Chapter 4

Communitarianism and the Idea of International Justice

"We define our identity always in dialogue with, sometimes in struggle against, the things our significant others want to see in us. Even after we outgrow some of these others – our parents, for instance – and they disappear from our lives, the conversation continues within us as long as we live."

Charles Taylor, *Philosophical Arguments*

In 1984, Michael Sandel in a work titled *Liberalism and the Limits of Justice* – a work which would go on to influence a formidable critique of liberal individualism – for the first time coined the term 'communitarianism'.[1] Apart from questioning the bases of justice in liberal societies, Sandel in this work, also and perhaps more importantly attempted the theorizing of an alternative conception of the self – the community, which according to him, could be understood as a more appropriate and politically suitable representation of the person than that of the individual. The individual is a conception of the self, constructed by post-Enlightenment liberal political theory to question the inequalities and hierarchies of communities as well as to establish the basis of freedom in political life. With the dominance of the liberal paradigm, particularly with the 'end' of the cold war between the erstwhile USSR and the USA, the idea of the self as a disembodied individual gained recognition. In fact, the person as an individual was not only seen as possible – and this is something which the communitarians question, it was also perceived as desirable.

The communitarian perspective in politics centres its main focus on critiquing the liberal conception of the self as an individual. According to them, the conception of the individual as the starting place of politics is neither possible nor desirable. Alternatively, they situate the community as the starting place of politics. By situating the community as the starting place

of politics, Sandel opened up a different way of reading both the conception of the self and the nature of the political.

The community has always occupied a central place in political theorizing and practice. Beginning with Plato's idea of the republic, going on to Aristotelian understanding of man as a social being, and moving to Hegel's perspective on the nature of the public space and Marx's idea of communist utopia, community has held a central place in political thinking. In fact, the idea of the community as the political self may also be understood to lie at the basis of the Gandhian principle of *sarvodaya.* However, the community as a conception of the self in politics did lose its validity and potency and for two main reasons: first, because the community, even though understood by many as a 'natural' assemblage of people, is an essentially political grouping which has for long justified the organization of persons into a hierarchical unequal unfree and somewhat irrational relationship. The arrangement of person into communities of caste, race and gender, for instance, remains inherently unjust, unequal and hierarchical. For a modern rational organization of people it was necessary to subvert the understanding of the community as the starting place of politics.

Second,community has more often been the source of incessant violence and hatred among people, and this is historically evident. For instance, the holocaust, ethnic cleansing pogroms or even the practice of slavery was justified by using the community as the starting place. Ending the violent and unjust atrocities inflicted on peoples in the name of racial purity and supremacy or even the abolition of caste discrimination could only be possible with the invigoration of a renewed conception of the self, one that did not depend on the community as a starting place.

Perhaps, it may not be entirely incorrect to suggest that the idea of the community has influenced the politics among states much more than within states, particularly through the ideas of nation and nationalism. The nation is certainly not an idea which continues from an asocial or non-collectivist premise of politics, rather it is one that understands people as residing in a collective shared community. And it is this understanding of the division of the world into *nation*-states that lies at the heart of international relations theory and practice. In fact, in the international realm, states may be understood to act as independent entities, however, the conceptual basis of the state is that of a nation – a collection of people bound together by common cultural, territorial and historical values. Perhaps it is for this reason that Chris Brown employs the communitarian perspective in his reading of international relations theory.[2]

The question then is: how does the understanding of the state as a nation-state impact on the possibility of international justice? Can the communitarian perspective on justice contribute to the possibility of arriving at principles of international justice? In what way does communitarianism hold valid as a theoretical premise on which to construct principles of justice for states? Does the communitarian perspective on politics offer a credible account o the conception of the relationship between the self and the other, which can provide a valid conceptual basis for justice among states? These questions constitute the main concern of this Chapter. It must be mentioned that although any attempt to analyse the international realm through the lens of communitarianism would necessarily entail invoking the politics of nationalism, this study deals with nationalism only for the purpose of assessing how communitarianism contributes to international justice. The study is not concerned with the validity or authenticity of a people's claims to nationalism; rather the aim is only to work out a communitarian perspective on international justice.

Before exploring the possibility of a communitarian basis of international justice, it would be helpful to introduce the idea of communitarianism as well as underscore its underlying conception of the relationship between the self and the other. I must admit that the focus on communitarianism below is brief and introductory. A detailed study of communitarianism would entail a separate study if not several studies.

4.1 Introducing the Idea of Communitarianism

The idea of communitarianism may not be regarded as a 'new' development in political theory. In fact, since the time of Plato and Aristotlethe community has been regarded as an important site for political thought and practice. However, the term communitarianism was espoused for the first time by Michael Sandel in his work *Liberalism and the Limits of Justice* (1982). In this work, while developing a critique of the liberal individualist foundations of John Rawls's theory of liberal justice, Sandel offered perhaps the most distinctive and rigorous challenge and critique of the theory of liberal individualism – a critique and challenge labelled as "communitarianism". According to Sandel and almost all other communitarian thinkers, the starting place of liberalism – the individual – is flawed, false and asocial, therefore apolitical. Some of the other communitarian critics of liberal individualism are Charles Taylor, AlasdairMacIntyre, Michael Walzer, Will Kymlicka and Amy Gutmann among others.

Communitarian thinkers are highly inspired by Plato, Hegel and Rousseau. For Plato, the community or commune was the site of politics. A reading of Plato's works, particularly *Republic* would reveal that he provided little if any space to the isolated individual. For him, politics was a collective endeavour and it is only because of its collective nature that a

republic is warranted. For Plato, a city comes into being because individuals are not self-sufficient; thus many people come together to provide for each other. In the words of Plato: "societies are not made of sticks or stones, but of men whose individual characters, by turning the scale one way or another, determine the direction of the whole."[3] Similarly, Aristotle argued that "when several villages are united in a single complete community, large enough to be nearly or quite self-sufficing, the state comes into existence, originating in the bare needs of life, and continuing in existence for the sake of a good life."[4]

The great ideologies of the eighteenth and nineteenth centuries – socialism, conservatism, liberalism, nationalism and republicanism – each offered its own conception of the ideals of liberty, equality and community. In fact, the French Revolution, with the cry of fraternity alongside liberty and equality underscored the value of the community in republican democratic politics. The ideal of community took many different forms, from class solidarity or shared citizenship to a common ethnic descent or cultural identity. But for all of these theories, and for the philosophers who helped defend them, community was one of the basic conceptual building blocks to be shaped and defended. After the Second World War, however, community seemed to drop out of the picture. For instance, John Rawls while developing his theory of justice gives little importance to the community; in fact, for most liberal theorists, the community is secondary or constructed on the basis of liberty and equality of the individuals. In the 1980s the idea of community resurfaced with a whole school of thought arguing that the community has been ignored in mainstream liberal political theory and practice.

This idea of communitarianism, although somewhat influenced by Marxism was quite different. Marxists see community as something that can only be achieved by a revolutionary

change in society, by the overthrow of capitalism and the building of a socialist society. The new communitarians, on the other hand, believe that community already exists, in the form of common social practices, cultural traditions and shared social understandings. Community does not need to be built de novo, but rather needs to be respected and protected. As Amy Gutmann put it, "whereas the 'old' communitarians looked to Marx and his desire to remake the world, the 'new' communitarians look to Hegel, and his desire to reconcile people to their world."[5]

Communitarians are first and foremost concerned with community. Two or more people constitute a community when they share a common conception of the good and see this good as partly constitutive of their identity or selves. Such a "constitutive community" may be a close friendship, a family relationship, neighbourhood, a cultural collective or even a comprehensive political community. For Aristotle, as mentioned above, the state was simply a more perfect form of a community – an association of men. According to communitarians, as social beings, each of us do develop our identity, conception of the good, talents and pursuit in life only in the context of a community and/or a collective. Our nature as social beings plays a determining if not defining role in our understanding of the good as well as in the way we choose to live our lives. Since the community determinesand shapes our conceptions of the good and life choices, political practice and political thinking life must start with a conception of the community, and not the individual. In other words the locus of philosophical concern in reflecting on the ideal and just state must be the community.

The main focus of the communitarian critique has been on the conception of the individual advocated by liberal political theory. It must be mentioned that the conception of the individual is a liberal construct aimed at the collapse of unjust and unequal hierarchies as

well as an instrument for the guarantee and pursuit of freedom and equality. Also, as suggested by Charles Taylor, the individual is an identity which is based on and protects the authenticity of the person. In the words of Taylor, "we might speak of an individualized identity, one that is particular to me, and that I discover in myself. This notion arises along with an ideal, that of being true to myself and my own particular way of being…. I will speak of this as the ideal of "authenticity."[6] This ideal of authenticity and an individualized identity, however, according to communitarians cannot be achieved in isolation or alone, rather it develops only in a social or dialogical relationship with others.

The conception of the individual advocated by liberal political theory, according to communitarianism, is then both mistakenly and irreparably individualistic. The liberal conception of the relationship between the individual and the state is, according to communitarianism, unduly limited as well as misrepresentative of the true nature of the society. On the communitarian view, it is not enough to think in terms of a two-level relationship with the individual at one level and the state at the other. Groups and communities occupy an intermediate position between the individual and the state and should be included among the kinds of rights- and duty-bearing units whose inter-relationships are explored. According to communitarians, by emphasising the rights and freedom of individuals over the society, liberal individualism neglects the importance of community membership and identity to social and political life. It ignores the extent to which it is the society/community in which people live that shape who they are and the values they have.

While the idea of communitarianism has developed into a wholesale critique of liberal individualism and has gone ahead to influence many recent developments in political theory, particularly the theory of multiculturalism, it would be helpful for this study to summarize the main points of its criticism.

A great deal of communitarian thought has presented itself in terms of an explicit reference to and a rejection of the individualistic conception of the self. The general shape of this communitarian claim is that individualistic political theory takes us (as individuals) to be too distant/separate from our social ends and conceptions of the good in a way that simply fails to correspond to the way in which we actually relate to these ends.Communitarians point to two main limitations of the liberal individualist understanding of the self as detached and separate from social ends: first, it devalues, discounts and downgrades the importance of community; and second it presupposes a defective conception of the relation between the self and its ends.

