor countries patterns of political and economic development that may not be optimal from the point of view of the poor countries themselves. Participation in the global economy on the only terms available involves a loss of political autonomy.15 Third, the global monetary system allows disturbances (e.g. price inflation) in some national economies to be exported to others that may be less able to cope with their potentially disastrous effects.16

Economic interdependence, then, involves a pattern of relationships which are largely nonvoluntary from the point of view of the worse-off participants, and which produce benefits for some while imposing burdens on others. These facts, by now part of the conventional wisdom of international relations, describe a world in which national boundaries can no longer be regarded as the outer limits of social cooperation. Note that this conclusion does not require that national societies should have become entirely superfluous or that the global economy should be completely integrated.17 It is enough, for setting

17. This conclusion would hold even if it were true that wealthy nations such as the United States continue to be economically self-sufficient, as Kenneth
the limits of cooperative schemes, that some societies are able to increase their level of well-being via global trade and investment while others with whom they have economic relations continue to exist at low levels of development.18

In view of these empirical considerations, Rawls’ passing concern for the law of nations seems to miss the point of international justice altogether. In an interdependent world, confining principles of social justice to national societies has the effect of taxing poor nations so that others may benefit from living in “just” regimes. The two principles, so construed, might justify a wealthy nation’s denying aid to needy peoples if the aid could be used domestically to promote a more nearly just regime. If the self-sufficiency assumption were empirically acceptable, such a result might be plausible, if controversial on other

Waltz has (mistakenly, I think) argued. A nation might be self-sufficient in the sense that its income from trade is marginal compared with total national income, and yet still participate in economic relations with less developed countries which impose great burdens on the latter. (See fn. 18, below.) To refute the claim I make in the text, it would be necessary to show that all, or almost all, nations are self-sufficient in the sense given above. This, plainly, is not the case. Waltz argues his view in “The Myth of National Interdependence,” The International Corporation, ed. Charles P. Kindleberger (Cambridge, Mass., 1970), pp. 205–226; he is effectively refuted by Richard Cooper, “Economic Interdependence . . .” and Edward L. Morse, “Transnational Economic Processes,” in Transnational Relations and World Politics, pp. 23–47.

18. The situation is probably worse than this. A more plausible view is that the poor countries’ economic relations with the rich have actually worsened economic conditions among the poor. Global trade widens rather than narrows the rich-poor gap, and harms rather than aids the poor countries’ efforts at economic development. See André Gunder Frank, “The Development of Underdevelopment,” in James D. Cockcroft et al., Dependence and Underdevelopment (Garden City, N.Y., 1972), pp. 3–18. This raises the question of whether interdependence must actually benefit everyone involved to give rise to questions of justice. I think the answer is clearly negative; countries A and B are involved in social cooperation even if A (a rich country) could get along without B (a poor country), but instead exploits it, while B gets nothing out of its “cooperation” but exacerbated class divisions and Coca-Cola factories. If this is true, then Rawls’ characterization of a society as “a cooperative venture for mutual advantage” (4) may be misleading, since everyone need not be advantaged by the cooperative scheme in order for requirements of justice to apply. It would be better to say that such requirements apply to systems of economic and social interaction which are nonvoluntary from the point of view of those least advantaged (or most disadvantaged) by them, and in which some benefit as a result of the relative or absolute sacrifices of others.
grounds. But if participation in economic relations with the needy society has contributed to the wealth of the “nearly just” regime, its domestic “justice” seems to lose moral significance. In such situations, the principles of domestic “justice” will be genuine principles of justice only if they are consistent with principles of justice for the entire global scheme of social cooperation.

How should we formulate global principles? As several others have suggested, Rawls' own two principles, suitably reinterpreted, could themselves be applied globally. The reasoning is as follows: if evidence of global economic and political interdependence shows the existence of a global scheme of social cooperation, we should not view national boundaries as having fundamental moral significance. Since boundaries are not coextensive with the scope of social cooperation, they do not mark the limits of social obligations. Thus, the parties to the original position cannot be assumed to know that they are members of a particular national society, choosing principles of justice primarily for that society. The veil of ignorance must extend to all matters of national citizenship. As Barry points out, a global interpretation of the original position is insensitive to the choice of principles. Assuming that the arguments for the two principles are successful as set out in Rawls' book, there is no reason to think that the content of the principles would change as a result of enlarging the scope of the original position so that the principles would apply to the world as a whole.

