



DIFFERENT PERSPECTIVES ON GLOBAL JUSTICE: A FUSION OF HORIZONS

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ABSTRACT

When he was asked where he came from, Diogenes of Sinope (404 - 323 B.C.) famously declared: “I am a citizen of the world.”¹ The Cynic’s declaration resonates with our intensively and extensively globalised world. Just as it was important whether a person sees him/herself as *primarily* a citizen of a particular polis or a citizen of the universal cosmopolis during the Cynic’s time, so also it is important – if not even more important – whether we see ourselves as *primarily* members of a state or the global society today.

This dissertation is aimed at delving into the debate on global justice. There are many ways to deal with the issue of global justice. I have chosen one way; to focus on cosmopolitanism contra statism in relation to resource curse with a view of arriving at a fusion of horizons. Essentially, cosmopolitanism and statism are attempts by political philosophers to set moral standards for our world. In our world today, there is need to set standards of behaviour in certain essential aspects of life. Standards are indispensable because the consequences of lack of standards are frighteningly negative.

Imagine a world without standards. I am of the opinion that a world without standards will end up in self-destruction. Without standards we will not be able to live together in harmony since there will be no common ground for the harmonization of our interests. Consequently, to use Hobbes’ nuance, we will go back to the state of nature where it is the war of all against all. But it is not enough to have standards; those standards have to be just. For unjust standards could as well pitch us against one another thereby we will find ourselves yet in some form of state of nature.

So, if standards are indispensable, just standards are even more indispensable. Just standards, supposedly, will make the world a peaceful place and the earth a better place for its inhabitants. This is why I am delving into the subject matter of this dissertation. For me, this is an endeavour to look at some aspects of global justice in terms of what they are and then proffer solutions as to what they ought to be. What I hope to achieve with this dissertation is to convince some of my readers that whether we are cosmopolitans or statists, it is possible for us to be globally just at least to some reasonable extent.

This dissertation is divided into an introduction, six chapters which are further divided into sub-chapters, and a conclusion. The introduction introduces the subject matter of the

¹ Diogenes Laertius, *Lives of Eminent Philosophers*. Ed. R.D. Hicks, 1972: Book VI (Chapter 2), p. 63.

dissertation and presents my position on the subject matter. The first chapter discusses the theoretical and conceptual differences between cosmopolitanism and statism, and discusses the methodological approach that will be used in the dissertation.

The second chapter is divided into six sub-chapters. The first sub-chapter presents an overview of cosmopolitanism and statism. The second and third sub-chapters discuss the views of two statisticians namely John Rawls and Thomas Nagel. The third and fourth sub-chapters discuss the views of two cosmopolitans namely Charles Beitz and Thomas Pogge. While the sixth sub-chapter discusses Sebastiano Maffettone's intermediary position between the cosmopolitan and the statist views.

The third chapter focuses on resource curse. It presents a descriptive analysis of resource curse in general, and then contextualises it in sub-Saharan Africa paying particular attention to the cases of Nigeria, Angola and the Democratic Republic of Congo. The fourth chapter, relying on the descriptive analysis in the third chapter, provides a preliminary prescriptive analysis of resource curse. Then the fifth chapter extends the prescriptive analysis by examining the moral relationship between causality and responsibility on different levels in the context of resource curse.

The sixth chapter examines possible arguments against my attempt to fuse the horizons of cosmopolitanism and statism. It reviews my hypothesis, recapitulates the key issues in the dissertation and then summarises the benefits of fusing the horizons of cosmopolitanism and statism. Finally, the concluding part of the dissertation disclaims the notion that my adopted fusion of horizons is a negation of cosmopolitanism and statism, and then reiterates my position on the subject matter of the dissertation.

Abstract

Als er gefragt wurde, woher er käme, erklärte Diogenes of Sinope (404-323 v.Chr.): „Ich bin ein Weltenbürger.“ Des Zynikers Erklärung lässt sich gut mit unserer heutigen globalisierten Welt in Einklang bringen. So wie es damals wichtig gewesen ist, ob sich eine Person in erster Linie als Bürger einer bestimmten Polis oder als ein Weltenbürger verstand, so ist es auch heute wichtig - wenn nicht sogar noch wichtiger geworden - ob wir uns selbst als Mitglieder eines bestimmten Staates oder einer globalen Gesellschaft verstehen.

Diese Dissertation setzt sich mit der Debatte über globale Gerechtigkeit auseinander. Es gibt mehrere Arten oder Methoden, mit denen man das Thema von globaler Gerechtigkeit bearbeiten kann. Ich werde mich auf den Kosmopolitismus und den Etatismus im Bezug auf den Ressourcenfluch konzentrieren, um zu einer Horizontverschmelzung beider zu gelangen. Wesentlich für den Kosmopolitismus und Etatismus sind die Herangehensweisen der politischen Philosophie, damit sie moralische Maßnahmen für die eine Welt andeuten können. In der heutigen Welt gibt es einen großen Bedarf, Verhaltensnormen in einigen wesentlichen Aspekten des Lebens zu setzen. Bestimmte Standards sind unverzichtbar, weil die Folgen von mangelhaften Standards erschreckend negativ sind.

Stellen Sie sich eine Welt ohne Normen vor. Ich bin der Meinung, dass eine Welt ohne Normen zu ihrer Selbstzerstörung führen würde. Ohne Normen können wir nicht miteinander in Harmonie leben, denn es würde keine Harmonisierung unserer unterschiedlichen Interessen möglich sein. Dementsprechend, um auch Hobbes mit einzubeziehen, werden wir zum Naturzustand zurückkommen müssen, in dem es zum Krieg aller gegen alle kommt. Allerdings reicht es nicht aus, Normen zu haben, da diese Normen zudem auch gerecht sein müssen. Eine ungerechte Norm kann vielmehr dazu führen, uns gegeneinander zu stellen, was wiederum erneut zum Naturzustand führen würde.

Also, wenn Normen unentbehrlich sind, sind gerechte Standards umso wichtiger. Gerechte Normen werden die Welt angeblich zu einem friedlicheren Ort machen und sie in einen besseren Ort für all ihre Bewohner verwandeln. Deshalb möchte ich mich mit diesem Thema in meiner Dissertation beschäftigen. Für mich ist es eine Bestrebung, ein paar Aspekte einer globalen Gerechtigkeit darzustellen und dessen Ermöglichungsansätze aufzuzeigen. Mit dieser Dissertation hoffe ich, meine Leser davon überzeugen zu können, dass egal, ob wir Kosmopolitaner oder Bürger eines Staates sind, es für uns möglich ist, globale Gerechtigkeit in einem guten Ausmaß herzustellen.

Die Dissertation selbst ist unterteilt in einer kurzen Einführung, sechs Hauptkapitel die wiederum in mehrere Unterkapitel aufgeteilt sind, und letztlich einen Schluss. In der Einführung stelle ich sowohl das Thema der Dissertation als auch meine eigene Position dar. Beim ersten Kapitel geht es dann in der Folge um den theoretischen und begrifflichen Unterschied zwischen Kosmopolitismus und Etatismus. Zudem stelle ich hierin das methodologische Verfahren, das in der Dissertation verwendet wird, dar.

Das zweite Kapitel wird in sechs Unterkapitel unterteilt sein. Das erste Unterkapitel stellt einen Überblick über den Kosmopolitismus und Etatismus dar. Bei dem zweiten und dritten Unterkapitel geht es um die Ansicht zweier Vertreter der Staatsbürger- Perspektive. Namentlich, John Rawls und Thomas Nagel. Im dritten und vierten Unterkapitel behandle ich zwei Kosmopolitaner: Charles Beitz und Thomas Pogge. Das sechste Unterkapitel diskutiert daraufhin Sabastiano Maffettones vermittelnde Ansicht zwischen kosmopolitanischer und staatsbürgerlicher Ansicht.

Das dritte Kapitel stellt sich dem Thema des Ressourcenfluchs. Es stellt eine allgemeine Analyse des Selbigen vor und kontextualisiert sie im Gebiet der Sub-Sahara in Afrika. Genauer hin in Bezug auf Nigeria, Angola, und die demokratische Republick Kongo. Das vierte Kapitel basiert auf den deskriptiven Analysen des dritten Kapitels, um eine vorläufige präskriptive Analyse des Ressourcenfluchs darzustellen. Beim fünften Kapitel handelt es sich um eine Erweiterung dieser präskriptiven Analyse durch eine Überprüfung des moralischen Zusammenhangs zwischen Kausalität und Verantwortlichkeit auf verschiedenen Ebenen im Rahmen dieses Ressourcenfluchs.

Das sechste Kapitel untersucht mögliche Argumente gegen meinen Versuch, Kosmopolitismus und Etatismus zusammen zu denken. Es überprüft meine Hypothese, rekapituliert die Hauptthemen in der Dissertation und fasst den möglichen Gewinn dieser Horizontverschmelzung von Kosmopolitismus und Etatismus zusammen. Letztlich stellt der Schluß der Dissertation eine Abgrenzung dar. Und zwar, dass meine angenommene Horizontverschmelzung eine neue Perspektive der globalen Gerechtigkeit sei, dass zunichtemachen Kosmopolitismus und Etatismus. Und letztlich stellt der Schluß der Dissertation betont meine eigene Position dieser Dissertation.

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INTRODUCTION

Long before Rawls' *Justice as Fairness*, justice has almost always been associated with fairness. From Plato's *Republic* and *On Justice* to Aristotle's *Nicomachean Ethics* and *Politics*, justice is generally seen as doing what is fair or dealing with people in a fair manner. Even in legal parlance where justice is categorized into procedural and substantive justice we often hear of fair and unfair trials and fair or just laws and unfair or unjust laws. Procedural justice, as the name suggests, has to do with consistently and impartially applying principles of law, following legal procedures or due process in the course of trials. Even if the principles, procedures or processes were in themselves unjust or unfair, as long as they are followed, then procedural justice is achieved. But substantive justice, in jurisprudence, goes beyond mere principles, procedures or processes to deal with the legitimacy of judgements and what is morally due to individuals or what they can morally ask of others or society. Such demands are basically the freedoms of the individuals whether those freedoms are negative, positive or republican.

Justice can also be divided into distributive justice, corrective justice, commutative justice, retributive justice, etc. The concept of justice is a multifaceted one. But it can still be dealt with as that one holistic concept called justice. In this discussion, my intention is not to deal with the various categories of justice or to deal with justice as a holistic concept. I shall be dealing with only one category or some particular type of justice in that the focus of this discussion shall be on global justice which falls under distributive justice albeit 'global' distributive justice rather than 'domestic' distributive justice.