On the first criticism, communitarianism challenges liberal individualism for downgrading and discounting the importance of community and more specifically for ignoring the extent to which it is the society or community which people live in that shape who they are and the values they have. Individualism understands people to be self-sufficient outside of society and not in need of any community context in order to develop and exercise their capacities for self-determination. As argued by Rawls, "one consequence of this distance is to put the self beyond the reach of experience, to make it vulnerable, to fix its identity once and for all. No commitment could grip me so deeply that I could not understand myself without it. No transformation of life purposes and plans could be so unsettling as to disrupt the contours of my identity. No project could be so essential that turning away from it would call into question the person I am. Given my independence from the values I have, I can always stand apart from them, my public identity as a moral person is not affected by changes over time in my conception of the good."[7]In other words, individualism does not recognise the importance of community membership in shaping a good life for the individual.

For communitarianism, however, the community is a fundamental and an irreplaceable ingredient in the good life of the person. However resilient and independent people may be human existence outside social and community life is unthinkable. People, according to communitarians, are not Robinson Crusoe able to live in complete and permanent isolation. Rather, we are constituted, and our identity shaped, by the community to which they belong. We as human beings are essentially members of a family, religion, tribe, race and nation. As such, rather than being distant from social and community ends and values, we have a history and are placed in specific social circumstances. The attachments and the moral engagements from these community membership determines "who we are" and shape "the values we have". As argued by Sandel, "political philosophy seems often to reside at a distance from the world. Principles are one thing, politics another, and even our best efforts to 'live up' to our ideals typically founder on the gap between theory and practice. But if political philosophy is unrealizable in one sense, it is unavoidable in another. This is the sense in which philosophy inhabits the world from the start; our practices and institutions are embodiments of theory . . . . for all our uncertainties about ultimate questions of political philosophy — of justice and value and the nature of the good life — the one thing we know is that we live some answer all the time."[8]

Communitarians thus criticise liberal individualism for producing a particular conception of the self, which is divorced from the social reality that constitutes it.On the second criticism communitarianism criticise individualism for holding a mistaken or false understanding of the relationship between the self and its ends - one that sees the individual's ends and conceptions of the good to be formed independently and prior to society. According to the idea of individualism understands 'the self to be prior to its ends' in the sense that individuals

reserve the right to question, revise and reject their most deeply held convictions about the nature of the good life, if these are found to be no longer worth pursuing.

According to communitarianism, to accept this understanding of the self is to see oneself as disembodied, unencumbered and sharing a voluntary relationship with one's social ends and attachments. In the words of Michael Sandel, what liberals presuppose "is a certain picture of the person, the way we must be if we are beings for whom justice is the first virtue. This is the picture of the unencumbered self, a self understood as prior to an independent of its purposes and ends"[9]They oppose this voluntaristic picture of the relationship between the self and his ends assumed by individualism. In the words of Sandel, "what is most essential to our personhood is not the ends we choose but our capacity to choose them. And this capacity is located in a self which must be prior to the ends it chooses."[10]According to communitarians this picture ignores the way we are embedded or situated and partially constituted by social roles and community membership. As suggested by Mulhall and Swift, "if the self is antecedently individuated, then no matter how closely it identifies with a given end, that end can never become integral to the self's identity. The characterization of such values or interest must describe the objects that I seek, not the subject that I am; my identity is fixed in advance of my choice of ends, so that a certain distance between who I am and what I value must always remain."[11]

Michael Walzer offers a different, though perhaps equally relevant critique of liberal notions of justice. Unlike Sandel, Walzer is not primarily concerned with criticizing the liberal conception of the person. Walzer's argument is explicitly about how we should understand the goods for which a theory of justice seeks to articulate distributive principles of justice. The essence of his argument is evident from his claim that "different social goods ought to be

distributed for different reasons, in accordance with different procedures, by different agents, and all these differences derive from different understandings of the social goods themselves – the inevitable product of historical and cultural particularism."[12]According to Walzer, "it is the meaning of goods that determines their movement. Distributive criteria and arrangements are intrinsic not to the good-in-itself but to the social good. If we understand what it is, what it means to those for whom it is a good, we understand how, by whom, and for what reasons it ought to be distributed. All distributions are just or unjust relative to the social meanings of the goods at stake."[13] Although Walzer is not explicitly offering a conception of the self (and/or the other) in his understanding of justice or his critique of liberalism, he does suggest that justice ought to be determined by an external reference point, namely the nature of the good to be distributed. Justice, put differently, cannot be determined from a metaphysical or esoteric stand point. Rather it would have to be situated and located. In a similar vein, the main concern of this study is to suggest that international justice cannot be determined from a metaphysical standpoint; rather it would have to be determined from the conception of the self and the other as theorized for the international realm.

Criticising the individualist conception of the self, communitarians ask whether we can really step back from particular values that we have and change them for new ones, or are we rather made the very people that we are by the values that we endorse so that detachment is impossible. Human beings, they argue, are essentially social beings. As such, we neither <u>choose</u> nor reject our social and community ends and attachments; rather we <u>discover</u> them. We are neither <u>free</u> nor standing at a distance from our social and community ends; instead we find ourselves <u>located/situated</u> in them. For instance, we do not choose our family, caste or nation; we find ourselves located in them. We then determine our conception of the good and ends given our place, position and situation in a family, religion and nation.

According to communitarianism we are never free from all social roles and community identities. Our membership of social groups and communities determine and constitute our identity and understanding of the good life. We cannot always stand back and opt out of social relations and community membership. Our social relations and roles, or at least some must be taken as given. As Sandel notes "I can interpret the meaning of the roles I find myself in, but I cannot reject the roles themselves, or the goals internal to them as worthless. Since these goals are constitutive of me as a person, they have to be taken as given in deciding what to do with my life; the question of good in my life can only be a question of how best to interpret their meaning. It makes no sense to say that they have no value for me, since there is no 'me' standing behind them, no self prior to their ends or constitutive attachments. The self is constituted by and not prior to its ends".[14]

Charles Taylor, whose work may be understood as far more comprehensive than that of Sandel and Walzer, also does contribute in a substantial way to the communitarian ideal. While Taylor's major contribution may be regarded as his far-reaching extensive analytical account of the development of Western moral and political culture from Plato to postmodernism, he has also contributed to the idea of the self from a communitarian standpoint. According to him, "human beings are self-interpreting animals, creatures whose identity as persons depend upon their orientation and attachment to conceptions of the good which they derive from the matrix of their linguistic community."[15] According to Taylor, our ordinary and widely shared moral intuitions – for example, respect for the worth and dignity of others – have a dual aspect. On the one hand, they seem fundamental and purely instinctive, and on the other, they are articulable on the basis of reasons which produce them. For instance, we articulate our idea of human dignity on the grounds that all humans are children of God. Similarly, slavery or untouchability is admonished because it violates this

moral framework. For Taylor, then, our moral reactions presuppose an ontological basis, which he categorizes into three: first, our relations with other human beings, our understanding of mutual dignity and respect; second, our conceptions of the good life, that is what a fully human life entails; and third, our sense of our own dignity, the characteristics by which we do or do not command the respect of others.[16] In Taylor's words: "this is not meant just as a contingently true psychological fact about human beings, which could perhaps turn out one day not to hold for some exceptional individual or new type, some superman of disengaged objectification. Rather the claim is that living within such strongly qualified horizons is constructive of human agency, that stepping outside these limits would be tantamount to stepping outside what we recognize as integral, that is, undamaged human personhood."[17]

Taylor's argument is then that a vital part of knowing who I am is knowing where my historical, cultural and social standing, that is, knowing where I stand. Put differently, a person's identity is defined by the commitments and identifications that provide the horizon within which she can determine what is good or worth pursuing. The identity of a person is bound up with and partially constituted by her everyday encounters. In this way communitarians denounce the ahistorical, asocial and disembodied conception of the person found in individualism. According to them this conception overlooks the way in which it is the kind of society in which people live that affect their understanding both of themselves and of how they should lead their lives. A valuable life, they argue, is one that is filled with commitments and relations. And what makes them commitments is precisely that they are not the sort of things that people can question every day.

The other main focus of the communitarian critique of liberal individualism is the latter's understanding of the nature and functions of the state. As discussed above, liberal individualists characterise the state as a minimal and neutral political authority, whose functions are limited to the protection of individual rights and maintenance of law and order. Since individuals are free, rational and capable of self-determination the primary value in the political order, according to individualism, ought to be the neutrality of the state.

Communitarians oppose this connection between individual self-determination and state neutrality. According to them, the view that state should be value-neutral and individuals should be free to make their own choices stems from an atomistic belief that autonomy is protected only when judgements about the good life are taken out of the political realm and made on an individual basis. Rejecting such "atomism" communitarians argue that, in reality, individual judgements require the sharing of experiences, the give and take of collective deliberation and the collective evaluation of shared practices. As stated by Taylor, we are not selves in the way that we are organisms, or we don't have selves in the way we have hearts and livers. We are living beings with these organs quite independently of our self-understandings or interpretations, or the meanings things have for us. But we are only selves insofar as we move in a certain space of questions, as we seek and find an orientation to the good."[18] In other words, individual choices about the good life can only be exercised in a particular sort of community and not a cultural marketplace guided by freedom and neutrality, of the type guaranteed by liberal individualism.

The communitarian perspective therefore argues for the abandonment of liberal neutrality in favour of the politics of the common good. Communitarians conceive of the common good as a substantive conception of the good life that defines the community way of life. Rather than

being neutral to the different individual conceptions of the good life, the common good provides standards by which individual preferences and values are evaluated. In other words, the common good forms the basis on which individual conceptions of the good are ranked, and the weight given to an individual's conception depends on how much it conforms or contributes to the common good.

On the communitarian view then a just state is not one that is remains neutral towards all individual conceptions of the good. Rather a just state is one which encourages its citizens to adopt conceptions of the good that conform to the common good, while discouraging conceptions of the good that conflict with it. According to communitarianism, the nature of the state should not be neutral or minimalist; rather it ought to play a role in guiding its citizens in leading a good life. Hence while liberal individualism encourages each person to define and seek his own "good", communitarianism believes that a political structure has an important role to play in defining and in helping people seek the "good".

