

SYMPOSIUM: WALZER AND THE MORAL STANDING OF STATES

The Moral Standing of States Revisited

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“The Moral Standing of States” is the title of an essay Michael Walzer wrote in response to four critics of the theory of nonintervention defended in *Just and Unjust Wars* (of which I was one).¹ The essay was written nearly thirty years ago and is still read today. This is not only because it clarifies and deepens the argument about the nonintervention principle presented in the book. That principle belongs to a wider conception of what we might call global political justice, so an account of the principle’s grounds and requirements also sheds light on this wider conception. And the wider conception is a matter of both theoretical and practical interest, perhaps even more so now than when the book and article were written.

In this paper I want to reconsider the subject of “Moral Standing” and try to put Walzer’s views about intervention, and particularly humanitarian intervention, in the context of a conception of global justice in which the value of collective self-determination is central. The main elements of that conception can be found in *Just and Unjust Wars* and “Moral Standing,” but to see its full force we must look also at some subsequent essays on states and nations, the prospects for global governance, and the practice of humanitarian intervention. Walzer’s writings on these topics over the years exhibit both consistency and growth, the latter indicated especially by a developing internationalism that was implicit from the beginning but has become more pronounced since the close of the cold war. As I suggest at the end of this paper, this is an essential element of the wider view as it applies to a world like ours.

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THE LEGALIST PARADIGM AND ITS REVISIONS

The “moral standing” referred to in the title of Walzer’s essay is the idea that states have a certain kind of right of due regard in global politics: each state is bound to respect the territorial integrity and political sovereignty of other states by refraining from coercive interference in their internal affairs. In *Just and Unjust Wars*, Walzer presents the nonintervention principle as part of a conception he calls “the legalist paradigm,” the “primary form” of the “theory of aggression.”² I will not summarize it here except to recall that the main organizing idea is that of the domestic analogy, the thought that the global normative order is best understood as a society of states that stand in a relation to each other similar to that of individuals in domestic society.³ Individual rights to life and liberty correspond to states’ rights to territorial integrity and political sovereignty. Violations of these rights are crimes, and those whose rights are violated, as well as those who are in a position to address these violations, are justified in using force both to defend against the violations and to punish the violators.

The domestic analogy gives us the legalist paradigm in its pure form. This includes an almost exceptionless prohibition of coercive intervention: it is permissible only when justified by considerations of defense against or punishment of injustice between states. A corollary is that “humanitarian” intervention is never permissible: “domestic heresy and injustice are never actionable in a world of states.”⁴

Walzer does not defend the legalist paradigm in its pure form; the position he adopts incorporates several revisions (or “rules of disregard”). These allow exceptions to the nonintervention principle when intervention would support a secessionist movement that has demonstrated its representative character, when it would contest a prior (and unjustified) intervention by another state, and when it would put an end to acts that “shock the moral conscience of mankind.” The last of these is important because it would permit humanitarian military intervention, although only in a limited range of circumstances (the examples in *Just and Unjust Wars* are massacre and enslavement, to which in “Moral Standing” he adds mass expulsion). Again I will skip over the details of the rationale for the revisions and just observe that, in each case, Walzer argues that the prohibition of intervention “does not seem to serve the purposes for which it was established.”⁵ We need the revisions to make the paradigm consistent with its rationale.

These revisions were progressive, especially when considered in relation to the international legal and political thought of the time.⁶ The most likely criticism would have been that they are too permissive. So it is understandable that the line taken by the critics would come as a surprise.⁷ Our argument, put differently by different writers, was that the revisions are not permissive enough: they do not allow intervention when a government's conduct is sufficiently objectionable to undermine its claim to legitimacy, even if it does not descend to the level of enslavement or massacre. The critics accused Walzer of the fetishism of sovereignty: he seemed to allow it greater importance than our reasons for caring about it would justify. Most of "Moral Standing" is a response to this criticism. The response turns on two related points: the first about the meaning of legitimacy, and the second about the differing points of view from which judgments about legitimacy might be made. The first point is that the critics misunderstood the character of political legitimacy. Walzer argues that there is no single set of values or principles that determine what a legitimate state should be like. A state's legitimacy is a matter of the "fit" between the community and its government, and this depends on the history and culture of the community. A legitimate state is "a people governed in accordance with its own traditions."⁸ This position might be described, to use a term Walzer introduces in a more recent paper, as an instance of "reiterative universalism"⁹: it is "universalistic" in holding that every government should be legitimate, but "reiterative" in that the criteria of legitimacy depend on the particulars of each society's political culture and history.

The second point is that the critics failed to grasp the distinction between "actual" and "presumptive" legitimacy. This distinction has never been very clear to me (perhaps proving the point).¹⁰ As I understand it, the main idea is that the practical choices facing insiders and outsiders are different. The judgment that a state's institutions are "actually" legitimate belongs to the members of the community themselves because they must decide whether to obey the laws of the state. The citizens of a legitimate state have obligations to obey its laws, whereas those governed by an illegitimate state do not; in fact, they may have a right to rebel. The choice facing outsiders is different. They are not called upon to decide whether to obey the state's laws. Their problem is to decide how to conduct their relations with the government and the community it represents. For this purpose, the question that matters is not whether the state is in fact legitimate but whether they should treat it as legitimate—that is, "presume" it to be so—even if they

have reason to believe it is not. Walzer argues that this is a “morally necessary presumption,” to be relaxed only when “the absence of ‘fit’ between the government and community is radically apparent.”¹¹

The question is why we should regard the presumption of legitimacy as “morally necessary.” The short answer is that it is required to respect a community’s right of self-determination. But since, for Walzer, self-determination just means that a community is governed in accord with its own traditions (that the government “fits” the community), this might seem to beg the question. So there had better be a longer answer; and, of course, there is. Taking the book and article together, we have at least five reasons why outsiders should accept the presumption (though the reasons could be parsed differently):

1. A state’s people have individual rights to participate in a collective process of determining the character of their political and social lives. The idea of a social contract is a metaphor for this process. The presumption of legitimacy is necessary to protect people in the exercise of these rights.
2. Well-functioning states offer the best prospect of protecting the rights to life and liberty of their individual members. But states are most likely to become and remain well-functioning when their own people are left free to exercise the responsibility for the development and reform of their institutions.
3. Insiders have an epistemic privilege not shared by outsiders, who usually do not know enough about a society’s history and traditions to judge how effectively its government represents or embodies the political values of the community.
4. We know from historical experience that self-interested states not subject to any effective form of supranational accountability may be tempted to rationalize measures taken to serve their own interests in humanitarian terms. Allowing any exception for intervention is dangerous. The presumption of legitimacy is a way of imposing a high burden of proof.
5. Like individuals, different communities left to develop in their own ways produce a diversity of cultural and political values; this is the inevitable result of the free exercise of human creativity. The presumption of legitimacy demonstrates “our recognition of diversity and our respect for communal integrity and for different patterns of cultural and political development.”¹² It is an expression of toleration carried to the international level.

