

DEBATE

Cosmopolitan Political Communities in International Relations

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Abstract

Modern political communities are committed to two competing moral principles. The first holds that fellow-citizens or co-nationals have special rights and deserve special consideration. The second maintains that each member of the human race deserves equal respect. As a consequence, political communities have to reconcile their duties to promote the interests of citizens with their obligations to the remainder of the human race. This article asks how political communities should understand their responsibilities to outsiders. Particular emphasis is placed on the duty not to harm outsiders and not to benefit from the harm that befalls other peoples. It is argued that an ethical foreign policy based on the 'no harm' principle is one way in which communities can reconcile their duties to fellow citizens and their obligations to distant strangers. This is one way in which peoples can retain their separate identities while shouldering the responsibility of building a worldwide moral community.

Keywords: *Cosmopolitan, citizenship, harm.*

I

My remarks are concerned with one of the oldest and most fundamental problems in international relations which arises in the following way. We live in political communities in which the custom is that the interests of insiders or co-nationals or fellow-citizens come first; but we live in political communities which have been touched by the cosmopolitan principle that all human beings are equal, that each member of the human race counts for one and only one. On the surface of things, we cannot have it both ways. To give fellow-citizens special consideration seems to fly in the face of what it means to be a cosmopolitan; but to treat all human beings as our equals seems to make it difficult for us to live apart, in bounded communities which separate us from the rest of the human race. We therefore have to ask ourselves what is the relationship between the duties we have to co-nationals and the duties we have to the rest of the human race. We have to ask ourselves what is the right relationship between our separate, bounded communities and the cosmopolis, the community of humankind.

Let me take this a little further by commenting on the doctrine of moral favouritism: the doctrine that fellow-citizens deserve special consideration. Rousseau was surely correct that no one would want to live in a political community that gave outsiders exactly the same rights as insiders. Certainly moral favouritism with its inherent discriminations pervades everyday life in all manner



of ways. The most illustrious demonstration of the theme can be found in the *Aberdeen Press and Journal* back in April 1912. Informing its incredulous readership of the sinking of the Titanic, it ran the striking headline, 'Aberdeen man lost at sea'.

Moral favouritism does not exist on its own although few would go as far as the cynic philosopher, Diogenes, who lived in Greece in the 4th century BC. When Alexander the Great asked him where he was from, Diogenes replied he was a citizen of the world. The answer seemed to imply that he had no attachments to any community, no desire to accept the convention that the interests of insiders come first. It has been said however that Diogenes was permanently on the move between Corinth, Sparta and Athens, principally to avoid military service. So, in calling himself a world citizen, Diogenes may simply have tried to justify opting out of customary obligations to the state. That may have been the point of identifying with humanity as a whole.

Rousseau may have had Diogenes in mind when he complained about the cosmopolitans who declare their love for the whole of humanity only to end up loving no one at all, especially the members of the community into which they have been born. Yet very few want to jettison cosmopolitanism entirely. Most of us feel that we have some obligations to 'distant strangers'; many of us do embrace the cosmopolitan notion that each human being has equal value, that each should count for one and only one. And therein lies the problem I want to address in this lecture. Cosmopolitanism runs up against elementary forms of moral favouritism, which suggest that insiders count for more than outsiders, and which suggest it is right that we take the lives of civilian outsiders in order to save the lives of our military personnel. This thinking underpinned decisions to bomb Dresden and Hamburg, Hiroshima and Nagasaki during the Second World War. But then such decisions have not been short of critics who argue that communities should not impose such costs on outsiders who have not harmed them. On that view of things, we should endeavour to make our separate political communities more cosmopolitan.

But cosmopolitan in what sense and to what degree? We do not have ready-made answers to these questions, and for the most part we have not thought that these questions were at the core of the study of international politics. But that in itself is rather strange. Many of the great writers on the state and international law in the past few centuries, thinkers such as Pufendorf and Vattel, started by thinking about the duties we have to our community and the duties we have to the rest of the human race. It is as if those writers thought everything else regarding the state, foreign policy and ethics should be placed to one side while the right relationship between the community and the cosmopolis was decided. But in developing what might be called the classical account of political community, they did not really follow this through, as Kant argued in his profound critique of their position. According to the classical account, duties to our community come first and cosmopolitanism has the supporting role of ironing out some of the difficulties that arise in relations between sovereign states. What it cannot do is lay the

foundations for the project of building world government or some other way of uniting humankind. I will say more about this in a moment and consider some of the reasons that have been given for regarding cosmopolitanism as a moral lubricant that helps the society of states to run more smoothly. I will comment later on how a more robust cosmopolitanism that makes greater demands of states – involving major inroads into national sovereignty – has found its way on to the contemporary political agenda. And I will try to show how the duty to avoid harm provides us with a useful angle on dealing with two competing principles in modern political life: the principle that each human being has the right to equal respect, and the principle that the members of our society deserve primary consideration.