Further communitarians argue that the common good is required not only for guiding the people's decisions about the good life but also for establishing a just and legitimate political community. According to Taylor, the idea of the common good is required to enable citizens to accept the demands of justice demanded by a welfare state. At the heart of the theory of justice in a welfare state is the claim that the privileged ought to sacrifice a portion of their rights and rewards for the sake of others (the underprivileged). For instance, in a liberal capitalist society, the propertied classes are required to sacrifice some of their property (derived in the form of taxes) for the benefit of the non-propertied and for sustaining a just society. According to Taylor, however, the demand for such a sacrifice, in an individualistic society would seem improper as citizens would be required to sacrifice their rights for the

sake of those with whom they share no community identity or common way of life. If we are distanced from a community or shared way of life we would necessarily be unwilling to shoulder the burdens of liberal justice. On the communitarian view then justice is rooted in a community whose primary bond is the shared understanding of the good of both man and the community.

Communitarianism today has developed into a body of diverse strands of thought. And there have been many categorizations of this diversity. For instance, Phillips distinguishes between 'backward-looking' and 'forward-looking' versions of communitarianism. Backward looking communitarianism asserts that healthy communal bonds existed in the past, lament the decline of community as a result of the increasing emphasis on individual choice and diverse ways of life and seek to retrieve a conception of the common good. This sort of communitarianism is difficult to distinguish from traditional conservatism, and is widely criticized for ignoring the ways that most communities historically excluded women, gays or racial and religious minorities.[19] 'Forward-looking' communitarians, by contrast, disavow nostalgia for the past, accept that individual choice and cultural diversity are now permanent features of modern life, and acknowledge that earlier forms of community were too narrow and exclusive to be viable today. Hence they seek to identify and strengthen emerging bonds of community that can integrate diverse groups and lifestyles, for example by strengthening forms of patriotism or democratic citizenship or civil society that encourage people from different backgrounds to work together.

In response to the communitarian critique, many liberals have attempted to show that they, too, are sensitive to the importance of community and culture, and that they can accommodate at least the 'forward-looking' dimensions of communitarianism. Hence we

have witnessed a proliferation of theories of 'liberal republicanism', 'liberal patriotism', 'liberal nationalism', 'liberal multiculturalism' and 'liberal civil society'. All of these are intended to show that a liberal society is not exclusively 'individualistic', and can accommodate and support a rich array of collective identities and associations, without compromising the basic liberal commitment to the protection of individual civil and political rights.

I have above tried to introduce the idea of communitarianism, with the threat of oversimplifying it. However, I believe it is possible to argue out the communitarian basis of justice and international justice from the introduction offered above. In the next section, I examine the communitarian basis for international justice and then go on to discuss the conception of the relationship between the self and the other in this understanding.

4.2 The Communitarian Basis for International Justice

This section is concerned with examining the communitarian basis for international justice. The question of international justice requires us to consider the relationship between justice and society, in this case the international society.[20]However, it would be helpful to begin by examining the communitarian basis for justice, as this would provide a foundation for understanding the communitarian idea of international justice. Since the communitarian perspective begins with the community as the starting place of politics – the community as the conception of the self, it does offer a different idea of justice, which then also provides the bases for its perspective of international justice.

The discourse on communitarian justice is rich and varied, and can be categorized into two different conceptual positions, with the second position having an internal differentiation. These conceptual positions differ on the relationship between justice, community and the good. The first position holds that in order to work out a credible account of justice, it is necessary for the community to replace the idea of liberal individualist justice, that is, the community values of love, benevolence and solidarity ought to replace the idea of justice. The second position understands the ongoing discourse on justice to be somewhat consistent with the idea of community, albeit a proper appreciation of the value of community requires a modification of the understanding of what justice is. There is then a differentiation within this position: while one group of scholars hold that community should be seen as the source of principles of justice, so justice should be based on the shared understandings of society, not on universal principles; the other group focuses on the content of principles of justice, such that justice should give more weight to the collective good than rights. Below I look at these three positions somewhat in detail.

The first position which advocates that justice should begin with the community is mainly put forward by Michael Sandel. According to Sandel, justice is not, as Rawls suggests, "the first virtue" of social life to be valued for its own sake, rather is a 'remedial' virtue, remedying a flaw in social life. According to him, justice is invoked and required wherever there is an absence of a 'more noble' virtue, such as that of benevolence, friendship or solidarity. In the words of Will Kymlicka, "if people responded spontaneously to the needs of others out of love or shared goals, then there would be no need to claim one's rights. Hence an increased concern with justice can, in some circumstances, reflect a worsening of the moral situation, rather than a moral improvement."[21] Sandel, much to the disagreement of feminists, suggests that the family is a social institution where justice is not needed, and where a preoccupation

with justice may diminish the sense of love, and thereby lead to more conflict.[22]On this position then, justice is regrettable even where necessary, and must be replaced with a higher form of community.

The major premise of the second position is that mainstream liberalism has incorrectly conceptualized justice as ahistorical and asocial, and such a conceptualization only conflicts with our cultural belief systems. For instance, Ronald Dworkin argues that any theory of politics "can make no contribution to how we govern ourselves except by struggling, against all the impulses that drag us back into our own culture, towards generality and some reflective basis for deciding which of our traditional distinctions and discriminations are genuine and which spurious…. justice should be our critic, not our mirror"[23]Criticizing this position, Michael Walzer argues that "this quest for a universal theory of justice is misguided."[24]According to this position, the only reason and way to identify the requirements of justiceis through the lens of how each particular community understands the value of social goods. In other words, arriving at principles of justice is a matter of cultural interpretation than of philosophical argument. This position on community as the source of justice has been confronted with a common objection, namely the relationship between cause and effect. On this position, it would be appropriate to say that untouchability is wrong because we disapprove of it. However, a more just statement would be, we disapprove of untouchability because it is wrong. Its wrongness is a reason for, not the product of, our collective living and understanding.

The third position firmly believes that the problem is not so much with the liberal emphasis on justice, nor its universalism, but rather its 'individualism'. Explaining this criticism, Kymlicka writes: "liberals base their theories on notions of individual rights and personal

freedom, but neglect the extent to which individual freedom and well-being is only possible within community. Once we recognize the dependence of human beings on society, then our obligations to sustain the common good of society are as weighty as our rights to individual liberty. Hence, communitarians argue, the liberal 'politics of rights' should be abandoned for a 'politics of the common good'."[25] Here, the common good is substantive representing the community's 'way of life'.

The communitarian basis for justice has been substantially informed by the perspective of Charles Taylor, and in particular Taylor's arguments on the politics of recognition. According to Taylor, once we take cognizance of the community as the starting point in politics, a number of injustices would come to the fore, which would need to be corrected, or minimally addressed. Such injustices, according to Taylor, are mainly in the form of misrecognition. In the words of Taylor:

> The demand for recognition is given urgency … by the supposed link between recognition and identity, where this latter term designates something like a person's understanding of who they are, of their fundamental defining characteristics as a human being. The thesis is that our identity is partly shaped by recognition or its absence, often by the *mis*recognition of others, and so a person or group of people can suffer real damage, real distortion, if the people around them mirror back to them a confining or demeaning or contemptible picture of themselves. Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted and reduced mode of being…. Misrecognition shows not just a lack of due respect. It can inflict a

grievous wound, saddling its victims with a crippling self-hatred. Due recognition

is not just a courtesy we owe people. It is a vital human need. [26]

The community is, in fact, at the centre of international relations and therefore when thinking of principles of justice for states, it would be imperative to examine the communitarian perspective. Perhaps it would also be important to summarize Hegel's position on international relations, mainly because Hegel is an important intellectual source for the communitarian perspective. According to G W F Hegel, the state is sovereign in the fullest sense and therefore there can be no authority higher to it. Consequently, the notion of international law or any similar international institutional mechanism aimed at controlling state behaviour and actions can only remain at the normative realm, rather than an actuality. In the words of Brown, "the individuality of citizens demands the preservation of the individuality of the state; this is not, as it were, negotiable."[27]Interestingly, Hegel sees war as necessary feature geared towards the contribution and maintenance of the individuality of the state, whereby citizens through acts of courageous self-sacrifice recognize the individuality of the state. This, according to Hegel, is an opportunity which peace does not provide.[28] Hegel's understanding of international relations is an understanding of how things really are, how they ought to be and to some extent how they will be.

It would be important before moving to the communitarian idea of international justice to speak briefly about nationalism. In fact, according to Taylor, recognition and demands for nationalist identities are intrinsically linked. In his words, "a number of strands in contemporary politics turn on the need, sometimes the demand, for *recognition. The need, it can be argued, is one of the driving forces behind nationalist movements in politics."[29] It

would therefore be helpful to trace the relationship between nationalism, community and justice.

The state is undoubtedly a political community, perhaps par excellence as suggested by Aristotle. However, the question is what holds this political community together? What is the binding force behind the idea of the state, particularly the modern state which is devoid of a religious (read mythical) or theocratic legitimizing foundation? Why do citizens obey a single law in a modern setup wherein the abiding force of God is absent in public life?

Allegiance to a single law and solidarity among citizens has been mustered in modern political setups though ideologies of nationhood. As Kymlicka argues, "each state tries to convince its citizens that they form a 'nation', and as such belong together in a single political community, and owe each other special obligations. The people who share a state are not just co-citizens, but also co-nationals, and this underpins feelings of solidarity and the practice of collective self-government. This idea of a single political community with a shared identity provides the historical "ties that bind" an otherwise diverse and pluralistic people into a common republic. "Common nationality provides the collective pride and humiliation, the common history, and the common sympathies that provide the motivation for individuals to establish and participate in, common political institutions together."[30]

Even though this idea does develop from the ideal of patriotism and the love of the people, but it also has a rich intellectual tradition with contributions mainly by Rousseau, Herder and Fichte. Rousseau's argument that patriotism or the love for one's country is an important factor in the preservation of a just society is clearly expressed in his writings.[31] Similarly

Herder regarded politics as something that should be organized around national groupings and not states.