Walzer seems to have taken his critics' failure to appreciate the last point to be a particularly serious mistake: "My critics . . . are prepared to press international society toward a kind of reiterated singularity—the same government or roughly the same sort of government for every political community."¹³ I am not sure that all of the critics actually held the view attributed to them in this passage; one might think, for example, that governments should satisfy some common standards (perhaps expressed as human rights) without believing that all governments should be of "roughly the same sort." But in any case I think the worry about "reiterated singularity" is a distraction. The important disagreement has to do with the nature and value of self-determination. And here I think Walzer was right to suggest that none of the critics, and certainly not I, had thought enough about the meaning of self-determination and the reasons why we should care about it to see how, exactly, our positions came into conflict with his. So I will say more about it below.

THE WIDER VIEW

First, let me turn to the more general picture of global political justice suggested by Walzer's view about the basis and reach of nonintervention. The picture is mostly implicit in *Just and Unjust Wars*, where the focus is the morality of war. It emerges in "Moral Standing" and crystallizes in some later essays. This picture is more distinctive than might be evident from the presentation in the book. To bring this out, I want to recall some features of the traditional conception of global normative order that lies behind the "pure" legalist paradigm and then return to Walzer's view by way of contrast.

I will follow Hedley Bull in calling the traditional conception the "society of states" view.¹⁴ Its roots are found in the line of natural law theorists from Grotius to Pufendorf, Wolff, and Vattel. I focus on Christian Wolff, even though he is the most exasperating of the four to read, because his conception of global justice most clearly anticipates the legalist paradigm. (I do not say that his views are representative of all of the society-of-states theorists of the period.)¹⁵ Like the legalist paradigm, his conception is explicitly based on the domestic analogy: "Nations are regarded as individual free persons living in a state of nature."¹⁶ This idea already occurs in Hobbes, of course, but none of the other natural law theorists conceive of the state of nature quite as Hobbes does. For them, although it lacks a government, it is moralized and socialized: a true normative order. These features of the state of nature are carried over to the international realm. Again, Wolff: "After states have

been established in accordance with the law of nature . . . nature herself also must be said to have established society among all nations and bound them to preserve society.”¹⁷ The members of this society of states “are by nature equal the one to the other” and have symmetrical rights and obligations.¹⁸ The most important of these rights is that of sovereignty, the correlate in the society of states of the natural liberty of individuals in a state of nature: “Just as by force of natural liberty it must be allowed to every man that he abide by his own judgement in acting . . . as long as he does nothing which is contrary to your right, so likewise by force of the natural liberty of nations it must be allowed to any one of them to abide by its own judgement in the exercise of sovereignty.”¹⁹ The obligations of states are consequences of their equal rights. These include the obligation to refrain from injuring another state, from threatening another’s security, and from interfering “in the government of another,” even if its ruler “should burden his subjects too heavily or treat them too harshly” (though a state may “intercede” on behalf of the subjects of another ruler and “endeavour by its prayers to persuade him to change his mind”).²⁰ As in the “pure” legalist paradigm, humanitarian intervention is absolutely ruled out.

Kant notoriously disparaged the natural law theorists as “tiresome comforters” whose works could be used to justify offensive war. He did not include Wolff by name,²¹ but it is worth noting, contrary to what one might infer, that Wolff does not present war as an instrument of national policy. He distinguishes between reasons of justice and those of policy, and holds that a war is just only if it is necessary to protect against or retaliate for a wrong done or threatened.²² His conception of global justice, like the legalist paradigm without the revisions, is essentially a theory about the conditions for a just coexistence among states. It is the legacy of the reorganization of the political system of Europe at the conclusion of the religious wars, and its central principle of noninterference is best understood as a requirement of mutual toleration.²³ This is not, however, a toleration that particularly values or celebrates diversity or expresses respect for the integrity of communities of culture. International toleration is a *modus vivendi*, a condition of peace. In this respect, the conception of world order found in the UN Charter, in which the principle of respect for the territorial integrity and political independence of each state is fundamental, is not materially different.²⁴ It is a conservative conception, tending to perpetuate the political status quo.

Walzer writes in *Just and Unjust Wars* that the unrevised legalist paradigm is “our baseline, our model, the fundamental structure for the moral comprehension of war.”²⁵ This is not inaccurate, but it should be appreciated that the revisionist

version, considered as part of a wider conception of global political order, is a different view. Taken on its own merits, it might better be understood as an alternative to the society-of-states view, at least in the pure form we find in Wolff.²⁶ As Walzer formulates it, this view is not so much motivated by a concern to maintain peace among states, whatever their character, as it is to protect the autonomy of communities conceived as having an existence apart from their embodiment in states. The fact that intervention is permitted in certain cases of secession illustrates the point; there is no basis for this permission in the society-of-states conception, whereas the value accorded to the self-determination of communities requires it in the revisionist view.

One way to put the difference is this: Wolff does not have the idea that the state encloses and organizes a social entity that can be identified in terms of its history and traditions and the norms and social practices its members share. A “nation” is “a multitude of men united into a state,” the unity of which is explained by the (supposed) agreement among its members by which it came into existence.²⁷ The “nation” is a collective agent distinguishable analytically from the government, but it is not assumed to have any particular social character or, for that matter, to be capable of existing apart from the state. Wolff says that when the state is broken up, the nation simply disappears.²⁸ On the other hand, in the revisionist view the most basic elements are not political entities but social ones. Communities—“nations” or “peoples,” including those that develop over time from immigrant groups—are the primary constituents of global society. The world political order is a way of organizing the underlying social order so that its constituent groups can exercise their capacities as collective agents to direct their futures. The moral standing of states is a reflection of the state’s role as the political embodiment of this process. The underlying principle, as Walzer puts it in his discussion of Mill’s account of nonintervention, is this: “always act so as to recognize and uphold communal autonomy.”²⁹ This is not a politically conservative principle, since it could justify changes in the political order if necessary to conserve or protect the underlying social order of communities.

