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“Imagine There’s No Countries:” A Reply to John Lennon

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1. “Imagine there’s no countries:” this is how the second stanza of one of the most famous songs of recent times begins.¹ Like its counterpart in the first stanza, which asks us to “imagine there’s no heaven,” the next line states that it is easy to indulge in this fantasy. The respectively remaining lines glance at a life without religion, countries, and possessions. “You may say I’m a dreamer,” sings Lennon, “But I’m not the only one/I hope someday you’ll join us,” suggesting that reaching a stage without these alleged evils is realistic enough to be action-guiding. Yet Lennon’s is not a dream in which we ought to join. We cannot imagine what he asks us to imagine in any action-guiding way.

Risse (2006) explains how, despite increasing global interconnectedness, shared membership in states remains morally relevant. At the same time states are historically contingent forms of political organization with considerable drawbacks. Once we have clarified what an assessment of the state’s normative peculiarity contributes to its overall normative evaluation, the historical contingency and the drawbacks of the state come in view when we explore how to respond to another question central to that evaluation, *whether there ought to be states* (or, synonymously, countries) in the first place. One could answer affirmatively, negatively, or in a manner that finds the question problematic. My response is of the latter sort, but entails that, since ours is a world of

¹ Many thanks for discussion to an audience at the conference on the “Nature of the State” at the University of Madison at Wisconsin in March 2008, as well as to an audience at the Center for Human Values at Princeton in April 2008.

states, we should try to make this world as good as possible, rather than to aspire at a world with a fundamentally different political structure.

The justification of the state that emerges is shaped by epistemic considerations and might disappoint those who seek a justification *exclusively* in terms of rational or moral virtues unique to the state, as well as those who seek to justify states as collective moral agents of sorts or build their case on nationality. Yet these considerations also rebut the sort of cosmopolitan view formulated, for instance, by Sidgwick, who stated that “[o]ur highest political ideal admits of no boundaries that would bar the prevention of high-handed injustice throughout the range of human society” (Sidgwick (1897), p 197). Sidgwick worried mostly about the state’s willingness to wage war. Yet a cosmopolitanism that urges us to pursue a global regime that is not primarily state-based or else holds that it is only because of practical considerations that we should not do so, is endorsing a “highest political ideal” that we do not understand well enough to endorse it. Together with the account of the state’s normative peculiarity in Risse (2006), this view aims to get into focus both the moral relevance and the historical contingency of the state.

Contemporary cosmopolitans rarely endorse a world state, or condemn the state in all its possible shapes.² They are aware of the practical limitations of their vision, and might build into the idea of a political ideal that it must be realizable in morally acceptable ways (e.g., without another world war). My disagreement with many

² On the world state and the history of this idea, see Lu (2006). A typical expression of such cosmopolitan awareness of political realities is the following excerpt from Held (1995): “Against the background of a cosmopolitan polity, the nation-state would, in due course, ‘wither away’, but this is not to say that states and national polities would become redundant. There are many good reasons (...) for doubting the theoretical and empirical basis of claims that nation-states will disappear. Rather, ‘withering way’ means that states would no longer be, and would not longer be regarded as, the sole centers of legitimate power within their own borders (as is already the case in diverse settings). States would be ‘relocated’ within, and articulated with, an overarching global democratic law” (p 233).

cosmopolitans is a matter of degree, or of precisely how to characterize the state's moral importance. Caney (2005), for instance, finds that states have no unique moral or prudential advantages and jeopardize the realization of important cosmopolitan political goals. He champions regional and global institutions without insisting on dismantling states. I myself think there is more substance to the normative peculiarity of states, but endorse considerable moral constraints on what they may do. So my opponent is not just anybody who insists the state has obligations to those who do not currently belong to it and has only limited powers to shape the fate of those who do.

Instead, the opponent on this side of the spectrum (defenders of states of certain stripes being on the other) are cosmopolitans who endorse a political ideal that subjects all states to coercive interference by regional or global institutions. We do of course understand a world in which weaker states are subject to interference by stronger states. Yet we do not understand a world in which no state, or almost no state, is immune from interference, conceivably by force. It is that radical ideal in Lennon's song that we do not grasp well enough. One would be hard pressed to find any contemporary advocate of an immediate dismantlement of states, but my criticism also applies to those who endorse a stateless world as a long-term ideal, to be reached step-by-step. For without a clear view of what the realization of that ideal would be like, we should not adopt it. It is an illusion to think we could realize such an ideal step by step. At some point a radical step would have to be taken to dismantle the authority of states. Given that reflection on non-state political arrangements has become rather prominent among political philosophers

recently, it is important also to engage in some reflection on the epistemic limits to such utopian thinking, limits that inevitably constrain what normative stances we can take.³

2. When Hobbes devotes *De Cive* to exploring the rights of the state and the obligations of its subjects, he did something fundamentally new: Focusing on the confrontation between individual and state meant not to focus on the relationship of the individual with a particular ruler or with a multiplicity of jurisdictional authorities.⁴ Instead, it meant to assess an individual's relationship with an enduring institution with exclusive claims to the exercise of a certain sort of power within a domain. Centuries later this focus has become natural. "The fundamental question of political philosophy," writes Nozick (1974), "is whether there should be any state at all" (p 4). Or as Kavka (1986) states, "the relationship between the individual and the State forms the core of Western political philosophy," just as "the relationship between morality and prudence lies at the center of Western ethics" (p 21). Decades earlier Lenin paid homage to states from a rather

³ Morris (1998) lists the following features of the state: Continuity in space and time; Transcendence (i.e., the state does not coincide with the persons of the ruler, or the ruled, but is a distinct entity); Political Organization (i.e., the state consists of a separate set of institutions that are formally coordinated and relatively centralized); Authority (i.e., the state is sovereign, hence the ultimate source of authority in its territory); Allegiance (i.e., the State expects and received loyalty from its inhabitants (pp 46f). Kavka (1986) understands the state as follows: "To be a State, an organization must be *preponderant* in power, in a given geographic region, in the sense that it can physically overpower internal competitors and generally discourage aggression by outsiders. This means it can successfully enforce its rules and judgments against any public internal opposition if it chooses to do so, except possibly in the special case of its being replaced in accordance with established and recognized internal procedures, for example, elections. And it provides sufficient actual enforcement against internal and external transgressors that its citizens are seldom forced to resort to anticipatory action (...) to protect themselves. (...) And a State is simply an organized society with a territory and government" (P 158). Kavka points out that these criteria might well apply in degrees. When I talk about the state system as we currently have it I talk about entities characterized by Kavka, with the understanding that there is a good number of them. Competing visions of world order must be contrasted with that view.

⁴ See the beginning of Skinner (1979) for this assessment of *De Cive*.

different angle, asserting that “the basic question of every revolution is that of state power” (quoted in Skocpol (1979), p 284).