Rawls' two principles are a special case of the “general conception” of social justice. The two principles hold when a cooperative scheme

22. David Richards also argues that the principles apply globally. But he fails to notice the relationship between distributive justice and the morally relevant features of social cooperation on which its requirements rest. It is this relationship, and not the simpler, blanket assertion that the original position parties are ignorant of their nationalities, which explains why Rawlsian principles of social justice should be thought to apply globally. See David A.J. Richards, A Theory of Reasons for Action (Oxford, 1971), pp. 137–141.
23. The general conception reads as follows: “All social primary goods—liberty and opportunity, income and wealth, and the bases of self-respect—are to
has reached a level of material well-being at which everyone's basic needs can be met. The world, conceived as a single cooperative scheme, probably has not yet reached this threshold. Assuming that this is the case, on Rawls' reasoning, we should take the general conception, which does not differentiate the basic liberties from other primary goods, as the relevant standard for assessing global economic institutions. In conditions of underdevelopment or low-average levels of well-being, he argues, rational people might opt for a principle allowing rapid growth at the expense of some personal liberties, provided that the benefits of growth and the sacrifices of liberty are fairly shared and that the bases of self-respect relevant to such background conditions are not undermined (see 152, 298–303). The argument is that the prospects of the least advantaged would be less advanced, all things considered, by observing the lexical priority of liberty than by following the general conception of social justice.²⁴

The globalization of the two principles (or of the general conception, if appropriate) has the consequence that principles of justice for national societies can no longer be viewed as ultimate. The basic structure of national societies continues to be governed by the two principles (or by the general conception), but their application is derivative and hence their requirements are not absolute. A possible view is that the global principles and the principles applied to national societies are to be satisfied in lexical order. But this view has the consequence, which one might find implausible, that national policies which maximize the welfare of the least-advantaged group within the society cannot be justified if other policies would be more optimal

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²⁴ It must be noted that the question whether the general conception is more appropriate to developing societies turns heavily on empirical considerations. In particular, it needs to be shown that sacrifices of liberty, equally shared, really do promote more rapid advances in average levels of well-being than any other possible development strategy not involving such sacrifices. After considering the evidence, it might seem that an altogether different conception of justice is more appropriate to such societies than either of Rawls' conceptions. Perhaps, in the end, the general conception will turn out to be the best that can be advanced, but it would be interesting to canvass the alternatives. See Norman Bowie's attempt to do this in *Towards a New Theory of Distributive Justice* (Amherst, Mass., 1971), pp. 114ff.
from the point of view of the lesser advantaged elsewhere. Furthermore, no society could justify the additional costs involved in moving from the general to the special conception (for example, in reduced productivity) until every society had, at least, attained a level of well-being sufficient to sustain the general conception.

These features of the global interpretation of Rawlsian principles suggest that its implications are quite radical—considerably more so even than their application to national societies. While I am not now prepared to argue positively that the best theory of global justice consists simply of Rawls' principles interpreted globally, it seems to me that the most obvious objections to such a theory are not valid. In the remainder of this section, I consider what is perhaps the leading type of objection and suggest some difficulties in giving it theoretically compelling form.

Objections of the type I have in mind hold that considerations of social cooperation at the national level justify distributive claims capable of overriding the requirements of a global difference principle. Typically, members of a wealthy nation might claim that they deserve a larger share than that provided by a global difference principle because of their superior technology, economic organization, and efficiency.