Historically, nations have been understood as homogenous units, and there is sufficient theorizing in this regard. J S Mill, who is known for his ardent defence of individual liberty also wrote, "where the sentiment of nationality exists in any force, there is a *prima facie* case for uniting all the members of a nationality under the same government, and a government to themselves apart. This is merely saying that the question of government ought to be decided by the governed. One hardly knows what any division of the human race should be free to do if not to determine which of the various collective bodies of human beings they choose to associate themselves.... Free institutions are next to impossible in a country made up of different nationalities."[32]

The understanding that co-citizens are, or perhaps should be, co-nationals is fairly recent. Earlier, the state (not nation state) was simply a legal-territorial unit, with its jurisdiction unquestioned over the inhabitants of the city. In the Greek city states, for instance, the allegiance of the inhabitants was not dependent on a feeling of fraternal bonding or love; rather the state was considered competently sovereign to dispel its authority over the people and the people, in turn, did not question the legislation of the state over their lives. In the words of Kymlicka, "In the past, the territorial boundaries of sates had a purely legal significance: boundaries told us which laws people were subject to, and which rulers and institutions exercised authority over which territory. But in modern democracies, the boundaries of nation-states do more than this. They also define a body of citizens – a political community – which is seen as the bearer of sovereignty, and whose will and interests form the standards of political legitimacy."[33]

It is important to note that nationalism and nation were influenced by as well as did influence the trajectory of democracy. For a long time, the rulers, who were mainly from elite social and economic groups distanced themselves from the masses – otherwise known as the 'plebs', and even the 'rabble'. In fact, the justification of the right to rule by the elites was based on this distance they maintained with the masses. As Kymlicka notes, "the idea that serfs and lords belonged to the same society would have been incomprehensible to people in the feudal era, when elites were not only physically segregated from peasants, but also spoke a different language. The lords were seen, not only as a different class, but as a different and superior race of people, with their own language and civilization, unrelated to the folk culture of the peasants in their midst, and this was the basis of their right to rule."[34] In fact, democracy meant the rule of the people, where the people were just a select group of citizens.

It was not until the rise of nationalism that 'the people' in a fully comprehensive sense is marked, celebrated, declared and valorised. Today democracy is regarded as the rule of and for 'the people', and 'the people' is usually defined all those individuals permanently residing within the state's territorial boundaries. It may perhaps not be incorrect to state that the idea of nation, nationalism and national identity continue to remain strong and potent political tools in the modern era, mainly because of their inherent emphasis on the idea of 'the people' and the basis of equal dignity and self-respect associated with all people, irrespective of the class or social grouping. The boundaries of states are then, just not markers or signifiers of legal territorial jurisdiction, but also characterizations of a people or a nation, a common political community with a sense of a common belonging. Of course, the boundaries of states do not exactly coincide with those of the people's national/cultural identities, however, the nation is understood as most as an assimilative space or a consensual one, even though there are instances of subversion and resistance in almost all nation states.

The feeling of nationhood has been promoted by various means, including the diffusion of a common national language, as well as various national holidays and symbols, and the construction of narratives of 'national' history, literature, music and so on."[35] Historically states have attempted to diffuse a single, homogenous national identity based on a singular canonical account of the nation's history and culture, more often at the expense of minority cultures. Minority cultures have often expressed experiences and instances of cultural alienation, marginalization and a threat of assimilation, in order to live in the state as equals. In fact, the history of nation building is replete with instances of violence and hatred towards specific minorities. It is perhaps for this reason that the idea of multiculturalism has come to gain ground as a possible alternative to nationalism. However, some thinkers suggest that nationalism is a solution to the problem of cultural diversity. For explaining this position I use the argument of Kok-Chor Tan: "one might object that the cultural basis for patriotism invoked by the nationality argument is a false description of the real world. Most states are multicultural states and so do not have the common cultural basis on which to ground patriotic commitments as required by the nationalist position. But this point can be deflected by the nationalist side…. Nationalist theorists are not ignorant of the fact that citizenship and nationality rarely coincide. On the contrary, this common incongruity between nationality and citizenship is, in a sense, the motivation for their nationalist thesis – that states ought to actively inculcate a sense of common nationality among citizens for the purpose of strengthening the sense of obligation toward them, among other things. The asymmetry between nation and state is not a case against the nationalists, but is in fact the problem that nationalism is meant to solve."[36]

In fact, the national identity is an important marker for international relations. Interestingly, the relations among states is referred to as inter*national* politics, thereby suggesting that it is a political community which engages in diplomatic, military and external relations with other

political communities. Here, the idea of the political community is one that is evidently associated with nationhood and nationalism. As argued by Brown, "the doctrine that the world divides naturally into nations, that nations are the source of value for human beings and should therefore be the basis for political organization is clearly one of the most influential notions of the last two centuries, and is now firmly embedded in the settled norms of the international system."[37] Similarly, as David Miller states, "identifying with a nation, feeling yourself inextricably part of it, is a legitimate way of understanding your place in the world."[38] Also, as Yael Tamir suggests, "to share a nationality is to share an understanding of vision or where one fits in historically and culturally in the story of humanity, and to share a cultural framework within which one formulates, pursues, evaluates and revises one's purposes and goals in life."[39] And as Walzer argues, "nations are thus, what one might call a 'historic community' within which individuals acquire and cultivate their moral agencies and capacities."[40]

It is for this reason that communitarians regard the nation (read political community) as a necessary basis for social justice. Shared membership in a nation is regarded as sufficient by itself for sustaining a sense of mutual concern and belonging among persons. Members of a nation see themselves as having obligations to each other which they do not have or share with outsiders or aliens. The question then that should be asked when discussing the communitarian idea of international justice is: can we speak of obligations of global justice independently of the idea of a global society? Do obligations of justice depend *apriori* on the existence of a certain specific kind of global social relationship, namely a community? What is the communitarian idea of international justice? Does the idea of communitarianism and nationalism hold an idea of international justice? Does the concept of the nation state and the spirit of nationalism provide the basis for an understanding of justice for states? Although

there are no definitive answers to this question, I do attempt below to formulate a discussion of the communitarian idea of international justice.

The communitarian idea of international justice is not a neatly defined one; rather it is marred by deep disagreements and differences, some of which influence the understanding of communitarianism in the main stream. In fact, such have been the disagreements and differences that the idea of communitarianism has been manipulated and moulded based on the position a thinker may hold and justify.

Perhaps the most ardent critic of the idea of communitarian international justice is David Miller. This influential nationalist theorist, who has not so much been regarded as a communitarian or multicultural thinker, denies the possibility of international justice because "justice assumes the form of a principle of equality only in certain contexts, and here the relationship between citizens of a nation-state is especially important as a context in which substantial forms of equal treatment can be demanded as a matter of justice."[41]Linking the idea of national self-determination to the impossibility of international justice, Miller argues that "to respect the self-determination of other nations also involves treating them as responsible for decisions they may make about resource use, economic growth, environmental protection, and so forth."[42]To quote Miller again, "in acknowledging a national identity, I am also acknowledging that I owe special obligations to fellow members of my nation which I do not owe to other human beings."[43] Nationalists argue that a sense of shared belonging and common history that exists between the members of a nation is crucial for the purposes of social justice within a country. As pointed out by Tan, "common sympathies provide the motivation for ordinary individuals to extend the scope of their moral concern beyond the narrow and intimate circle of the family, kin, and tribe but to include also

fellow citizens with whom they have no direct personal ties."[44] Theorists like Sandel have often criticized liberalism for failing to recognize the imperative of a community or collective held together by a shared conception of the good standing behind the ideal of justice.

The communitarian objection to global or international justice is then that justice is a virtue *within* political communities, not *between* them. This position continues even with the advent of globalization whereby social processes have transcended territorial spaces and are now played in a global or meta-territorial realm. Communitarians assert that the main challenge in the way of global justice, and perhaps one that cannot be easily overcome, is the non-existence of global society. For communitarians, as mentioned above, concepts of justice depend upon the prior existence of social relationships, which create obligations of justice by defining its principles, subjects and objects. In the words of Frank Garica, "society is more than the field of application for justice: it creates justice itself. No society, no justice. To be more precise, communitarians speak of the absence of community at the global level, as something "deeper" than mere society."[45] Communitarians maintain that although we may share a common humanity and mutual interests, we do not share obligations of justice unless we already share certain kinds of social relations, usually identified with the nation, and generally expressed in terms of shared traditions, practices and understandings.[46] According to the communitarians then, it may be possible to grant the existence of some kind of global society, consisting of associations for mutual self-interest, where nations, states and peoples engage and interact with each other freely. However, the authoritative or moral exercise of mutual obligations do not hold valid in such an association. Such an association, according to them, is clearly distinguishable from true "community," which requires something more – obligations and a common shared conception of the good. Justice is reserved for such "true communities".

The communitarian position holds that arriving at principles of justice for states is not possible because the international sphere lacks the sort of social relations on a global level, which make justice possible. Only in nationally bound democratic societies do communities exist. Such societies hold the possibility of justice because they are characterized by shared practices, traditions and understandings which help create individual identity, and the social solidarity and sense of common purpose necessary to support the sacrifices and obligations of justice. Also, for a conception of international justice it is necessary that we care for each other or think politically about each other in the distribution of resources. Such a prerequisite is absent in the international realm. Unless these kinds of social relationships exist globally, there is no possibility of global justice.