Traditionally, the primary philosophical question about the state (and the way of asking whether it *ought* to exist) has been how to rebut the anarchist, who favors living arrangements short of the concentration of power typical of states. The anarchist has been the modern political philosopher’s skeptic. Yet a recent literature has asked about the state from another angle, namely, whether it differs relevantly from other political and economic entities, notably the global order. “Differing relevantly” means in ways that bear on what obligations hold among people who share a state, and only among them. Those who accept such obligations endorse “the normative peculiarity of the state.”⁵

Inquiring in this way becomes important (only) once defenders of states confront a broader spectrum of possibilities of “stateless” societies than what was at issue with the anarchist, a spectrum that now includes societies not characterized by the *absence* of large-scale coercive institutions, but instead by the *presence* of coercive institutions other than states. Added to the spectrum of relevant possibilities are not so much political organizations that pre-date the state, such as city states, city leagues, empires or feudal structures; instead, what is added, or has come to new prominence, are structures such as a world state; a world with strong federative structures going much beyond the toothless United Nations; a world with a more comprehensive system of collective security; one in which jurisdictions are disaggregated; in which border-control is a matter of collective administration; or one in which states voluntarily abandon border controls. In a similar context, Bull (1977) also adds a disarmed world; a system of states characterized by more

⁵ See Risse (2006) for a broader exposition of that literature.

solidarity; one of many nuclear powers; one of ideological homogeneity; a system of isolated states; and a new medievalism (chapter 10).⁶

Such structures are of great interest in a politically and economically increasingly interconnected world in which there exist nevertheless enormous differences in life prospects that depend on where one is born.⁷ Unsurprisingly some (e.g., Carens (1987)) compare this situation to medieval feudalism where the lucky ones inhabit castles and the unlucky ones dwell in huts. Another reason why such structures have attracted interest is because the existence of states has been associated with major evils. “Religion and philosophy have claimed their martyrs, as have family, friendship, and office,” writes Walzer (1970), “[b]ut surely there has never been a more successful claimant of human lives than the state” (p 77). After discussing the ties between the development of the state and warfare, Porter (1994) puts the number of war deaths over the last five centuries at 150 million.⁸ States are concentrations of power, and while they may use that power to

⁶ Finer (1997) offers an overview over what government has amounted to over the millennia. Mann (1987/1993) addresses the sociology of power, including the state. Vincent (1987) discusses many of the questions that arise about the state from a historical and social-science perspective. Vincent (p 10) distinguishes four basic categories of stateless societies: First, there is the anthropological literature on “primitive” communities, societies organized by categories such as clan, blood ties or lineage, or extended family or mutual help. The second category comprises political organizations that pre-date states, such as the Greek polis, empires and medieval political organizations. Third, there are the stateless visions of 19th and 20th century ideologies, such as anarchism, libertarianism, and communism. According to these views, the state is the primary cause of human misery. Fourth, there are modern societies that do not have certain traditions of statehood, which is a peculiar category because it includes the US and the UK. Laski (1935) offers reflections on the state from the standpoint of 1935, which, however, are still highly relevant.

⁷ Milanovic (2005) shows that inequality among countries is much larger than inequality within states. Consider by way of contrast to this increasing interconnectedness Rousseau (1955?), p 44: “The venerable phantom of the Roman Empire has never ceased to unite the nations which once formed part of it; and as, after the fall of the Empire, Rome still asserted her authority under another form, Europe, the home of the temporal and spiritual Powers, still retains a sense of fellowship far closer than is to be found elsewhere. The nations of the other continents are too scattered for mutual intercourse; and they lack any other point of union such as Europe has enjoyed.” How things have changed!

⁸ For the connection between the state and wars, see also the classic Waltz (1959). Waltz distinguishes among three “images of war,” that is, different viewpoints on the origins of war: the cause of war might be in human nature; or in the internal structure of states; or else in the international system.

protect people, they may also use it to attack them. The existence of a state system with competing *raison d'état* exacerbates the danger. Ecological problems too are often associated with the state system (see Bull (1977), pp 282-84, Pogge (2002), pp 183-190).⁹ While modern philosophy sought to rebut anarchists by praising the state's rational and moral advantages, the current debate is increasingly influenced by the perception that states do not only solve problems but also create new ones.

Increasing global interconnectedness has indeed done much to render these issues central, and it is before this background that we must explore the normative peculiarity of the state. Supporters of this normative peculiarity argue that the state is characterized either by a form of coerciveness or by a form of cooperativeness, and that this suffices to create special ties among those subject to such a regime, if only in the sense that certain justifications are owed to them but not to others. Opponents respond that some version of any feature that is supposed to be peculiar of the state also holds for other structures, especially the global order. At stake here, in one way of thinking about it, is the applicability of principles of justice. In one view – *internationalism* -- principles of justice only apply within states. Opposing views seek to apply principles of justice globally, because there are sufficient structures at that level to render these principles applicable, or because their applicability does not depend on the presence of associative

⁹ The list of the “world’s biggest problems” as discussed by Lomborg (2007) includes the following, all of which can be brought in connection with the existence of states: financial instability; lack of intellectual property rights; money laundering; trade barriers; air pollution; climate change; deforestation; land degradation; biodiversity loss; vulnerability to natural disasters; arms proliferation; conflicts, corruption, lack of education; terrorism; drugs; diseases; lack of people of working age; living conditions of children and women; and hunger and malnutrition. War of course must also be linked to positive developments, such as the rise of the welfare state or women’s emancipation, see Porter (1994), chapter 5.

structures. The former view I call *globalism*, the latter *non-relationism*. Internationalists support the normative peculiarity of the state, globalists and non-relatonists deny it.¹⁰

While my own view supports the normative peculiarity of the state, this discussion does not provide an exhaustive evaluation of the state; it does not, for instance, respond to the anarchist. Nor does it support the state vis-à-vis alternative structures, and so does not respond exhaustively to normative questions that arise in the context that has made the question of the normative peculiarity of the state relevant in the first place. So we need to explore the extent to which the question of the normative peculiarity of the state contributes to the overall effort of evaluating the state, and then engage directly the question of whether there *ought* to be states.

In what follows, I explain my view on the normative peculiarity of the state. Then I begin to explore how this view contributes to the normative evaluation of states by pointing out one advantage and one disadvantage it has in that context. In a next step we explore what a “justification of the state” is. We can then ask what the place of an account of the normative peculiarity of the state is within such a justification, as well as tackle the question of whether there ought to be states at all. To that end, I distinguish between skepticism from below and above. The former captures anarchism whereas the latter captures the view of those who think state structures ought to be replaced with different political and economic structures. (This is skepticism “from above” because the world state and strong supranational structures are among the obvious alternatives; but

¹⁰ I use the term “non-relationism” because both internationalists and globalists are relationists in the sense that they tie the applicability of principles of justice to the presence of certain associative structures. The term “internationalism” is used here in a way that differs from its traditional use, which emphasizes transnational attitudes. My use is misleading also because we are actually concerned with *states* as opposed to *nations* here. But there are only so many words to go around in these debates.

there are other possibilities, the unifying feature being that they seek to replace the state with other coercive structures.) Next we look at three attempts of justifying the state, in Hobbes, Kant, and Rawls. Skepticism from below remains unrefuted, but nevertheless we ought not to endorse it. The same is true for skepticism from above. In neither case do we understand well enough what an alternative vision of world order would be. This is the reply to John Lennon.¹¹

3. I have developed my view on the normative peculiarity of the state in terms of a theory of “grounds” of justice. Instead of assuming that a rigidly understood set of principles of justice applies under particular circumstances – because people share a state; live in the global order; or are human – this view acknowledges different “grounds” people might share such that the distribution of some good requires justification to them. The principles that would do this work are principles of justice, but would be respectively different principles depending on the ground on which they hold. The grounds of justice that stand out are shared citizenship in a state; shared subjection to the global trade system; and collective ownership of the earth. I call this view of how principles of justice apply globally *pluralist internationalism*.