My concern is not with individual states, I am concerned with the world as a whole. I will see the primary subject of justice as how the world is structured. Taking a cue from John Rawls's definition of domestic distributive justice², global justice can be construed as the way in which fundamental rights and duties are distributed globally and how the division of advantages (and disadvantages) from global 'cooperation,' 'competition,' 'engagements,' and 'activities,' 'events' and 'conditions' (institutional and interactional) are determined.

By virtue of the above construal, global justice is at the centre of the debate between cosmopolitans (those on the side of cosmopolitanism) and statist (those on the side of

² Rawls, John. *A Theory of Justice*. Rev. ed. Cambridge, MA: Harvard University Press, 1999: p. 6.

statism). Given the various strands and tenets of cosmopolitanism and statism, attempting to provide super-definitions for cosmopolitanism and statism is always problematic. The best approach is to explicate cosmopolitanism and statism such that the various strands and tenets will be covered by the explications. These explications of cosmopolitanism and statism are general construal rather than super-definitions!

Summing up the various strands and tenets (which will be discussed in sub-chapter 1.1 and chapter 2), generally cosmopolitanism can be construed as a perspective on global justice which says that “all persons stand in certain moral relations to one another; we are required to respect one another’s status as ultimate units of moral concern.”³ The crust of this construal is that all persons have equal moral worth and deserve equal moral consideration no matter their geographical location, political constituency or social affiliation and otherwise.

Although cosmopolitanism can be conceived as relational cosmopolitanism or non-relational cosmopolitanism, legal cosmopolitanism or moral cosmopolitanism, and interactional moral cosmopolitanism or institutional moral cosmopolitanism,⁴ the elements in the above construal are the core that makes a cosmopolitan strand or variant cosmopolitan. This construal is merely an operational construal! At this introductory stage of this dissertation, this operational construal is meant to give us an insight into what cosmopolitanism entails. The proper explication of the cosmopolitan perspective will be done in the extensive discussions in sub-chapter 1.1 and chapter 2.

On statism, first and foremost let us note that a certain conception of statism which says the running of socio-economic and politico-economic affairs of the state should be left to the government is not what I am concerned with here. Rather, I am concerned with statism as understood in political philosophy. Secondly, I note that there are strands of statism such as: the Hobbesian one which says justice is totally inapplicable to the international realm; the Rawlsian one which sees justice at the international realm as only existing between peoples;⁵ Nagel who says we can only plausibly talk about and practically have charity rather than

³ Pogge, Thomas. “Cosmopolitanism and Sovereignty,” *Ethics*, Vol. 103. No.1. (1992): p. 49.

⁴ Pogge, Thomas. “Cosmopolitanism and Sovereignty.” *The Cosmopolitan Reader*. Eds. Garrett Wallace Brown and David Held. Cambridge, UK: Polity Press, 2010: pp. 114-115.

⁵ Here, ‘peoples’ is understood as John Rawls used it in *The Law of Peoples*.

justice on the international level; and there are other conceptions of statism, too. Despite the variants and strands, statism is generally based on the following construal.

Summing up the various strands and tenets (which will be discussed in sub-chapter 1.1 and chapter 2), generally statism can be construed as a perspective on global justice which on the one hand says that in the nation state, justice is at once intellectually plausible, practically realisable and in fact a necessary element. But on the other hand and more crucially, conversely holds that: either justice is at once intellectually implausible, practically unrealisable and in fact not an element in the global system; or justice is only partially intellectually plausible, partially realisable and in fact only partially an element in the global system. While some statist hold the first, strong or radical view, others hold the second, weak or moderate view.

What I said about the construal of cosmopolitanism in the penultimate paragraph is entirely true of this construal of statism. This construal is merely an operational construal! At this introductory stage of this dissertation, this operational construal is meant to give us an insight into what statism entails. The proper explication of the statist perspective will be done in the extensive discussions in sub-chapter 1.1 and chapter 2.

The two distinction lines⁶ or major perspectives on global justice are cosmopolitanism and statism. Although global justice can be looked at from other lenses apart from the cosmopolitan and statist lenses, these other lenses are not major perspectives *per se*. Cosmopolitanism and statism are considered to be the two major perspectives on global justice because, at least since the past four decades, it is based on the principles of cosmopolitanism and statism that global justice is studied. Whatever other lenses that there are, although they might be considered as minor perspectives on global justice, they do not qualify as major perspectives because global justice is not studied, at least generally, based on the principles of such minor perspectives.

One thing should be noted here; the list of perspectives that can be employed to look at issues of global justice can be very extensive and I cannot exhaust it here. The list can contain perspectives from philosophy, political science, economics, development studies,

⁶ For the use of the term 'distinction lines', I credit Professor Dr. Andreas Vasilache for his very helpful insights. I am using the term 'distinction lines' rather than 'theories', because it is a better fit for the title and objective of the dissertation.

international law, history, sociology, human geography, etc. But I shall only deal with cosmopolitanism and statism because I am concerned with perspectives on global justice within the subfield of political philosophy, rather than perspectives from other fields.

My focus is on political philosophy. I am focusing on political philosophy because intuitively whenever and wherever issues of global justice are discussed they are (almost) always discussed as moral issues. And whenever and wherever solutions are proffered to problems of global justice, they are (almost) always construed as morally just and fair solutions to moral problems whether the problems are economic, political, cultural, sociological or even legal and otherwise. In a nutshell, theories from other fields, at best, will be ‘applied theories’, rather than major or original perspectives on global justice.

Given that cosmopolitanism and statism are not theories of International Relations (IR), the question is: Why use cosmopolitanism and statism, rather than IR theories, to analyse international or global issues? The answer is not far-fetched. While IR theories are mainly descriptive rather than prescriptive, cosmopolitanism and statism are mainly prescriptive rather than descriptive. Our subject matter, global justice, is not a descriptive one, it is rather prescriptive; hence the aptness of opting for cosmopolitanism and statism rather than IR theories.

One might even go further to ask, for instance, why not use: anthropological, psychological or sociological theories for the analysis of global justice issues which have to do with individuals and collectives; economic, business or commercial law theories for the analysis of global justice issues which have to do with corporations or firms; so on and so forth. Again, all these theories are mainly, like IR theories, descriptive. So I opted not to use them for the same reason I opted not to use IR theories.

Since the creation of the academic *sub-sub-field* of global justice within the sub-field of political philosophy in the 1970s,⁷ it has been dominated by cosmopolitanism and statism. Many cosmopolitans and statists on either side of the debate on global justice see their perspective as the only plausible perspective on global justice. They only look at global justice from their own perspective. But given that many issues of global justice are complex rather than simple, looking at such issues from only one perspective seems inadequate. Hence

⁷ Issues of global justice have been discussed at least since the time of Diogenes. Nevertheless, global justice was not robustly discussed in the academia before the 1970s; it was only sparingly and marginally discussed. It was only in the 1970s that the discussion flourished and took the shape of a sub-sub-discipline.

it is fast becoming clear to neutrals that no singular perspective is adequate to deal with global justice.

One way to tackle the complexity of global justice is to opt for the fusion of horizons between statism and cosmopolitanism. But the question is: can there be a plausible fusion of horizons between statism and cosmopolitanism? I shall answer this question in the affirmative. While many statists and cosmopolitans may argue that such fusion of horizons is implausible, I shall argue that such fusion of horizons is at once necessary and plausible.

There might be particular and simple cases of global justice in which cosmopolitanism or statism alone might just be at once necessary and sufficient. Nevertheless, generally cases of global justice are usually complex, and in these cases none of the perspectives is at once necessary and sufficient. Therefore, having a simple case in which one perspective is at once necessary and sufficient is an exception rather than the norm. While having complex cases in which none of the perspectives is at once necessary and sufficient is the norm rather than the exception. So, when we talk about the necessity and sufficiency of perspectives on global justice, we are talking about them in relation to the norm, rather than in relation to an exception, in global justice.

The subject matter of the dissertation or the main question the dissertation shall be wrestling with is: Is there any one perspective that is at once necessary and sufficient for dealing with global justice? In responding to the question I shall be working with the following hypotheses. First, there is no one perspective that is at once necessary and sufficient. While each perspective is necessary, none is sufficient. Second, consequently we should neither jettison any one perspective nor totally accept any one perspective. Third, then we should adopt a multifaceted approach in which we use the different perspectives as lenses to see the different facets of global justice in terms of ascertaining causality and assigning responsibility to parties involved in a case of global justice or perhaps more accurately a case of global injustice which reflects the absence of global justice within some specific spatio-temporal circumstances and events.

The case of the Lernaean Hydra⁸ called resource curse or paradox of plenty is a typical complex case of global justice or global injustice which reflects the absence of global justice within some specific spatio-temporal circumstances and events. So in a bid to narrow down

⁸ In Greek mythology, the Hydra of Lerna is a multi-headed dangerous serpent.

the scope of the debate on our subject matter and to contextualize it, I shall focus on resource curse in general and the resource-cursed Sub-Saharan Africa in particular. My focus on Sub-Saharan Africa as a whole shall be an overview while there will be special focus on Nigeria, Angola and the Democratic Republic of Congo (DRC).

I am focusing on Nigeria because apart from being the largest economy in Africa, it used to be the largest oil producer and exporter in Africa. It is currently the second largest oil producer and exporter in Africa. Since Nigeria has become infamous for its Niger Delta phenomenon, my focus on Nigeria shall be laden with special emphasis on the Niger Delta – a place known for crude oil, natural gas, environmental pollution, injustice, conflicts, poverty, petro-dollars and petro-naira. It can be called a dialectical Delta or a place of contradictions. It is a place of riches and poverty at their extremes, and a place of human rights activists and perpetrators of injustice too.

I am focusing on Angola because the Southern African country has surpassed Nigeria as the largest petroleum producer and exporter in Africa. Also, I am focusing on the Democratic Republic of Congo (DRC) because more than even Nigeria and Angola, the Central African country has epitomized resource curse. More than Nigeria and Angola, in Africa the situation in the DRC is the epitome of *what is that ought not to be*.

There are many ways to narrow down this debate. But I have chosen to focus on resource curse for four reasons. Firstly, resource curse cases are neither purely due to domestic factors nor purely due to global factors. They are always due to both domestic and global factors. Hence they are cases of global justice that allow us to do a multi-dimensional analysis. Secondly, resource curse cases are always products of multi-agencies rather than a single agency. Hence they are cases of global justice that allow us to do a multi-level analysis. Thirdly, global justice is mainly global economic or distributive justice.⁹ When those who are resource-rich - who could have been called upon to help those who are not resource-rich or the less resource-rich - are yet poor despite their resources, one wonders whether it is morally justified to ask others – most of whom are not resource-rich and less resource-rich – to come to their aid.