It is true that the society-of-states theorists sometimes seem to invoke considerations of communal autonomy. Even Wolff, in a passage quoted earlier, writes that every nation has a right “to abide by its own judgement in the exercise of sovereignty.”³⁰ But the judgment that must be respected belongs to the government or the ruler of the state, not to the group or community that composes the nation. Wolff recognizes no general possibility that a government could get its

judgment wrong, in the sense of misinterpreting the people's will (though it can be wrong in other ways—for example, in violating the natural law). According to the revisionist model, by contrast, the right of self-determination inheres in the social group rather than the political state per se, so it is possible for the right to be violated by the state's own government. This is what makes room for two of the revisions to the legalist paradigm (those allowing intervention in support of a representative secessionist movement and at least some cases of humanitarian intervention), and it is what makes possible Walzer's account of the state's legitimacy as a function of the "fit" between government and people.

As I observed earlier, a wider conception of global political justice seems to be implicit in *Just and Unjust Wars*. It is more plainly visible in "Moral Standing" and develops in Walzer's more recent works.³¹ Since it will be convenient to have a label for this picture, and in order to distinguish it from the society-of-states view, I will call it the "society-of-peoples" view. I do not mean to identify this conception with John Rawls's—there are some significant differences, one of which we shall come to later—but this phrase has the merit of calling attention to what is distinctive in Walzer's view, and it avoids the ambiguity of the notion of a "society of nations." Without claiming that they describe the whole picture, three ideas seem to me to be essential to it.

The first is about the nature of our social world. It is a world of communities—nations, usually, but more generally peoples. Each community is the locus of a common life in which human creativity expresses itself in a shared morality, culture (including a political culture), and (perhaps) religion.³² The second idea concerns the political organization of this world. Its primary form is the territorial national state or, where historical circumstances favor it, the multinational or immigrant state. The state makes it possible for a community to determine its own future by organizing its processes of political decision-making and protecting them against external interference. The third idea is about the global order: as an order composed primarily of self-determining communities organized as states, it generates a distinctive problem. The exercise of human creativity simultaneously in many different communities produces a plural world expressed in differing moralities, cultures, religions, and ideas of political legitimacy. The central challenge for a just global political order is to manage this pluralism. The relevant principle is one of mutual toleration among political communities conceived as self-determining collectivities.³³ To these three ideas we should perhaps add a fourth, barely discernible in the book and the original paper but prominent in some recent articles.

International society has an emergent superstructure consisting of international institutions and norms, including norms of human rights, as well as transnational associations of individuals and groups—the beginnings of a global civil society. This developing superstructure makes available new political possibilities, including the possibility of the international enforcement of human rights.³⁴

This is crude and incomplete, but I hope it will be clear that, even without the last point, these ideas describe a substantially different conception of global political justice than the kind of view we find in Wolff. It will also be clear that these points raise large questions. These are of two kinds. The first involve the realism of the conception's background assumptions about the actual world of global political life—about the character of actually existing states and of the communities they enclose, the neatness of the mapping of political boundaries onto the boundaries between social groups, and the extent to which it is realistic to conceive of most modern states as relatively autonomous arenas of development. The second kind are moral—primarily they involve the nature and grounds of self-determination and the possibility of conflict between the value of self-determination and that of human rights. I shall take these questions in reverse order.

SELF-DETERMINATION AND HUMAN RIGHTS

A main theme in the criticisms of the theory of nonintervention in *Just and Unjust Wars* was that Walzer's view seemed to privilege the value of communal integrity and give insufficient weight to human rights. There is a genuine disagreement here bearing not only on the justification of intervention but also, more broadly, on the plausibility of the society-of-peoples view of global justice. In retrospect, however, I do not believe the disagreement was articulated as clearly as it might have been in the exchange between Walzer and his critics. To appreciate the disagreement, we need to look more closely at the meaning and grounds of self-determination and consider how the value of human rights is related to it.

Let me approach the problem from the standpoint of humanitarian intervention, which may appear to pose a theoretical challenge to the society-of-peoples view. It is not a problem for this view to accommodate the other revisions. For example, the exception to the nonintervention principle in cases of justifiable secession can be defended on the grounds that in these cases the global political order needs to be realigned with the social order so as to protect the value of self-determination for members of the seceding group. The defense fits the more general argument

for the revisions: that “they uphold the values of individual life and communal liberty of which sovereignty itself is merely an expression.”³⁵

On the face of it, humanitarian intervention seems different: its justification seems to appeal to a different order of values. Walzer is sometimes tempted to suggest otherwise. He writes, for example, that “whenever a government is engaged in the massacre or enslavement of its own citizens . . . we ought to assume either that there is no ‘fit’ between the government and the community or that there is no community.”³⁶ If there is no political community, there is no sense in which the government can be said to be acting for the people, so there is no objection to humanitarian intervention from considerations of self-determination. There is no “self” of the relevant kind to be interfered with. If such an argument could be made out, it would bring humanitarian intervention into line with the other revisions.

This line of thought seems to me unpromising. Why should we say that when a government seeks to massacre or enslave (some of) its people, it has given us reason to doubt that a political community exists? A (legitimate) political community is a people “governed in accordance with its own traditions.” One way that a political community can fail to exist is when a government’s conduct is persistently and fundamentally incompatible with its people’s traditions. This might be the possibility Walzer has in mind. The problem is that we may not just assume that any government that severely mistreats (some of) its people thereby fails to govern in accordance with the people’s traditions. Walzer allows that there may be cases where the culture of a community may be such that an authoritarian regime might “come, as it were, naturally.”³⁷ It seems also possible—indeed, we know it can happen—that a community’s political culture might license the oppression of one or another segment of its population. It would be odd to say, in such a case, that a political community did not exist (or, for that matter, that the government’s oppression of the minority in question was not an exercise of self-determination). The political culture is malignant; the government treats the minority in an unacceptable way; but there is a clear sense in which the community could be said to exist and even to act through its government.

A variant of this line of thought holds that a government that practices the worst forms of mistreatment—mass murder or gross cruelty, for example—thereby undermines the conditions for effective self-determination. It is not exactly that the government’s conduct dissolves the political community, but rather that it makes the community’s exercise of self-determination impossible. The government

instills such fear, it so thoroughly obstructs the society's capacity for communication and collaboration, that the forms of political activity through which people might seek to influence their government are practically unavailable. I am not sure how this version of the argument might be worked out, but it should be observed in any case that the reply does not vindicate the initial point about "fit." Whether a government's conduct expresses the moral traditions of its people and whether that conduct is compatible with effective self-determination are two different questions. We cannot assume that in every case the two questions would have the same answer.