This view shares with internationalism a commitment to the normative peculiarity of the state but denies that the state is not the only associative structure characterized by

¹¹ This view is compatible with endorsing changes locally: in some cases considerations will support close federative structures such as the European Union (see Morgan (2005)), and of course, and an overwhelming case for global cooperation for certain questions can be made at any rate. But this would always be cooperation among states, not a way of dissolving states. The upshot of my discussion agrees with Morris (1998). His chapter 4 explores what one can say about why there should be states – game-theoretic modeling and arguments from history. Neither may deliver a convincing case for the state, but nor does either lead to the conclusion that we ought to try something else. Instead, Morris suggests that we should try to understand what makes states legitimate and then make them so.

coerciveness and cooperativeness. Yet particular versions of coerciveness and cooperativeness apply to states, and have enough normative relevance to set the state apart. These versions of coerciveness and cooperativeness give rise to demands about how the state ought to be organized that do not arise elsewhere. Pluralist internationalism does not single out any particular condition as necessary for principles of justice to apply that hold within states. This raises the question of whether these principles also apply in different structures. My view responds by exploring just what principles of justice hold in other structures and by arguing that, to the extent that they hold in associative structures, they are weaker versions of those applying within states.

The particular manner in which the state is cooperative is captured well by the term “reciprocity.” Sangiovanni (2007) articulates what this amounts to:

When well-functioning, these basic state capacities [the basic extractive, regulative, and distributive capacities central to any modern state], backed by a system of courts, administration, and military, free us from the need to protect ourselves continuously from physical attack, guarantee access to a legally regulated market, and establish and stabilize a system of property rights and entitlements. Consider further that state capacity in each of these areas is not manna from heaven. It requires a financial and sociological basis to function effectively, indeed event to exist. (...) [C]itizens and residents, in all but the most extreme cases, provide the financial and sociological support required to sustain the state. It is they who constitute and maintain the state through taxation, through participation, in various forms of political activity, and through simple compliance, which includes the full range of our everyday, legally regulated activity. Without their contributions to the de facto authority of the state – contributions paid in the coin of compliance, trust, resources, and participation – we would lack the individual capabilities to function as citizens, producers, and biological beings. (p 20f)

Reciprocity captures especially dense cooperation. The particular manner in which the state is *coercive* I have tried to capture in terms of the *immediacy* of state coerciveness. We can characterize the immediacy of interaction among citizens and the state along two dimensions, one legal and one political. The *legal* aspect consists in the directness and

pervasiveness of law enforcement. State enforcement agencies have direct, unmediated access to citizens' bodies and assets. Also, since many dealings of citizens among themselves (including all property dealings, ranging from small purchases to the ownership of firms and conditions on inheritance and bequest) are regulated, the potential involvement of such enforcement is pervasive for those subject to it. The relationship between citizens and the state is such that there is no organization "in between," in the sense that its prerogative (a prerogative acceptable within a just state) is to offer protection against enforcement agents of the state, in a way in which state agencies are charged with protecting individuals from both other individuals and other states.

The *political* aspect of the immediacy of the relationship between a state and its citizens consists in the crucial importance of the environment provided by the state for the realization of basic moral rights. It is the state that provides the environment in which individuals' basic rights are, or fail to be, realized. To fix ideas, the kind of rights I have in mind are those captured by Rawls's first principle of justice (cf. Rawls (2001), p 44): "freedom of thought and liberty of conscience; political liberties (for example, the right to vote and to participate in politics) and freedom of association, as well as the rights and liberties specified by the integrity (physical and psychological) of the person; and finally, the rights and liberties covered by the rule of law."

Basic liberties depend on what happens in one's immediate environment. For me to have freedom of speech means to be able to speak my mind to those around me; it does not depend on governments elsewhere refusing to publish my views, even if this means that I cannot reach the audience I am most eager to reach. For me to have freedom of conscience means for me to be able to practice my religion where I live, not for my

religion to be accepted elsewhere, nor does it even mean for me to be able to travel anywhere my religion might require me to travel. (Think of the Muslim Hadj: if by some peculiar development a future government of Saudi Arabia were to prevent Muslims from making the pilgrimage to Mecca, we would not say that this undermines the freedom of conscience of Muslims living in Detroit.) And for me to enjoy freedom of association means to be able to get together with like-minded persons in an area where I am subject to the same jurisdiction as others who live there; it does not depend on my ability to associate with people with whom I do not share a jurisdiction, even if those are the only like-minded people I have. International organizations can monitor rights violations, or set incentives for states to respect or to disregard basic rights. Yet whether individuals can exercise these rights is a function of their immediate environment.

So whereas the legal aspect of the immediacy of the relationship between citizens and the state captures its *directness* and *pervasiveness*, the political aspect captures its *profundity*. What accounts for the normative peculiarity of the state is partly the particular nature of its coerciveness. Citizenship is membership in an association for which legal and political immediacy are distinctive, and those two aspects of the relationship between states and citizens provide reasons for associative duties restricted to people who share a citizenship. Legal and political aspect of the immediacy of the relationship between the state and its citizens enter political debates by providing reasons why individuals can make claims on each other, and these reasons do not hold among people not subject to the same structures characterized by legal and political immediacy.

4. Since we have to explore what this account of the normative peculiarity of the state contributes to a normative evaluation of the state, let me point out one advantage and one disadvantage of my approach in that regard. The advantage is that pluralist internationalism allows for a statement of what is morally relevant about shared citizenship without resorting to nationalism while also locating a role for nationhood in reflection about the state. Isaiah Berlin suggests that nationalism

entails the notion that one of the most compelling reasons, perhaps the most compelling, for holding a particular belief, pursuing a particular policy, serving a particular end, living a particular life, is that these ends, beliefs, policies, lives are *ours*. This is tantamount to saying that these rules or doctrines or principles should be followed not because they lead to virtue or happiness or justice or liberty (...) or are good and right in themselves (...) rather they are to be followed because these values are those of *my* group – for the nationalists, of *my* nation (...). (Berlin (1981), p 342f)

The literature distinguishes between *civic* and *ethnic* nationalism, depending on how one develops the general attitude that Berlin expresses.¹² Both allow for a formulation of the state's normative peculiarity. The civic conception is often connected to Ernest Renan's *Qu'est-ce qu'une nation?* In this view a nation is a voluntary association of individuals, "a daily plebiscite." There are special obligations among fellow citizens because they have accepted them. One does not have to think of an oath or something similarly explicit, but civic nationalism emphasizes the manner in which the will of the individuals maintains a closely-knit community. The ethnic conception is associated with Herder's *Outline of a Philosophy of the History of Man*. This view ties the stance that rules or principles ought to be followed "because these values are those of *my* group" to objective

¹² This is an oversimplification, albeit a useful one; see Gellner (1983), chapters 5 and 7 for discussion. Couture, Nielsen, and Seymour (1998b) and McKim and McMahan (1997) contain good discussions of nationalism. There is also a cultural nationalism as defender by Tamir (1993) and Miller (1995). I will not engage in a more detailed discussion of nationalism because the main point is that this account of the normative peculiarity of the state does not depend on any appeal to national(ist) sentiments.

features of social life, such as language and tradition. It is these supposedly shared features that are taken to generate particular obligations.