⁹ We can also talk about global justice in terms of armed conflicts, humanitarian intervention, etc. Many of these other areas are traditionally looked at legally within the purview of international law and international justice, but can also, and are actually sometimes looked at morally within the purview of international ethics or global justice.

Fourthly, given the number of people living in resource cursed-countries, the numerous lives lost and the amount of resources wasted during conflicts because of resource curse, the lives at stake due to poverty which is caused by resource curse and the amount of money involved in resource curse, solving the problem of resource curse, surely, will help alleviate global poverty. Solving the problem of resource curse will not eradicate the problems of global poverty and injustice. However, it will go a long way to alleviate them.

At this juncture let us pause to ask whether there is any critical need to be discussing global justice. Rather than answer this question by mere affirmation or negation, I will present an overview of the key issues that make global justice contentious. In our world today, we have made some progress in lifting many people out of poverty. If we accept the United Nations (UN)'s threshold of US\$2 per day as the threshold for poverty, that is, anyone who can afford to live on US\$2 (subject to Purchasing Power Parity – PPP) is not poor, we will have to accept that the end of last century and the beginning of this century have witnessed improved economic conditions and the vanquishing of poverty for hundreds of millions of people.

The economic progress is even more manifested if we accept the UN's threshold of US\$1.25 per day as the threshold for abject poverty, that is, anyone who can afford not to live below US\$1.25 (subject to PPP) per day is not abjectly poor. We only need to look at the BRIC (Brazil, Russia, India and China) to see how relatively fast they have moved hundreds of millions out of poverty, especially abject poverty. Even if we look at China alone, given China's population we will have to accept that our world has taken some giant strides in fighting poverty. Like China, India too, given its population, is a testament that poverty is not invincible.

If we add other countries that have been said to be making progress to the BRIC, for instance see the BRIC as BRICS - as it is now known by adding South Africa - and adding the economic progress of all the other emerging markets and growth economies, we might be persuaded to believe that we are witnessing the end of poverty and poverty is being made history in our time.¹⁰

¹⁰ For details of the significance of this sentence, see Sachs, Jeffery D. *The End of Poverty: Economic Possibilities for Our Time*. London: The Penguin Press, 2005. Also, see the 'Make Poverty History' campaigns which are organised by the Global Call to Action Against Poverty (GCAP).

Terence James O'Neill (Jim O'Neill), the economist who coined the acronym BRIC to show how economic power is shifting from developed to developing countries¹¹ also coined the acronyms MINT (Mexico, Indonesia, Nigeria and Turkey) and MIST, also known as MIKT (Mexico, Indonesia, South Korea and Turkey) to show how some developing countries are the next emerging markets and growth economies the world should expect to progress rapidly and tremendously.¹² With the memories of the East Asian miracle still fresh, there was euphoria over the aforementioned acronyms and the expected wonders emerging markets and growth economies will perform.

However, poverty has not been made history and there are very strong indications that poverty will not be made history in our time.¹³ All over the world, especially in low income economies or developing countries, there are still hundreds of millions of people living below the UN's poverty and abject poverty thresholds. These are the people Paul Collier calls the 'bottom billion.'¹⁴

A cogent moral approach to the aforementioned economic issues is to adopt distributive justice, that is, adopt normative principles which will guide us in "the allocation of the benefits and burdens of economic activity."¹⁵ The limitation of this approach is that it only focuses on the economic aspect of life or it considers other crucial aspects of life to be economic. The contention is that "it might exclude some 'goods' which are important to us but which are not usually considered part of economic life (such as education and health care)."¹⁶ Since, other things equal, the economic status of persons determine the sort of education and health care they can have access to, perhaps the above approach is not too imperfect. Even in countries where education and health care are free, it is because the governments of such countries have infused distributive justice principles into their public policy, in this case, education policy and health policy.

¹¹ O'Neill, Jim. "Building Better Global Economic BRICs", *Goldman Sachs Global Economics Paper*, No. 66, 30th November, 2011.

¹² O'Neill, Jim. "Who You Calling a BRIC?", *BloombergView*, 12th November, 2013.

¹³ For the indications, see Piketty, Thomas. *Capital in the Twenty-First Century*. Trans. Arthur Goldhammer. Cambridge, MA: Harvard University Press, 2014.

¹⁴ Collier, Paul. *The Bottom Billion: Why the Poorest Communities are Failing and What Can Be Done About It*. Oxford: Oxford University Press, 2007.

¹⁵ Lamont, Julian, and Christi Favor. "Distributive Justice", *Stanford Encyclopedia of Philosophy*, 22nd September, 1996: p. 1.

¹⁶ Armstrong, Chris. *Global Distributive Justice*. Cambridge, UK: Cambridge University Press, 2012: p. 16.

In both relative and absolute terms, some people are well-off while others are worse-off. Distributive justice is not only concerned with both relative and absolute ‘well-offness’ and ‘worse-offness.’ Also, it is crucially concerned with ‘worst-off’ persons. While, within the structures of the state, assisting the worst-off is not always contentious, assisting the ‘merely’ worse-off is very contentious. Even more contentious is assisting the ‘merely’ global worse-off. Although assisting the global worst-off is not as contentious as assisting the ‘merely’ global worse-off, by a very big margin it is more contentious than assisting the ‘merely’ worse-off with the structures of the state. This is because while (domestic) distributive justice is faced with only two critical central contentions, global distributive justice is faced with three critical central contentions.

For (domestic) distributive justice, the two critical central contentions are whether principles of distributive justice are justifiable and, if they are justifiable, to what extent are they justifiable. Here, I use ‘to what extent’ to refer to relative and absolute worse-off scenarios. For global distributive justice, the first and second critical central contentions are same as those of (domestic) distributive justice. But the third critical central contention, accepting that principles of distributive justice are justifiable, goes on to contend whether they are justifiable globally. It is this third critical central contention that ‘mainly’ separates statist from cosmopolitans. I use the term ‘mainly’ because the ‘to what extent’ term also separates some cosmopolitans from some statist, and even separates some statist from other statist, and some cosmopolitans from other cosmopolitans. These separations and divides will be discussed in detail in due course.

To say that morally the worst-off or the worse-off ought to be assisted implies that they are ‘entitled to assistance’, and correspondingly there are those whose ‘duties’ are to provide such assistance. Extending principles of distributive justice to the global arena, “*global distributive justice* ... suggests that there are some entitlements of justice which have global scope and which also suggests that there are some duties of justice which have global scope”¹⁷ (emphasis is original). Although Samuel Freeman asserts that global distributive justice requires the distribution of every available good to everyone¹⁸, global distributive justice does not necessarily suggest that every principle of distributive justice is valid

¹⁷ Ibid. p. 17.

¹⁸ Freeman, Samuel. “Distributive Justice and the Law of Peoples.” *Rawls’s Law of Peoples: A Realistic Utopia?* Rex Martin and David Reidy, eds. Oxford: Blackwell, 2006; pp. 243 – 260; p. 34.

globally. But it suggests that at least some principles of distributive justice are valid globally.¹⁹

If it is accepted that the worse-off and the worst-off are entitled to assistance, does the corresponding duty of assistance lie with individuals, collectives, states, or some other entities, and what sort of duty should it be?²⁰ No matter the entity the duty lies with, is it a duty of justice or a duty of charity? Comparatively, duties of justice are more demanding while duties of charity or humanitarian duties are less demanding. Duties of justice “are more *fundamental* in their objective”²¹ (emphasis is original) because they deal with the most pertinent issues such as the causal roles of moral agents and their corresponding responsibility, the justice-relationship between the haves and the have-nots and between the well-off and the worse-off.

Unlike duties of justice, humanitarian duties are superficial because they posit that the well-off should help the worse-off not based on any justice-relationship but simply because both of them share a common humanity.²² This infers that the well-off cannot be said to have played any role in the conditions that make the worse-off poor or even abjectly poor. More crucially it implies that the well-off are only moved ‘voluntarily’ by ‘compassion’ to do the worse-off a ‘favour.’ For these reasons, it can be argued that humanitarian duties attempt to address global distributive justice problems without dealing with the ‘how’ and ‘why’ the problems originated.²³

Nevertheless, that duties of justice are fundamental while humanitarian duties are superficial might not be the most helpful way to distinguish between the two. Arguably, the most helpful ways to distinguish between the two are that humanitarian duties are less stringent than duties of justice, and duties of justice are enforceable while humanitarian duties are not.²⁴ Duties of justice are more stringent to the extent that they can be enforced while humanitarian duties are less stringent to the extent that they cannot be enforced. Here, stringency refers to the firmness of duties and the difficulty in avoiding such firm duties.²⁵ While enforceability refers to the justifiability of compelling moral agents to perform certain duties in case the

¹⁹ Armstrong, Chris. *Global Distributive Justice*. Cambridge, UK: Cambridge University Press, 2012: p. 18.

²⁰ Ibid.

²¹ Ibid. p. 19.

²² Ibid. p. 20.

²³ Tan, Kok-Chor. *Justice Without Borders: Cosmopolitanism, Nationalism, and Patriotism*. Cambridge, UK: Cambridge University Press, 2004: p. 21.

²⁴ Armstrong, Chris. *Global Distributive Justice*. Cambridge, UK: Cambridge University Press, 2012: p. 21.

²⁵ Ibid.

agents are unwilling to perform such duties.²⁶ So, moral agents would be required to perform their duties of justice even if they have to pay a high price for the performance.²⁷

Assuming that the question of duties of justice versus humanitarian duties has been successfully resolved favouring either duties of justice or humanitarian duties, another ‘what sort of duties’ question arises: are they positive or negative duties?²⁸ Positive duties are duties “to do something good” while negative duties are duties “not to do something that is bad.”²⁹ Negative duties are easier to justify than positive duties. Negative duties ‘simply’ demand that we refrain from harming others. Although determining what constitutes ‘harming others’ is contentious. Also contentious is to what extent actions performed by moral agents ‘indirectly’ harm others.

Positive duties are not necessarily dependent on the failure previously to respect negative duties. But to some extent in the global justice discourse, positive duties are based on the fact that some moral agents have previously failed to respect their negative duties. Because such agents failed not to do harm to others, consequently they have the duty to rectify their harm. If positive duties are only about rectifying the failure of negative duties, positive duties will not be very contentious. They are very contentious because they go further to argue that the well-off should assist the worse-off whether or not the well-off are responsible for the conditions that make the worse-off poor or abjectly poor.