Communitarian theories of international justice require *a prior* social cooperation, or global community, and not necessarily global society. For them, society by itself is not enough for community, or justice.[47] What is required in addition to a notion of society is common purpose, a common conception of the good and/or solidarity. Few communitarians do point explicitly to the distinction between community and society. Walzer, for instance, when detailing his account of community marks a distinction between associations and communities, and this distinction is premised on the idea of self-interest. Society can exist as an association whenever two or more gather for a shared reason, but community exists, in his view, only when people gather, or understand themselves as having gathered together, for a common purpose, a common good. Put differently, a community, unlike a society is not created by nor premised on the idea of mutual self-interest; even though perhaps it may begin from self-interest, it must and often does grow and mature or develop into something more, something in excess: a view of the common good, growing out of shared traditions, practices and understandings rooted in a shared history. Within this community, justice consists of

distributions made according to the community's shared understandings. For Walzer, it is a people's shared life which determines justice, and not the other way around.[48]

Justice therefore requires *a prior* community, in which all relevant distributive decisions take place according to shared traditions, practices and understandings of justice. In Walzer's words, justice "is rooted in the distinct understandings of places, honours, jobs, things of all sorts that constitute a shared way of life." In a similar vein, distributive justice "presupposes a bounded world within which distribution can take place: a group of people committed to dividing, exchanging, and sharing social goods, first of all among themselves."[49] For Miller, this bounded world is the nation. According to him, nationality consists of the following: shared beliefs of a set of people: the feeling that each belongs with the others; the assurance that their association with each other is neither transitory nor instrumental, but rooted in a long shared history of living together that will continue into the future; and a sense of loyalty adequate to justify sacrificing individual interests for the group.[50]

Theorists like Miller and Walzer have been subjected to a forceful criticism and mainly on the empirical reality of disagreement over what it entails to be a community, over shared social understandings, the idea of a common good, the place for newer and critical positioning on this shared common good and the problem of false consciousness.[51] All three call into question the empirical reality of community, and therefore the credibility of linking community to justice. Walzer does recognize the problem of political disagreement over a social practice or conception of the good. However, he is quick to put it aside. He makes a reference to a possible indignation on the part of lower caste on the issue of unequal and also unjust social distributions; but he also suggests that this inequality is such that "it matches the

shared understandings of the community".[52] Walzer however does not sufficiently explain how this matching is achieved.

When responding to the fact of social conflict, particularly conflict over what are purportedly "shared" understandings, communitarians shift the level of analysis. Walzer, for instance, suggests that any political disagreement over the meaning of social goods or collective understandingleads to a sort of "second order" set of understandings concerning how disputes are to expressed, managed and adjudicated, and even mechanisms for "alternative distributions." In addressing a similar problem with the relation between nationality and ethnicity, Miller creates a similar distinction, between public and private culture. Noting that nationality as a fact is often created out of disparate ethnic groups and even forced upon minority ethnic groups with prior existing identities of their own, Miller posits a bifurcation of national culture, between a shared public culture and differing private cultures.[53]

Garcia draws from these arguments of Miller and Walzer to suggest that there is a possible reconciliation between nationalism and communitarianism over the issue of global justice. In his words: "This move to a second or public set of shared understandings about justice is important for the question of global justice, because it suggests a location for understandings about global justice independent of primary understandings or nationality-based commitments. If we understand Walzer and Miller to say that shared understandings of justice in fact involve agreements over the priority of public over private culture, or agreements about the institutional management of conflicting claims, then we can look for global justice, and the *a priori* community for global justice, by looking at the meta-state or public culture level for shared understandings concerning conflicting global claims. In other words, global community as far as justice is concerned, may look less like a single global

community in the national sense, and more like a global set of shared understandings about claims and conflicts, or a global public culture."[54] In fact, Garcia suggests that globalization has made a possible space for the establishment of global community characterized by features such as shared practices and understandings and a community of risk. But he regards our shared understanding of the need for "meta-state institutions" to be the most relevant of the contributions of globalization. In his words, "perhaps the strongest force for, and evidence of, an emerging global limited community involves our recognition of a shared need to look to institutions beyond the state in order to frame an adequate social response to many of the problems and challenges we face. In other words, the need for increased global governance is itself a shared understanding, and the reality of global governance by nature constitutes a shared practice."[55]

Recognizing that this shift to a meta-state institutional level may be regarded by communitarians as a realization of global society and not global community, Garcia states that the "move to the meta-state level could be seen as merely creating global society, which in the communitarian view does not entail global community. However … this shift towards the meta-state level has profound communitarian consequences, in three ways. First, this shift indicates that the communitarian assumption of bounded distributive communities no longer holds at the nation-state level, necessitating a shift to a "higher" or "more inclusive" level of community in which all relevant distributive decisions are taken – the global level…. Second, the fact that globalization is forcing us to look to international institutions such as the UN and the WTO for global policy solutions has a community-building effect. The role played by common institutions sharing a common language in building polities out of disparate peoples has long been recognized in domestic politics as "nation building"…. Third, this shift to meta-state institutions represents the emergence of a shared understanding with respect to

regulating global social conflict. This brings to mind the distinction between first- and second-order social understandings in both Walzer and Miller with respect to how we manage conflicts over "shared" understandings in domestic communities, and suggests how globalization may be creating a broader shared understanding with respect to how we manage conflicting claims."[56]

Holding a similar intention, although with a different perspective, Kok-Chor Tan draws from the communitarian challenge to international justice to develop a credible position, which I present below.

Tan uses two arguments for offering a communitarian perspective on international justice: first the argument of national self-determination and second, the imperative to be committed to international equality as a prerequisite for the project of nation-building.

I begin with the first. The idea of nationalism and community is essentially linked to the principle of national self-determination. Nations have been the basis for state formation in the modern age. A people are recognized as being ruled by a sovereign state only after they are recognized as a nation and/or national collective. In fact, the principle of national self-determination which constitutes the basis for state formation and legitimation in the world today regards the existence of a nation of people as a prerequisite for the constitution of a sovereign state. To this extent, it may be possible to argue that states are considered as just requirements only after a people have moulded themselves and regard and identify themselves as a nation. Also, to be recognized by others as a state requires such others to recognize and regard a people as a nation. In other words, the recognition of a people as a

nation as a prerequisite for statehood is not only an issue of the internal dynamics of the politics of these people, it also involves an external recognition by others.

In fact, the right to national self-determination is integral to the idea of nationalism. As David Miller states, "the assumption of nationhood and the quest for self-determination are merely two sides of the same coin."[57] Rawls, in spite of his liberal commitment, also reiterates the significance of self-determination, when he says: "it is surely a good for individuals and association to be attached to their particular culture and to take part in it common public and civic life. In this way, belonging to a particular political society, and being at home in its civic and social world, gains expression and fulfilment. This is no small thing. It argues for preserving significant room for the idea of a people's self-determination and for some kind of loose Confederative forms of a Society of Peoples."[58]

Interestingly, Rawls is compelled to support the idea of national self-determination which is based on a collective-communitarian understanding, in spite of him being a liberal, simply because one of the features of liberal nationalism is indeed the universalizability of the principle of national self-determination. For liberals, self-determination is a right that all nations, under appropriate conditions, are entitled to. The only limit on this right is that a nation's exercise of its right to self-determination does not harm or infringe upon another nation's right. As mentioned by Tan, "this universalizability condition applies not just o nations outside a country's borders, but, as some liberals have argued in recent years, to minority nations within as well…. Indeed it is the universalizability of self-determination, what Kymlicka calls the principle of reciprocity that grounds the liberal defence of minority rights."[59]Even if national self-determination does not necessarily justify statehood, it does carry a claim to a certain degree of political autonomy complemented by the understanding of

the entitlement to express, reflect and foster the national cultural identity. This is perhaps why Kai Nielsen regards the right to self-determination as a "reiterative right", a universal right of all nations, since "if nationality is good for some, then it must be a good for all under relevantly similar conditions.[60]

In this regard, Yael Tamir makes an important critical contribution to the discourse on nationalism. According to Tamir, claims of national self-determination can be advanced by employing either a particularist or a universalist discourse. Here, Tamir notes a certain paradox in practices of nationalism: "instead of using a universal language of justification, nationalists often prefer a particularist one, thus obscuring the universalist principles that provide the necessary moral justification for their demands."[61] Even though this is an important point, it does not necessarily hold relevant for the scope of this study. While this argument focuses on the validity of a claim for national self-determination, this study is concerned with arriving at principles of justice for states.

Tan does make an attempt to relate the claim of national self-determination to the principle of international justice. According to him, "if there are certain necessary preconditions for self-determination, it seems to follow that if one accepts sincerely the universality of self-determination, one must also be committed to protecting or bringing about these preconditions."[62] Here, Tan points to two preconditions: first political and legal ones and second economic ones. According to him, political and legal preconditions for self-determination, such as institutionalizing decolonization, prohibitions against unwarranted interference and the right to territorial and communal integrity, among others, have already been widely recognized in contemporary international law and practice. In his words, "the right to nation states to self-determination and non-interference is a basic norm of

international law and is affirmed and institutionalized in the various international declarations and covenants on individual rights and peoples' rights."[63] There are other equally important preconditions, which, he believes, have received lesser importance, and one such precondition is economic equality. In Tan's words, the universal claim to self-determination requires"the assurance that the material preconditions for the realization of this right obtain for all nations. Thisentails a *pro tanto*commitment to some form of economic equality among nations…. The lack of material resources can negatively impact on a nation's capacity to preserve and express its national culture in a variety of ways. First, a lack of basic resources deprives needy nations of the social and economic resources that are needed to sustain functioning and well-ordered national institutions…. Second, the lack of ample social and economic resources compromises a nation's ability to support the necessary institutional schemes to preserve and promote its cultural heritage."[64] Tan therefore concludes that given the way in which economic deprivation can adversely affect a nation's realization of self-determination, it is imperative that an understanding of global equality be introduced into the idea of nationalism and national self-determination. As Nielsen has put it, "failure to ensure that the preconditions of self-determination are secured universally is to make a hollow mockery of one's stated commitment to the universality of national self-determination."[65] Put differently, this argument would suggest that there is an implicit reference to the ideal of global justice in the principle of national self-determination, which in turn, is an expression of a communitarian reading of the international world. This argument, although somewhat moralistic, does seem to have an edge. If the principle of national self-determination is universal then the conditions to realize the principle must also be made universal. However, it is politically deficient, for a country with stronger economic resources can simply abdicate its responsibility of providing to a country with weaker resources, on the grounds that if the latter cannot meet the preconditions, then the goal of national self-determination may be

aborted or perhaps postponed. There is no explanation offered by Tan about what obligation one country has over the right to self-determination of another.

