

Replies to David Alvarez, David Lefkowitz, and Michael Blake

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I am grateful for, and honored by, the papers by David Alvarez, David Lefkowitz, and Michael Blake on my recent work on the legitimacy of international institutions.

I will give a brief introduction to some of the main ideas of the project before I respond to the criticisms. The basic project is animated by two basic concerns. The first concern is to try to devise a normative conception of the international political system under the guidance of cosmopolitan and democratic principles. The second is to see how far we can go in realizing cosmopolitan and democratic principles in the international political community while recognizing the centrality of states and the necessity of state consent to the legitimation of the international political community. The corollary to this project is to ask what kinds of modifications of the contemporary system of state consent would be necessary to realize the democratic and cosmopolitan concerns. What would a system of state consent have to look like in order for it to realize cosmopolitan and democratic ideals? What changes would have to be made relative to the one that we already see present.

For many people, this project seems doomed from the start if not outright incoherent. Many might ask, how can a theory that is devoted to cosmopolitan and democratic aims be compatible with a theory that says that states ought to play a central role in international decision making? Surely we need to have global political institutions that are democratically organized in a way that is analogous to the democratic organization of modern states. To be sure, there are many flaws in these democratic states and they must be overcome, but some form of centralized collective decision making in which all adult persons can participate as equals is required to satisfy the cosmopolitan and democratic concern. And some of the criticisms offered in the papers suggest this.

But I am not convinced that the project is incoherent and so I will lay out some of the reasons for engaging in this project and give a sketch of how I think the project must go. Just as a quick response, it is not obvious why a system that relies on a qualified requirement of voluntary agreement

among a small number of groups is inherently disabled from making decisions in an egalitarian way that are designed to advance the common good among all the members of those groups.

As I understand it, a political community is essentially constituted by three basic facts: one, there is a set of morally mandatory aims that each member has reason to see, and mostly does see, must be pursued through the cooperation of the members of the community. Two, though there are commonly accepted mandatory aims, there is substantial disagreement about how to specify the aims and how to pursue those mandatory aims effectively and fairly. Three, there is also a substantial diversity of interests with regard to how to pursue those aims. As a consequence of these facts, a community must have some kind of decision process by which to negotiate the disagreements and conflicts of interests in choosing how to cooperate in realizing the aims.

I characterize the position that I am defending as a kind of progressive cosmopolitanism. What this means is that there is a cosmopolitan political community but that its aims are limited initially to what can be taken to be reasonable aims for the community. The progressive element is that as the community becomes capable of achieving the aims to some significant degree, the aims become more demanding over time. Modern states pursue at the moment the most ambitious aims political communities can pursue, which are public justice and the common good. This involves basic liberties, distributive justice, retributive justice, a highly integrated system of economic activities constrained by considerations of fairness and efficiency, as well as basic public goods such as education and pollution control. The international political system is much less ambitious. It pursues international peace and security, the protection of persons from the most serious human rights violations, the avoidance of global environmental disaster, the alleviation of severe global poverty, and a decent system of international trade and finance. The vast majority of states have signed on to each one of these aims and it is generally recognized that cooperation among states is necessary to achieve these aims. But relative to the aims pursued internally by states, these aims are modest. My thought is that once we can fulfill these aims reasonably well, more fine grained aims will become important for the international community. The more refined the aims become, the more like the aims that states pursue, the more pressure there will be to make the international community more like a state. The more the international community becomes like a state the more it takes over the functions that states have fulfilled. But this is pretty far off still.

For the moment we have states as by far and away the most capable and the most accountable institutions in the international system. The reasons for staying with states for the time being as the building blocks of the international order, at this relatively early stage in the development of international institutions, are three: one, states are still by far the most effective systems for making power accountable to persons in the international system. Many have developed egalitarian practices of accountability over the last five hundred years and have achieved a great deal in this respect. Admittedly, the modern democratic state leaves much to be desired in terms of basic democratic norms and economic justice, yet it is a great achievement all the same; it ought to be preserved as long as we have little else to replace it with.