II

I want now to provide a sketch of the classical account of political community. This outline is an intellectual construct but something rather like it can be found in the writings of the 18th-century Swiss diplomat and writer on international law, Emmeric de Vattel. The exponents of the classical approach imagined a state of nature in which individuals and their families roamed the earth without the safety and security of central government. Hobbes said that life without the state would be solitary, nasty, brutish and short. Locke and Vattel did not have such a bleak vision of things. For them the state of nature was not a state of war but a condition in which a human morality was observed, albeit incompletely, in part because each individual was judge and jury in his or her own case. Human conflicts inevitably arose. Vattel and others argued that, faced with this problem, human beings sensibly organized themselves into political systems in which each individual would be clear about his or her legal rights and obligations. And they created a system of law-enforcement to ensure that individuals could not escape the consequences of violating the rights of others.

Importantly, individuals did not leave the state of nature for world government. Differences of culture and perspective, coupled with the difficulty of governing the world as a whole, made it sensible, Vattel and others thought, to establish many sovereign states. So far so good. But then the question arose of how states should conduct their external relations – of how they should deal with foreigners. The classical approach denied that sovereign states could do exactly as they pleased. The universal moral code that governed individuals in the original condition did not disappear with the establishment of separate states. And so the classical approach to political community had to consider the right relationship between duties to particular communities and duties to the rest of humanity. Its solution was to argue that states should do the best they can for their citizens while honouring their obligations to the rest of humankind. These wider duties were negative and positive – negative in that aggressive war was ruled out; positive in that actions to alleviate, for example, the suffering of victims of natural disaster,

were ruled in. Writers like Vattel argued that states had to retain the right to decide how much help to give desperate strangers. No higher authority had the authority to tell states how they should behave.

The classical approach has dominated political theory and practice for more than three centuries. Of course, like an old building, there has been the odd modification, occasional extension and necessary repair. Michael Walzer – one of the leading contemporary exponents of the classical approach – has made the distinctive alteration of insisting that all cultures have the right to preserve their cultural differences, a position that leads him to make intriguing points about the treatment of refugees. Walzer maintains that we must sympathize with the refugee who no longer enjoys conditions most human beings value, that is, the security of belonging to a particular community with its distinctive culture. But precisely because human collectivities wish to preserve their culture and traditions, they cannot grant every single refugee the right of entry. Walzer insists just like Vattel that each community has the right to decide how many refugees to admit, and he adds these are not easy matters to decide since communities can never be sure they have struck the right balance between duties to fellow-citizens and duties to desperate strangers. Independent political communities have to live with deep doubts about whether they have done enough and should be doing more. In making that point, Walzer identifies with great candour one of the main problems with the classical approach he wants to defend.

Exponents of that approach believe there is an international society of states – Walzer would say an international society of states and peoples that do not have states but which have equal rights to respect and recognition. For the most part, the members of that international society observe principles that facilitate their peaceful coexistence. They belong to an international society that has been compared to an egg box, which gives each state some protection from all others. Viewed from this angle, cosmopolitanism provides additional padding. It helps the society of states function more smoothly by ensuring that each community takes its negative and positive responsibilities seriously. But it does not support a global political project which aims either at the abolition of states or at the dramatic and irreversible contraction of their sovereign powers. In Walzer's writings on this subject we can hear distant echoes of Hegel's claim that it is right to claim that all human beings are equal but wrong to turn this notion against the sovereign state since it remains the only viable form of political community.

Walzer's rejection of any project that is radically at odds with sovereignty shines through in his dismissal of the idea of world citizenship that has appealed to the likes of a draft-dodging Diogenes, Stoic philosophers such as Cicero, Enlightenment thinkers such as Kant and Diderot and to various non-governmental organizations that proclaim their global citizenship. Walzer wants none of this loose talk about being a citizen of the world as opposed to a citizen of a state. In an essay criticizing the idea of world citizenship, he says that no one has shown him the global polling booths, explained the naturalization process or

described the great celebrations and commemorations which the whole human race enjoys. None of this exists outside the nation-state.