Walzer draws a parallel with counter-intervention. Both counter-intervention and humanitarian intervention, he says, express a regard for the purposes of the oppressed, and therefore in both cases intervention should be "as much like nonintervention as possible."³⁸ But this will only be true in the case of humanitarian intervention under special circumstances, when the oppression is somehow imposed on a resistant local culture. The point I am making is that we should take care not to mistake this special case for the general case. In most of the familiar cases, the purpose of humanitarian intervention was not like that of intervention in support of a secessionist movement or counter-intervention; it did not aim to align the political and social orders or to protect an existing alignment against disruption. Humanitarian intervention typically seeks to protect people against the misuse of power by commission or omission, either by the state apparatus itself or by other local agents that the state is unwilling or unable to control. This means that in at least some of the typical cases, we may have a conflict between the value of self-determination and that of protecting basic rights. Circumstances may be such that humanitarian intervention can accomplish the second only by undermining the first. The question is whether and, if so, why that would be acceptable.

The answer given in *Just and Unjust Wars* is equivocal: intervention is justified when it upholds "the values of individual life and communal liberty."³⁹ But there is no equivocation when Walzer returns to the question in a political essay written in 1994. Reflecting on such cases as Somalia and Bosnia-Herzegovina, he observes that the main obstacle to intervention in countries where "the policies and practices that need to be stopped are widely supported, sustained by local structures and cultures" is the difficulty of stopping the practices without a protracted occupation of the country.⁴⁰ If this obstacle could be overcome, he seems to suggest, then, as a matter of principle, concerns about self-determination would not necessarily

count against intervention. As a practical matter this seems to me exactly right. But it raises, or reraises, the question of how the content and grounds of self-determination can be understood so that the trade-off with considerations about basic rights is not simply ad hoc. I believe this is the main question of theoretical interest today, so let me turn to it directly.

The meaning of self-determination is hardly transparent. There are two clear points, but they only serve to refine the problem. First, the relevant notion of self-determination refers to a social process. When we say there is a *right* of self-determination, we are saying something about the entitlements of certain kinds of groups or collectivities. It is compatible with this to think that the value of (collective) self-determination derives from or protects certain rights or interests of individuals. Second, in ordinary usage there are two different senses of self-determination: an “external” or outward-looking sense and an “internal” or inward-looking one. “External” self-determination is a matter of a state’s legal and political autonomy. Roughly speaking, the government of an autonomous or self-determining state exercises final legal authority over the state’s people and territory. Nothing necessarily follows from this about the internal character of a regime; an autocracy could be externally self-determining. This is not true of “internal” self-determination. Its subject is the relationship between a nation or “people” and its state. A people is internally self-determining only if this relationship has a certain feature; we might say, provisionally, that the state apparatus should enable the people to govern itself. One might, of course, believe that these two senses of self-determination are related; the best reason to care about self-determination in the external sense may be that it protects or enables self-determination in the internal sense. But justification is not identity, and the point here is that these two senses are not identical.

Unfortunately, this is where clarity runs out. Problems arise when we try to get a better grasp of internal self-determination (henceforth simply “self-determination”). I said that a people is self-determining if the state apparatus enables the people to govern itself; but because the idea of self-government is not much clearer than that of self-determination, this is not very informative. To see the problem, it helps to imagine a range of possible interpretations of the idea of self-determination. At one end of the range—let us say the maximalist end—self-determination requires political institutions that are in some suitably generic sense democratic. This is a natural thought once we recognize that a “people” is composed of individual persons, and that a distinguishing feature

of generically democratic institutions is a mechanism through which individuals acting together can control, and not simply influence, political outcomes at the highest level. There are, of course, many shapes and configurations of political organization that seek to make possible shared control. But, for the maximal interpretation, the presence of some such institutional mechanism is essential.

The conception of legitimacy in “Moral Standing” lies near the other—or minimalist—end of the range. According to this conception, a people is self-determining if it is “governed in accordance with its own traditions.” This minimalist view is not toothless. Since it requires that the relationship between the people and their state satisfy a condition of “fit,” it is not simply external self-determination by another name. But there is no independent requirement that institutions offer the individual members of the group opportunities to control or influence political outcomes. If the political culture were in some way authoritarian or aristocratic, and if the form of government conformed to the culture’s political norms, that would be enough. In that sort of case, individual members of the group could be said to control outcomes only in a negative sense once removed from the process of governing. By accepting or acquiescing in, or anyway not forcibly resisting, the authority of the government, they allow its decisions to take hold; and by fighting for the state, assuming they do, they protect its authority against interference from the outside. This is plainly not self-government in the active sense characteristic of the maximal interpretation.

Intermediate interpretations are also possible. I will mention just one, suggested by John Rawls’s notion of a “decent consultation hierarchy” in *The Law of Peoples*. The idea now is that a society is self-determining if its political institutions are set up so that outcomes reliably track a widely shared conception of the common good. This might occur in various ways. For example, institutions could provide opportunities for all citizens, perhaps working through associations, to articulate their interests, express political dissent, and require public officials to give an account of their decisions in terms of the shared conception of the common good.⁴¹ This is plainly not democracy because there is no institutional provision for individual citizens to exercise control over outcomes; they can articulate their interests and express dissent, but their institutions do not entitle them to exercise power over legislation or the selection of public officials. Equally plainly, the intermediate interpretation excludes the kind of unaccountable authoritarianism that seems compatible with the minimalist view. Unlike that view, this interpretation imposes a formal condition on a society’s political structure: self-determination

is accomplished through an institutional arrangement designed so that people's participation in the process of government causes decisions to track a widely shared idea of the common good. This could plausibly be described as self-government even though it is not democracy.

So we have several ways of understanding (internal) self-determination, differing in the nature of the relationship they postulate between state and people. If our concern is to assess the significance of the potential for conflict between self-determination and human rights in cases of humanitarian intervention, which of these understandings should we adopt? This is not a question that can be settled by consulting ordinary usage. Self-determination is a normative idea and we want an interpretation that responds to our reasons for taking an interest in it. What are those reasons?