Second states are highly integrated systems for achieving justice and the common good that have developed over long periods of time. The integrity of the system of rights and justice and the democratic system by which this is preserved is complex. The social conditions that have arisen for sustaining this integrated system have taken a long time to develop and are essential to the proper functioning of the institution. We can look at the world as a whole as a geographically determined division of labor in which the basic interests and rights of persons are advanced in geographically defined areas by institutions that are highly accountable to the persons in them. This division of labor is highly imperfect, and in some places works hardly at all, but it is still the best we have for advancing the interests of persons. And we can see that, I think, from a morally cosmopolitan standpoint. We do not want to do violence to the integrity of states at this point, since that is likely to damage their capacities to carry out the basic functions they perform. Hence we want international law and institutions to be compatible with the states and for that reason we want a qualified requirement of consent to those institutions or laws before states are obligated to comply with them, at least at the most fundamental level.

Furthermore, third, these states are in a position to represent their members to the larger community. Because of the development of democratic accountability they not only are capable of making the internal systems responsive to the interests of their members, they are also capable of making their contributions to the larger world responsive to the members. The development of democratic institutions over the past century or so is a hard won and very difficult achievement that must not be tossed out. The development of international institutions and law must make use of these democratic institutions in order to give those institutions democratic legitimacy. To be sure, as David Alvarez rightly notes, the citizenry in most of these states is not yet sufficiently oriented to the

important roles their states play in the international system. This is a problem that must be rectified if we are to make progress in solving the global problems the modern international system must solve.

Here we have one set of reasons for thinking that the pursuit of the mandatory aims of the international political system ought to be through the mechanisms of voluntary associations of states. These are reasons for preferring a decentralized consent based process of decision making among states and not having a centralized majoritarian collective decision making process among states or persons across the world. Such decision making would threaten to breach the integrity of the states that remain essential elements of the division of labor. A second kind of reason has to do with the pursuit of mandatory aims in the international system. The idea is that states have a qualified immunity from having obligations imposed upon them that they do not consent to because it is important for the international community to allow a significant amount of experimentation in the making of international law, especially when it comes to the pursuit of the mandatory aims. The reason for this is that there is a great deal of uncertainty as to how the mandatory aims ought to be pursued. For example, there is a great deal of reasonable disagreement on how to end global poverty. It seems that under these circumstances, a state may in good faith refuse to enter into an agreement on the grounds that the arrangement is not likely to achieve the goal of lessening poverty. As long as the refusal is in good faith and on the basis of a reasonable disagreement, the refusal of consent makes the state immune to the imposition of obligation in this instance. States must, however, propose some alternative method of resolving the problem, which is feasible in the circumstances. So refusal of consent is permissible and undercuts the imposition of an obligation.

But the immunity is only a qualified immunity. A state may not refuse consent on the basis of irrational, unscrupulous, or self-defeating grounds. That is, if a state refuses consent on the basis of beliefs that, say, ninety-seven percent of well-informed scientists regard as mistaken (as in the case of denial of anthropogenic climate change [Anderegg, Prall, Harold and Schneider 2010]) the refusal ought to be treated as impermissible. In addition, if a state refuses consent because it wants to free ride on the efforts of others or simply does not want to shoulder any burdens in realizing the mandatory aims, or on the basis of self-defeating considerations, the refusal is to be regarded as impermissible. The consequence of this impermissible refusal is that the state in question loses its immunity from obligation and may be pressured, or perhaps even coerced, to join the arrangement it is not consenting to, depending on what is proportional and prudent in the situation.