Assume we have accepted that principles of distributive justice are justifiable. Assume we have also accepted that principles of global distributive justice are justifiable. In other words, assume we have accepted that there are negative and positive duties which are not merely humanitarian duties but are duties of justice, and these duties of justice are global. At this juncture, the pertinent question will be; why is global distributive justice justifiable, that is, on what grounds is global distributive justice based? In dealing with this question, some political philosophers base their arguments on realities of our world while others base their arguments on realities of human nature.³⁰

Arguments based on realities of our world, on one side, say the fact that we share certain institutions globally or are in certain ways bounded together globally means global

²⁶ Ibid. p. 22.

²⁷ Miller, David. *National Responsibility and Global Justice*. Oxford: Oxford University Press, 2007: p. 248.

²⁸ Armstrong, Chris. *Global Distributive Justice*. Cambridge, UK: Cambridge University Press, 2012: p. 23.

²⁹ Rawls, John. *A Theory of Justice*. Cambridge, MA: Harvard University Press, 1971: p. 114.

³⁰ Armstrong, Chris. *Global Distributive Justice*. Cambridge, UK: Cambridge University Press, 2012: p. 25.

distributive justice is justifiable. Arguments based on realities of our world, on the other side, say the fact that we do not share certain institutions globally or are not in certain ways bounded together globally means that global justice is unjustifiable. These realities-of-our-world arguments are referred to as relational approaches.³¹

The arguments which are based on realities of human nature say that global distributive justice is justifiable because of “what we share simply by virtue of being humans.”³² While the realities-of-the-world arguments are referred to as relational approaches, the human-nature arguments in contrast are referred to as non-relational approaches.³³

Onora Oneill argues that insofar our decisions and actions affect other people; there is a connection between us that should be governed by duties of justice, especial principles of distributive justice.³⁴ Nevertheless, while our negative duties to refrain from harming the poor may be readily accepted as duties of justice, it is not readily admissible that positive duties to the poor are duties of justice.³⁵

But Simon Caney argues that global distributive justice can be justified on the same fundamental grounds which domestic distributive justice is justified. For Caney, domestic distributive justice rejects discrimination against fellow citizens not merely because they are fellow citizens but fundamentally because they are fellow humans and it is wrong to discriminate against fellow humans. Since both citizens and non-citizens are all humans, and fellow humans, the standard justifications of domestic distributive justice principles can equally serve as the standard justifications of global distributive justice principles.³⁶

For Samuel Black, to deny the above claim is to commit “the fallacy of *restricted universalism*” because an argument for distributive justice “that ascribes rights and claims on the basis of certain universal attributes of persons, cannot at the same time restrict the grounds for those claims to a person’s membership or status within a given society”³⁷

³¹ Ibid.

³² Ibid.

³³ Sangiovanni, Andrea. “Global Justice, Reciprocity and the State”, *Philosophy and Public Affairs*, Vol. 35, No. 1 (2007): pp. 3 – 39.

³⁴ Oneill, Onora. *Faces of Hunger*. London: Allen and Unwin, 1986.

³⁵ Gilibert, P. “The Duty to Eradicate Global Poverty: Positive or Negative?” *Ethical Theory and Moral practice*, Vol. 7, No. 4 (2005): pp. 537 – 550.

³⁶ Caney, Simon. *Justice Beyond Borders: A Global Political Theory*. Oxford: Oxford University Press, 2005: p. 107.

³⁷ Black, Samuel. “Individualism at an Impasse”, *Canadian Journal of Philosophy*, 21/3 (1991): pp. 347 – 377; p. 357.

(emphasis is original). But even among political philosophers who argue for global distributive justice, there is a perennial contention regarding the extent to which principles of distributive justice should be applied in terms of positive duties.

Some political philosophers, the minimalists, argue that principles of global distributive justice should be applied to meeting the basic needs and rights of the worse-off.³⁸ Once the basic needs and rights of the worse-off are satisfied, the remainder inequalities between the worse-off and the well-off are morally permissible. But other political philosophers, the egalitarians, argue that it is not enough to satisfy the basic needs and rights of the worse-off. Since most of the remainder inequalities are liable to moral objection,³⁹ justice demands that such inequalities are eradicated.

In effect, the egalitarian argument is that inequalities are only permissible if they are not morally objectionable, and since most inequalities are morally objectionable, therefore most inequalities are not permissible. In critique of the egalitarian approach and in defence of the minimalist approach, David Miller argues that what matters is that there is a fair basis for global cooperation and that the global institutional order ensures that every society has enough opportunities to be able to develop.⁴⁰

In the foregoing introductory discussion, I presented an overview of the global justice debate. This is an introduction of the key issues that were presented such as whether principles of (domestic) distributive justice should be applicable to the global realm, the global justifiability of duties of justice, the sufficiency and appropriateness of humanitarian duties instead of duties of justice, minimalist and egalitarian arguments for global distributive justice, the contentions concerning positive and negative duties, and the justifiability and unjustifiability of principles of global distributive justice in view of arguments based on realities of our world and realities of our human nature.

This introduction was aimed at giving us an overview of the global justice debate; it overviews the contentious arguments which will be dealt with in detail in the rest of the discussion. It is in the remainder of the discussion that how the issues discussed in this introduction fit into statism and cosmopolitanism will be evident, and it is in the remainder of

³⁸ Armstrong, Chris. *Global Distributive Justice*. Cambridge, UK: Cambridge University Press, 2012: p. 34.

³⁹ Ibid.

⁴⁰ Miller, David. *National Responsibility and Global Justice*. Oxford: Oxford University Press, 2007: p. 253.

the discussion that I will show how statist and cosmopolitans use such issues to argue for one perspective and against the other perspective.

In view of the above statement, in the following part of our discussion (chapter 1) I will preliminarily, but vitally, juxtapose statism with cosmopolitanism. The juxtaposition will be dealt with exhaustively in chapter 2 and finalised in subsequent chapters. Alongside the preliminary juxtaposition of statism with cosmopolitanism in the following first chapter, I shall present my methodological approach which will explain the kind of normative and theoretical analysis our discussion will be hinged on.

This dissertation is divided into an introduction, six chapters which are further divided into sub-chapters, and a conclusion. The introduction introduces the subject matter of the dissertation and presents my position on the subject matter. The first chapter discusses the theoretical and conceptual differences between cosmopolitanism and statism, and discusses the methodological approach that will be used in the dissertation.

The second chapter is divided into six sub-chapters. The first sub-chapter presents an overview of cosmopolitanism and statism. The second and third sub-chapters discuss the views of two statist namely John Rawls and Thomas Nagel. The third and fourth sub-chapters discuss the views of two cosmopolitans namely Charles Beitz and Thomas Pogge. While the sixth sub-chapter discusses Sebastiano Maffettone's intermediary position between the cosmopolitan and the statist views.

The third chapter focuses on resource curse. It presents a descriptive analysis of resource curse in general, and then contextualises it in sub-Saharan Africa paying particular attention to the cases of Nigeria, Angola and the Democratic Republic of Congo. The fourth chapter, relying on the descriptive analysis in the third chapter, provides a preliminary prescriptive analysis of resource curse. Then the fifth chapter extends the prescriptive analysis by examining the moral relationship between causality and responsibility on different levels in the context of resource curse.

The sixth chapter examines possible arguments against my attempt to fuse the horizons of cosmopolitanism and statism. It reviews my hypothesis, recapitulates the key issues in the dissertation and then summarises the benefits of fusing the horizons of cosmopolitanism and statism. Finally, the concluding part of the dissertation disclaims the notion that my adopted

fusion of horizons is a negation of cosmopolitanism and statism, and then reiterates my position on the subject matter of the dissertation.

1.0.

PERSPECTIVES ON GLOBAL JUSTICE

1.1.

Cosmopolitanism *contra* Statism

Robert Nozick, admitting the revolutionising effect of *A Theory of Justice*, says political philosophers will have to work within Rawls' framework or they will have to explain why they choose not to work within the framework.⁴¹ Just as *A Theory of Justice* revolutionises how political philosophers think about (domestic) distributive justice, so also (although to a lesser extent) *The Law of Peoples* revolutionises how political philosophers think about global justice. However, *The Law of Peoples* is an elaboration of Rawls' view on global justice which he first expressed in *A Theory of Justice*.

Rawls says we can call many things just or unjust. Just as we can call laws, institutions or social systems just or unjust, so also we can call certain actions of different kinds, be they decisions, judgements or imputations, just or unjust. Also we can call persons themselves, including their attitudes or dispositions, just or unjust. However, for him, "the primary subject of justice is the basic structure of society...the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation."⁴² In *A Theory of Justice*, Rawls is not only concerned with social justice, but he is particularly concerned with social justice in the domestic society. Hence he prescribes certain principles of justice which he thinks will ensure a just basic structure which will in turn ensure a just domestic society.

To attain a just basic structure, domestic societies are to be guided by justice as fairness. In justice as fairness, individuals sitting in the original position, behind a veil of ignorance, choose Rawls' two principles of justice. The first principle is the liberty principle and the second principle is the equality principle. The second principle is further divided into two principles namely the difference principle and the fair equality of opportunity principle. "First, each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others. Second, social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all."⁴³ Despite Rawls' intention to limit the application of these principles to domestic societies, the principles contributed immensely to charting the course of the debate on global justice.

⁴¹ Nozick, Robert. *Anarchy, State, and Utopia*. Oxford: Blackwell Publishers, 1999; p.183.

⁴² Rawls, John. *A Theory of Justice*. Rev. ed. Cambridge, MA: Harvard University Press, 1999: p. 6.

⁴³ *Ibid.* p. 53.

Two facts made Rawls' principles of justice the centrality of the global justice debate.⁴⁴ The first is that Rawls argued that his principles are for domestic societies and are not for the global society. Except few remarks like the ones made in paragraph 58 of *A Theory of Justice* (Revised edition), Rawls did not concern himself with global justice. When Rawls finally concerned himself with global justice in *The Law of Peoples*, he seemed to be almost negligent of the inequality he made central focus in domestic distributive justice. Second, Rawls' principles, especially the difference principle, reinvigorated or even determined the course of the global justice debate. In their first forays into the global justice debate, Charles Beitz and Thomas Pogge - two leading authorities in the global justice debate - merely extended Rawls' principles of justice, especially the difference principle, from domestic society to the global society. Therefore, arguably, Rawls can be seen as originating the contemporary debate on global justice⁴⁵ which has pitched statists against cosmopolitans.