This is a complicated question to which there is no simple or uncontroversial answer. I can only offer a schematic reply without the argument it needs. Although self-determination is exercised by collectivities, we value it for its importance for individuals. This importance is complex and seems to have at least three distinct dimensions. The first is strategic: well-functioning, self-determining political communities are more likely than any political form practically available to protect people's basic interests as the people, themselves, understand them. This is a familiar element of Mill's argument for representative government, but it applies more widely.⁴² We might call the second dimension "developmental." Ordinarily, the only way that political communities can achieve the capabilities required for effective self-government is through a historical process of development. Well-functioning political communities require a range of political capacities among their people, competent state institutions, a certain density of associational life, and fairly wide acceptance of common political norms. Although there may be ways for outside agents to help in all four respects, the nature of these features is that they must develop within a society in ways that are compatible with the larger culture. This, too, is a Millian argument.⁴³ Finally, self-determination has a constitutive significance. People who grow up and live in a culture tend to identify with it, to regard themselves as sharing a common status with others, and to approve of and follow its norms. Their membership in the group comes to be an important part of their self-conception; it shapes their goals and informs their judgments of individual and social good. For this reason people tend to value their identification with the group for its own sake and to experience participation in the group's public life as an expression of a significant part of their identities.⁴⁴

I intend this to be in the spirit of Walzer's own views about the value of self-determination, but there is no reason why someone who shares the cosmopolitan inclinations of his critics should resist an account along these lines. This should be stressed, in particular, about the third dimension. However objectionable the values of a political culture may appear from an external point of view, the fact that it constitutes a locus of identification for members of the culture is itself a matter of moral importance. Interference in the culture's internal life risks threatening the stability of the sense of membership and disrupting the pursuit of ends in which individuals have invested themselves. These are real harms and should register in any calculus that seeks to take each person's prospects into account.

Let me return to the three interpretations of self-determination. We want an interpretation of this idea that is sensitive to our reasons for taking an interest in it. If I am right about these reasons, then it seems to me that we must regard the maximal (or democratic) interpretation as overreaching. Since not all political cultures are democratic, this interpretation could come into conflict with the third, or constitutive, dimension of significance. And given the availability of an intermediate (or common good) interpretation—that is, a conception of self-government without democracy—we are not forced to the maximal view by concern about the protection of people's interests; political decisions that track a widely shared conception of the common good will recognize and respect these interests, or at least the more important of them. We can add as an empirical conjecture that under favorable conditions—for example, when the community lacks deep divisions of race, ethnicity, or language that establish enduring animosities, and when its idea of the common good takes the good of each individual into account—decisions are also likely to respect people's human rights, in part because institutions provide a means by which public officials can be held accountable to the common good by those whose rights might be threatened.⁴⁵

This cannot be said, however, about the minimalist interpretation; that interpretation of self-determination, although it responds to the constitutive dimension, leaves the features of a society's political institutions and processes entirely to one side. As a result there is no basis for predictions about the character or quality of political decisions or the likelihood that they will advance people's interests or protect human rights. Walzer recognizes this when he observes that authoritarian rule might “come, as it were, naturally,” as the expression of a conception of legitimate government accepted in a culture. There is room for

dispute about the number of contemporary authoritarianisms that can be counted as “natural” in the relevant sense, but suppose it is an authentic possibility. The question is whether our reasons for valuing self-determination in the general case are reasons for respecting the autonomy of a state whose institutions do not afford opportunities for its people to participate in their own government when the state fails to respect or protect the human rights of a significant portion of the population.

This is where the critics part company with the position taken in “Moral Standing.” The disagreement is a difference about the weight to be given to the various kinds of reasons I distinguished earlier when they point in different directions. Walzer is inclined to give more weight to considerations about cultural identity, whereas the critics are more concerned about the overall impact of political decisions on individual well-being, in which cultural identity plays only a part (and not the same part for each person). The issue is not about whether self-determination matters more than other values, but rather which of the several reasons we have to care about self-determination should win out when circumstances are such that they all cannot be satisfied together.

My own view is that the interpretation of self-determination that fits best with the reasons considered earlier is not the minimalist one adopted in *Just and Unjust Wars* and “Moral Standing,” but rather one that lies somewhere in the intermediate space. I suspect that the idea I have adapted from Rawls does not get it quite right, but I am not certain what a better formulation would be like. I agree that it is a mistake to think of a principle of self-determination operating at the international level as requiring that domestic institutions should be democratic. (It would not be inconsistent to hold that the principles of social justice, rightly understood, include such a requirement, but it does not follow that the pursuit of just domestic institutions is a proper aim of *global* political justice.) But it seems to me that a conception of self-determination worthy of international protection should have an active dimension: the institutions of a self-determining state should place its members in a position to influence their own collective destiny. It should be the case that the members of the community can participate in directing the community’s future in ways that do not require them to risk their lives. The self-determination achieved in the minimalist alternative—where the form of government accords with the history and traditions of the culture but where people cannot be said to participate in their own self-government except by refraining from protest or rebellion—is too passive to engage the reasons that explain self-determination’s moral importance.

This is not an argument for a foreign policy aimed at bringing down authoritarian regimes. We have been considering self-determination in relation to humanitarian intervention. In that connection, self-determination functions as a principle of restraint, supplying reasons to resist interventions that might appear to be justified as means to protect populations or subpopulations against severe forms of mistreatment. It is a value to be respected, not, in these cases, a value to be promoted (by coercive means, anyway).⁴⁶ What I have suggested is that the considerations that explain why we should care about self-determination in the general case do not give us much reason to resist such an intervention in particular cases where there is no real self-government (even if there is some sense in which the oppressive government can be said to govern in accord with the traditions of the local majority). There may, of course, be other reasons.

The effect of this argument is to narrow the space in which there might be a genuine conflict of values to those cases in which an authentically self-governing people severely mistreats a portion of its population. If my empirical conjecture is correct, such a conflict is only likely to occur in practice in the presence of unfavorable background conditions—for example, if a society is deeply divided or if its conception of the common good discounts or ignores the good of whole categories of the population. But in those cases all three of the reasons for valuing self-determination will be weaker. The important questions will most likely be practical—about the prospects and risks of intervention, mainly—rather than about achieving an acceptable accommodation between the values of self-determination and basic rights.