Objections of this general sort might take several forms. First, it might be argued that even in an interdependent world, national society remains the primary locus of one's political identifications. If one is moved to contribute to aggregate social welfare at any level, this level is most likely to be the national level. Therefore, differential rates of national contribution to the global welfare ought to be rewarded proportionally. This is a plausible form of the objection; the problem is that, in this form, it may not be an objection at all. The difference principle itself recognizes the probability that differential rates of reward may be needed as incentives for contribution; it requires only that distributive inequalities which arise in such a system be to the greatest benefit of the world's least-advantaged group. To the extent that incentives of the kind demanded by this version of the objection actually do raise the economic expectations of the least advantaged without harming them in other ways, they would not be inconsistent with the difference principle.
Such objections count against a global difference principle only if they hold that a relatively wealthy nation could claim more than its share under the difference principle. That is, the objection must hold that some distributive inequalities are justified even though they are not to the greatest benefit of the world’s least-advantaged group. How could such claims be justified? One justification is on grounds of personal merit, appealing to the intuition that value created by someone’s unaided labor is properly his, assuming that the initial distribution was just. This sort of argument yields an extreme form of the objection. It holds that a nation is entitled to its relative wealth because each of its citizens has complied with the relevant rules of justice in acquiring raw materials and transforming them into products of value. These rules might require, respectively, that an equitable resource redistribution principle has been implemented and that no one’s rights have been violated (for example, by imperial plunder) in the process of acquisition and production leading to a nation’s current economic position. (Note that my arguments for a resource principle are not touched by this sort of objection and would impose some global distributive obligations even if the personal merit view were correct in ruling out broader global principles.)

This interpretation of the objection is strictly analogous to the conception of distributive justice which Rawls calls the “system of natural liberty.” He objects to such views that they allow people to compete for available positions on the basis of their talents, making no attempt to compensate for deprivations that some suffer due to natural chance and social contingency. These things, as I have said, are held to be morally arbitrary and hence unacceptable as standards for distribution (cf. 66–72). I shall not rehearse this argument further here. But two things should be noted. First, the argument seems even more plausible from the global point of view since the disparity of possible starting points in world society is so much greater. The balance between “arbitrary” and “personal” contributions to my present well-being seems decisively tipped toward the “arbitrary” ones by the realization that, no matter what my talents, education, life goals, etc., I would have been virtually precluded from attaining my present level

25. This, roughly, is Robert Nozick’s view in Anarchy, State, and Utopia (New York, 1974), chap. 7.
of well-being if I had been born in a less developed society. Second, if Rawls’ counterargument counts against natural liberty views in the domestic case, then it defeats the objection to a global difference principle as well. A nation cannot base its claim to a larger distributive share than that warranted by the difference principle on factors which are morally arbitrary.

A third, and probably the most plausible, form of this objection holds that a wealthy nation may retain more than its share under a global difference principle, provided that some compensation for the benefits of global social cooperation is paid to less fortunate nations, and that the amount retained by the producing nation is used to promote domestic justice, for example, by increasing the prospects of the nation’s own least favored group. The underlying intuition is that citizens owe some sort of special obligation to the less fortunate members of their own society that is capable of overriding their general obligation to improve the prospects of lesser advantaged groups elsewhere. This intuition is distinct from the intuition in the personal desert case, for it does not refer to any putative individual right to the value created by one’s labor. Instead, we are concerned here with supposedly conflicting rights and obligations that arise from membership in overlapping schemes of social cooperation, one embedded in the other.

An argument along these lines needs an account of how obligations to the sectional association arise. One might say that the greater degree or extent of social cooperation in national societies (compared with that in international society) underwrites stronger intranational principles of justice. To see this objection in its strongest form, imagine a world of two self-sufficient and internally just societies, A and B. Assume that this world satisfies the appropriate resource redistribution principle. Imagine also that the least-advantaged representative person in society A is considerably better off than his counterpart in society B. While the members of A may owe duties of mutual aid to the members of B, it is clear that they do not have parallel duties of justice, because the two societies, being individually self-sufficient, do not share membership in a cooperative scheme. Now suppose that the walls of self-sufficiency are breached very slightly; A
trades its apples for B's pears. Does this mean that the difference principle suddenly applies to the world which comprises A and B, requiring A to share all of its wealth with B, even though almost all of its wealth is attributable to economic interaction within A? It seems not; one might say that an international difference principle can only command redistribution of the benefits derived from international social cooperation or economic interaction. It cannot touch the benefits of domestic cooperation.

It may be that some such objection will turn out to produce modifications on a global difference principle. But there are reasons for doubting this. Roughly, it seems that there is a threshold of interdependence above which distributive requirements such as a global difference principle are valid, but below which significantly weaker principles hold. I cannot give a systematic account of this view here, but perhaps some intuitive considerations will demonstrate its force.