Although each cosmopolitan and statist has his/her specific arguments for supporting cosmopolitanism or statism, such particular arguments are derivatives of the general arguments that divide cosmopolitanism and statism. Statism is based on special relationship and the basic structure. It is apt to say it is firstly based on the special relationship and secondly on the basic structure. On the one hand, and more importantly, it is based on the vertical relationship that exists between the state (sovereign) and the citizens. On the other hand it is based on the horizontal relationship among the citizens. Combining both relationships, statism is based on the relationship that exists within the state among the members (including the sovereign) of the state.

This special relationship, in other words, is the special and primary cooperation within a state that separates a state and its members from any other special and primary cooperation of other states and their members, and the general and secondary cooperation that might exist on one level among states and on another level among different members of different states. It is the special and primary cooperation that necessitates the basic structure.

Hence it is also said that statism is based on the basic structure that exists within the state and which helps the state to determine the just and fair distribution of the rights and obligations and the advantages and disadvantages within the aforementioned cooperation. In other words, the state is seen as a vehicle of social cooperation whereas the world as a whole lacks this

⁴⁴ Blake, Michael, and Patrick Taylor Smith. "International Distributive Justice", *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

⁴⁵ Ibid.

characteristic. In this Rawlsian basic structure, in order to protect the inviolability of persons, the state has mechanisms which ensure that the separatedness of individuals is respected and the advantages and disadvantages resulting from the social cooperation of persons are fairly distributed.⁴⁶

For statist, the vertical relationship between the state and citizens and the horizontal relationships among citizens are unique and essential thereby making states the prominent institutions. They see the socio-political structures and conditions of the state as different from those that obtain on the global level. Hence they conclude that the moral requirements that 'should' be demanded within the state are different from any moral requirements, if at all there is any, that 'may' be demanded on the global level.

However, cosmopolitans reject the above argument. They deny the prominence of the state. They argue that the so-called prominence of the state is a mere description of 'what is' rather than a moral prescription of 'what ought to be.' For them, our relationships as humans should have precedence over our relationships as citizens. Furthermore, they argue that the conditions that obtain within the state also obtain to a large extent on the global level. Thus moral demands and requirements applicable within the state should also be applicable to the global level.

Statism maintains the special nature of the state among human associations and on such basis regards citizenship or membership of state as the only, or at least the major, important relation. For statist, it is only states that have this sort of special relation. To argue for this position, statist rely on different arguments such as the coercion argument, the reciprocity argument, and the framing argument.⁴⁷

Many statist argue for their position on the grounds of coercion and cooperation. While some statist base their arguments on cooperation or the horizontal relationship among citizens, others base their arguments on coercion or the vertical relationship between the state and citizens.⁴⁸ Those who argue on the ground of coercion understand the basic structure as a

⁴⁶ Rawls, John. *A Theory of Justice*. Rev. ed. Cambridge, MA: Harvard University Press, 1999: p. 258.

⁴⁷ Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: p. 129.

⁴⁸ Nagel, Thomas, "The Problem of Global Justice," *Philosophy and Public Affairs*, Vol. 33. No. 2. (2005); Blake, Michael, and Patrick Taylor Smith. "International Distributive Justice", *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

coercive apparatus, while those who argue on the ground of cooperation understand the basic structure as a cooperative apparatus.⁴⁹

For statisticians like John Rawls, Michael Blake, Thomas Nagel, Samuel Freeman and Mathias Risse, that political-legal coercion is present within the state but absent on the global level makes principles of distributive justice “more demanding requirements within the state.”⁵⁰ Although this does not mean that there can be no principles of global distributive justice, it means that such principles will be ‘less demanding requirements’ and secondary. Such principles will be akin to those Rawls argued for in *The Law of Peoples*, for instance duty of assistance to burdened societies, remedying cases of severe poverty and gross violation of human rights.⁵¹ While for Rawls, Blake, Risse and Freeman this will count as a duty of justice, for Nagel it is a mere humanitarian duty or duty of charity.⁵²

Cosmopolitans have also adopted the coercive and cooperative apparatuses arguments to argue for their position. But unlike the statisticians who tend to stress the coercive apparatus argument more than the cooperative apparatus argument, the cosmopolitans tend to stress the cooperative apparatus argument more than the coercive apparatus argument.⁵³ Some cosmopolitans argue that the mechanism of coercion is not exclusive to the domestic realm. Some cosmopolitans argue that coercion also comes in other forms such as when states, through immigration policies, restrict non-citizens from entry,⁵⁴ and when powerful states interfere in the internal affairs of less powerful states through military, political, economic,

⁴⁹ Blake, Michael, and Patrick Taylor Smith. “International Distributive Justice”, *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

⁵⁰ Blake, Michael. “Distributive Justice, State Coercion, and Autonomy,” *Philosophy and Public Affairs*, Vol. 30. No. 3 (2001): pp. 257–296;

Risse, Mathias. “What to Say About the State,” *Social Theory and the Practice*, 32 (2006): pp. 671–698;

Blake, Michael, and Patrick Taylor Smith. “International Distributive Justice”, *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

⁵¹ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: pp. 105-106;

Blake, Michael, and Patrick Taylor Smith. “International Distributive Justice”, *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

⁵² Nagel, Thomas. “The Problem of Global Justice,” *Philosophy and Public Affairs*, Vol. 33. No. 2. (2005); p. 118;

Blake, Michael, and Patrick Taylor Smith. “International Distributive Justice”, *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

⁵³ Blake, Michael, and Patrick Taylor Smith. “International Distributive Justice”, *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

⁵⁴ Abizadeh, Arash. “Cooperation, Pervasive Impact, and Coercion: On the Scope (not Site) of Distributive Justice,” *Philosophy & Public Affairs*, Vol. 35. No. 4 (2007): pp. 318–358.

covert or overt operations.⁵⁵ They argue that even if the form and extent of coercion at the global realm is somewhat different from that of the domestic realm, there is enough coercion at the global realm to warrant global distributive justice.

Arguing that the sort of cooperation (horizontal relationship) among citizens within the state also exists on the global level, cosmopolitans frequently cite globalisation, especially the intensity and extensity of cross-border economic activities such as trade, as representing such cooperation. But Brian Barry argues that such trade is merely economically beneficial to the trading partners rather than creating a single cooperative unit which necessitates the sort of cooperating relationship within the state.⁵⁶ The implication of the cosmopolitan argument is that inasmuch as some statist argue for domestic distributive justice and argue against global distributive justice on the ground of coercion, if it can be shown that there is coercion at the global realm therefore there should be global distributive justice.

To exemplify the above claim, Joshua Cohen and Charles Sabel argue that: states *cooperated* to form the World Trade Organisation (WTO); the WTO *acts in the name* of states; the activities of the WTO are *those of the states*; the WTO *coerces* its members and failure to comply with such *coercion* leads to terrible economic consequences⁵⁷ (emphasis is mine). For Cohen and Sabel, since leaving is not a practical option for its members, and since remaining in it means its members are under coercion, consequently there is a direct relationship of coercion between the WTO and citizens of member states. This also applies to the relationships between other similar international organisations and citizens of member states.⁵⁸

There are other variants of both statist and cosmopolitan arguments. Among others, such variants include Andrea Sangiovanni's, Darrel Mollendorf's, Amartya Sen's, Peter Singer's, egalitarian cosmopolitans', etc. Sangiovanni argues that *reciprocity* gives rise to legitimate demand for the principles of distributive justice, and consequently distributive justice duties. For Sangiovanni, as long as individuals are involved in the collective provision of goods and services, they are owed the duty of reciprocity in order for them to benefit from the goods and

⁵⁵ Cavallero, Eric. "Coercion, Equality and the International Property Regime," *Journal of Political Philosophy* 18 (2010): pp. 16–31.

⁵⁶ Barry, Brian. "Humanity and Justice in Global Perspective," in J. Pennock and J. Chapman, eds., *NOMOS XXIV, Ethics, Economics and the Law*, New York: Harvester Wheatsheaf, 1982; p. 233.

⁵⁷ Cohen, Joshua, and Charles Sabel. "Extram Republicam Nulla Justitia?" *Philosophy and Public Affairs*, 34 (2009): pp. 147–175.

⁵⁸ *Ibid.*

services which they are involved in providing. So, to the extent and in the aspects that global economic activities are a collective provision of goods and services, it is to that extent and in those aspects that principles of global distributive justice are applicable.⁵⁹ Consequently, individuals are globally owed the duty of reciprocity to the extent and in the aspects they contribute to global economic activities that are collective provision of goods and services.

Mollendorf, in what he terms *the principle of associational justice*, argues that: as long as individuals are co-members of an association that is relatively strong and largely non-voluntary; and if this association is part of the foundational rules that determine how the members publicly relate to one another; and the rules governing the association can be controlled by persons; then, this association is subject to the principles of distributive justice.⁶⁰ For Mollendorf, as long as and to the extent that the international system resembles this association, there can be global distributive justice.⁶¹

For Sen, there are two main reasons for arguing that distributive justice should not be limited to the state. The first reason is that in order to avoid bias and be fair to others, we have to consider the interests of other people as relevant as our own interests. The second reason is that in order to avoid a narrow mindset that is focused on a local area, and in order to widen the scope of what we consider to be relevant principles of distributive justice, we need to consider other people's perspectives as relevant.⁶²

In domestic distributive justice, egalitarian cosmopolitans argue that it is unjust for a person's life prospects to be substantially affected by the circumstances – class, religion, ethnicity, etc. - into which he or she is born. Extending this argument to global distributive justice, egalitarian cosmopolitans argue “that it is unjust for a person's life prospects to be substantially affected by the country into which he or she is born.”⁶³ For egalitarian cosmopolitans, a person's circumstances of birth, whether socio-economic class or country, is

⁵⁹ Sangiovanni, Andrea. “Global Justice, Reciprocity, and the State,” *Philosophy & Public Affairs*, 35 (2007): pp. 19 – 20.

⁶⁰ Mollendorf, Darrel. “Cosmopolitanism and Compatriot Duties,” *The Monist*, Vol. 94. No. 4 (2011): pp. 535–554.

⁶¹ Ibid.

⁶² Sen, Amartya. *The Idea of Justice*. Cambridge, MA: The Belknap Press, 2009: p. 402.

⁶³ Altman, Andrew, and Christopher Heath Wellman. *A Liberal Theory of International Justice*. Oxford: Oxford University Press, 2009; p. 123.

simply an accident, hence should not be allowed to determine the life prospects of that person.