Walzer's views about humanitarian intervention in more recent political writings come close to the position I have just sketched. This is true in the superficial sense that he is more willing to countenance humanitarian intervention than the earlier writings indicate, and also in the more substantial sense that he is less sanguine about the chances that a regime that governs according to its people's traditions will respect their human rights. If we consider the problem of humanitarian intervention in the context of the society-of-peoples picture, these changes should not be surprising. The appeal of that picture of global justice is to be found in the way it expresses respect for the self-determination of political communities. To vindicate this appeal, we need an understanding of the meaning of self-determination that comports with our reasons for thinking its exercise deserves respect. If I am right that a conception of self-determination of the intermediate kind gives us such an understanding, then we might interpret what seem like

changes in Walzer's views about humanitarian intervention as ways of bringing those views into a better alignment with the wider picture of global justice already implicit in his thought.

PRACTICE AND THEORY

One reason people continue to read the works I have been discussing has to do with the increasing prominence of humanitarian intervention in international politics since the end of the cold war. All of the interventions that took place during this period—for example, in northern Iraq, Somalia, Haiti, Bosnia-Herzegovina, Kosovo, East Timor, and Sierra Leone—as well as the interventions that did not occur, most notoriously in Rwanda but also in southern (and now western) Sudan, Burundi, Angola, and elsewhere, were controversial in various ways. Although interest in the subject has waned since the September 11 attacks, it is not likely to go away. So it is worth asking two questions that suggest themselves: How, if at all, does the controversy about the moral standing of states bear on the cases of humanitarian intervention that we have actually faced, and may continue to face, in global politics? And what, if anything, might be learned from the experience of this period that would illuminate the matters of principle in dispute?

The answer to the first question, perhaps surprisingly, is that the features of these interventions that made them seem morally problematic had little to do with self-determination. Although the issue may have been present in some abstract sense in most of the cases, it is not obvious in any of them that a judgment about whether intervention would be justified, all things considered, depended on the details of one's view about self-determination or on the weight one believed should be given to self-determination as against human rights.

The most plausible counterexample is that of the U.S. intervention in Haiti, the announced humanitarian purpose of which was to restore a democratic government that had been deposed by a military coup. There is no question that the usurpation was an abuse of power and that the military regime violated human rights, but it did not massacre or enslave or forcibly expel large numbers of people, it operated in a political culture that had little experience with democratic government, and it came to power without significant outside support. The intervention would have been difficult to defend under a minimalist interpretation of self-determination. On the other hand, it might have been, as I believe it was, justifiable under a more generous view. So here, perhaps, it mattered how one

understood the content of this principle.⁴⁷ In none of the other cases would one have been tempted to worry whether the good that might be done by the intervention was enough to balance the damage to a community's interest in self-determination. The features of these cases that made them morally troubling lay elsewhere.

Walzer's political essays nicely illustrate the point. In Bosnia in 1994, for example, the most troubling concern was whether the intervening forces could mobilize the political commitment to sustain an intervention of the size and duration necessary to put an end to the suffering. In Kosovo in 1999, NATO forces and their home constituencies were unwilling to bear the risks of the tactical choices that were most likely to stop the ethnic cleansing without doing unnecessary harm to innocent life.⁴⁸ In Kosovo and nearly all of the African cases, it was unclear that an intervention of the traditional kind ("in and quickly out," as he puts it) would have any lasting success in stopping the killing, so one had to consider the unpalatable alternatives of a sustained military and political presence or avoidance of any action at all.⁴⁹ None of these issues turn on one's views about self-determination.

Suppose we ask the other question—not how the theoretical dispute bears on practical choices, but how practical experience bears on the theoretical dispute. Here there is more to be said. The society-of-peoples picture aims for a world order built up from well-functioning states enclosing reasonably well-integrated political communities, each with its own history and political culture and capable in some morally significant sense of determining its own future. The general case against intervention, and the argument for the rules of disregard, both draw on this picture. The circumstances in which many of the interventions of the 1990s occurred illustrate that the world we live in deviates from this picture more often and in different ways than one might have been inclined to believe.

There are several kinds of deviations. The most striking is the prevalence of deeply divided societies. Most of the interventions of the 1990s took place in societies where life-threatening violence was associated with ethnic, racial, or religious divisions. The depth of the divisions meant that the societies' own processes of self-determination were not likely to offer much protection to those not in control of those processes. Relatedly, in some of these cases the common life that might have been said to embrace the entire community was relatively insubstantial. In the African cases, especially, the shared history, to the extent it existed at all as a collective memory, was truncated and discontinuous, shaped by the influence of colonial powers as much as by indigenous processes of political change. Norms of social and political life common to the whole population tended to be subordinated

to those of sectional groups. Third, and to some extent as a result of the first two deviations, few of these interventions (East Timor is a partial exception) fit what Walzer calls the “victim/victimizer, good guys/bad guys model.” They were not like the cases of Idi Amin or, perhaps, the Khmer Rouge, in which “the source of the inhumanity [was] . . . external and singular in character.” Instead, “the trouble [was] internal, the inhumanity locally and widely rooted.”⁵⁰ Fourth, in some of the cases (Somalia, for example), the problem was not state-sponsored oppression but oppression by nonstate or para-state actors that the state itself was unwilling or incapable of controlling: the state was either complicit or incompetent, or perhaps some combination of the two. The last two points illustrate that in some circumstances any intervention with a reasonable chance of success in bringing an end to the trouble has somehow to address its local causes. It would therefore constitute a more substantial intrusion in the internal life of the society than the “in and quickly out” operation suggested by the “victim/victimizer” model.

What difference do these deviations make? They do not necessarily give us reason to reject the society-of-peoples picture as a conception of global political justice. These are, after all, deviations, and a world order without them would have more of the features that make the picture attractive than the world we actually inhabit. On the other hand, by underscoring the distance between the world we actually inhabit and the conditions presupposed by the society-of-peoples picture, the deviations explain why we should expect to find more occasions when it would be justifiable to make exceptions to the presumption against intervention, and to allow interventions that seek more ambitious ends, than might have seemed necessary on a different understanding of the facts. Walzer’s political essays recognize this.⁵¹

I want to conclude with a larger observation suggested by the contrast between our actual political world and the aspiration for a global society of self-determining peoples. As I observed earlier, in the context of thinking about humanitarian military intervention, self-determination operates mainly as a value to be respected. It limits what can permissibly be done. But generalizing to a wider view about global political justice shows that self-determination can also operate as a value to be promoted. As Walzer remarks in a recent essay, if people have “a right to a . . . decent state that protects their rights,” then others may have obligations not only to respect states that protect individual rights but also “to foster that kind of statehood” when a state does not.⁵² But it is one thing to treat a value as something to be respected and another to treat it as something to be fostered. The question to

consider is why we should think that the best way to foster “that kind of statehood” is to respect the rights of existing states that are not yet of “that kind.”