III

My assumption is that the majority of the world's population accepts some version of the classical approach. Of course, for many peoples creating more cosmopolitan communities is not the most pressing issue. For them, the priority is to establish a viable separate state that provides security from violence and satisfies basic needs such as the need for food, shelter and health. All the evidence is that only a small percentage of the human race is keen to exchange the state for some form of cosmopolis, but there is no doubt that large numbers of people are far from indifferent to the suffering of alien outsiders. They are cosmopolitan in wanting the society of states and peoples to do more to alleviate the suffering of those that are starving and more to assist desperate refugees. But most are broadly committed to the doctrine of moral favouritism and have no desire to encourage the diminution of the state's sovereign powers. Some NGOs such as anti-statist, global environmentalist groups are the chief exception to this more general trend.

Many reasons have been put forward for staying with the classical approach and for rejecting any cosmopolitanism that clashes with the sovereign state. Realists tell us that cosmopolitan projects are destined to be, in the words of former Australian Prime Minister, Paul Keating, 'mugged by reality'. Some say that nationalist feelings will always be stronger than internationalism because human beings are simply incapable of identifying with the species as a whole. Some say that nationalism will prevail as long as we have war, cultural domination or discrimination, not to mention global economic inequality.

Others argue that the problem is not the soil but the seed itself: not the environment that frustrates the hopes of the cosmopolitan but the very idea of a universal ethic. The key point – which is central to anti-foundationalism – is that moral principles that should apply right across the world, or some way of life that should be global, remain hard to pin down, if they can be pinned down at all. Every effort to define them, it has been said, has been loaded with the biases of some particular time and place. Friedrich Meinecke put it well when he said that a clump of native soil invariably clings to the boots of the cosmopolitan.

Some go further by saying that the point is not that the quest for soil-free boots will fail but that the quest for the requisite footwear is extremely dangerous. The point is that those that believe they have cracked the moral code will want to trample on the rights of others – like the missionaries who tried to talk the natives out of their sinful ways, causing serious mental and bodily harm in the process.

Many doubt that there is much that can be said in defence of cosmopolitanism but not everyone wants to leave things as they are. Michel Foucault, who is not remembered for his enthusiasm for global political projects, or for his belief in absolute moral truths, defended the idea of an international citizenry that would

protest against violations of rights everywhere. This seemed to suggest that political communities should be more cosmopolitan, more compassionate than they have been in the past and more troubled by the suffering of outsiders. That, rather than any quest for absolute moral truths, or for some generalizable way of life, is precisely what one finds in so much cosmopolitan thought in recent times.

IV

My sense is that support for global visions has grown in recent years, grown to the point where we can talk of a renaissance of cosmopolitan thought that wants more from political communities than most have given hitherto, that defends major encroachments upon national sovereignty, and that moves beyond the classical account of community. When I refer to a renaissance, I am not thinking about the cosmopolitan world-views Stuart Hall and others have criticized. Hall has written about bourgeois cosmopolitanism in which non-Western cultures are valued because they produce artefacts and provide tourist resorts for the affluent members of world society. From that angle, other cultures are to be valued because they produce commodities that satisfy, at least for now, the needs of affluent consumers in the more powerful West. Such cultures may not be valued in their own right. Nor am I thinking of the benign cosmopolitanism of modern cities and multicultural institutions such as universities which regard the diversity of life-styles as valuable in its own right. The vision of the cosmopolis I have in mind goes further precisely because it poses a major challenge to the classical account of political community.

There are many reasons for the growing support for a more demanding cosmopolitanism that is less certain of the virtues of moral favouritism and less enamoured of national sovereignty than the exponents of the classical account have been. First, many NGOs and individuals acting on their own accord feel a growing sense of responsibility for what Hannah Arendt once called that part of the public world that comes within our reach, that part of the world which we can affect in our daily lives in small but meaningful ways. Concern for the global environment is the most prominent example of a growing sense of responsibility for the earth as a whole. Many environmental NGOs are not especially enamoured of sovereign states or anxious to defend moral favouritism. Many espouse transnational allegiances and desire new forms of political community in which some sovereign powers are devolved to local communities while others are transferred to international authorities. There is no support for the classical view of community in this point of view.