My construal of cosmopolitanism, as shown in the introductory part of this dissertation, is neither utilitarian nor in line with Peter Singer's. But while the utilitarian or Singer's conception of cosmopolitanism seems far from mainstream cosmopolitanism, it is still worth considering. Singer, being a utilitarian, based his cosmopolitan global justice argument on the principle of utility. His concern is how to maximise utility. In other words, he is concerned with how to maximise 'pleasure' and minimise 'pain.'

For Singer, it does not matter whether persons are members of the same state or not, whether they are party to the same basic structure or not, whether they are under the same coercive apparatus or not, and whether they are part of the same cooperative apparatus or not. For him, the well-off anywhere have a duty of global distributive justice to the worse-off anywhere. Because if we can prevent any morally bad thing from happening without sacrificing anything that is of equal moral importance to what we are preventing, then we have the moral duty to prevent such bad thing from happening.⁶⁴

In consideration of counter-cosmopolitan arguments, cosmopolitanism as a perspective on global justice does not only have its main opponent in statism, but also in nationalism which is akin to statism in that sometimes their arguments are the same and at other times they are at least related. For this reason, the hurdle of nationalism is one that cosmopolitanism must cross alongside the hurdle of statism.

Putting all of the nationalist arguments together, the crux of the nationalist arguments is that the national unit is special and therefore deserves special treatment.⁶⁵ The consequence is that while it is logical and appropriate to have domestic distributive justice, the same cannot be

⁶⁴ Singer, Peter. "Famine, Affluence and Morality." *Philosophy and Public Affairs*. Vol. 1. No. 1 (Spring, 1972); pp. 229 – 243.

⁶⁵ Kymlicka, Will. *Multicultural Citizenship*, Oxford: Clarendon, 1995;

Kymlicka, Will, Ed. *The Rights of Minority Cultures*. Oxford: Oxford University Press, 1995;

Miller, David. *On Nationality*. Oxford: Oxford University Press, 1995;

Miller, David. *National Responsibility and Global Justice*, Oxford: Oxford University Press, 2012.

said of global distributive justice.⁶⁶ In other words, shared national relationships make domestic distributive justice practical and possible. But global distributive justice, as conceived by cosmopolitans, is not rooted in any such relationship. Hence, it is merely theoretical.⁶⁷

Generally, the differences between statist and cosmopolitan are as follow. They do not agree on which institutions and established rules and practices give rise to distributive justice.⁶⁸ They do not agree on when exactly principles of distributive justice should be activated given particular institutions and established rules and practices. They do not agree on which particular principles of justice should be activated given certain institutions and established rules and practices. They do not agree on the nature of relevant principles of distributive justice given certain institutions and established rules and practices. Finally, they do not agree on the extent of applicable principles of distributive justice given certain institutions and established rules and practices.

Despite the differences between statist and cosmopolitan, there are some similarities between statist and cosmopolitan in a general sense. Both statist and cosmopolitan agree that institutions, and established rules and practices emanating from them, give rise to both legitimate demand for distributive justice and consequently duties of distributive justice.⁶⁹ Both statist and cosmopolitan agree that the mutual or collective participation of people in institutions and established rules and practices that are distribution-related automatically triggers principles of distributive justice.⁷⁰ Consequently, generally, both statist and cosmopolitan agree that: the presence of a basic structure triggers distributive justice; the absence of a basic structure nullifies distributive justice; the nature of a basic structure determines the nature of the principles of distributive justice that will be relevant; and the extent of a basic structure determines the extent of applicable principles of distributive justice.⁷¹

⁶⁶ Ibid.

⁶⁷ Walzer, Michael. *Spheres of Justice*, New York: Basic Books, 1983.

⁶⁸ Blake, Michael, and Patrick Taylor Smith. "International Distributive Justice", *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Ibid.

In view of the above differences, but also the similarities, between the cosmopolitan perspective and the statist perspective, there are various ways to seek a resolution of the dilemma the two perspectives present us with. We can opt for an extreme position in which we say the cosmopolitan perspective is totally right while the statist perspective is totally wrong. Or we can opt for another extreme position in which we say the statist perspective is totally right while the cosmopolitan perspective is totally wrong. These two positions have some elements of contradiction within them. To say that cosmopolitanism is totally wrong while statism is totally right, or that cosmopolitanism is totally right while statism is totally wrong, is contradictory because of the similarities between the two perspectives. So to hold any of the above positions is to deny that there are any similarities between the two perspectives.

An even more extreme position is to argue that both the cosmopolitan and the statist perspectives are totally wrong. For anyone who argues in this manner, the onus will be on him/her to present a perspective on global justice that will be totally different from both the cosmopolitan and the statist perspectives and yet be plausible and practicable. Surely, this is more than a Herculean task! The reverse position is to argue that both the cosmopolitan and the statist perspectives are totally right. This is sheer relativism! Another way to argue for the relativism position is to say that the cosmopolitan perspective is neither necessarily right nor necessarily wrong; it depends on what we say it is. And the statist perspective is neither necessarily right, nor necessarily wrong; it depends on what we say it is. This is based on the argument that global justice 'is what we make of it.' If we say the cosmopolitan perspective is right, then it is right. If we say it is wrong, then it is wrong. And if we say the statist perspective is right, then it is right. If we say it is wrong, then it is wrong.

There is a position which says that the cosmopolitan perspective is totally right while the statist perspective is only partially right and partially wrong. This position says the statist perspective is right to the extent it is similar to the cosmopolitan perspective, and the statist perspective is wrong to the extent it differs from the cosmopolitan perspective. The reverse of this position says the statist perspective is totally right while the cosmopolitan perspective is only partially right and partially wrong. This argument says the cosmopolitan perspective is right to the extent it is similar to the statist perspective, and the cosmopolitan perspective is wrong to the extent it differs from the statist perspective.

The reverses of the above two positions are, firstly, to say that the cosmopolitan perspective is totally wrong while the statist perspective is only partially wrong and partially right. The statist perspective is only wrong to the extent it is similar to the cosmopolitan perspective, and the statist perspective is right to the extent it differs from the cosmopolitan perspective. Secondly, the reverse position is to say that the statist perspective is totally wrong while the cosmopolitan perspective is only partially wrong and partially right. The cosmopolitan perspective is only wrong to the extent it is similar to the statist perspective, and the cosmopolitan perspective is right to the extent it differs from the statist perspective.

Among the above positions, cosmopolitans have opted for mixed-positions. They all argue that cosmopolitanism is totally right. But some argue that statism is totally wrong while others argue that statism is only partially right and partially wrong. The former argue that statist is totally wrong because they see no similarities between statism and cosmopolitanism. But the latter, who see both similarities and differences between statism and cosmopolitanism, argue that statism is only right to the extent it is similar to cosmopolitanism, and statism is wrong to the extent it differs from cosmopolitanism.

Like the cosmopolitans, statisticians have also opted for mixed-positions among the above positions. All statisticians argue that statism is totally right. But some argue that cosmopolitanism is totally wrong while others argue that cosmopolitanism is only partially right and partially wrong. The former argue that cosmopolitanism is totally wrong because they see no similarities between cosmopolitanism and statism. But the latter, who see both similarities and differences between cosmopolitanism and statism, argue that cosmopolitanism is only right to the extent it is similar to statism, and cosmopolitanism is wrong to the extent it differs from statism.

My position is that neither cosmopolitanism nor statism is totally right or totally wrong. I will argue that both are partially right and partially wrong. Their rightness and wrongness should not be based on how similar to and different from each other they are. Rather, their rightness and wrongness should be based on how helpful or unhelpful they are in our quest to understand global justice and resolve global justice issues, especially complex cases of global justice such as resource curse. I base this argument on the grounds that the essence of cosmopolitanism and statism, as perspectives on global justice, is to help us understand global justice and resolve issues and cases of global justice.

Therefore, I will argue for a position in which, given the strengths and weaknesses of both cosmopolitanism and statism, the horizons of the two perspectives will be fused in order to have a better understanding of global justice and a better solution to issues of global justice especially complex cases of global justice such as resource curse. In this fusion of horizons, I will use the strengths of cosmopolitanism to compensate for the weaknesses of statism and use the strengths of statism to compensate for the weaknesses of cosmopolitanism.

1.2.0. Non-ideal Theory, Moral Analysis, Levels of Analysis and Fusion of Horizons.

My methodological approach shall be theoretical and normative. I shall go through the following process. First and foremost, I will engage some key texts that have dealt with global justice in general and cosmopolitanism and statism in particular. These texts include Charles Beitz's *Political Theory and International Relations*, Thomas Pogge's 'Cosmopolitanism and Sovereignty', John Rawls' *The Law of Peoples*, Thomas Nagel's 'The Problem of Global Justice', Sebastiano Maffettone's 'Normative Approaches to Global Justice', etc.

I am using these texts not only because they are some of the most valuable literature in the global justice debate. But also, and more importantly, Beitz and Pogge on the cosmopolitanism side, and Rawls and Nagel on the statism side, bring to fore the dichotomy between the two distinction lines in global justice. On his part, Maffettone forges the bridging of that dichotomy by arguing for 'reconciliation' of both sides in order to arrive at a neutral position. I shall use these texts to analyse cosmopolitanism and statism. In my analysis of cosmopolitanism and statism, I shall show how and why they are both individually necessary but insufficient distinction lines in global justice.

Secondly, I will deal with literature on resource curse. I will use literature on resource curse to show the merits and limitations of cosmopolitanism and statism when they are applied to complex cases of global justice. So, my analysis of resource curse will be a means to show that despite the limitations of cosmopolitanism and statism, which will be revealed in the analysis of resource curse, a fusion of horizons rather than mutual exclusivity is a viable way to use cosmopolitanism and statism when dealing with complex cases of global justice such as resource curse.

Thirdly, my approach shall consist of non-ideal theoretical analysis rather than ideal theoretical analysis, a combination of interactional moral analysis and institutional moral analysis, different levels of analysis or levels of causality and responsibility and fusion of horizons. Moreover, the combination of cosmopolitanism and statism is well served by the levels of analysis, or more accurately, levels of causality and responsibility, which are; the individual level, the collective level, the corporate level, the state level, and the global institutional order level.

Finally, logical analysis will be heavily relied upon throughout our discussion - although it is only in subchapters 5.1 and 6.1 that logical analysis resembling logical models will be used. A very helpful way to check the validity of arguments made in natural language is to summarise them in the formal language of logic. Normally, especially in classical logic, “a *logic* consists of a formal or informal language together with a deductive system and/or a model-theoretic semantics. The language has components that correspond to a part of a natural language like English or Greek. The deductive system is to capture, codify, or simply record *arguments* that are *valid* for the given language, and the semantics is to capture, codify, or record the meanings, or truth-conditions for at least part of the language”⁷² (emphasis is original). Hence I will rely on logical analysis to prove the validity of my arguments, and it is for this reason that logical analysis will be heavily relied upon throughout our discussion.