In the earlier works, Walzer’s answer is like Mill’s: roughly, that political communities are most likely to develop the capacities needed for responsible and effective governance if they are left to do so on their own, without the interference of outsiders. But this is an empirical position, and the deviations I have mentioned give us reason to wonder if it is generally true, or true, at least, in the range of cases of the most practical interest. For example, in such cases as Bosnia and Kosovo, or some of the African cases, it may be that the only way that well-functioning states can develop is in the context of some form of imposed trusteeship or protectorate or shadow government—variations on what Walzer calls, in a more recent work, “long-lasting intervention.”⁵³ In other cases, although external constraints may not need to be imposed nonconsensually, a government may find it advantageous to submit to them in order to bind successor governments; human rights agreements may be like this.⁵⁴ Even when constraints are not at issue, it may be impossible to foster responsible statehood without various kinds of more-or-less intrusive external assistance (international election monitoring, for example).

I cannot explore these possibilities here, so I will have to leave the inference as a speculation. Suppose we agree that the image of a global society of peoples populated with self-determining, rights-respecting states describes a desirable goal of global politics. As Walzer observes in the recent political essays I have mentioned, there may be no realistic route to this goal that does not depend upon fairly extensive international and transnational involvement in the domestic affairs of states. The ideal of a society of self-determining peoples may be achievable only in conjunction with an increasingly robust internationalism willing to challenge the moral standing of particular states in the name of the wider ideal.

NOTES

¹ Michael Walzer, “The Moral Standing of States: A Response to Four Critics,” *Philosophy & Public Affairs* 9, no. 3 (1980), pp. 209–29, reprinted in Michael Walzer, *Thinking Politically: Essays in Political Theory*, ed. David Miller (New Haven, Conn.: Yale University Press, 2007), pp. 219–36. My references to “Moral Standing” refer to the original printing in *Philosophy & Public Affairs*. The pertinent parts of Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 4th ed. (New York: Basic Books, 2006 [1977]), occur in chaps. 4–6. For my own critical comments, see “Bounded Morality: Justice and the State in World Politics,” *International Organization* 33, no. 3 (1979), pp. 405–24. The other critical papers are Richard Wasserstrom, “Review of Michael Walzer’s *Just and Unjust Wars*,” *Harvard Law Review* 92 (1978), pp. 536–45; Gerald Doppelt, “Walzer’s Theory of Morality in International Relations,” *Philosophy & Public Affairs* 8, no. 1 (1978), pp. 3–26; and David Luban, “Just War and Human Rights,” *Philosophy & Public Affairs* 9, no. 2 (1980), pp. 160–81. I note also that three of the four critics wrote rejoinders to “Moral Standing”: Beitz, “Nonintervention and Communal Integrity”; Luban, “The Romance of the Nation-State”; and Doppelt, “Statism without Foundations,” all in *Philosophy & Public Affairs* 9, no. 4 (1980), at pp. 385–91, 392–97, and 398–403 respectively.

- ² Walzer, *Just and Unjust Wars*, p. 61.
- ³ The domestic analogy can take several forms. Traditionally, it runs from individuals to states in a socialized but politically unorganized state of nature where individual agents have obligations to follow principles deriving from the natural law. This is how the analogy is presented, e.g., by Wolff and Vattel.
- ⁴ Walzer, *Just and Unjust Wars*, p. 62.
- ⁵ *Ibid.*, p. 90; also p. 108.
- ⁶ In a paper published about a decade before *Just and Unjust Wars*, for example, Hedley Bull observed that “it would not be possible to find much support” for a (legal) right of humanitarian intervention “at the present time.” Hedley Bull, “The Grotian Conception of International Society,” in Herbert Butterfield and Martin Wight, eds., *Diplomatic Investigations: Essays in the Theory of International Politics* (London: Allen and Unwin, 1966), p. 64. There is no mention of such a right in the brief discussion of the “law of nations” in John Rawls, *A Theory of Justice*, rev. ed. (Cambridge, Mass.: Harvard University Press, 1999 [1971]), sec. 58.
- ⁷ Walzer, “Moral Standing,” p. 210.
- ⁸ Walzer, “Moral Standing,” p. 212. The remarks about the relationship between “fit” and legitimacy are ambiguous and I am not sure I have it right. The first reference to “fit” is in the context of the presumption owed by outsiders (“Moral Standing,” p. 212). Later, “fit” is presented as a standard of legitimacy, without qualification (p. 214). Later still, “fit” is a fact that might obtain even when a state is “objectively illegitimate” (p. 216).
- ⁹ Michael Walzer, “Nation and Universe” (1990), in *Thinking Politically*, pp. 185–87.
- ¹⁰ The source of my confusion is that, in Walzer’s usage, the word “legitimacy” seems to have only one sense, indicated by the metaphor of “fit.” The “legitimacy” that should be presumed by outsiders does not seem to be a different kind of legitimacy from this; the presumption is simply (though it is not simple) that a government “fits” its community: that is, that the state is “actually” legitimate.
- ¹¹ Walzer, “Moral Standing,” pp. 212, 214.
- ¹² *Ibid.*, p. 216.
- ¹³ *Ibid.*
- ¹⁴ For example, in Hedley Bull, “Society and Anarchy in International Relations,” in *Diplomatic Investigations*, pp. 38ff.
- ¹⁵ Although these writers share a conception of the (European) order as a society of states with its own distinctive norms, they do not always agree about the content of these norms. For example, whereas Wolff takes an uncompromising view of the rights of sovereignty, Vattel, who presents himself as Wolff’s popularizer, holds that a state might be justified in intervening in another state when an oppressed people asks for its help. The very fact of the request would show that the unity of the state, on which its right against interference is based, had been dissolved. Emer de Vattel, *The Law of Nations (Le Droit des gens)* (1758), trans. Charles G. Fenwick (Washington, D.C.: Carnegie Institution, 1916), II.iv.56.
- ¹⁶ Christian Wolff, *Jus gentium methodo scientifica pertractatum* (1749), trans. Joseph H. Drake (Oxford: Clarendon Press, 1934), para. 16.
- ¹⁷ *Ibid.*, para. 7.
- ¹⁸ *Ibid.*, para. 16.
- ¹⁹ *Ibid.*, para. 255.
- ²⁰ *Ibid.*, paras. 252–58.
- ²¹ Kant mentions Grotius, Pufendorf, Vattel, “and many others.” *Toward Perpetual Peace*, AK 8:355, in *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*, ed. Pauline Kleingeld (New Haven, Conn.: Yale University Press, 2006).
- ²² Wolff, *Jus gentium*, paras. 617, 621–23.
- ²³ After the single paragraph ruling out humanitarian intervention, Wolff devotes five paragraphs to arguing that states should not seek to influence the religions of other states, or force them to accept missionaries, or allow considerations of religion to get in the way of their duties of humanity and justice. *Jus gentium*, paras. 259–63.
- ²⁴ R. J. Vincent, *Nonintervention and International Order* (Princeton, N.J.: Princeton University Press, 1974), pp. 234–37. The Charter refers to the “principle of equal rights and self-determination of peoples” twice but says nothing to distinguish it from the principle of nonintervention. Its references to “human rights” and “fundamental freedoms” broach a change of great potential significance but its development was left for the future.
- ²⁵ Walzer, *Just and Unjust Wars*, p. 61.
- ²⁶ In “Bounded Morality,” I presented Walzer’s theory as an example of a view I called “the morality of states.” I was relying on a longer discussion in *Political Theory and International Relations* (Princeton, N.J.: Princeton University Press, 1979), pt. II. I now think this obscured the distinctions I try to draw here.
- ²⁷ Wolff, *Jus gentium*, para. 2.
- ²⁸ *Ibid.*, para. 28.