Second, there is a powerful trend of developing what Kant called the universal laws of world citizenship. The international law of human rights and developments in the sphere of international criminal law (including the notion that Heads of State cannot find refuge in the idea of sovereign immunity and the slow building of an international criminal court) are some of the most significant

events. These are important developments in moving beyond international law – the law of states – to cosmopolitan law, which revolves around individuals as well as non-sovereign communities such as minority nations and indigenous peoples. Of course, some states like the US are presently unenthusiastic about a world criminal court that can exercise jurisdiction over national citizens, and perhaps that view will prevail in the end. Be that as it may, developments in the humanitarian law of war pose a real challenge to the view that states should look after their own citizens first of all and retain their unqualified national sovereignty. Such developments indicate the strengthening of the cosmopolitan moral belief that states should do more for desperate strangers than they have done in the past.

Third, there is the cosmopolitan turn in political theory as exemplified by the writings of Daniele Archibugi and David Held. Their argument is that the world is increasingly governed by international organizations such as the World Trade Organization and by various multinational corporations that escape democratic accountability. They maintain that states are less able to control events while their citizens are far more vulnerable to external events. In consequence, democracy may not survive in any meaningful sense if it remains purely national. There is the concern, of course, that democracy will prove hard to uncouple from the nation-state and difficult to graft on to global institutions. So many look to NGOs to fill the void, and indeed some progress has been made in involving the NGOs in the major international conferences and gatherings, and in involving them in discussions about the establishment of, for example, an international criminal court. At the very least this may mark the emergence of a less state-centred international society than the one that has prevailed for almost 400 years. Beyond that, it may mean greater efforts to create democracy outside nation-states at the level of global institutions with responsibilities for the world as a whole.

A related point is that there is something strange about a democracy that does not involve outsiders in national decisions that may harm them. Arguably, a bounded democracy is more committed to nationalism than to democracy. Cosmopolitan democratic theory takes issue with the classical account of community by arguing that outsiders have an absolute right to be consulted about decisions that may harm them. There is therefore a corresponding duty to create global arrangements that will ensure that outsiders have voice and representation whenever decisions are being taken that may damage their vital interests. This raises complex questions about where and how the line is to be drawn between issues that are rightly the sole business of a national community and issues in which outsiders have a moral right to be involved. These are matters that have yet to be worked through and are unlikely to be worked through by those that remain wedded to the classical account of political community. That said, there are very strong arguments for denationalizing democracy: for creating democratic structures nationally and internationally which recognize that each individual counts for one and only one. This is one test of a community's commitment to cosmopolitanism.

V

Contemporary economic and political conditions require support for forms of cosmopolitanism that erode the powers of the state. Greater attention to what it means to be a cosmopolitan is also essential because a cosmopolitanism that supports the dominant economic and political interests in the West will almost certainly thrive. So the question is not whether to be or not to be a cosmopolitan but rather what kind of cosmopolitan one should be and what would follow for the principle of national sovereignty.

As it is, there is a growing body of work on cosmopolitan citizenship, cosmopolitan democracy and cosmopolitan law that deals with the question of the kind of cosmopolitan to aim to be. This is a small revolution in the way we think about independent political communities and their relations with the rest of the human race. It suggests that at long last political theory which has been state-centric for so long is getting to grips with global politics, and might even start with global arrangements before turning to anything else. This is how it should always have been. And as I said earlier this is what the theorists of the classical account of political community actually did when they sought to establish the rights and duties that each human being had in relation to all the others before tackling the question of what should be agreed within separate states. However, they failed to press this moral conviction far enough because they were so keen to defend the sovereignty of the state. They paid too little attention to how moral favouritism could turn into something else – namely indifference to the interests of outsiders if not hostility to their welfare. So one option we can explore is to retrace their steps with a view to taking a more critical view of those stages of the argument in which the defence of national sovereignty diluted the commitment to a cosmopolitan morality that runs through the classical approach.

There is nothing new in this approach since it simply follows the example of Kant and Rousseau who both found a fatal flaw in the classical approach to community. In one of the greatest passages in the history of international thought, Rousseau comments on the lawyers who so admired the transition from the original state of nature to the world of separate states. He argued that the legal experts advised him to lament ‘the miseries of the original state of nature’, ‘to admire the peace and justice established by the civil order’, to ‘bless the wisdom of public institutions’. They suggested that one could console oneself for being a human being by thinking about the benefits that came with citizenship. But then, when we look around us, says Rousseau, what do we see: ‘unfortunate Nations groaning under yokes of iron, the human race crushed by a handful of oppressors. Further into the distance, fire and flames, the countryside deserted, towns pillaged, scenes of murder, the dead piled in heaps, the dying trampled under horses’ hooves, everywhere the face of death and agony’. Rousseau concludes by saying ‘So this is the fruit of these peaceful institutions. Barbarous philosopher. Come and read us your book on the field of battle’. Rousseau’s point was that the measures that had been taken to prevent private wars – leaving the state of nature

in short – kindled national wars a thousand times worse. Harm increased rather than decreased with the establishment of separate, sovereign states.