Consider another hypothetical case. Suppose that, within a society, there are closely-knit local regions with higher levels of internal cooperation than the level of cooperation in society as a whole. Certainly there are many such regions within a society such as the United States. The argument rehearsed above, applied to closely-knit localities within national societies, would seem to give members of the localities special claims on portions of their wealth. This seems implausible, especially since such closely-knit enclaves might well turn out to contain disproportionate numbers of the society's most advantaged classes. Why does this conclusion seem less plausible than that in the apples and pears case? It seems to me that the answer has to do with the fact that the apples and pears case looks like a case of voluntary, free-market bargaining that has only a marginal effect on the welfare of the members of each society, whereas we assume in the intranational case that there is a nonvoluntary society-wide system of economic institutions which defines starting positions and assigns economic rights and duties. It is these institutions—what Rawls calls "the basic structure" (7-11)—that stand in need of justification, because, by defining the terms of cooperation, they have such deep and pervasive effects on the welfare of people to whom they apply regardless of consent.
The apples and pears case, of course, is hardly a faithful model of the contemporary world economy. Suppose that we add to the story to make it resemble the real world more closely. As my review of the current situation (above, pp. 373–375) makes clear, we would have to add just those features of the contemporary world economy that find their domestic analogues in the basic structure to which principles of justice apply. As the web of transactions grows more complex, the resulting structure of economic and political institutions acquires great influence over the welfare of the participants, regardless of the extent to which any particular one makes use of the institutions. These features make the real world situation seem more like the case of subnational, closely-knit regions.

These considerations suggest that the amount of social and economic interaction in a cooperative scheme does not provide a straightforward index of the strength of the distributive principle appropriate to it. The existence of a powerful, nonvoluntary institutional structure, and its pervasive effects on the welfare of the cooperators, seems to provide a better indication of the strength of the appropriate distributive requirements. This sort of consideration would not necessarily support a global difference principle in the apples and pears case; but it does explain why, above a threshold measure of social cooperation, the full force of the difference principle may come into play despite regional variations in the amount of cooperation.26

Proponents of this objection to a global difference principle might have one last resort. They might appeal to noneconomic features of national societies to justify the special obligations that citizens owe to the less fortunate members of their own societies. On this basis, they could claim that the difference principle applies to national societies despite regional variations in cooperation but not to international society. Probably the plausibility of this sort of argument will depend on the degree to which it psychologizes the ties that bind

26. I do not claim to have resolved the problem which underlies this objection, although I believe that my remarks point in the right direction. It should be noticed, however, that what is at issue here is really a general problem for any theory which addresses itself to institutional structures rather than to particular transactions. One can always ask why institutional requirements should apply in full force to persons who make minimal use of the institutions they find themselves in. This point emerged from discussions I have had with Thomas Scanlon.
the members of social institutions.27 There are problems, however. First, it needs to be shown that psychological ties such as national loyalty are of sufficient moral importance to balance the international economic ties that underwrite a global difference principle. Second, even if this could be persuasively argued, any account of how institutional obligations arise that is sufficiently psychological to make plausible a general conflict of global and sectional loyalties will probably be too psychological to apply to the large modern state (cf. 477).

Perhaps this line of objection can be made good in some way other than those canvassed here. If this could be done, it would not follow that there are no global distributive obligations but only that some portion of a nation's gross product would be exempt from the requirements of the global standard provided that it were used domestically in appropriate ways. The question would not be whether there are global distributive obligations founded on justice, but rather to what extent considerations relevant to the special features of cooperation within national societies modify the egalitarian tendencies of the global standard.

IV

We have now reached two main conclusions. First, assuming national self-sufficiency, Rawls' derivation of the principles of justice for the law of nations is correct but incomplete. He importantly neglects resource redistribution, a subject that would surely be on the minds of the parties to the international original position. But second, the self-sufficiency assumption, upon which Rawls' entire consideration of the law of nations rests, is not justified by the facts of contemporary international relations. The state-centered image of the world has lost its normative relevance because of the rise of global economic interdependence. Hence, principles of distributive justice must apply in the first instance to the world as a whole, then derivatively to nation-states. The appropriate global principle is probably something like Rawls' general conception of justice, perhaps modified by some provision for intranational redistribution in rela-

tively wealthy states once a threshold level of international redistributive obligations has been met. Rawls' two principles become more relevant as global distributive inequalities are reduced and a higher average level of well-being is attained. In conclusion, I would like to consider the implications of this ideal theory for international politics and global change in the nonideal world. In what respects does this interpretation of the social contract doctrine shed light on problems of world order change?