On both versions, an appeal to a shared national identity is constitutive of the normatively peculiarity of the state. Appeals to the importance of nationhood of either sort lead to nationalism as the political principle “which holds that the national and the political unit should be congruent” (Gellner (1983), p 1). Both views have well-known problems. Civic nationalism seems false to the facts because shared nationality does not generally have this voluntaristic nature. Ethnic nationalism is problematic because it remains doubtful whether the considerations it makes central really do apply to all relevant people, and if so, how they generate obligations. Much has been written about nationalism, so we need not go into detail. It is an advantage of pluralist internationalism that it does not appeal to nationhood to explain what is special about countrymen. What is special about them is that they share a complex relationship of which reciprocity as well as legal and political immediacy are aspects.¹³

Often nations are cohesive groups in which individuals care about each other more than about others (they are “teammates in life,” as Wellman (2005), p 104, says). For such reasons, also, often “[m]y nation is an appropriate object of partial attitudes because it more than other similarly sized groups has allowed me to act with others to produce significant human goods” (Hurka (1997), p 155). The nation’s welfare will often

¹³ Sieyès’ account of a nation captures the spirit my approach: A nation is “un corps d’associés vivant sous une loi commune et représentés par la meme legislature” (quoted in van de Putte (1998), p 161). Contrast the reasoning above with Miller (1995), p 73: “[T]here are strong ethical reasons for making the bounds of nationality and the bounds of the state coincide. Where this obtains, obligations of nationality are strengthened by being given expression in a formal scheme of political co-operation.” My point is that we need not appeal to nationality to explain why within the state strong redistributive duties apply. Again, appeals to nationality come into their own when we ask how to draw the boundaries of states, but not when it comes to assessing what particular obligations apply among those who share a state.

improve through political autonomy. My approach registers these points as reasons why people would want to live under conditions that make for the normative peculiarity of the state. But reasons why people would want to live in states, or why one should let them do so, are not ipso facto reasons supporting the normative peculiarity of the state.

5. A disadvantage of this account of the normative peculiarity of the state, as far as its contribution to a normative evaluation of the state is concerned, is that it enlists features of contemporary societies that fail to apply to all entities that historically have been called states. This becomes clear if we take a historical look at legal immediacy. Consider what Scott (1998) says about the impact of equal citizenship on post-Revolutionary France:

For all the advances in human rights that equal citizenship carried with it, it is worth recalling that this momentous step also undercut the intermediary structures between the state and the citizen and gave the state, for the first time, direct access to its subjects. Equal citizenship implied not only legal equality and universal male suffrage but also universal conscription, as those mobilized into Napoleon's armies were shortly to discover. From the heights of the state, the society below increasingly appeared as an endless series of nationally equal *particuliers* with whom it dealt in their capacity as subjects, taxpayers, and potential military draftees. (p 365)

Strikingly, Scott uses vocabulary we have employed for characterizing legal immediacy. The emerging modern state made its society "legible" (p 2), by initiating reforms that facilitate the execution of state functions such as taxation, conscription, and prevention of rebellion. The pre-modern state did not know much about its citizens and their assets, and so could intervene only crudely in their lives. But state intervention in the 19th century became "more sophisticated and more formidable" (Poggi (1978), p 108).¹⁴

¹⁴ Elias (1994) puts a positive spin on the creation of legal immediacy: "As long as control of the instruments of physical violence (...) it not very highly centralized, social tensions lead again and again to warlike actions. Particular social groups, artisan settlements and their feudal lords, town and knights, confront each other as units of power which – as only states do later – must always be ready to settle their

Robb (2007) documents much of this development, again for the case of France (now a paradigmatic case of a state characterized by legal and political immediacy), supplementing Scott. Until the late 19th century, the overwhelming majority of those living in France did not speak French comfortably. Often newly transferred officials, doctors, or priests needed a translator to interact with other “Frenchmen.” The use of last names was not universal because peasants would rarely venture more than a few miles from home and might not see more people in their life than fit in a village church. Decades after the Revolution, much of the population lived in patterns of settlement that guaranteed isolation and ignorance. State access to bodies and assets was anything but immediate. Wares and produce traveled through a maze of tracks and back roads, without centralized account keeping. There were no statistics before Napoleon and no maps of the country until the 19th century.¹⁵ Measurements were hard to compare across distances. People rarely saw a policeman or a judge, and local government was often detached from Paris. West of the Rhone, the forest of Bauzon for instance was practically a separate principality, ruled for centuries by robber kings known as “capitaines de Bauzon.” Other localities were ruled in a quasi-democratic fashion.

“They had locally appointed officials,” explains Robb,

differences of interest by force of arms. The fears aroused in this structure of social tensions can still discharged easily and frequently in military action and direct physical force. With the gradual consolidation of power monopolies and the growing functional interdependence of nobility and bourgeoisie, this changes. The tensions become more even. They can be resolved by physical violence only at infrequent climaxes or turning points” (p 423). Polyani (1957) classic study of social implications of the market economy in turn argues that this development could become possible only by expansion of the administrative reach of the state, with effects on the lives of the people the alive that were “awful beyond description” (P 76); for involvement of the state, see chapter 12 and chapter 21.

¹⁵ For the importance of statistics for the development of the modern state, see Hacking (1990) and Porter (1995). Winichakul (1994) discusses the importance of maps in the formation of a national awareness for the case of Siam (Thailand). Blackbourn (2006) documents the stratification of landscape and its role in state-building in Germany, a process that in some ways reflects the process of stratifying society itself.

an agent to collect taxes and a guard to police the community. But laws, especially those relating to inheritance, were widely ignored and direct contact with the central power was extremely limited. The state was perceived as a dangerous nuisance: its emissaries were soldiers who had to be fed and housed, bailiffs who seized property and lawyers who settled property disputes and took most of the proceeds. Being French was not a source of personal pride, let alone the basis of a common identity. Before the mid-nineteenth century, few people had seen a map of France, and few had heard of Charlemagne and Joan of Arc. France was effectively a land of foreigners. (p 23)

After the revolution, gradually measures were homogenized, cadastral maps came into use, land use was stratified, the design of orderly cities was encouraged and the redesign of old ones facilitated (to make policing and control easier), the use of surnames became universal, and traffic patterns were centralized. A compulsory elementary school system educated all children in a standard language. As part of this process, risk sharing was collectivized, creating a robust and reliable insurance system. As de Swaan (1988) puts it,

The development of a public system of social insurance has been an administrative and political innovation of the first order, comparable in significance to the introduction of representative democracy and greatly underestimated as an achievement of administrative technique. (p 149)

Scott puts a less positive gloss on these developments, arguing that the creation of legal immediacy in combination with a belief in progress and technology, an authoritarian state and an incompletely evolved civil society led to disaster.¹⁶ Crucial are two things. First, this discussion should make clearer why immediacy matters. Within an entity that is as capable of intervening in people's lives as the modern state, individuals have strong claims against this political system as far as their absolute and relative status is concerned. But second, legal immediacy not only has arisen through a historical process but even today falls short of characterizing all entities we call states. Considerations in

¹⁶ One outcome of this process is the industrialized warfare of the 20th century, which Porter (1994) calls "the most bitterly conflictual of human phenomena but also the most intensely cooperative" (p 192).

support of special ties among countrymen that draw on features of legal and political immediacy do not apply in states that lack these features, and these features themselves apply in degrees. This discussion also serves as a reminder of both the glory and the danger of states and thus prepares the ground for the next stage of our discussion.