I now move on to the second argument of Tan which understands the commitment to international equality to be a prerequisite for the project of nation-building. All states are nation-building states, and in an attempt to *build* and *sustain* a nation, states often close their borders, thereby restricting the movement of people into their country. In Tan's words, "the belief is that it could be a legitimate nationalist goal to regulate immigration in order to protect and preserve a certain national identity that is necessary for sustaining and preserving important democratic political and public institutions. It is not that outsiders cannot in principle be integrated into the national culture, so defined, but that the process of integrating outsiders into a common societal culture characterized by a common language and shared public institutions takes time and education, and, therefore, an absolutely open immigration policy might risk overwhelming a national culture at a given time. Regulating immigration thus allows a liberal state the needed interval of time to sustain and protect the national unity so crucial for grounding its democratic institutions."[66]

However, it is sufficiently acknowledged that immigration is often undertaken for economic development whereby people move from poorer to richer countries. Some liberal thinkers have then questioned the restriction on immigration and the closing of national boundaries mainly because it denies some people the opportunities to improve their life conditions. According to Joseph Carens, "if we take the liberal idea of equal opportunity seriously, then we should seriously entertain the notion of open borders and free movement of people in the world. To allow states to restrict, or even regulate, immigration is to allow them to arbitrarily deny others the same access to resources its own citizens enjoy, and this would be a violation

of equality of opportunity…. Not allowing people to improve their conditions by allowing them to move countries is akin to the feudalist ideal that people's life chances are to be wholly determined at birth…. In a Rawlsian veil of ignorance globally construed, behind which individuals do not know their nationalities among other contingent facts about themselves, they will indeed opt for open rather than regulated national borders."[67] However Tan argues that this "tragic conflict" between the commitments to liberalism and the strategy of nation-building is not inevitable. In his words, "it is not an inevitable fact of our world that border closure necessarily means that equal opportunity cannot be had by all individuals of the world. This happens to be the case in our world because of an antecedently unequal global distribution of resources and economic opportunities. The obvious thing … to do, then, is to ensure that such a dilemma need not arise by striving for a world in which wealth and resources are more equally distributed to begin with. Once a more egalitarian international order is achieved, the … strategy of regulating immigration need no longer be in conflict with the … commitment to equal opportunity. Barring disadvantaged people from coming into one's borders need not violate equal opportunity if one is willing to move some resources from within one's borders out to them. Indeed, in such a world much of the motivation for immigration in the first place would be averted."[68] Although this is a morally stimulating argument, it may not be seen as a politically viable one. Tan gives no reasons why a economically advanced country should move its resources to a comparatively lesser developed country, when it can easily restrict immigration by closing borders. Why should a country which has absolute sovereign jurisdiction over its territorial boundaries, willingly offer its resources to another?

From the above, it is clearly evident that the communitarian perspective on international justice is deeply contentious. In fact, there seems to be little clarity about how a

communitarian principle of justice for states ought to be discerned and justified. While communitarians have been rather vehement and convincing regarding their position on justice within the nation, and to some extent, although rather problematically, within the home, they fail to offer a credible account of international justice for the relations among states. Above, I have attempted an examination of some of the important positions on communitarian international justice. In the next section, I offer an analysis of the idea of the conception of the self, underlying the communitarian principle of international justice as well as a reading of the relationship between the self and the other. In doing so, I hope to begin to respond to the question raised by my this study, namely, which account of international justice carries a credible account of the conception of the self and its relationship with the other.

4.3 The Communitarian Conception of the Self/Other

In the two sections above, I have attempted a study of the communitarian understanding of the conception of the self and a reading of the communitarian perspective on international justice. Perhaps the most forceful position of communitarianism is with respect to the conception of the self which it advocates. While the dominant post-cold war conception of the self has mainly been understood as the free standing, equal and rational individual – an understanding largely influenced by the works of Immanuel Kant and the post-Enlightenment ethos and one that is employed by John Rawls to arrive at principles of justice for advanced capitalist well-ordered societies – communitarians offer the community as the self for politics. According to them, while the community is the "real" representation of the self in politics, the individual is a flawed, false and apolitical representation of the self. In this section, I explore the communitarian conception of the self and its relationship with the other.

The main concern in doing so is to discern the viability of the communitarian perspective for arriving at political principles of justice for states.

The communitarian understanding of the relationship between the self and the other is developed in opposition to and critical of the individualist conception of the self. The individualist conception of the self, as mentioned above, has remained rather dominant in political theorizing since the advent of modernity. Originating in the arguments of Locke and Kant, and growing fully in the writings of J S Mill, the idea of the self as an individual, emerged as central to the politics of the modernizing social structure.

On the individualist view, people are free, rational and capable of self-determination. This understanding of the self is mainly Kantian in nature. While arguing in favour of an enlightened society, Kant postulated that the project of Enlightenment was incomplete if not impossible without the concept of an individual at its centre. Hence, Kant identified the individual as free, rational and capable of self-determination in order to promote and sustain the project of Enlightenment.

People are *free* in the sense that they possess the ability as well as the right to question their participation in existing social practices and opt out of them should these practices seem no longer worth pursuing. Individuals in other words are free to question and reject or revise any particular social relation. We as individuals have the ability to detach ourselves or step back from any particular social practice and question whether we want to continue pursuing it or not. No particular task or end is set for us by society; no end is exempt from possible revision or rejection by the self. A person's goals, aims and ends are always things that he *chooses* to

attach himself to and therefore detach himself from, when they are no longer worthy of such attachment. A person is thus related to his ends, goals by an exercise of will. Rawls expresses this argument in the following phrase: "the self is prior to the ends, which are affirmed by it".[69]

People are *rational* in that they are the best judges of their interest. Rationality also has remained one of the signatures of an enlightened self and social setup. In fact, rationality is associated with rule or age of reason and with the advent of light, contrary to the age and rule of religion and the era of darkness. They are capable of *self-determination*; that is, they are capable of determining their own conception of the good life. A person's conception of the good life is his set of beliefs and values about how he should lead his life and about what makes life worthwhile. On the individualist view then, individual freedom of choice is needed precisely to find out what is valuable in life, to form, examine and revise our beliefs and values. People must have the necessary resources and liberties needed to live their lives in accordance with their beliefs and values without being penalised (thus civil and personal liberties). They must also have the cultural conditions necessary to acquire an awareness of different views about the good life and to acquire an ability to examine these views intelligently (thus concern for education and freedom of expression).

There have been several criticisms of the liberal individualist position. One major criticism of this liberal individualist position is put forward by Chantal Mouffe. In the chapter on cosmopolitanism above, I have detailed Mouffe's criticism of the liberal individualist conception of the self. According to Mouffe, this position of liberal individualism may be understood as a "post-political" one, which has led to "a world without enemies".[70] For

Mouffe, the identity of the self as an individual is devoid of politics, as it leaves no place for antagonism or conflict, as the self is a homogenized, harmonized and universalized concept. Such a homogenized and universalized understanding of the self, according to Mouffe, is apolitical. In her words, "notions such as 'partisan free democracy'… 'cosmopolitan democracy', 'good governance', 'global civil society', ''cosmopolitan sovereignty', 'absolute democracy' – to quote only a few of the currently fashionable notions – all partake of a common anti-political vision which refuses to acknowledge the antagonistic dimension constitutive of 'the political'."[71] In fact, the liberal individualist conception of the self is so perceived that it remains devoid of a credible conception of the other. There is no conception of the other, which occupies the realm of the political, in the liberal perspective – the other, identified as the alien, refugee or mad, is always outside the realm of the political. The idea of the political, according to the liberal individualist understanding, is then bereft of a conception of the other, and perhaps also then of the political. The liberal individualist conception of the self has thus been confronted with several criticisms and the most forceful and dominant of such criticisms, particularly since the 1980s is that of the communitarian conception of the self which regards the self as a community, rather than 'the unencumbered individual'.

The communitarian understanding of the self is radically different from the liberal individualist one. It holds that the conception of the self is the collective – the community, which is constituted by a shared conception of the good. As mentioned above, the community is the site wherein we as persons discover ourselves – wherein we are located, and which influences our live choices and conceptions of the good. The community is also the site of politics, since our political ends are determined and arrived at only through our collective social existence. Here, communitarians seem to be highly influenced by Aristotle and Hegel.

However, what is the conception of the relationship between the self and the other in communitarian political theory and how credible is such a conception for arriving at and agreeing upon principles of international justice.

The communitarian conception of the self is that of the community. The community or collective remains the main starting point for politics. According to communitarians, we start our lives as members of communities, whose ends and choices are determined by our collective existence and shared understanding of the good. For the communitarian perspective, the community is a bounded unit, held together by mutually agreed upon notions of the good. Here, the communitarians are influenced by Rousseau, particularly the Rousseau's conception of the General Will.

The other, in communitarian political theory, does occupy a space within the political. The 'communitarian other' – if it were possible to use this phrase, is understood in terms of two perspectives, namely first the minor or minority grouping *within* the community, which may be constituted by a common identity which is not sufficiently represented or promoted by the community or a group of persons who are victims of cultural alienation and therefore being compelled to accept an alien culture and are thereby distanced from their cultural understandings and shared conception of the good, and secondly, *outside and alongside* the community, which may include such communities and groupings who are not equally recognized by the state, in terms of its holidays or official language and who may therefore be victims of cultural exclusion and oppression. In both cases, communitarianism regards such groups as others.[72] In fact, if communitarianism has led to the development of the theory of multiculturalism, it is mainly because of its' identification of the other, within the

community, on cultural grounds. The main concern of multiculturalism is to render the public/political space accommodative and respectful enough of minority cultures, whether such minority cultures are constituted on grounds of language, gender, race, history and even nationality and migration.

Communitarianism therefore holds that the other is both within the community as well as outside it. However, the other like the self is manifest in the form of a community. There is a common conceptualization of the nature of the self and the other, however there is a difference in terms of the politics underlying such conceptualizations: while the self is satisfactorily represented and accommodated in public and political institutions, the other is denied such representation and accommodation and even some times respect in such spaces.

It is important to note that the understanding of the self and the other as conceptualized by communitarianism has contributed substantially to the identification of the minority culture in societies which are multicultural as well as in guaranteeing minority rights, as measures of compensatory and/or corrective discrimination for redressing such injustice. In fact, the different theories of multiculturalism have offered a varied set of responses and possibilities for correcting the injustice experienced by minority cultures in the political space. The political space has for long been monocultural, since it inevitably has to speak a common language, foster common values and express itself in a common shard culture. This necessarily puts other cultures at a disadvantage, who are then, according to the theory of multiculturalism, to be guaranteed minority rights as compensatory measures for correcting such disadvantages. Such compensatory measures include the rights of cultural minorities to

preserve and protect their culture in the public space which is dominated by the culture of the dominant.