The requirement of a good reason does not entail that the consideration offered be the correct reason but only that the consideration is one that reasonable persons can disagree on. Reasonable disagreement is disagreement that reflects an epistemically serious approach to understanding the issues involved in pursuing the mandatory aims and reflects a good faith effort to find a way to cooperate in pursuit of the mandatory aim. This openness of the system to reasonable disagreement is one concession to the character of the international community as a political community. In these situations, the community of states must judge whether the refusal to cooperate on the part of a particular state is unreasonable or not. The requirement of a good reason for refusal of consent and the consequence of failing to give a good reason are both generated because the aims are morally mandatory. But these requirements still leave a great deal of space for states to refuse consent to arrangements and to remain immune to the imposition of obligations by others. We should expect that different rival associations of states might arise in this context. Regional associations and as well as competing global organizations may arise as a consequence of differing views about how best to solve a problem in pursuing a mandatory aim. To be sure, the requirement of reasonableness constrains here as well. When a state or group of states refuses to coordinate with another group on the grounds that they wish to establish their own distinctive international association and the failure of overall coordination would straightforwardly undermine the pursuit of the mandatory aims, this too would be unreasonable. The reason why is that the refusal to coordinate in this instance would be self-defeating from the standpoint of the pursuit of mandatory aims. A mundane example of this kind of self-defeat would occur if a group in a society decided it was better to have a different set of rules of the road than the one that is currently in place. While it may be true that the alternative rules would be better were they universally adopted, they would create havoc were they to be only partially adopted. In the international realm, a uniform and universal set of standards for determining the borders of states is superior to the adoption by different groups of different sets of standards, even if one of these would be superior to the actual one were it universally adopted. The confusion generated by the diversity of set of standards might trip the system into war.

Here we see the significance of the mandatory aims for the international political system as well as the significance of reasonable disagreement on how to specify or pursue the mandatory aims. Here we see the importance of consent as well. States may refuse consent and when they do consent, the power to consent gives them a say over the content of the agreements

they enter into, which implies that the people who are ultimately subjected to the agreements have a say in their content. Here we have a political system that pursues mandatory aims but that does so in a manner that respects the different reasonable views of persons and that attempts to give people a say in the contents of agreements their societies enter into. Furthermore, the system respects the integrity of the most important and efficacious political unit in the international order, the state. But it does so in a way that allows progressive change through state consent and in some cases is open to the imposition of obligations on states when they unreasonably refuse consent. In this way, international law and institutions can acquire a basic legitimacy from the agreements of states to them (Christiano 2017).

There are a number of other features of this conception of legitimate institutions that have a cosmopolitan and democratic grounding that are worth discussing, such as the relation of international institutions which have some independence from the states that create them, but I want to mention one feature in particular, which is the focus of some of the papers. This is an implication of the democratic aspirations of the system I am discussing. The idea is that the process of consent and agreement making must be one that treats the persons as equals. The basic requirement this implies for state consent is a requirement of fair negotiation among states. It is not enough that the states' agreements to treaties or conventions be voluntary in the sense that they are uncoerced and undeceived. They must also arise from a process of fair agreement making. This is the most demanding feature of the conception I am suggesting here and it is not one that can be fully realized. For, on the one hand, a fair process of negotiation implies that states ought to have a kind of equal bargaining power in the process of negotiating arrangements (or at least power in proportion to population and major stakes). The ideal of fairness is a reasonably straightforward implication of the democratic ideal of persons having an equal say in deciding arrangements they share as it applies to a decentralized decision making system. On the other hand, the power of states in negotiating is often a function of wealth. So developing states normally have a significant deficit of power relative to developed states. And this matches the ordering of states as historically colonized or dominated states and colonizing or dominating states. The only way to rectify this fully would be to have some kind of redistribution of wealth, but this itself would require the creation of very ambitious international arrangements, which we are not in a position to realize yet. What we are required politically to do at the moment towards this aim is to contribute to the development of poor societies in pursuit of the mandatory aim of poverty alleviation as is required by the Millennium Development

Declaration. In the meantime, there may be lesser ways of neutralizing the power relations among wealthy and poor states. Treaties created through highly transparent multilateral treaty conferences may help rectify some of the imbalance, since, one, wealthy states prefer not to be seen as sticking it to the poor countries (Albin); and, two, the one source of power developing countries can make use of is through the creation of strong coalitions of countries that may be able to counter the bargaining strength that wealthy countries have (Narlikar and Odell). Here we might be able to learn a lesson from the creation of trade unions as ways of countering the relative bargaining strength of capital in capitalist societies.