6. According to Nozick, again, the “fundamental question of political philosophy is whether there should be any state at all.” But our account of the normative peculiarity of the state is consistent with claiming that there should be no states at all. *As long* as there *are* states, we can explain how they differ in morally relevant ways from other political entities, but perhaps their emergence has been an overall regrettable development, and we should aim to reorganize our political affairs. So we must ask, first, how much of the enterprise of normatively evaluating states is captured by asking about its normative peculiarity? And second, how can this account of the state’s normative peculiarity be extended to an overall normative assessment of states?

Let us begin with some useful distinctions, drawing on Simmons (2001). To offer a justification for X (e.g., acts, policies, institutions) means to argue X is rationally or morally acceptable. We offer justifications when there is opposition to doing or realizing X. We seek a justification of the state because hardly anybody now thinks of the state as an institution in which individuals live simply because it fits our nature better than any other arrangements. In response to objections justifications may include both comparative and non-comparative considerations. The entity in question could be praised for having prudential or moral advantages in a manner that does not involve any comparisons to alternatives, or else it could be praised for its prudential or moral advantages vis-à-vis

alternatives. A successful justification might either make clear that the entity in question is either optimal or at least acceptable with regard to all relevant considerations.¹⁷

As Simmons points out, “justifying the state” cannot mean to show the prudential or moral superiority of just any state over all possible alternatives. Instead, it means to show the superiority of particular forms of the state over relevant alternatives. The traditional focus in post-Hobbesian political philosophy was to argue that, under a broad range of circumstances, founding a state – rather than organizing their lives differently -- is what individuals are advised to do in non-state situations. The doubt to be defeated by these justifications was what I call “skepticism from below,” doubts on behalf of those who prefer living arrangements that lack certain features of states, especially its coerciveness. The anarchist is the traditional advocate of such skepticism.

More is needed to “justify states” in an increasingly interconnected world. One might be able to say to each individual that rationally and morally speaking she ought to join a state. Yet the overall *system* of states triggers objections of its own that need to be addressed. First of all, interaction among states leads to new security problems because states compete with each other. Second, individuals are generally unable to choose their state, but are born into one, and which states they are born into shapes their life prospects.

¹⁷ Simmons distinguishes justification from legitimacy: Asking about legitimacy means to ask about what relationship the state needs to have to those subject to it that give it the right to rule them. This is in principle a different dimension of evaluating the state. One could argue that a state is justified because it can be defended as rationally and morally acceptable or even optimal whereas it might still not have the sort of relationship to certain individuals to give it the right to rule over them, and thus to give them an obligation to follow laws simply because they are laws. (One might think that if one thinks that a right to rule must be based on voluntary submission.) According to Simmons, a state’s not being legitimate is consistent with the subject’s still having their moral obligations, which sometimes will be the same as political obligations. My talk about special ties among citizens should be consistent with Simmons’ distinction between justification and legitimacy, in the sense that one way of there being special ties among citizens might be that certain measures the state takes need to be justified to them but not to those not subject to it. There might be such ties among them although the state is illegitimate.

This creates particular challenges for the justification of states in an era when scientific understanding of problems is often sufficiently high and technological abilities large enough for interference to be possible on behalf of the downtrodden, and when the density of political and economic interaction is such that there is increasing pressure to implement such interference.

So “justifying the state” at this stage means justifying a *system* of states. Such a justification has to show that a system of states has prudential and moral advantages over other ways of organizing human affairs. Objections to be rebutted are not merely triggered by skepticism from below, but also by “skepticism from above:” skepticism that does not doubt that there should be organized and coercive power, but insists it should not be organized in states. Among other things, what needs to be justified in this process is not only the impact of organized coercive power on individuals subject to it (in the manner of legal and political immediacy), but also its impact on people excluded from the territory over which it rules, such as would be immigrants. (Think of the Mexican trying to enter the United States.)

We can now see how an account of the normative peculiarity of the state factors into offering such a justification. Such an account responds to the objection that no global political system that acknowledges independent entities (states) within which special political obligations are supposed to apply is acceptable. This objector thinks such arrangements are unacceptable because there is no morally relevant difference between states and other political structures, in particular the global order itself. Our response to

this question above, again, does not show that there ought to be states; but it does answer this objection.¹⁸

7. So ought there to be states, rather than state-less structures of various sorts, as skeptics from below and above would have it? Let us look at how three philosophers justify the state by way of responding to skepticism from below and above: Hobbes, Kant, and Rawls. We can paint with a broad brush because our interest is in their overall strategies.

Often taken as the starting point for a justification of the state, Hobbes' *Leviathan* introduces an account of human nature and envisages human beings of that sort in a situation without any power that can reliably protect them (a state of nature). The state of nature abounds in violence and insecurity, not because individuals are universally aggressive but largely because anticipatory attacks are rational. Individuals who might be peaceful by nature go through levels of second-guessing and realize that preemptive aggression is their most rational choice. In this situation, "there is no way for any man to

¹⁸ According to this account of what it takes to justify the state, such justification is context-dependent. This context-specificity also implies that we need to assess whether what objections need to be answered and what objections do not arise. To illustrate, let us discuss Abizadeh (2008). Abizadeh insists that justifications of the global political order must address *a global demos*, within institutions designed to that end. Since there are no global democratic institutions that would justify our current borders, those borders lack legitimacy. This objection need not be answered. The reason is that the standpoint that Abizadeh constructs presupposes the existence of a global political system strikingly different from ours, one about which we can in fact say that there is a genuinely global demos that has institutions through which its will can be channeled. But we do not have this alternative available, and I will argue below that we have no good reason to aspire at building it. Abizadeh argues for his standpoint by rebutting what he calls the "bounded demos thesis," the view that democracy applies only to a limited subset of the world's population. He objects that the state system is based on an incoherent ideology. He argues that the exercise of power is only legitimated when corresponding to the will of the people but that the political determination of the boundaries constituting the people is not the product of the people's will. But the problem Abizadeh identifies arises only if indeed one cannot assume that peoples are *pre-politically* given in a manner that does not prompt the question of whether they exist legitimately. We can readily grant that peoples, nations, and states have not arisen free from any political influences. That point is captured in Anderson's (1983) reference to nations as "imagined communities," communities imagined as limited and sovereign. It took historical and highly political processes to make them so. But that is a historical phenomenon and does not entail that for purposes of deciding *today* what a demos should look like we cannot take communities as given.

secure himselfe, so reasonable, as Anticipation; that is by force, or wiles, to master the persons of all men he can, so long, till he see no other power great enough to endanger him” (chapter 13, p 87f).

What ought individuals to do? Hobbes considers different possibilities: lying low to avoid conflict; and forming smaller defense alliances, less tightly organized and less coercive than states. Lying low fails because of the rationality of anticipation, and forming smaller groups is ruled out because they are internally unreliable and would be in the same situation vis-à-vis each other as individuals are without them. Following Kavka (1986), we can see that Hobbes’ reasoning involves “logical and conceptual analysis combined with empirical observations and probabilistic reasoning” (p 4). In spite of Hobbes’ praise for the geometrical method, a host of empirical assumptions enters, not only about human psychology and the ensuing interaction among beings of that sort, but also about the conditions under which this interaction happens and creates a situation where founding a state appears to be the most advisable choice. The conditions include non-extreme scarcity, a certain population density, people being concerned with reputations, as well as their having a capacity for coordinated action.