- ²⁹ Walzer, *Just and Unjust Wars*, p. 90; emphasis removed.
- ³⁰ Wolff, *Jus gentium*, para. 255.
- ³¹ In particular, Michael Walzer, “The Politics of Difference: Statehood and Toleration in a Multicultural World” (1997) and “Nation and Universe,” both in *Thinking Politically*, pp. 168–82 and 183–218.
- ³² “A nation is a historic community, connected to a meaningful place, enacting and revising a way of life, aiming at political or cultural self-determination.” Walzer, “Nation and Universe,” p. 214.
- ³³ Walzer quotes Berlin on Herder: “‘He [did] not see,’ writes Berlin, ‘why one community, absorbed in the development of its own native talent, should not respect a similar activity on the part of others.’” “Nation and Universe,” p. 212 (quoting Isaiah Berlin, *Vico and Herder* [New York: Vintage, 1977], p. 164).
- ³⁴ Michael Walzer, “Governing the Globe: What Is the Best We Can Do?” *Dissent* (Fall 2000), pp. 44–52. This essay should be read together with the remarks about the need to combine a global politics of emancipation with a politics of empowerment in Michael Walzer, “Global Equality,” the concluding chapter of *Politics and Passion: Toward a More Egalitarian Liberalism* (New Haven, Conn.: Yale University Press, 2004), pp. 133–39. See also Michael Walzer, “Beyond Humanitarian Intervention: Human Rights in Global Society” (2004), reprinted in *Thinking Politically*, where Walzer observes that we might think of humanitarian intervention as “the first example of the global enforcement of human rights” (p. 251).
- ³⁵ Walzer, *Just and Unjust Wars*, p. 108.
- ³⁶ Walzer, “Moral Standing,” p. 217. Or: “when a government turns savagely upon its own people, we must doubt the very existence of a political community to which the idea of self-determination might apply” (*Just and Unjust Wars*, p. 101). Or: humanitarian intervention would be justified “when the absence of ‘fit’ . . . is radically apparent” (“Moral Standing,” p. 214).
- ³⁷ Walzer, “Moral Standing,” p. 225.
- ³⁸ Walzer, *Just and Unjust Wars*, p. 104.
- ³⁹ *Ibid.*, p. 108.
- ⁴⁰ Michael Walzer, “The Politics of Rescue” (1994), in *Arguing about War* (New Haven, Conn.: Yale University Press, 2004), p. 72.
- ⁴¹ John Rawls, *The Law of Peoples* (Cambridge, Mass.: Harvard University Press, 1999), sec. 9. This is not the whole of Rawls’s idea—among other things it omits any reference to human rights (to which we return). Joshua Cohen suggests a similar idea in “Is There a Human Right to Democracy?” in Christine Sypnowich, ed., *The Egalitarian Conscience: Essays in Honour of G. A. Cohen* (New York: Oxford University Press, 2006), p. 233. Cohen’s paper is illuminating about the relationship between democracy and self-determination.
- ⁴² J. S. Mill, *Considerations on Representative Government*, ch. 3. This theme also occurs in Walzer’s account of the value of democracy in Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), ch. 12.
- ⁴³ Mill, *Considerations on Representative Government*, ch. 4. Also “A Few Words on Non-Intervention” (1859), repr. in Mill, *Dissertations and Discussions* (1874–82), vol. 3, pp. 238–63; and the discussion on Mill in *Just and Unjust Wars*, pp. 87–91. Mill thought that this process of political and social development is only likely to succeed (in nations that are not “barbarous”) when it takes place without foreign interference. This adds something to the formulation in the text.
- ⁴⁴ Avishai Margalit and Joseph Raz, “National Self-Determination,” *Journal of Philosophy* 87, no. 9 (1990), pp. 449ff. Raz and Margalit make an instrumental case for a right of national self-determination whose legitimate exercise and aims depend on various features of the context.
- ⁴⁵ Cohen, “A Human Right to Democracy?” p. 234.
- ⁴⁶ I borrow the distinction between respecting or honoring and fostering or promoting from Philip Pettit, “Consequentialism and Respect for Persons,” *Ethics* 100, no. 1 (1989), pp. 116–26.
- ⁴⁷ Walzer approved of the intervention and thought it should have occurred months earlier. Walzer, “The Politics of Rescue,” p. 79.
- ⁴⁸ Walzer, “The Politics of Rescue” and “Kosovo” (1999), both in *Arguing about War*.
- ⁴⁹ Michael Walzer, “The Argument about Humanitarian Intervention” (2002), in *Thinking Politically*, pp. 246–48.
- ⁵⁰ Walzer, “The Politics of Rescue,” p. 70.
- ⁵¹ See, e.g., the introduction to *Arguing about War*, p. xiii.
- ⁵² Walzer, “Beyond Humanitarian Intervention,” p. 260.
- ⁵³ Walzer, “The Politics of Rescue,” p. 76.
- ⁵⁴ Andrew Moravcsik, “The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe,” *International Organization* 54, no. 2 (2000), pp. 217–52.