I want to make a brief remark about issues of feasibility here. In my view, in the long run, we must hope that the world will come under the jurisdiction of significantly more centralized democratic political institutions. Perhaps there will be something like a world federal state or perhaps we will have learned by then how to construct better institutions than states. What animates the search for an alternative conception of the international political community at the moment is a kind of feasibility constraint. The thought is that it would be self-defeating from the standpoint of the cosmopolitan concerns to try to realize a global federal state now or even in the next couple hundred years. Despite this, I am thinking of the view I am elaborating as a kind of ideal theory. And the reason why is that the current infeasibility of more ambitious global institutions is not based on an assessment of the bad moral motivations of the persons in the system. There is, to be sure, xenophobia, indifference to the plight of others, and naked self-interest among the peoples of the world. But I am not convinced these are the main obstacles to more ambitious global institutions. In my view, the obstacles are primarily informational and transactional. The information needed to integrate the many states of the world into a unified effective, accountable, and just system is enormous and currently overwhelming. But this is also why the view I am espousing is progressive. The thought is that the obstacles to greater integration are not permanent ones but ones that will slowly be overcome. In the meantime, we still have reason to see whether there is a way that democratic and cosmopolitan standards can be satisfied in the decentralized system we have. I think they can.

With these remarks in mind, I want to discuss some of the main points in the three papers. I agree with David Alvarez that my account of the legitimacy of international institutions is missing a significant piece, which is necessary to a fully adequate account of legitimacy. And I am grateful to Alvarez for pressing me on this issue. But I am not entirely convinced of Alvarez's thesis that this piece cannot be supplied for the

account I have offered. The problem, as he describes it, is that modern democratic societies are inherently biased towards the welfares of their own citizens and away from the welfares of non-citizens. And this bias makes it nearly impossible for contemporary democratic states to live up to their obligations to the global community. This is, of course, particularly the case for arrangements that may require some significant element of redistribution such as the alleviation of global poverty or the mitigation of climate change or efforts to adapt to it. It seems even to hold in the case of the failure of wealthy states to diminish the subsidies they give to their agriculture, which subsidies damage the abilities of poor countries to participate in international trade since agriculture is the area in which they have a comparative advantage. In addition, wealthy states have systematically fallen short of the targets they themselves have set for global development aid. They have tended to fall short in establishing and implementing carbon emissions targets. One could also add that modern democratic states have fallen short in their purported efforts to include developing countries fully in the world trading system.

I agree with Alvarez that many developed societies have failed in these ways and that these failures are morally very egregious. I also agree that the reason for the failures is the bias of these societies' democratic institutions towards the interests of their members. But I am not sure of his thesis that the democratic institutions are *inherently* biased and incapable of pursuing in good faith the morally mandatory aims that constitute the global political community. I am not sure that we are looking at a fundamental truth about these institutions. The question, in my mind, is whether the citizens of these democratic societies must necessarily be devoted only (or almost only) to the interests of their fellow citizens. I don't see in principle why the citizens of representative democracies cannot be concerned with the interests of those who are not in their societies. After all, citizens are concerned with the interests of distant other fellow citizens, partly because they must negotiate with them in the making of domestic law; I don't think it is true that representatives merely represent the interests of citizens, they do represent those but they also represent the other regarding views of citizens as well, which views citizens are duty bound to promote in this context. Furthermore, there have been some important examples of such concern on the global level. Protests against the Vietnam War were partly motivated by these concerns. Additionally, there is a general consensus among citizens of wealthy states that development aid is a duty wealthy countries owe to poor countries. And there is some significant variety among developed countries in how much concern their peoples show for poverty outside their societies. Some countries give significantly above the .7 percent of GDP that is prescribed

by the Millennium Development Goals but most do not and the average is lower than the .7 percent (Center for Global Development 2013). There seems to be a correlation between the strength of the welfare state and the proportion of official development aid given. Some of this may reflect skepticism about the effectiveness of aid. The idea that there is an inherent bias is not born out by what we see.

Still, the amount of development assistance is low, and there are many other indicators that the concerns citizens show for their fellow human beings is on average low, so we must wonder how that can be increased. Part of the problem may be rectified if the international community puts more pressure on recalcitrant states. And part of the problem may be resolved if greater fairness in the process of negotiation among states is achieved. If we think that part of the explanation for why citizens care about other distant fellow citizens is that they are forced to deal with them in a democratic system, the same may hold between persons of wealthy states and those of developing states when developed states are required to deal with developing states in a fairer way.