We might begin by asking, in general, what relevance social ideals have for politics in the real world. Their most obvious function is to describe a goal toward which efforts at political change should aim. In Rawls' theory, a very important natural duty is the natural duty of justice, which "requires us to support and to comply with just institutions that exist and . . . constrains us to further just arrangements not yet established, at least if this can be done without too much cost to ourselves" (115). By supplying a description of the nature and aims of a just world order, ideal theory "provides . . . the only basis for the systematic grasp of these more pressing problems" (9). Ideal theory, then, supplies a set of criteria for the formulation and criticism of strategies of political action in the nonideal world, at least when the consequences of political action can be predicted with sufficient confidence to establish their relationship to the social ideal. Clearly, this task would not be easy, given the complexities of social change and the uncertainties of prediction in political affairs. There is the additional complication that social change is often wrongly conceived as a progressive approximation of actual institutions to ideal prescriptions in which people's welfare steadily improves. An adequate social theory must avoid the pitfalls of a false incrementalism as well as what economists call the problem of the second best.28 But a coherent social ideal is a necessary condition of any attempt to conquer these difficulties.

Ideal justice, in other words, comes into nonideal politics by way of the natural duty to secure just institutions where none presently exist. The moral problem posed by distinguishing ideal from nonideal theory is that, in the nonideal world, the natural duty of justice is like-

ly to conflict with other natural duties, while the theory provides no mechanism for resolving such conflicts. For example, it is possible that a political decision which is likely to make institutions more just is equally likely to involve violations of other natural duties, such as the duty of mutual aid or the duty not to harm the innocent. Perhaps reforming some unjust institution will require us to disappoint legitimate expectations formed under the old order. The principles of natural duty in the nonideal world are relatively unsystematic, and we have no way of knowing which should win out in case of conflict. Rawls recognizes the inevitability of irresolvable conflicts in some situations (303), but, as Feinberg has suggested, he underestimates the role that an intuitive balancing of conflicting duties must play in nonideal circumstances. Rawls says that problems of political change in radically unjust situations must rely on a utilitarian calculation of costs and benefits (352–353). If this is true, then political change in conditions of great injustice marks one kind of limit of the contract doctrine, for in these cases the principles of justice collapse into utilitarianism. It seems to me, however, that this conclusion is too broad. At least in some cases of global justice, nonideal theory, while teleological, is not utilitarian. I shall try to show this briefly with respect to questions of food and development aid, the principle of nonintervention, and the obligation to participate in war on behalf of a nation-state.

The duty to secure just institutions where none exist endows certain political claims made in the nonideal world with a moral seriousness which does not derive merely from the obligations that bind people regardless of the existence of cooperative ties. When the contract doctrine is interpreted globally, the claims of the less advantaged in today's nonideal world—claims principally for food aid, development assistance, and world monetary and trade reform—rest on principles of global justice as well as on the weaker duty of mutual aid. Those who are in a position to respond to these claims, despite the absence of effective global political mechanisms, must take account of the stronger reasons provided by the principles of justice in weighing their response. Furthermore, by interpreting the principles

globally, we remove a major source of justifying reasons for not responding more fully to such claims. These reasons derive from statist concerns, for example, a supposed right to reinvest domestic surpluses in national societies that are already relatively favored from a global point of view. The natural duties still require us to help members of our own society who are in need, and a wealthy nation would be justified on this account in using some of its resources to support domestic welfare programs. What cannot be argued is that a wealthy nation's general right to retain its domestic product always overrides its obligation to advance the welfare of lesser-advantaged groups elsewhere.

An ideal theory of global justice has implications for traditional doctrines of international law as well. Consider, as a representative example, the rule of nonintervention. It is often remarked that this rule, which is prominently displayed in a number of recent authoritative documents of international law, seems inconsistent with the international community's growing rhetorical commitment to the protection of human rights, which is also prominently displayed in many of the same documents. The conflict can be illustrated with reference to South Africa: the doctrine of nonintervention seems to prevent other states from giving aid to local insurgent forces explicitly committed to attaining recognition of basic human rights for the vast bulk of the South African population. Ordinarily, such conflicts are regarded as simple matters of utilitarian balancing, but the global interpretation of social contract theory shows that more can be said. The global interpretation introduces an asymmetry into the justification of the rules of international law. These rules impose different obligations depending on whether their observance in particular cases would contribute to or detract from a movement toward more just institutions.