So Hobbes’ justification proceeds primarily by fending off alternative solutions to the security problem in the state of nature that do not involve coercive structures. He seeks to defeat skepticism from below. Skepticism from above does not concern Hobbes, but he occasionally touches on international relations, in a manner that has given rise to a “Hobbesian” take on international relations. “[I]n all times,” he says,

kings, and persons of sovereign authority, because of their independence, are in continual jealousies, and in the state and posture of gladiators; having their weapons pointing, and their eyes fixed on one another; that, their forts, garrisons,

and guns upon the frontiers of their kingdoms; and continual spies upon their neighbors; which is a posture of war (chapter 13, p 90).¹⁹

Why would Hobbes not push his argument further in support of a world state? *Leviathan* never seriously entertains this possibility. Although states are in the same situation with regard to each other as individuals are in the state of nature, their existence is not bound to be, like the “life of man, solitary, poor, nasty, brutish, and short” (chapter 13, p 89). Wars between states are such that “they uphold thereby the Industry of their subject” (Chapter 13, p 90), for which “Industry” there was “no place” in a state of nature among individuals (chapter 13, p 89). Skepticism from above is never entertained because Hobbes does not think the security problem is particularly urgent at that level.²⁰

Kant diagnoses a similar problem in the state of nature. Without coercive authority individuals “can never be secure against acts of violence from one another, since each will have his own right to do what seems right and good to him” (*Metaphysics of Morals*, section 44, p 137). Property acquisition, for instance, which is possible in a provisional manner in the state of nature, and which individuals can engage in because they are free, cannot be secure without “external, public, and lawful coercion” (p 137). Yet individuals are not prudentially advised to join states, but *owe* it to, and can force, each other to found arrangements where rational wills can live together harmoniously. That arrangement is the state. As Kant says in *Perpetual Peace*, a “man (or an individual people) in a mere state of nature robs me of any such security and injures me in virtue of

¹⁹ See also chapter 21: [I]n states, and commonwealths not dependent on one another, every commonwealth, not every man, has an absolute liberty, to do what is shall judge, that is to say, what that man, or assembly that representeth it, shall judge most conducing to their benefit (p 149).

²⁰ Williams (1996) argues that the problems in the state of nature will not apply to the state of nature among states. Malcolm (2002) argues that in Hobbes’ view there will be no ongoing violence in the state of nature among states.

this very state in which he coexists with me” (p 98n). Not submitting to states means to prefer the “freedom of folly to the freedom of reason,” which is “barbarism, coarseness, and brutish debasement of humanity” (*Perpetual Peace*, p 103).²¹

Kant takes skepticism from above more seriously than Hobbes. The international dimension is part of Kant’s discussion throughout. Right cannot prevail among people in their own state if other states threaten their freedom. Their freedom can prevail only if the rule of law prevails in international relations. “Perpetual peace,” for Kant, is the “supreme political good” (*Metaphysics of Morals*, p 175). As the seventh proposition in his *Idea for a Universal History with a Cosmopolitan Purpose* states: “The problem of establishing a perfect civil constitution is subordinate to the problem of a law-governed external relationship with other states, and cannot be solved unless the latter is also solved” (p 47). The question becomes what political arrangements should be made at the global level since the founding of individual states does not solve the problem of security.

The solution *Perpetual Peace* envisages is a federation of states opposed to war. While Kant thinks of this as the completion of the project begun with the creation of states, *Perpetual Peace* insists that states cannot be forced to submit to an international regime.²² States already have a lawful internal constitution and thus do everything individuals are required to do. *Perpetual Peace* takes for granted that states would not endorse a world state (p 105), and that this as a sufficient reason not to recommend one.

²¹ All Kant references are to the Reiss-edition (Kant (1970)) of Kant’s political writings. See Habermas (1997) for a good introduction to the problems and issues in Kant’s political philosophy.

²² However, compare *Theory and Practice*, p 90, where he says that “even against their will people are forced by the constant wars to enter into a cosmopolitan constitution.” There is a well-acknowledged problem about how to reconcile Kant’s view on the permissibility of coercion to subject individuals to states with his remarks on the voluntary nature of the federation; see Kleingeld (2004).

Religious and linguistic diversity plays a role too in his negative attitude towards the world state, and he also finds that a “universal union of states is too large and hence ungovernable” (*Metaphysics of Morals*, p 171). The purpose of the federation is “that states protect one another against external aggression while refraining from interference in one another's internal disagreements” (*Metaphysics of Morals*, section 54, p 165).²³

Let us move on to Rawls. At the beginning of *Theory of Justice*, Rawls famously points out that “Justice is the first virtue of social institutions, as truth is of system of thought” (p 3). His concern is not to argue against any kind of skepticism. He takes for granted that there is some sort of state, and seeks to explore just what sort of state there ought to be. *Political Liberalism* takes even more for granted: Rawls’ goal there is to work out a conception of political justice for a constitutional democracy whose inhabitants endorse a plurality of reasonable doctrines (p xx). The closest Rawls gets to offering a fragment of a response to skepticism from below is his response to Nozick in “The Basic Structure as Subject,” included in *Political Liberalism*. A “basic structure” (a system of major social institutions, which includes the political constitutions and major economic institutions) is required for the realization of justice. Rawls envisages a division of labor between two kinds of social rules. “The basic structure,” he says, “comprises first the institutions that define the social background and includes as well those operations that continually adjust and compensate for the inevitable tendencies away from background fairness” (p 268). Individual interaction happens before this background. But even this discussion does not argue for coercive institutions vis-à-vis

²³ And then there is the cosmopolitan right - p 172, see Simmons (2001), p 194, for its purpose.

other arrangements. He assumes these institutions will be coercive. Similarly, Rawls assumes that individuals care enough about justice to accept coerciveness in its pursuit.²⁴

Striking about Rawls' discussion are three points: first, how much he takes for granted after centuries of theorizing about the state; second, that he assumes that the state does much more than to solve the security problem addressed by Hobbes and Kant; and third, how little Rawls says about what he thinks is peculiar about the state. Regarding skepticism from below, Rawls apparently think modern philosophy has solved that problem for him to focus on the design of states. As for skepticism from above, Rawls simply endorses the views in Kant's *Perpetual Peace* (p 10 of *Law of Peoples*).

8. Ought there to be states? To begin with, has the anarchist been refuted? Some right-libertarians continue to resist the idea that there are no reasonable alternative ways of securing the benefits guaranteed by the state and argue that the state has done more harm than good. They regard the state as

the supreme, the eternal, the best organized aggressor against the persons and property of the mass of the public. *All States everywhere, whether democratic, dictatorial, or monarchical, whether red, white, blue, or brown. (...) And historically, by far the overwhelming portion of all enslavement and murder in the history of the world have come from the hands of government.* (Rothbard (1996) p 46f)²⁵

Libertarians have argue for the feasibility of their ideas not only by offering theoretical models of public choice that do without states, but also by identifying societies where libertarian ideals were realized, for instance in ancient Irish or pre-colonial African societies. In these societies people lived under conditions of adequate security and had

²⁴ Wolf (1996) offers a reconstruction of what Rawls would or could have said in response to the anarchist.