Some argue that a global education program could play a useful role. Alvarez suggests that there ought to be global deliberative assemblies that can bring these issues to the fore. But it seems to me that we already have these in the United Nations. There are a variety of UN institutions that engage in deliberation regarding the duties of states. The General Assembly, the Security Council, the various human rights treaty bodies, the conference of parties of the United Nations Framework Convention on Climate Change are some of the deliberative bodies that give directives to states and put soft pressure on them to do more to cooperate in pursuit of the mandatory aims. I am open to the idea that these can be improved. And there is no reason why the deliberative bodies must be confined to the United Nations bodies. The conferences of the World Trade Organization also play a role. And I think global civil society can play a role here in enhancing the deliberative activities of these bodies. And, of course, states can attempt by themselves or with others to persuade and pressure other states into playing more positive roles in cooperation. Though here there is a danger of a kind of neo-imperial imposition on the part of powerful states. I have not developed a complete account of the necessary institutional structures necessary to promote effective deliberation in this regard and I think this is an important avenue for the development of international cooperation. However, I do think that the system is likely to remain fragmented as it is now.

Alvarez suggests that there ought to be devices that correct for excessively low support for development assistance in the world as a whole, much like there are constitutional limits on what democratic assemblies can do. I agree with this and this is part of the conception of the international political system that I have proposed. I have argued that certain kinds of refusal of consent may be countered by pressure or even coercion when the refusal of consent is based on unscrupulous or irrational grounds. I think this serves roughly the same kind of function in the international system as a kind of constitutional limitation in a domestic system. We may hope that global concern will grow over time and that what we are observing is a lag effect of the fact that societies have not been focused on international relations other than war until relatively recently. But I have not made any recommendations about what kinds of institutions would be desirable here. This is an area that is very important but it is not one that I am prepared to make clear recommendations on at the moment.

David Lefkowitz's comments press a number of important points. He argues that global democracy is not required because the conditions in the world at present do not require peoples to submit to a common legal order in order to treat each other justly. I am not sure how we are to evaluate that claim, but I have argued that the present global system already presents us with a distinctive type of political system. It is a political system whose decision making is primarily decentralized for reasons I have given above. But it is a political system because there are certain morally mandatory aims (such as the maintenance of international peace and security, the protection of persons from widespread human rights abuses, the alleviation of global poverty, the avoidance of global environmental disaster as well as the creation of a decent trade regime), which all, or nearly all, states recognize as requiring cooperation to pursue and which all states are duty bound to pursue. Questions of how to pursue these aims effectively and fairly together arise because there is uncertainty, disagreement, and conflict over how these should be pursued. The states need then to have a method for decision making in order to resolve these differences in trying to determine how to cooperate in pursuing the mandatory aims. Thus we have a political system. Not all the mandatory aims need be seen as concerns of justice and not all concerns of justice are taken as mandatory for this political system. There are many inequalities, which I regard as unjust, that cannot be dealt with by the global system at present and won't be soluble by the system for a long time. The aims that I have posited are ones that almost all states have signed on to but are themselves very difficult to bring about as it is. They present a pretty thin but nevertheless quite challenging set of aims for the international community.

So there are moral reasons for cooperation but I have argued that the decision making leading to that cooperation ought to be a decentralized process of decision making with a qualified requirement of state consent. This is because of the centrality of states in bringing about the most basic goods for people and the consequent need to respect the integrity of those states. It is also because states have developed sophisticated and reasonably successful social systems for making power accountable to people and it is important to build on these systems that we should continue to use states as pillars of the system. Also the need for experimentation with different methods of achieving the aims gives us reason to think that states should be permitted to refuse consent to arrangements if they reasonably dissent from them and they have reasonable alternatives to offer. I also think that given the greatly different stakes states have in the decision making, the usual centralized egalitarian methods of decision making seem inappropriate since power ought to be proportionate to stakes.