And yet exponents of the classical account of political community argued that the first duty of each and every human being is to avoid harming others. This sentiment pervades the classical account of political community from Grotius to Vattel but these writers failed to make the harm principle a fundamental principle of international order. Kant was quick to identify the resulting problem. We should not, he says, regard anyone as an enemy unless they have harmed us. And yet the very existence of other states with their military machines causes harm, since other states rob us of our security; and we repay them in kind. Kant did not conclude that it would be better if we simply abolished sovereign states; nor did he argue for cosmopolitan democracy to make sure that each person really counted for one and only one, and to make sure that all people can protest against any actions that may harm them, wherever they may originate. But that is only to show that Kant could have taken his critique of the classical account of political community much further. What he did argue, of course, was that a serious commitment to the principle of avoiding harm to outsiders would require the human race to strive for perpetual peace. Grotius, Pufendorf and Vattel – the miserable consolers, as Kant called them – did not see that this was the upshot of their elementary cosmopolitanism.

VI

One might therefore defend an approach to cosmopolitanism that starts with the belief that one of our fundamental duties is to ‘do no harm’. I want to suggest that the principle, do no harm, is a useful place to begin in spelling out what it means to belong to a cosmopolitan community, what it means to live in a community that is making progress in a cosmopolitan direction. This interest in harm has many different foundations. I have already mentioned one of them, namely that there is a long tradition of thought that is concerned with the problem of harm. I have in mind the Stoics in Ancient Rome; the many theorists of the just war who spoke up for the innocent – innocent civilians who by definition have not done anyone any harm, and many writers on Europe’s first contact with ‘the newly discovered Indian’s who said that there was a duty not to cause them harm. The Spanish made the point in the Laws of Burgos, which were drawn up in or around 1512. And it is interesting to retrace some of these steps, to see where the problems and the inconsistencies crept in. For example, the Spanish theologians did not think it was harmful to disrupt indigenous religions and to convert indigenous peoples to Christianity. Few would now argue that this was humanitarian intervention rather than harm. And as previously noted, those that defended the classical account of political community should have been troubled by the fact that their commitment to the principle ‘do no harm’ did not lead them to challenge the institution of war. And so there is quite a lot one could do to look at how the harm principle, which

has been so central to international thought, could have been used more radically to criticize the ways in which societies habitually inflict distress and suffering on others, or simply fail to recognize that their actions may harm others. One of the strongest arguments that can be made in support of global democracy is that it can grant vulnerable groups the possibility of protesting against the harms that befall them.

This brings me to a second reason for being interested in harm. The plain fact is that most states and empires over the past five millennia have been in the 'hurt business'.¹ Examples of the willingness to inflict cruelty on other peoples can be found in many different historical epochs, but so have efforts to limit harm for either moral or pragmatic reasons. Thucydides mentions that the Athenians were about to eliminate the people of Mitylene when Diodotus persuaded them that this was unnecessarily cruel and hardly expedient. One can see related references to the duty to avoid harm in the just war tradition and, as already noted, in various instructions to colonizers not to injure indigenous populations. It would be interesting to trace the concern with harm in Western history and to know more about what has been said about the need for constraints on harm in the major non-Western civilizations and religions.

However it is the modern era that seems to have been especially concerned with legislating against harm and with trying to reach a global consensus about what harm actually means. The Hague Conventions of 1899 prohibited unnecessary suffering in war; the international law regarding torture and apartheid states there is a duty not to cause mental and bodily harm. Similar themes are repeated in the articles that established the tribunal for the prosecution of war criminals in the former Yugoslavia and in the United Nations Declaration on the Elimination of Violence Against Women. In these cases at least there is some agreement that harm means cruelty and violence, and results in pain and suffering. Of course it may be that the dominant conventions about such matters simply reflect the moral preferences of those that live in the West. That is not something I can discuss in much detail here, although I shall come back to the general issue later.

VII

The very least that one should expect from a cosmopolitan political community is a strong commitment to do no harm. We should want more than this because the commitment to do no harm is perfectly compatible with the view that poorer societies should learn to stand on their own feet rather than depend on the charity of others. Arguably, Montesquieu was right when he said we should do as much good as we can in times of peace and as little harm as possible in times of war. One of the merits of this position is its contention that cosmopolitan political communities should dig deep into their pockets when they see another society in the grip of famine or burdened with overseas debt. And by the same argument they should help refugees who are washed up on their shores. But as already

noted, there are additional duties to promote structural change in the shape of cosmopolitan democracy in order to realize the claim that all individuals have a fundamental right to be able to protest against actual or potential forms of harm.