²⁵ See also Rothbard (1998), Part III; for similar views see Friedman (1973), and Benson (1990).

sophisticated property arrangements without coercive enforcement.²⁶ Such considerations (models and historical data) cast doubt on the Hobbesian rationale by suggesting that the security problem could be solved after all without states, and these doubts open a window for frightful possibilities. Even those unwilling to endorse Hobbes' claim that just about any state is preferable to non-state arrangements might argue that abusive states were stages in the development of a political formation that was unavoidable for the solution of the security problem. Right-libertarians raise the possibility that the course of history may not be so reconstructable. What occurred may have been merely an usurpation of power by the strong that in the course of the time led to 150 million war dead.²⁷

Doubts about the Kantian case draw on these doubts. Kant never clearly explains, argues Simmons (2001), p 140, why anybody has an obligation to live in civil society, rather than a general obligation to respect rights. Nor does he explain why anybody inflicts an injury by refusing membership in political society if others have become members and thus solved each other's security problem. One may say there is no other way of securing these benefits, but this is where doubts about the Hobbesian case re-enter. Maybe the conclusion to the unavailability of alternatives for solving the security

²⁶ For the Irish case, see Peden (1977). The classical reference for African societies is Evans-Pritchard's controversial work on the Nuer (see Fortes and Evans-Pritchard (1940)), which aimed to show how a pastoral group can maintain continuity and cohesion but also rapidly form a military force when necessary, without any government. Right-libertarians like to enlist support from political anthropologists and would take heart in statements of the following sort: Lewellen (1992), p 1: "In many societies government simply does not exist." And Meyer Fortes and E. E. Evans-Pritchard (1940), p i: "We have not found that the theories of political philosophers have helped us to understand the societies we have studied and we consider them of little scientific value." See Pennock Chapman (1978) for perspectives on anarchism. Barclay (1982) is an anthropological look at anarchy. For Africa, see Horton (1985) and Herbst (2000).

²⁷ The sociologist Franz Oppenheimer writes about the state: "The State, completely in its genesis, essentially and almost completely during the first stages of its existence, is a social institution, forced by a victorious group of men on a defeated group with the sole purpose of regulating the dominion of the victorious group over the vanquished, and securing itself against revolt from within and attacks from abroad" (Oppenheimer (2007), p 8).

problems has been reached too quickly, without due considerations of the fact that the state-solution comes with problems of its own. Maybe Kant adopted that solution too readily, at a time when the nature of the state as well as the nature of warfare were about to change dramatically.²⁸

Concluding a discussion of anarchism, Wolff (1996) states that

[t]o argue for anarchy, it is not enough to point out the peculiarity of the state and the difficulties with many of the arguments in favor of it. Rather, in contractualist terms, it has to be shown that reasonable people seeking agreement on the nature of the social world would prefer anarchy to the state. Some anarchists try to do just this. We can admire their courage, but we do not have to agree with them. The defense of the state, we may say, needs only to meet the burden of proof assumed in the civil, not the criminal, courts: not beyond reasonable doubt, but by the balance of probabilities. (p 115)

Wolff reaches this conclusion without much discussion of problems that arise from the coexistence of a number of states. The question we face is not whether history could have turned out such that nowadays we would be doing reasonably well but without all the suffering in which state power has been implicated, or whether such a development would have been more rational than what in fact happened. Our question is what to do *now* given that history has taken a certain path. Sticking to this path and trying to improve it is the sensible option, rather than dismantling the state system and start something new. But appealing to standards of evidence is inevitable for refuting skepticism from below. I will argue that the same holds for skepticism from above.

²⁸ Simmons champions a Lockean approach according to which the founding of states is more optional than urged by Hobbes or Kant. Locke's view, as reconstructed by Simmons, is that there are certain problems about the state of nature, and the state suggests itself as a solution. However, section 137 in the *Second Treatise of Government* makes clear that this might not always lead to states. Kavka (1996) thinks even morally perfect beings need government because of cognitive limitations and value pluralism.

9. In *The Twenty-Year Crisis*, E. H. Carr quotes Marx as making the following claim, in 1853, about utopian thinking versus the importance of preserving the status quo:

Impotence expresses itself in a single proposition: the maintenance of the *status quo*. This general conviction that a state of things resulting from hazard and circumstances must be obstinately maintained is a proof of bankruptcy, a confession by the leading Powers of their complete incapacity to further the cause of progress and civilization. (Marx, quoted in Carr (1939), p 208)

The utopian thinking indirectly praised by Marx was recently attacked by Raymond Geuss. Geuss (2005) argues that “when a theory is widely believed and has come to inform the way large groups of people act, deeply hidden structural features of it can suddenly come to have a tremendous political impact” (p 35). Referring to the work of Isaiah Berlin, F. A. Hayek, Karl Popper, and J. L. Talmon, his illustration for this phenomenon is Marxism. “On the surface,” says Geuss, theories such as Marxism

present themselves with a certain prima facie plausibility as theories committed to promoting human freedom,.... Nevertheless (...) a deeper account of their political views would reveal hidden authoritarian elements, such as commitment to a ‘positive’ rather than negative freedom. It was eventually this hidden structural kernel of the theory, not the private motives of its supporters, that had the last word in the real world of politics. ... The Soviet Union, as it actually was, was the real content of Marx’s ‘positive liberty. (p 36)

It is not difficult to pin down the phenomenon to which Geuss draws attention in Marx’s writings. Recall the following famous passage from the *German Ideology*:

For as soon as the distribution of labor comes into being, each man has a particular, exclusive sphere of activity, which is forced upon him and from which he cannot escape. He is a hunter, a fisherman, a shepherd, or a critical critic, and must remain so if he does not want to lose his means of livelihood; while in communist society, where nobody has one exclusive sphere of activity but each can become accomplished in any branch he wishes, *society regulates the general production* and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticize after dinner, just as I have a mind, without ever becoming hunter, fisherman, cowherd, or critic. (McLellan (1977), p 185, italics added)

So in one of a relative few passages where Marx illuminates what communist society would be like, he mentions one crucial element merely in passing, that “society regulates the general production.” Geuss applies this point to Rawls, drawing a connection between the alleged success of Rawlsian political philosophy and what Geuss thinks is a dismal state of the world. While this seems wrong-headed, Geuss’ insight does apply to skepticism from above. Large-scale utopias, surely those that envisage redesigning the global political system, can only be incompletely thought through. In a formal model one can lie down basic rules for how the model behaves and can “predict” what happens in it by making derivations. As opposed to this, any comprehensive vision of the future will inevitable have hidden consequences and be incomplete in important ways that are hard to predict.²⁹

Marx did not anticipate the Soviet Union’s 5-year-plans, nor did he envisage the measures it would take against those that resisted the manner in which that society regulated the production. Instead, he envisaged a society in which individuals pursue a multiplicity of activities, which he thought possible only if society takes care of background parameters. What this would mean practically was not predictable when Marx wrote the *German Ideology*, when the realization of his ideas was out of reach. Nevertheless, the reality of Marx’s stipulations was Stalinist Russia. Similarly those who dislike certain effects of states may stipulate a world with certain features (free movement, universal equality of opportunity, etc.) and also stipulate that there will no longer be states, or no states with serious border controls. But in both cases, at the time of

²⁹ Berlin (1992) says in a related context: “Utopias have their value – nothing so wonderfully expands the imaginative horizons of human potentialities – but as guides to conduct they can prove literally fatal” (p 15).

conception there was (or is) no good understanding of what it would be like to put this vision in to practice, the difference being that Marxist theories have since been tried.