The nonintervention rule is to be interpreted in this light. When it would demonstrably operate to advance or protect just arrange-
ments, it furnishes a strong reason not to intervene. In the absence of compelling reasons to the contrary, it imposes a duty to comply. This is typically the case when intervention would interfere with a people’s right of self-determination, a right which protects the fair exercise of political liberty. Thus, American intervention in Allende’s Chile certainly violated a basic requirement of global justice. But sometimes, as in South Africa, observing the nonintervention rule cannot be justified in this way. Rather than resting on considerations of justice, which give strong reasons for compliance, it rests on considerations of natural duty—such as protection of the innocent against harms that might be suffered if large-scale military intervention occurred—and of international stability. These are certainly not negligible reasons for nonintervention, but, from the standpoint of global justice, they are weaker reasons than those provided by global justice itself. Obviously, peaceful resolution of cases such as that of South Africa is to be preferred. But when this goal cannot be attained, or when insurgent forces fighting for human rights request foreign assistance, intervention cannot be opposed as a matter of justice (as it could be on the traditional interpretation of this international rule, preserved in Rawls’ own brief discussion), for its effect would be to help secure rights, including the right of self-determination, protected by the global principles. Again, in the absence of compelling reasons to the contrary (of which, certainly, a great number can be imagined), there might be an international duty to intervene in support of insurgent forces. I say that there may be an international duty because it seems clear that unilateral intervention can almost always be successfully opposed on grounds of international stability. But a decision by the international community to enforce principles of justice would be less susceptible to this sort of objection. Here I note what has too often been overlooked (except, perhaps, by American multinationals), that intervention in another country’s internal affairs can take many nonviolent forms, including economic blockades, nonmilitary aid to insurgent forces, diplomatic pressure, etc. While such forms of intervention obviously carry no guarantee of success, it is fair to say that their potential effectiveness has been widely underestimated.

Finally, what are the implications of global justice for participation in a nation's military forces? From what I have said thus far, it should be clear that the global interpretation supplies reasons for acting or not acting which are capable of overriding the reasons provided by traditional rules of international law. These reasons are also capable of overriding the rule that demands compliance with internally just domestic regimes. One important consequence is that conscientious refusal to participate in a nation's armed forces would have far broader possible justifications than on the account given in Rawls (cf. 377–382), assuming for the moment that, given the great destructiveness of modern weapons and war strategies, participation in national armed forces could ever be justified at all. For instance, in some circumstances, a war of self-defense fought by an affluent nation against a poorer nation pressing legitimate claims under the global principles (for example, for increased food aid) might be unjustifiable, giving rise to a justified refusal to participate in the affluent nation's armed forces.

These three examples show that the contract doctrine, despite limitations noted here, sheds light on the distinctive normative problems of the shift from statist to global images of world order. The extension of economic and cultural relationships beyond national borders has often been thought to undermine the moral legitimacy of the state; the extension of the contract doctrine gives a systematic account of why this is so, and of its consequences for problems of justice in the nonideal world, by emphasizing the role of social cooperation as the foundation of just social arrangements. When, as now, national boundaries do not set off discrete, self-sufficient societies, we may not regard them as morally decisive features of the earth's social geography. For purposes of moral choice, we must, instead, regard the world from the perspective of an original position from which matters of national citizenship are excluded by an extended veil of ignorance.

I do not believe that Rawls' failure to take account of these questions marks a pivotal weakness of his theory; on the contrary, the theory provides a way of determining the consequences of changing empirical circumstances (such as the assumption of national self-sufficiency) for the concept of justice. The global interpretation is
the result of recognizing an important empirical change in the structure of world political and social life. In this way the theory allows us to apply generalizations derived from our considered judgments regarding familiar situations to situations which are new and which demand that we form intelligent moral views and act on them when action is possible and appropriate. This is no small achievement for a moral theory. Some might think, however, that our moral intuitions are too weak or unreliable to support such an extension of the theory. I doubt that this is true; rather, it often seems to be a convenient way to beg off from unpleasant moral requirements. But if I am wrong about this—if we cannot expect moral theory to provide a firm guide for action in new situations—one might wonder whether moral theory has any practical point at all.