And yet harm-reduction and harm-avoidance are a large part of what it means to make progress in a cosmopolitan direction. This is not to suppose that it is much easier to agree on the nature of harm than on the nature of the good. Different views about the rights and wrongs of female genital mutilation are a reminder that societies do not always agree on what counts as harm. I am more inclined to start with the fact that the harm business makes up a good portion of international relations and to connect that with the observation that there are only limited amounts of altruism in world politics. No doubt there should be more. And many have argued for more. An early example can be found in China, in the 5th century BC, when the philosopher, Mo-Tzu and his followers, the Mohists, preached universal love and altruism. They thought there was no reason to give family members special consideration or to prefer members of one's own society to total strangers. This was to assume that human beings are capable of replacing moral favouritism with unlimited altruism but all the evidence is that this vision is impracticable and undesirable.

Human beings are only prepared to do so much to promote the welfare of others, assuming of course that they agree on what that is. And there are good reasons for thinking that they should have moral favourites. Philosophers like Robert Goodin have argued that it is best that people care for those who are especially dependent upon them – family and friends, members of their society – otherwise the vulnerable might not be cared for at all. But if moral favouritism is legitimate, as most human beings are strongly inclined to think, then we have to establish the nature of our non-optional duties to outsiders, lest moral favouritism turns into moral indifference or active hostility to outsiders. We have to specify what insiders should do out of duty as opposed to charity – which is something that the classical approach to community did not do.

A more demanding cosmopolitan ethic than exists at present can begin with the empirical observation that many people feel a special duty not to cause harm and not to benefit from the harm that others suffer. Many may feel a stronger motivation to observe the duty to do no harm than to make personal sacrifices to increase the welfare of others. This feeling is especially strong if the people involved think they are responsible for the suffering of others or benefit unfairly from the harm that befalls them, whatever its cause. Examples of this moral standpoint can be found in support for ethical investment, fair trading and ethical tourism and in opposition to child labour and to arms sales in which benefits result from selling arms to regimes that tyrannize their citizens.

Cosmopolitan moral responses to these issues defend specific non-optional obligations to outsiders that are perfectly compatible with moral favouritism – the key point is that it is wrong to promote the interests of our own society or our own personal advantage by exporting suffering to others, colluding in their suffering or benefiting from the ways in which others exploit the weakness of the vulnerable.

Three interdependent moral sentiments are central to a global ethic that is concerned with the problem of harm in world politics. The first is a concern with inequalities of power: a concern with the potential abuse of power, with the ability to shift costs on to others (exporting hazardous waste to less affluent societies is one example) and with the ability to benefit unfairly from existing global forms of power and inequality. The second is basic sympathy for the vulnerable, and a desire to protect them from intended and unintended harm, from deliberate acts of cruelty and from moral indifference to their fate. The third is the desire to respect one of the basic human obligations as captured centuries ago in Roman law: what touches all should be agreed by all. This is what Kant advocated when he took issue with the likes of Vattel, although we might want to go further than Kant in challenging the principle of sovereignty and in supporting the democratization of world politics. The point then is to turn some basic moral sentiments about the duty to do no harm, which one finds in the likes of Vattel, against the classical theory of political community. It is to engage in a process of immanent critique in which an existing global moral principle – the principle ‘do no harm’ – is turned against egotistical sovereign states and used to defend a more just world order.

VIII

To repeat – a community that wants to make progress in a broadly cosmopolitan direction has to avoid inflicting harm on others and avoid being a beneficiary of the harm that befalls outsiders. This conception of the harm principle has to be grafted on to the moral favouritism that is inherent in the existence of separate political communities. I want now to take this further by looking at four ways of getting away from the harm business that may have some relevance for the discussion of ethics and foreign policy, and for moral visions of a world order in which the principle ‘do no harm’ is taken very seriously. There is a need first of all to be troubled by the harm that *we* do to *them*, which our community does to the members of other societies. Sparing civilians unnecessary suffering in war comes into this category, as does breaking up all the racial, national and related ideologies which have turned moral favouritism into something else, namely the desire to harm outsiders and to make human cruelty or plain indifference to the suffering of others a way of life.