Lefkowitz takes me to task for neglecting instrumental grounds of legitimate authority but I have generally argued that there can be instrumental grounds of legitimate authority as well as legitimate authority that is grounded in considerations of intrinsic justice. Indeed, I think that in order to explain the authority of courts and bureaucracies in domestic democratic societies we have to appeal in part to their instrumental importance in realizing democratically chosen aims. And I agree that political institutions may have instrumentally grounded legitimate authority even if there is no inherent political authority to back it up. I simply think this is a more weakly grounded and tenuous form of authority. I focus on issues of democratic legitimacy because I think that it is an interesting question to determine if a system of state consent can, when suitably modified, live up to cosmopolitan and democratic norms. My only concern with the very interesting discussion of Keohane and Buchanan (2006) is that they do not explain how content independent reasons for action are generated by the institutions that satisfy the kinds of desirable properties they describe. The fact that an institution realizes or brings about desirable states of affairs does not help us determine whether we have content independent reasons to do as it tells us or merely just content dependent reasons to do as they tell us to do. If the institution tends to do good things, what is wrong with only acting as it tells us when it tells us to do good things? This is the central question that a theory of authority must answer and they do not answer it. But I do not reject the idea that some institutions may have some form of instrumentally grounded legitimate authority.

The one instrumental approach that directly takes on this challenge is the normal justification thesis defended by Joseph Raz. According to this thesis, the normal and primary way to show that A has justified authority over B involves showing that when B *takes A's* directives as authoritative (as content independent and exclusionary reasons for action) B acts better in accordance with the reasons that apply directly to her, that is, reasons independent of the authority's directive (Raz 1990). So I act better in accordance with the reasons of justice and fairness that apply to me, say, when I take the taxing authority's directives as giving me content independent and exclusionary reasons. If I were not to so take the directives, in other words if I were to just follow my own judgment in each case, I would often act mistakenly and not do my fair share in supporting the relevant institution. This account does give us the right kind of idea but it is notoriously subject to counterexamples. The example I have used in the past is Bernard Williams's case of a chemical scientist, George, who is an active opponent of the Nazi regime (Williams 1973). He is asked by the Nazis to run a chemical weapons factory. George is deeply opposed to the Nazis having these weapons but he also knows that he is not nearly as good a scientist as other more committed Nazis. He agrees to run the factory and then takes the directives the Nazis give him as content independent and exclusionary reasons. The consequence of his doing so is that this slows down production. And he must take the directives as authoritative because only then will he effectively be able to remain in his position. So he acts better in accordance with the reasons that apply to him (slowing down the production of chemical weapons) by doing this. Nevertheless, the Nazi leaders are not justified authorities over George. Hence, the conditions of the normal justification thesis are satisfied but the authority is not justified (Christiano 2008; see also Darwall 2010). I do not mean to reject instrumentalist accounts generally with this counterexample. It is meant to show the difficulty of constructing a good instrumentalist account.

There is another reason why I think it is of some significance to focus on the kind of high grade legitimacy that I do focus on. It is that a political system that satisfies this property is a moral community of equals in which each is treating the others as equals in a highly public way by taking the directives of that community as content independent and weighty reasons because they derive from their fellow citizens. Instrumentally grounded authority has an opacity and tenuousness to it since it is not grounded in the right of the authority but in the expected effects, about which there is significant controversy. The inherent democratic authority I attempt to explicate is grounded in the right of each to be treated publicly as an equal. When I obey it, I am directly and publicly treating my fellow citizens as

equals. And I owe this even when I disagree with the content of the directives. Hence the nature of the authority realizes the kind of moral community of equals that is not clearly present in instrumentally grounded authority.

Michael Blake's comments go to the heart of what I am arguing. I am arguing that the international community constitutes a distinctive type of political community. I think Blake wants to argue that this is not so, which is why he wants to say that the obligations in the international community are more like the obligations I have in relation to the Sierra Club than in relation to the state. We also disagree on the nature of a political community. The picture of a political community that I am suggesting is that people are required to pursue certain mandatory aims in cooperation with each other. And in order to do this they have to make decisions in a way that negotiates a great deal of disagreement on how to do this as well as conflicts of interest on these issues. There are, in other words, certain moral aims that are given independent of the political community but which require cooperation among the members to achieve.