The other in a communitarian perspective is thus rather contested. In fact, the politics inherent in the communitarian perspective has been understood in two radically different ways and for obvious reasons. Holding the community as a valid and valuable entity in public/political life is acceptable so long as it does not slide into conservative, traditional or regressive proposals. So, to illustrate, it may be acceptable and even valid for a community to demand for minority cultural rights in order to preserve its culture in the face of the onslaught of the dominant culture. However, the rights to protect and preserve ones' culture often regresses into a conservative regressive proposal, whereby cultures which are essentially patriarchal or racist, and thereby deny rights to some members of the community within.

There are thus two different notions of the politics of communitarianism: the first which offers a nostalgic yearning for the community even if it is at the cost of individual rights and freedom; and the second which argues for balancing individual freedom with cultural rights by arguing in favour of a social context for individual freedom. Such a differentiation is made by Michael Walzer when he differentiates between "thick" and "thin" moralities.[73] Similarly, Derek Phillips categorizes these two positions as 'looking backward' and looking forward'.[74]As explained by Kymlicka, "those who look backward typically offer a nostalgic lament for the 'decline' of community, which presupposes that our social institutions functioned well in the 'good old days', but have been eroded by the increasingly aggressive assertion of individual and groups diversity. Such movements as feminism, gay rights and multiculturalism are seen as having undermined the sense of community. It is said that we

have 'gone too far' in accommodating individual choices and cultural diversity…. Such nostalgic communitarians seek to retrieve a balance between diversity and unity by 'retrieving' a conception of the common good, and by containing or reducing the sort of diversity that would undermine the common conception of the good…. Forward looking communitarianism accepts these facts, but worries that our traditional sources of social unity cannot bear the weight of all this diversity…. It seeks new ways to build bonds of community that integrate and accommodate our diverse choices and lifestyles."[75] This categorization may also be understood in terms of the way in which the community is perceived. A forward looking communitarianism would perceive the community as a site or a context for addressing the injustices meted out to its members. For this understanding of communitarianism, the community per se is not to be recognized, rather it provides a context for adjudicating over the distribution of its resources and recognition of its values. Contrarily, backward looking communitarianism perceives the community as something to celebrate and applaud, irrespective of its inherent injustices. Such a celebratory and/or laudable approach to the idea of community fails to take cognizance of and address the injustices which the community valorizes.

It is apparent that the backward looking communitarianism may not prove effective in the international realm. Were national communities to look backward or inward, gazing regressively at their histories and positioning, it would result in a state of animosity wherein states would be inconsiderate and somewhat intolerant of others. Liberal nationalism is often seen as a forward looking communitarianism, which seeks to bond together people who are otherwise very different in their origins, beliefs and ways of life into a single political entity. The question however is can a forward looking communitarianism offer a credible

understanding of the conception of the relationship between the self and the other for international justice?

In the international realm, communities either as the self or the other, when understood in terms of a forward looking communitarian perspective could offer a somewhat credible understanding. The balance between the social context and individual rights is an important contribution to the understanding of a credible relationship between states as it facilitates a space which recognizes the distinctiveness of each state as well as the imperative to construct and maintain a common international public space. States would be able to regard themselves either as self or the other as well as engage with the need to associate with other states.

More importantly, the communitarian perspective does offer space and value to the idea of the nation and nationalism. Particularly, forward looking communitarianism, as mentioned above, does recognize the value and contributions of the idea of nationalism, when it upholds the community – read nation – as the context of political activity among people of the same territorial entity. It is this understanding of communitarianism/nationalism which scholars like David Miller and AmitaiEtzioni uphold for understanding the cultural context of the relationship among states.[76]However, there are some other scholars who choose or prefer to use the idea of patriotism over the idea of nationalism. Nationalism, they argue, is enforced, somewhat "imagined" as well as territorially dependent; patriotism on the other hand, is more ethical and emotional in its appeal to the attachment and affect for the political community. Some of such scholars who offers such arguments are Kok-Chor Tan, Simon Keller and Stephen Nathanson.[77]

The problem with the communitarian perspective on the conception of the self and other, however, is that it offers a fixed or closed understanding of the relationship between the self and the other. By recognizing the need of the other – the minority – to preserve its right and by recognizing the self as the dominant, communitarianism closes the possibility of a shift in such positions. It locks the other in a situation of disadvantage even if it guarantees compensatory minority rights towards the correction of such disadvantage. The issue is that in the international world, where states are equal in terms of their sovereign status, it would be politically incorrect and undesirable to lock a state in a position of the other in order to award it compensatory treatment. There has already been sufficient criticism on the labelling of some countries as less developed (LDCs), which has led to such countries being referred to as developing countries: while the former label locks the state in a position of disadvantage, the latter leaves the positioning open and flexible.

Another equally compelling issue with the idea of the communitarian conception of the self and the other, is that communitarianism crystallizes the idea of a collective shared understanding. While this may be appropriate for groups within the nation state, to employ this perspective at the international realm may be somewhat harmful as it could result in a hard form of nationalism. States may see themselves fully justified in limiting the movement into their borders of citizens of other states, on the grounds that this would weaken if not dilute their understanding of a common shared conception of the good.

The communitarian conception of the relationship between the self and the other, although valid and credible for principles of justice within the boundaries of the state, seem somewhat inadequate when employed for working out principles of justice for states. The understanding

of this relationship from a communitarian standpoint seems to lock a state in the position of the other, thereby placing it at a formidable disadvantage vis-à-vis other states in the international realm. Although the communitarian perspective does foster and promote the nationalist position, this position does hamper the determination of principles of international justice, mainly because it expects that societies would remain isolated in their understandings of nation and nationalism, with little necessary contact or establishment among states. Nationalism although a potent device within states, and a legitimate necessity for order within states, as well as for relations between states, does put forward some substantial limits in the process of arriving at principles of international justice.

4.4   Some Concluding Remarks

In the sections above, I have outlined the communitarian perspective on the conception of the self and its relation to the other. The communitarian perspective has contributed in a significant way to the development of contemporary political theory, and this contributions is mainly in terms of the renewed conception of the self which it offers. According to communitarian thinkers like Charles Taylor, Michael Sandel and Michael Walzer, the liberal individualist theory of the self is flawed, false and apolitical. It is flawed in that the self, when constructed as an individual, fails to be representative of the true nature of people. Communitarianism, being highly influenced by Aristotle, holds that people are by nature social. Also, any political aspect of life depends on one's social existence. For communitarians, freedom or choice is also dependent on a social cultural context, in the absence of which persons are devoid of reasons and interests to realize freedom and determine choice. Such a representation is also apolitical in that by shunning aside the

community and cultural values, the site of politics is also shun aside.[78] Peopleconceptualized as individuals is then a flawed, false and apolitical representation of who we are.

The communitarian perspective holds that the community is a relevant context for social and political existence, without which the citizen is denied an understanding of his/her ends and interests. In fact, communitarians like Michael Sandel argue that the community is an essential site for the establishment and sustenance of a citizen's republic, which cannot be achieved by individual selves. In his words, "the procedural republic is caught in a contradiction, for an unencumbered self is incapable of sustaining the necessary loyalty and commitment." Can we view ourselves as "independent in the sense that our identity is never tied to our aims and attachments?" Not "without cost to those loyalties and convictions whose moral force consists partly in the fact that living by them is inseparable from understanding ourselves as the particular persons we are – as members of this family, or community or nation or people, ass bearers of that history, as citizens of this republic. Allegiances such as these are more than values I happen to have, and to hold, at a certain distance. They go beyond the obligations I voluntarily incur and the 'natural duties' I owe to human beings as such. They allow that to some I owe more than justice requires or even permits, not by reason of agreements I have made but instead in virtue of those more or less enduring attachments and commitments that, taken together, partly define the person I am."[79] For communitarianism then, the community is not only important for a more valid representation of who I am, but more importantly, for the sustenance of a republic or even a political community.

In the sections above, I also examined the communitarian understanding of international justice. I explored the arguments of such thinkers as Yael Tamir, David Miller and Kok-Chor Tan, who offer different understandings of the communitarian perspective of justice for the international realm. Kok-Chor Tan has in fact offers a compelling argument for a communitarian understanding of international justice. Tan argues that any understanding of a democratic unity of a just entity would have to demonstrate a commitment to a degree of patriotism or communitarian ethos. In his words, "patriotic concern is an attractive feature of our common-sense moral world. Indeed, a world devoid of patriotic ties might be a world in which the common bonds necessary for democratic politics are absent."[80] And yet, Tan recognizes that it is this patriotic commitment that comes in the way of any attempt to arrive at a credible and morally enforceable account of international justice. Let me explain.

According to one strand of communitarianism, any sense of justice develops from an absence of love, friendship and solidarity. As discussed above, the lack of friendship and care is what encourages the imperative for justice. According to another strand of communitarianism, justice can only be viable and possible in a communitarian context. For a sense of justice to prevail, the members have to share a common conception of the good, which binds them together into a community, with feelings of mutual affect and concern. Such mutual affect and concern may simple be a manifestation of one's self interest, however, it is required to develop a sense of justice. Justice according to the communitarian perspective cannot be determined or made enforceable in a 'republic of strangers'. And yet it is this feeling of mutual affect and concern within the community which limits the possibility of arriving at a feasible understanding of international justice.