Now we can point to some progress in weaving such norms into the modern society of states. The international law of war, various conventions that prohibit torture and genocide, and the broader cultural shifts that challenge basic distinctions between the civilized self and the uncivilized other, are evidence of this. Some would say that liberal-democratic societies, or the stable and affluent parts of Europe, can point to real success in reducing cruelty among themselves. Others have been quick to argue that the Huntingtons and the Kaplans in the United States have used pernicious distinctions between the peaceful liberal-democratic world and the war-prone regions that are supposedly still mired in

tribalism to justify inaction in response to the latter's suffering. These pernicious distinctions can be used to justify doing nothing to try to reduce their suffering. That said, working against cruelty and indifference is one of the first non-optional duties of communities that want to display their cosmopolitan credentials. This is one of the first principles of good international citizenship, one of the canons of an ethical foreign policy.

IX

In a second realm of importance the focus shifts from the harm that we do to them to the harm that *they* do to *each other*. I am thinking here of the harm that arises when governments effectively declare war on sections of their own population. The classical account of political community suggests that the state does not have the right to risk its citizens' lives in order to save the lives of strangers. This is not the same as moral indifference to the harm they do to each other, as defended by Alan Clark some years ago. On being asked to justify British arms sales to Indonesia, given the evidence that these weapons were being used to oppress the people of East Timor, Clark replied that as Minister of Defence he didn't care what one group of foreigners did to another. Exponents of the classical approach make the rather different point mentioned earlier that fellow-citizens cannot be compelled to die for humanity as opposed to the state. And the likes of Vattel added that more harm than good will come if states breach the sovereignty of another which is thought guilty of violating human rights.

The classical approach has prevailed in theory and practice for more than 300 years because the rights of sovereign states have been thought to be more important than the rights of individuals. But we are now moving away from that premise in ways that raise intriguing and as yet unanswered questions about what it means to be a cosmopolitan community in international relations. We are moving away because of a growing sense that states forfeit their sovereign prerogatives if they are guilty of gross violations of human rights such as ethnic cleansing and genocide. And NATO's action over Kosovo raised the question of whether the great power veto in the Security Council should have moral standing if it is used to obstruct military action to prevent the terrible abuse of human rights. But how should the aspiring cosmopolitan political community support the Kantian claim that the violation of rights anywhere should be felt everywhere? By abandoning the principle of sovereign immunity? Yes. By ensuring that those that trample on their citizens' fundamental rights face prosecution in court? Definitely. By waging humanitarian war against the delinquent state? This is a harder question to answer. By waging humanitarian war even when the great powers are not united in supporting the breach of national sovereignty? Perhaps when the level of suffering becomes too great. But then there is the question of who decides when the threshold has been crossed, and there is the matter of what kind of precedent may be set.

It is interesting to consider what these questions do and do not signify: the sense, certainly, that states should do more to rescue desperate strangers; but seemingly not a growing conviction that humanitarian intervention should become a basic norm of world politics. These questions do not seem to signify the belief that communities should be prepared to see co-nationals die for the sake of foreigners; but they almost definitely do signify the desire to pursue particular courses of action that sit uneasily with the classical approach to community. Dispensing with the principle of sovereign immunity and strengthening international criminal law are two ways of finding a new balance between duties to fellow-citizens and duties to desperate strangers, two ways of altering the relationship between sovereignty and human rights. This is a second strand of good international citizenship, a second feature of an ethical foreign policy.

X

Recent debates about humanitarian intervention indicate that it is not going to be easy to decide what it means to be a cosmopolitan political community. Problems of a different kind arise when we add a third realm to the inquiry. This is the harm that *they* do to *them*. I have in mind the harm that transnational corporations, for example, do when, in the words of Henry Shue, they export hazards to vulnerable peoples. Shue discussed the case of American corporations that moved asbestos production to West Africa when the business was banned in the United States. His argument was that workers in Sierra Leone for example were unaware of the dangers to which they were exposed; they could hardly be said to have given their informed consent to run the risks that awaited them. He added that there could be no justification for exposing foreigners to the risks that co-nationals have decided to avoid. In such cases, the decent community has to conclude that insiders and outsiders – citizens and foreigners – should have exactly the same rights. There is no basis for moral favouritism here. Instead, the state has to prevent its own citizens from harming outsiders, just as it must want to see them punished for violating the law of wars. The fundamental question that is raised by the practice of dumping hazardous waste on poorer societies with few of the safeguards that one finds in the West – some call this environmental apartheid or environmental racism – is whether the state will wish to frustrate the purposes of corporate power. Herein lies one of the great difficulties for the supporters of an ethical foreign policy.