A state is a community concerned with a particularly thick set of aims, centered around justice and the common good, where a great deal of coordination and cooperation are required to achieve these. In this sense, the duty to pay taxes is a kind of instantiation of the more general duty to do one's fair share in pursuing the basic aims but this requires a bit more theorizing. There are moral requirements that determine how one is to decide how to pursue these aims and this is where democratic norms come into the picture. And so the idea is that in a just political community persons have rights to participate as equals in deciding on how to pursue the aims and what fair shares each must contribute to the pursuit of these aims. So the particular legal requirements of contribution that are chosen by a just political society are going to involve some kind of compromise among the participants to the extent that they disagree. Hence the duties to pay taxes will be determined by a shared sense of the basic aims of the community and compromises between the members to the extent that they have different views about how to pursue the aims fairly.

I have argued that the international society is a kind of political society. It is not merely a society of voluntary participants. And the reason is that there are mandatory aims that everyone must pursue in cooperation with others, despite disagreement and conflict of interests. A world of voluntary societies is one in which it is not required to cooperate with others on a fixed set of aims. I regard the Sierra Club as pursuing desirable aims but I do not think that I am required to help them out. There are a lot of other goods that I may cooperate in producing and I have a significant amount of

discretion as to which goods I want to help promote. Voluntary associations tend to be composed of reasonably like minded people concerned to pursue aims they all recognize and they all agree on. Of course, as a citizen of a state I am required to do my part in achieving the mandatory aims the state must pursue. Political associations pursue moral aims but since cooperation is required, they experience the clash of different opinions and interests.

International society is a budding political society since all (or nearly all) the states in it recognize the necessity of cooperation in pursuit of certain morally mandatory aims such as peace and security, development, basic human rights protection, environmental protection, and decent trade. These aims are articulated in the major treaty bodies such as the Charter of the United Nations, the World Trade Organization, the United Nations Framework Convention on Climate Change, and the Millennium Development Goals. These are not merely voluntary clubs, they are organizations of states that self-consciously assert the moral necessity of cooperation and that are willing to engage in pressuring and even coercion of those who are failing to make any kind of good faith contribution. They derive their political authority from the fact that they have the consent of members to particular ways of pursuing mandatory aims. The decision making concerning these goals is decentralized to some significant degree so that consent is an important component but the requirement of consent is qualified, I think, in ways I outlined above.

I don't think that the picture I am outlining requires that contributing political societies maximize the extent to which the morally mandatory aims are achieved. The extent to which a political society is required to contribute will itself be a matter of controversy. The Millennium Development declaration requires societies to give .7 percent of their GDP towards poverty alleviation. This is not the kind of requirement that involves maximization, though most states fail to achieve even this.

Furthermore, I take it that the view I have defended implies a solution to the assurance problem Blake outlines. There is a remedy to the problem of societies being taken advantage of by free riders in the scheme I am proposing. First, the account asserts that pressure and sometimes even coercion can be applied on a recalcitrant state that is unscrupulous, irrational, self-defeating or otherwise fails to make a good faith effort to pursue the mandatory aims in cooperation with others. Second, societies are supposed to solve these problems by entering into explicit agreements with other societies, compliance with which can be monitored if the agreements provide for it.

I do agree with Blake that when all other societies are acting badly generally, there may be a permission to go it alone. I am not convinced we are in that situation now. The situation we are in now is that states recognize the requirement to cooperate to pursue mandatory aims but they are still falling short of the behavior they recognize as required. I take it as a kind of support for the approach I am proposing that it can be seen as a kind of moral and rational reconstruction of what states are already committed to, though they are clearly coming up short on these commitments.

Furthermore, I think that the international community has made some serious progress in the development of international institutions. For all its flaws, the development of a more open system of international trade has played a role in lessening inequality and bringing people out of poverty. The climate change regime has been making some progress towards limiting carbon emissions. The respect for the territorial integrity of societies has become an increasingly powerful norm of the international community. There has been some progress in realizing democracy throughout the world. I think that there is at least a reasonable hope that the peoples of the world will continue to make progress on these issues through the modern system of state consent.

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