Evidently, international justice or justice for states would require at a preliminary level, the feeling of mutual concern and affect going beyond state borders. State borders are certainly meant to be closed and inflexible when defining the concept of the nation and limiting the ideal and identity of citizenship; however when discerning principles of justice for states, it would be minimally expected that the borders of the state are somewhat pliable, at least to the extent that they allow a sense of care and concern beyond borders. Contemporary understandings of statehood however do not encourage or facilitate such a feeling of mutual concern beyond borders. The borders define not only the feeling of nationalistic sentiment and belonging, but more importantly, they offer a limit to the need to demonstrate and display a concern of justice beyond them. Borders encircle and close the realm of justice, so that instances and issues of injustice outside the borders of the state are really not the concern or responsibility of the inhabitants or citizens of the state. As pointed out by Tan, "in a world marked by injustices, patriotic concern among citizens in well-off countries is at odds with the idea that people use only resources that are rightly theirs to realize their special commitments and ties."[81]

This is then the main obstacle in the understanding of a communitarian conception of international justice. Even though the communitarian understanding of justice does offer a valid and credible account of the conception of the self and his relationship with the other, it fails to be applicable to the international context. The understanding of the community as the context for justice is indeed convincing. Justice can only be required, negotiated and implemented in among members of a community. Rawls, although a liberal philosopher holding the individual as his starting place, also seems to be establishing a community of persons when arriving at principles of justice, particularly the Principle of Difference, as well as when implementing such principles. However, once we apply this perspective to the

international realm, it falls short of offering a credible understanding of justice. On the contrary, it requires that people remain committed only to their national loyalties; any loyalties outside the boundaries of the nation are not legitimate and not justifiable. This results in a rather restricted understanding and certainly one which inhibits the idea of international justice.

For any understanding of international justice, what is required is the recognition of a common humanity, a common shared conception of the good outside the boundaries of the nation state. The communitarian perspective does not offer space for such a recognition. Rather by locking people into communities, and by recognizing persons only as members of a community, communitarianism curtails the space for a conception of international justice. What is missing perhaps is a conception of an "international community" or "trans-nation state community". Were this to be theorized by communitarians it could result in the possibility of an understanding of international justice. However, this would require a rethinking of the idea of the nation-state; a reconceptualization of the self and possibly the other in international politics. It would perhaps entail rethinking the concept of the sovereign state system, which regards each state as a national community and yet regards all states to be somewhat living in a relationship of sovereign independence with each other. Justice, as noted in the first chapter of this study, requires a relationship between its claimants – a social relationship, which ought to be worked out for the international state system. In other words, for arriving at the possibility of international justice, it is necessary to rethink the international state system.

In the next chapter, I conclude my study by offering a tentative preliminary possibility of such a reconceptualization of the nation-state.

ENDNOTES

[1] SeeMichael Sandel, *Liberalism and the Limits of Justice*

[2] See Chris Brown, *International Relations Theory*

[3] Plato, *Republic,* p.66

[4] Jonathan Barnes, *The Complete Works of Aristotle, Volume 2,* p.1987

[5] SeeAmy Gutmann, "Communitarian Critics of Liberalism"

[6] Charles Taylor, "The Politics of Recognition", p. 28. Here, Taylor draws from Lionel Trilling's *Sincerity and Authenticity*

[7] John Rawls, , "Kantian Constructivism in Moral Theory", pp. 544-545

[8] Michael Sandel, ,"The Procedural Republic and the Unencumbered Self" p.81

[9] Michael Sandel, "The Procedural Republic and the Unencumbered Self" p. 86

[10] Michael Sandel, *Liberalism and the Limits of Justice,* p.19

[11] Mulhall and Swift, *Liberals and Communitarians,* p.51

[12] Michael Walzer, *Spheres of Justice*, p.6

[13] Michael Walzer, *Spheres of Justice*,pp.8-9

[14] Michael Sandel, "The Procedural Republic and the Unencumbered Self"

[15] Mulhall and Swift, *Liberals and Communitarians,* p.102

[16] See Charles Taylor, *Sources of the Self*

[17] Charles Taylor, *Sources of the Self*,p.27

[18] Charles Taylor, *Sources of the Self*, p.36

[19] See E Frazer, *The Problems of Communitarian Politics*

[20] By using the term international society, I do not suggest the idea of a "society of states", although this is a valid concept in itself. The term international society used here is in terms of the social relations among individuals and groups of individuals, irrespective of territorial boundaries.

[21] Will Kymlicka, "Community and Multiculturalism" in Robert E Goodin, Philip Pettit and Thomas Pogge (eds.) *A Cambridge Companion to Political Philosophy*, p.465

[22] Michael Sandel, *Liberalism and the Limits of Justice*, pp.28-35

[23] Ronald Dworkin, *A Matter of Principle,* p.219

[24] See Michael Walzer, *Spheres of Justice*. Also see *Thick and Thin*

[25] Will Kymlicka, "Community and Multiculturalism" in Robert E Goodin, Philip Pettit and Thomas Pogge (eds.) *A Cambridge Companion to Political Philosophy* p.467

[26] Charles Taylor, "The Politics of Recognition" pp.25-26

[27] Chris Brown, *International Relations Theory,* p.66

[28] GW F Hegel, *Philosophy of Right,* Sections 328 and 329 pp. 315-316

[29] Charles Taylor, "The Politics of Recognition", p.25

[30] J S Mill, *Considerations on Representative Government,* pp.546-548

[31] See J J Rousseau, T*he Government of Poland*

[32] J S Mill, U*tilitarianism, On Liberty and Representative Government,* p.361

[33] Will Kymlicka, *Contemporary Political Philosophy,* pp.261-261

[34] Will Kymlicka, *Contemporary Political Philosophy,* p.262

[35] Will Kymlicka, "Community and Multiculturalism" in Robert E Goodin, Philip Pettit and Thomas Pogge (eds.) *A Cambridge Companion to Political Philosophy,* p.474

[36] Kok-ChorTan, *Justice without Borders, p*p. 181-182

[37] Chris Brown, *International Relations Theory,* p.71

[38] David Miller, *On Nationality,* p. 11

[39] Yael Tamir, *Liberal Nationalism,* p. 15

[40] Michael Walzer, "The Moral Standing of States", p.211

[41] David Miller, *Citizenship and National Identity,* p. 174

[42] David Miller, *On Nationality,* p.108

[43] David Miller, *On Nationality,* p.49

[44] Kok-Chor Tan, *Justice without Borders,* p.181

[45]Frank J Garcia, "Globalization, Global Community and the Possibility of Global Justice", p. 6

[46]Allen Buchanan, "Assessing the Communitarian Critique of Liberalism", pp. 856-857

[47] Here communitarians disagree with liberal political thinkers, mainly John Rawls, who assert that justice is a virtue of society, defined as a "cooperative venture for mutual advantage" Such liberals leave aside the question of solidarity and common ends. See John Rawls, *A Theory of Justice*, p.14.

[48]Michael Walzer, *Just and Unjust Wars,*p.54

[49]Michael Walzer, *Spheres of Justice,* p.314

[50] David Miller, "The Ethical Significance of Nationality," p. 648. In *On Nationality*, Miller joins this concept of nation as ethical community, with a notion of self-determination, bringing the idea of "nation" closer to Rawls' notion of a "people." David Miller, *On Nationality,* p.11.

[51]Joshua Cohen, "Review: S*pheres of Justice",* pp. 456-468

[52]Michael Walzer, *Spheres of Justice,* p.314

[53]David Miller, "The Ethical Significance of Nationality", pp. 657-658

[54]Frank Garcia, Globalization, Global Community and the Possibility of Global Justice", p. 12

[55]Frank Garcia, Globalization, Global Community and the Possibility of Global Justice", pp. 21-22

[56]Frank Garcia, Globalization, Global Community and the Possibility of Global Justice", pp. 23-25. In the second point, Garcia uses Will Kymlicka's arguments which is made in "Territorial Boundaries".

[57]David Miller, *On Nationality,* p.83

[58]John Rawls, *The Law of Peoples,* p.111

[59]Kok-Chor Tan, *Justice without Borders,* p.111

[60]See Kai Nielsen, "Cosmopolitan Nationalism", p.449

[61] Yael Tamir, *Liberal Nationalism,* pp.70-72

[62]Kok-Chor Tan, *Justice without Border,* p.114

[63] Here Tan notes that much work is yet to be done, which includes not only conceptualizations but more, "the political work of bridging the gap between rhetoric and

practice. There is also the issue of extending the political right of self-determination to minority nations .Kok-Chor Tan, *Justice without Borders,* p.114

[64]Kok-Chor Tan, *Justice without Borders,* pp.110-115

[65]Kai Nielsen, "Cosmopolitan Nationalism", p.449

[66]Kok-Chor Tan, *Justice without Borders,* p.124

[67]Joseph Carens, "Aliens and Citizens: The Case for Open Borders", pp. 260-262

[68]Kok-Chor Tan, *Justice without Borders,* pp.125-126

[69]John Rawls, *A Theory of Justice,* p.491

[70]Chantal Mouffe, *On the Political,* p.1

[71]Chantal Mouffe, *On the Political,* p. 2

[72] Contemporary political theory is marked by a rich and substantive academic discourse on multiculturalism with contributions by such thinkers as Will Kymlicka, Charles Taylor, Bhikhu Parekh, Anthony Appiah, SeylaBenhabib, Amy Gutmann, Joseph Raz, I M Young and ChandranKukathas among others.

[73] See Michael Walzer, *Thick and Thin*

[74] See Derek Phillips, *Looking Backward*

[75]Will Kymlicka, *Contemporary Political Philosophy,* pp. 271-271

[76]See David Miller, *On Nationality.* Also see AmitaiEtzioni, *Political Unification Revisited.*

[77] See Kok-Chor Tan, *Justice without Borders;* Simon Keller, *The Limits of Loyalty;* andStephen Nathanson, "Patriotism, War and the Limits of Permissible Partiality"

[78]See Amy Gutmann and Denis Thompson, "Moral Disagreement in a Democracy". Also see *Why Deliberative Democracy?*

[79]Michael Sandel, "The Procedural Republic and the Unencumbered Self", p.23

[80]Kok-Chor Tan, *Justice without Border,* p.199

[81]Kok-Chor Tan, *Justice without Borders,* p.199. Although Tan does offer a dilution of the patriotic and nationalistic feeling for arriving at principles of international justice. In his words, "just entitlements must be established and secured before personal commitments and projects may be pursued, if the integrity of such pursuits is to be preserved…. Anyone from a rich country who takes patriotism seriously must, therefore, be motivated to strive for a just world if she wants to discharge her patriotic duties in good conscience." pp. 199-200