The problem is compounded if we think of a fourth form of harm. This is harm which has less to do with the desire that some have to injure others and more to do with what may be the unintended consequences of the operation of the vast impersonal global forces – of the operation of the world market which causes harm which no one may have intended. In this case it is hard to know who to blame, indeed whether the category of blame is useful at all. For centuries the transmission of disease has been the paradigmatic example of unintended harm in

human history. Now we all know that the global transmission of disease is not a thing of the past. But for many the modern equivalent of the plague is the operation of the world market, which can wipe out whole groups of producers, export deindustrialization and poverty, and spread various forms of economic insecurity. For large sectors of the world's populations, casino capitalism is the modern equivalent of the plague; the currency speculator is the counterpart of *ratus ratus*, which harboured the fleas that caused the plague; and the currency market is the modern equivalent of the medieval sewer. Perhaps it is worth adding that *ratus ratus* did not know it was harbouring fleas that were such a menace to the human race. It is hard to believe that the currency speculators are unaware of the human consequences of their actions but, arguably, it is structures rather than agents that are the real source of the problem.

There have been many attempts to deal with economic and social processes, which have only recently come to be seen as harmful. Various environmental agreements – at Stockholm and Rio for example – which assert that states do not have a right to pollute their neighbours or damage the global commons are a case in point. New global obligations have been created in this way, obligations which the classical theory of community did not have to take seriously in the pre-industrial era, but which are the logical consequence of its claim that there is a duty not to cause harm. The most important are obligations to the species as a whole, obligations to non-human species, to the global environment, and to generations which have yet to be born. But it remains the case that less effort has been made to prevent forms of harm caused by corporate power and global capitalism. In their recent book on international law, Hilary Charlesworth and Christine Chinkin make an interesting point about global priorities when they say that various species of sea life are protected by treaty while the promotion of breast milk substitutes remains subject to voluntary codes. We may be entering an epoch in which there will be many more efforts to reduce and eradicate deliberate human cruelty in the shape of physical violence only to expose larger numbers of the human race to the invisible or less visible effects of the world market, to leave them vulnerable to corporate power and to the environmental consequences of global industrialization. Perhaps that is the meaning of globalization; perhaps that is the greatest test of the cosmopolitan political community; perhaps that is the greatest obstacle to its emergence; perhaps that is the greatest obstacle to the development of an ethical foreign policy.

XI

Let me offer some final thoughts about the relationship between the community and the cosmopolis. The first is that moral favouritism is an essential part of what it means to live in a political community. It matters that it was an Aberdonian who drowned at sea. And so Rousseau and Walzer were correct that we have special rights and duties amongst ourselves. But there is the immediate problem that

moral favouritism can so easily evolve into something else, so that the desire to do the best for our fellow-citizens means that we collude in imposing unacceptable costs on outsiders. And in so doing we violate the belief that each human being should count for one and only one. We need to make sure then that moral favouritism does not turn us to indifference to others or make us enemies of the rest of the human race. The classical account of community could have taken these points much more seriously, as Rousseau and Kant observed.

My argument has been that we can make moral favouritism safe by observing the principle that one of the fundamental human duties is to do no harm. This is not to speak against altruism; it is not to say 'do no harm' is all there is to a global ethic. But it is to maintain that we can specify basic cosmopolitan obligations which are not a matter of choice but which are incumbent upon us all, obligations which are not about making the states-system function more smoothly but carry the human race beyond the classical states-system towards a stronger sense of world citizenship and towards cosmopolitan democracy and a more robust structure of cosmopolitan law.

This form of cosmopolitanism does not repeat the problems mentioned earlier: it does not treat cultural and language differences with contempt but values them; it is not bound to be broken on the wheel of nationalism; it is not utopian because of the persistence of geopolitics and war; nor is it yet another instrument for dominating others. Its principal function is to contribute to the project of liberating human beings from constraints on their autonomy and from obstacles to their welfare. That is the rationale for a cosmopolitanism that seeks to protect all members of the human race from unnecessary harm and suffering whatever their nationality or citizenship may be. The global application of the harm principle is one way in which we can continue living in and identifying with our separate communities, yet be linked with other states and peoples in a cosmopolis, in a universal community of humankind.

Notes

This is a revised version of a public lecture delivered at the University of Wales, Aberystwyth in November 2000 as part of the Millennium Lecture Series organized by the Department of International Politics.

- 1 This term has been attributed to Mike Tyson who is reported to have said: 'I enjoy doing what I do. I enjoy hurting people. That's what I like to do. I'm in the hurt business'.