1.2.1. The Ideal Theory/Non-ideal Theory Distinction

Max Weber’s ideal type heralds Rawls’ ideal theory. According to Weber, “An ideal type is formed by the one-sided *accentuation* of one or more points of view and by the synthesis of a great many diffuse, discrete, more or less present and occasionally absent *concrete individual* phenomena which are arranged according to those one-sidedly emphasised viewpoints into a unified *analytical* construct.”⁷³ It is essentially, wholly and only a depiction of a model-phenomenon that is not only imaginable but also adequately representative of the realities it depicts. Although it is not necessarily realistic, it is to it that the realities it represents or real

⁷² Shapiro, Stewart. “Classical Logic”, *Stanford Encyclopedia of Philosophy*, 28th August, 2013.

⁷³ Weber, Max. *The Methodology of the Social Sciences*. Trans. and Eds. Edward A. Shils and Henry A. Finch. Glencole, Illinois: The Free Press, 1949: p. 90.

cases are to be approximated. But it neither stands for ‘perfection’ nor is it the ‘average’ of what it represents.⁷⁴

Like the ideal type, the ideal theory neither stands for perfection nor is it the average of what it represents. Nevertheless, while the ideal type does not necessarily denote or connote what morally ought to be, the ideal theory denotes or connotes what morally ought to be. Furthermore, while the ideal type is a social science analytical tool, the ideal theory is a *particular* way of reasoning about or dealing with justice or theorising about justice in political philosophy.

In Rawls’ view, there are two ways of reasoning about or dealing with justice or two ways of theorising about justice. As he opines, the theory of justice is intuitively divided into two parts. The first part or the ideal part is popularly known as ideal theory, while the second part or the non-ideal part is popularly known as non-ideal theory.⁷⁵ Since Rawls, in *A Theory of Justice*, first introduced the distinction between ideal and non-ideal theory as two ways of dealing with theory of justice, there are now different formulations of, and different names for, ideal theory and non-ideal theory. Nevertheless, I shall focus on Rawls’ formulation and distinction. Apart from being original and vanguard, Rawls’ formulation and distinction is adequate for my methodological purpose.

On the one hand, ideal theory, first of all, “assumes strict compliance and works out the principles that characterize a well-ordered society under favourable circumstances.”⁷⁶ Then it prescribes for us “a conception of a just society that we are to achieve if we can.”⁷⁷ Finally, it posits that we are to judge our existing institutions in accordance with the prescribed conception.⁷⁸

On the other hand, non-ideal theory is aimed at realising the conception of a just society in the ideal theory. Hence, it “asks how this long-term goal might be achieved, or worked toward, usually in gradual steps. It looks for courses of action that are morally permissible and politically possible as well as likely to be effective.”⁷⁹ By virtue of this conception, non-

⁷⁴ Weber, Max. *The Methodology of the Social Sciences*. Trans. And Eds. Edward A. Shils and Henry A. Finch. Glencole, Illinois: The Free Press, 1949: pp. 90-92.

⁷⁵ Rawls, John. *A Theory of Justice*. Cambridge, MA: Harvard University Press, 1971: p. 245.

⁷⁶ Ibid.

⁷⁷ Ibid. p. 246.

⁷⁸ Ibid.

⁷⁹ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: pp. 89-90.

ideal theory assumes that ideal theory is already present. Except the ideal theory is present, non-ideal theory has no frame of reference or lacks any objective which it can approximate to.⁸⁰

A key characteristic of ideal theory is that it is a realistic utopia. It is realistic in that it accommodates the real situation of our world, it deals with people, institutions and the world as they are, and it is actually practicable or can be applied to the domestic or global political structures of our world. It is also utopian because it points to what domestic or global political arrangements ought to be.

In Rawls's words, the ideal theory as described in *The Law of Peoples*, is realistic because "it could and may exist. I say it is also utopian and highly desirable because it joins reasonableness and justice with conditions enabling citizens to realize their fundamental interests."⁸¹ In order to formulate the principles of the ideal theory, "taking men as they are and laws as they might be"⁸² - borrowing the words of Jean-Jacques Rousseau - "We ask what could come into existence as a result of our choices, given the limits set by our moral and psychological natures and by facts about social institutions and how humans can live under them."⁸³ Consequently, relying on conjectures and speculations to determine what is practically possible,⁸⁴ we use ideal theory to explore boundaries of "practicable political possibility,"⁸⁵ although bearing in mind that "what counts as practically possible may be in certain respects historically relative."⁸⁶ Nevertheless, in order to avoid unrealistic utopia, our aim in the ideal theory is to make assumptions that are realistic.⁸⁷

The ideal theory is arrived at in the original position. There are two original positions; the first original position as postulated in *A Theory of Justice* and the second original position as postulated in *The Law of Peoples*. While individuals are the subject of the first original

⁸⁰ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: pp. 89-90.

⁸¹ Ibid. p. 7.

⁸² Ibid.

⁸³ Simmons, John A. "Ideal and Nonideal Theory," *Philosophy and Public Affairs*, Vol. 38. No. 1. (2010): p. 7.

⁸⁴ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 12.

⁸⁵ Rawls, John. *Justice as Fairness: A Restatement*. Ed. Erin Kelly. Cambridge, MA: Harvard University Press, 2001: pp. 4, 13.

⁸⁶ Simmons, John A. "Ideal Theory and Nonideal Theory," *Philosophy and Public Affairs*, Vol. 38. No.1. (2010): p. 8.

⁸⁷ Ibid.

position, peoples are the subject of the second original position - albeit peoples are represented by their representatives who of course are individuals. Also while the first original position is in the domestic context, the second original position is in the international context.

In the first or domestic original position, rational and reasonable individuals who are impartial - representing members of the society – choose the principles of justice that will determine and regulate the basic structure of society. In order to ensure fairness, the representatives in the original position are to choose the principles of justice behind the veil of ignorance. Behind the veil of ignorance, the representatives neither know their place in society, they do not know their “class position or social status,” nor do they know their “fortune in the distribution of natural assets and abilities”, including their “intelligence and strength, and the like.”⁸⁸ This first original position which is modelled for a closed-up liberal democracy, and the resultant principles of justice chosen in it, make up the first part of the ideal theory.⁸⁹

In the second part of the ideal theory, Rawls extended his liberal conception of justice in domestic liberal society to the international arena. By so doing, according to Rawls, an ideal theory – in this case the Law of Peoples – is conceptualised for well-ordered peoples to guide how they design mutually benefitting institutions, how they relate with one another, and how they relate with outlaw states, burdened societies and benevolent absolutisms.⁹⁰

As John Simmons points out, the two parts of the ideal theory as presented above can be said to, correspondingly, have their own non-ideal theory each. The first or domestic part of the ideal theory can be said to have a corresponding non-ideal theory that deals “with failures of domestic institutions to live up to the requirements of domestic ideal theory.”⁹¹ While the second or international part of the ideal theory can be said to have a corresponding non-ideal theory that deals “with failures of societies to live up to the requirements of international

⁸⁸ Rawls, John. *A Theory of Justice*. Rev. ed. Cambridge, MA: Harvard University Press, 1999: p. 118.

⁸⁹ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: pp. 4-5.

⁹⁰ *Ibid.* p. 89.

⁹¹ Simmons, John A. “Ideal Theory and Nonideal Theory,” *Philosophy and Public Affairs*, Vol. 38. No. 1. (2010): p. 11.

ideal theory.”⁹² However, a less well-known element of the ideal theory, according to Simmons, is that although Rawls only divides the ideal theory into two parts, it has a third part which evidently entails a corresponding third part of non-ideal theory.

The third part of the ideal theory is a group of principles that are meant to regulate the conducts of individuals. These principles are drawn independently from both the principles of domestic justice and the principles guiding the conducts and relationships of peoples in a just global order. The principles in the third part of the ideal theory are: principles of fairness, which apply to obligations; principles of natural duty, which apply to the basic structure of the domestic society⁹³; and principles of global justice, which apply to international law.⁹⁴

The non-ideal theory as postulated by Rawls in *The Law of Peoples* is divided into two types. The first type is what can be called non-compliance non-ideal theory while the second type is what can be called unfavourable condition non-ideal theory. On the one hand, the non-compliance non-ideal theory deals with noncompliance conditions which are conditions whereby some governments, outlaw states, decline to comply with the Law of Peoples in spite of the reasonableness of the Law of Peoples.⁹⁵ On the other hand, the unfavourable condition non-ideal theory deals with unfavourable conditions which are conditions whereby due to certain historical factors, social problems and economic situations, it is difficult or even impossible for certain governments, burdened societies, to have well-ordered governments.⁹⁶

The Ideal theory, for Rawls, is the appropriate starting point in political philosophy when theorising about justice. It is the ideal theory that spells out for us how we should formulate or create the basic structure of our society. To know whether our society is structurally just or unjust, or to know to what extent our society is structurally just or unjust, we only need to look at how far away or close the basic structure of our society is from or to the principles of the ideal theory. If the basic structure of society conforms to the principles spelt out by the

⁹² Ibid.

⁹³ Rawls, John. *A Theory of Justice*. Rev. ed. Cambridge, MA: Harvard University Press, 1999: pp. 109, 115.

⁹⁴ Rawls, John. *Justice as Fairness: A Restatement*. Ed. Erin Kelly. Cambridge, MA: Harvard University Press, 2001: p.11;

Simmons, John A. “Ideal Theory and Nonideal Theory,” *Philosophy and Public Affairs*, Vol. 38. No. 1. (2010): p. 11.

⁹⁵ Rawls, *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 90.

⁹⁶ Ibid.

ideal theory, we have a structurally just society. But if the basic structure does not conform to the principles spelt out by the ideal theory, then we have a structurally unjust society.