The point is not to enlist any of the conservative attitudes identified by Hirschman (1991): the perversity thesis, the futility thesis, and the jeopardy thesis. The first says that any purposive action to improve some feature of the political social or economic order only serves to exacerbate the condition one wishes to remedy. The second holds that attempts at social transformation will fail to “make a dent.” And the third argues that the costs of the proposed changes are too high since it endangers some previous, precious accomplishment.³⁰ The point is, instead, that utopian thinking can be action-guiding only if we have a reasonably good reassurance that proposed changes will not create a situation with larger problems than the situation we wish to transcend, as long as that situation offers courses of action that are more reformist in nature and come with some good potential for an improvement (i.e., reforms of world order without doing away with states). There can be so such reassurance without a reasonably clear understanding of what the world would be like once those changes have been made. Replacing the current global order with one in which in principle the actions of all states are subject to coercive interference by regional or global institutions, or one that does away with states entirely is a case in point if ever there was one.

There is a retrospective counterpart to this point about epistemic limitations on utopian visions. Just as certain ideals about the future cannot be action-guiding if we cannot spell them out sufficiently well, we should also refrain from making certain judgments about the past. It is plausible to think that world history would have gone

³⁰ Hirschman does not argue that these strategies are always falsely applied, but that reactionaries have a tendency to overuse them. He concedes that progressives have the opposite tendency.

differently had the wind not blown a certain way during attempted invasions of England, famously in 1066, in 1588, and again in 1688.³¹ But we have only a faint idea of precisely what difference it would have made in the long run. What are we to make of the idea that the world now would be a better place if states had never developed? Or if colonialism had never happened? It is conceivable that, had Europeans not colonized Africa, political structures would have emerged there that would have allowed indigenous peoples to exploit the natural resource wealth of their continent, enabling them to build an economically prosperous civilization. But it is conceivable too that wars would have thwarted such efforts. For instance, Herbst (2000) emphasizes facts of physical geography in Africa that made it hard for powerful states to emerge, and this by itself makes for a big difference to Europe.

When we evaluate counterfactuals, we normally assess what the world would be like were the antecedent true and resort to cases where some claim similar to the antecedent in fact was true to evaluate whether the consequent of the counterfactual will be true in a world in which the antecedent is. Assessing the relevant counterfactuals here is impossible. The point is not that a certain threshold of reasonable certainty cannot be met when we are speculating about what the world would look like had states never developed, or if colonialism had never happened; the point is that we must plead complete ignorance. The uncertainty of what people who, as it happened, were never born, would have done across centuries, how events would have turned out that, as it happened, never occurred, how lives would have been changed by innovations that, as it

³¹ See Russell (1985) for an amusing account of James II's success as king had the Catholics been favored by the winds in 1688.

happened, were never made – such factors make it impossible to say what things would be like had the past been different.³²

But is it not obvious that the state system creates all sorts of collective action problems that result in wars and in the inability to tackle global problems ranging from environment concerns to poverty reduction? Has history not proven that the state system is a failure, and is it therefore not rational to try something else? The best thing to say in response is: compared to what? Researchers in comparative politics engage heavily in counterfactual reasoning since causal claims depend on such speculation: they try to reduce the speculative part by *comparing*; that is, holding other factors constant, they compare countries in the World Trade Organization with similarly situated ones outside it; or, they compare a country's period of not belonging to the World Trade Organization with its period of belonging. However, when assessing the global order as such, when asking about the development of the state system per se, we cannot apply this technique of holding other factors constant and judge what the world would be like had the current global order not developed. We only have this one world to work with. So while we can make sense of claims about what the development of Poland would have been had it not joined the European Union, we cannot make sense of claims of what the world would

³² (1) I develop this point in more detail in Risse (2005). Geuss (2005) thinks skepticism about counterfactuals is already a problem at the domestic level, but that is exaggerated. Geuss (2003) states that much of political theorizing is like telling people who are drowning that the public good requires that they be in a life-boat right (p 100f). (2) Even if statements of the required scope could be made about the future ("This is what a world without states as we know them now would look like, etc.") there would be additional worries about implementing such a vision drawing on the idea that "ought implies can." Philosophers take different views about the stringency of this requirement. One extreme view is taken by Griffin who thinks that the most relevant sense of "cannot" is that something cannot be done by someone in ordinary circumstances with suitable, settled dispositions in a sustainable social order (Griffin (1996), p 90). Elster takes an opposing extreme view according to which what we ought to do is limited only by biological and physical impossibilities (Elster (1985), p 201). He says that if it is taken in the broader sense of historical possibility, the principle of ought-implies-can can be turned around: that something is perceived as morally obligatory may contribute to making it historically feasible, given its physical possibility.

now be like had the current system of states not developed. Certain judgments about the future and the past cannot be made.

10. A long time ago, Edmund Burke gave a response to Lennon that captures my point. For changes of such a magnitude, says Burke, commenting on the French Revolution,

the burden of proof lies heavily on those who tear to pieces the whole frame and contexture of their country, that they would find no other way of settling a government fit to obtain its rational ends, except that which they have pursue by means unfavorable to all the present happiness of millions of people.³³

Burke opposed the Revolution because he thought it reflected an unacceptable conception of politics, according to which people would be willing to uproot the existing order for the sake of pursuing an abstract ideal, an ideal that would be accessible from the current situation only through violent upheaval. I conclude with this quote although it also serves to express some ambivalence about the epistemic point I have made. Most people would presumably now say the French Revolution was, all things considered, a good thing, and that its condemnation expresses the wrong sort of conservative attitude. Does this not show that one should refrain from giving this dismissive answer to the utopian visionaries of our time? Similarly one might say that, at an earlier stage, people could not imagine what a world without slaves would be like, or one with voting rights for women; what Europe would be like without Germany and France being arch-enemies, or without the Habsburgs being a major political force; what an autocracy would be like with its subjects democratically empowered, and so on.

All these changes have since been made, and the world is the better for it. “Thought achieves more in the world than practice; for once the realm of imagination has

³³ Quoted in Connliff (1994), p 233

been revolutionized, reality cannot resist,” Hegel once wrote.³⁴ But thought is not easily revolutionized, certainly when it comes to the basic way in which human beings organize their affairs. Hayek (1973) offers a statement that may serve as a response: “The sources of many of the most harmful actions are often not evil men but high-minded idealists” (p 70). It would be hard to offer an account of what ought to be tried and what not. This is especially so because much depends on how many people can be persuaded to follow along, so discouragement, once heard, may turn into a self-fulfilling prophecy.³⁵ Although a general answer is unavailable, we should not follow Lennon and embark on his experiments in living, to see what the world would be like without countries. We do not know enough to do so, and at the global scale this claim is true even if it was wrong for the French Revolution, even if it would have been wrong in many other cases, and even if we do not fully understand how to distinguish between the two kinds of cases.

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³⁴ Quoted in Herz (1957), p 493, without a reference.

³⁵ See Elster (1985), p 201.

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