The centrality of the ideal theory is perfect or strict compliance. In ideal theory, it is assumed that all subjects and agents of justice will perfectly comply with the principles formulated, and that all the necessary and sufficient conditions to enable all subjects and agents of justice to comply perfectly are present. For Rawls, the ideal theory is the primary or fundamental part of theory of justice, while the non-ideal theory is the secondary part. According to Rawls, “the nature and aims of a perfectly just society is the fundamental part of justice.”⁹⁷ Therefore, for Rawls, we need the ideal theory “to formulate a reasonable conception of justice for the basic structure of society,” and when this is done, the residual predicament of justice will become easier to deal with.⁹⁸

Amartya Sen calls the ideal theory transcendental institutionalism and calls non-ideal theory realisation-focused comparison.⁹⁹ He criticises the ideal theory based on three desiderata. The first desideratum is that the sole purpose of the ideal theory is to prescribe for us perfectly just societies, and it does not tell us how to minimise injustice or pursue justice in our societies. Hence, ultimately, we cannot use the ideal theory as our basis of any practical reasoning.¹⁰⁰ For Sen, although there may be a motivational link between the ideal theory and non-ideal theory, there is no analytic connection between the former and the latter, and we will be wrong to assume – as Rawls does - that we cannot do non-ideal theory without first having an ideal theory to guide us or to aim at.¹⁰¹

The second desideratum is given that the ideal theory only focuses on the creation of a perfect society, it does not help us in comparing different societies as to how relatively just or unjust they are.¹⁰² Furthermore, Sen says rather than focusing on the relative comparisons of justice and injustice, the ideal theory focuses on perfect justice and attempts only to discover social features that we cannot transcend in the context of justice. Thus the ideal theory does not focus on comparing realistic societies which may not have the features of a perfect society.

⁹⁷ Rawls, John. *A Theory of Justice*. Cambridge, MA: Harvard University Press, 1971: p. 9.

⁹⁸ *Ibid.* p. 8.

⁹⁹ Sen, Amartya. *The Idea of Justice*. Cambridge, MA: The Belknap Press, 2009: p. 7.

¹⁰⁰ *Ibid.* p. IX.

¹⁰¹ *Ibid.*

¹⁰² *Ibid.* pp. IX-X.

For the ideal theory, the identification of the nature of ‘the just’ is what matters rather than searching for certain standards to determine how some alternative societies can be either less unjust, less just, more unjust or more just than others.¹⁰³

To illustrate his argument Sen relies on Social Choice Theory and performs a thought experiment in which two persons rank alternatives A, B and C according to their preferences. In one person’s scale of preference or order of ranking, A is ranked as first choice, B is the second choice and C is the third or last choice. In the other person’s scale of preference or order of ranking, A is also the first choice, but C is the second choice while B is the third or last choice. Aggregating the choices of the two persons given their orders of ranking, we only know that alternative A is preferable to both alternatives B and C. But their orders of ranking do not tell us whether B is preferable to C or vice versa.

So Sen analogously says that “the fact that a person regards the *Mona Lisa* as the best picture in the world does not reveal how she would rank a Picasso against a van Gogh.”¹⁰⁴ For Sen, it is neither sufficient nor helpful “to know that the *Mona Lisa* is the most perfect picture in the world when the choice is actually between a Dali and a Picasso.”¹⁰⁵ In other words, no matter our conception of transcendence, whether as “the graded best” or “the gradeless right,” transcendental justice will still not help us in doing comparisons. Because in judging between two available alternatives there is no reason for us to have recourse to a totally different alternative as the “best” or “right” alternative.¹⁰⁶

The third desideratum is that the ideal theory focuses only on creating just institutions and totally neglects how individuals actually behave. So the ideal theory is unhelpful because “the presence of remediable injustice may well be connected with behavioural transgressions rather than with institutional shortcomings....Justice is ultimately connected with the way peoples’ lives go, and not merely with the nature of the institutions surrounding them.”¹⁰⁷ Furthermore, Sen argues, given that it is not only institutions, but also non-institutional features such as the way people actually behave and their interaction with one another, which shape or determine the sort of society that will emerge from any institutional arrangements,

¹⁰³ Sen, Amartya. *The Idea of Justice*. Cambridge, MA: The Belknap Press, 2009: pp. 5-6.

¹⁰⁴ Ibid. p. 101.

¹⁰⁵ Ibid. p. 16.

¹⁰⁶ Ibid. p. 101.

¹⁰⁷ Ibid. p. X.

the ideal theory is wrong to be solely focused on creating just institutions without focusing directly on the actual societies that will ultimately result from those institutions.¹⁰⁸

Sen summed up the three desiderata as the feasibility and redundancy problems, and a need for a departure from an arrangement-focused approach to a realization-focused approach.¹⁰⁹ The arrangement-focused approach which Sen also refers to as transcendental institutionalism or *niti* is the ideal theory, while the realization-focused approach which Sen also refers to as realization-focused comparison or *nyaya* is non-ideal theory.¹¹⁰

The feasibility problem means that the ideal theory is infeasible because “there may be no reasoned agreement at all, even under strict conditions of impartiality and open-minded scrutiny...on the nature of the ‘just society.’”¹¹¹ So, rather than focusing on ‘just society,’ the focus should be on how to compare relatively just or unjust societies which are the only alternatives we have. Consequently, the redundancy problem by which Sen means that ideal theory is redundant because by focusing on perfect justice and attempting only to discover social features that we cannot transcend in the context of justice, it does not help us to do relative comparisons of justice and injustice, and thus cannot help us to choose among realistic alternative societies.¹¹²

The departure from an arrangement-focused approach to a realization-focused approach, for Sen, is necessary because we “need to focus on actual realizations and accomplishments of what are identified as the right institutions and rules.”¹¹³ Re-echoing his Capability Approach, Sen asks rhetorically, must our analysis of justice “be so confined to getting the basic institutions and general rules right? Should we not also have to examine what emerges in the society, including the kind of lives that people can actually lead, given the institutions and rules, but also other influences, including actual behaviour, that would inescapably affect human lives?”¹¹⁴ Of course we know what Sen’s answer to this rhetorical question is!

¹⁰⁸ Ibid. p. 6.

¹⁰⁹ Ibid. pp. 9-10.

¹¹⁰ *Nyaya*, alongside *niti*, are classical Sanskrit terms for justice. “Among the principal uses of the term *niti* are organizational propriety and behavioural correctness. In contrast with *niti*, the term *nyaya* stands for a comprehensive concept of realized justice.” Ibid. p. 20.

¹¹¹ Ibid. p. 9.

¹¹² Ibid.

¹¹³ Ibid. p. 10.

¹¹⁴ Ibid.

The lynchpin of Sen's argument is that while the ideal theory lacks the above desiderata, faces the feasibility and redundancy problems, and is merely an arrangement-focused approach, non-ideal theory has the desiderata, does not face the feasibility and redundancy problems and is a realization-focused approach. Hence, non-ideal theory, rather than the ideal theory, should be the proper approach to the theory of justice.

My approach shall be non-ideal theory rather than the ideal theory. It is not because I think the ideal theory is so limited that it has no methodological importance or usability. Rather, it is because resource curse is necessarily, or by definition, or analytically, a case of non-compliance or partial compliance, hence a problem for non-ideal theory. What non-ideal theory will help us do is to determine the causality of resource curse and assign responsibility to the causal agents. This I shall do on the different levels of analysis or on the different levels of causality and responsibility.

1.2.2. Interactional Moral Analysis and Institutional Moral Analysis

According to Thomas Pogge, we have two distinct ways of analysing the social affairs or occurrences of our world. In the first way, we see the social affairs or occurrences “interactionally: as actions, and effects of actions performed by individual and collective agents.”¹¹⁵ In the second way, we see the social affairs or occurrences “institutionally: as effects of how our social world is structured and organized – of our laws and conventions, practices and social institutions.”¹¹⁶ Furthermore, Pogge argues, the above two ways of social analysis “entail different descriptions and explanations of social phenomena, and they also lead to two distinct kinds of moral analysis or moral diagnostics”¹¹⁷ referred to as, in the first way, interactional moral analysis, and in the second way, institutional moral analysis.¹¹⁸

Before proceeding, let us note that interactional moral analysis and institutional moral analysis in moral philosophy, political philosophy or social philosophy, are not the same as process tracing *per se* especially as it is understood in political science in particular and social science in general. Although interactional moral analysis and institutional moral analysis

¹¹⁵ Pogge, Thomas. *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric*. Cambridge, UK: Polity Press, 2010: pp. 14-15.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

involve process tracing, the emphasis is not on the mere evidential, descriptive and sequential nature of the independent, dependent and intervening variables involved in the process. Rather the emphasis is on the moral nature of the evidence, description and sequence of the independent, dependent and intervening variables. This difference is shown below in the explication of process tracing and international moral analysis and institutional moral analysis.

Process tracing, according to David Collier, is “the systematic examination of diagnostic evidence selected and analyzed in light of research questions and hypotheses posed by the investigator.”¹¹⁹ In other words, it “is an analytic tool for drawing descriptive and causal inferences from diagnostic pieces of evidence— often understood as part of a temporal sequence of events or phenomena.”¹²⁰ Process tracing has what may be called three cornerstones, namely; evidence, description and sequencing. First, in terms of evidence, the sort of evidence that process tracing is concerned with is causal-process observations (CPO) which underlines the difference between qualitative research’s empirical foundation and quantitative research’s data-set observations, i.e., data matrices.¹²¹

Second, in terms of description, “Process tracing inherently analyzes trajectories of change and causation, but the analysis fails if the phenomena observed at each step in this trajectory are not adequately described. Hence, what in a sense is ‘static’ description is a crucial building block in analysing the process being studied.”¹²² Thirdly, in terms of sequencing, process tracing is especially attentive to the sequences of independent variables, dependent variables and intervening variables.¹²³

The main reason for doing process tracing is to ascertain whether some causal inference(s) can be said to be historically at once necessary and sufficient, necessary but insufficient, unnecessary but sufficient, or at once unnecessary and insufficient condition(s) for some certain event(s), occurrence(s) or situation(s). On these grounds, process tracing is subjected

¹¹⁹ Collier, David. “Understanding Process Tracing,” *PS: Political Science and Politics*, Vol. 44. No. 4 (2011): pp. 823-30; p. 823.

¹²⁰ *Ibid.* p. 824.

¹²¹ *Ibid.* p. 823.

¹²² *Ibid.*

¹²³ *Ibid.*

to four empirical tests namely the straw-in-the-wind test, the hoop test, the smoking-gun test and the doubly decisive test.

When a particular “hypothesis passes a straw-in-the-wind test, it only *slightly* weakens rival hypotheses; with hoop tests it *somewhat* weakens them; with smoking-gun tests it *substantially* weakens them; and with doubly decisive tests passing *eliminates* them.”¹²⁴ Nevertheless, since in social sciences it is frequently difficult to definitively eliminate a hypothesis,¹²⁵ when doing process tracing we should always be conscious of the caveat that social science is not physical science and conclusions of process tracing are not mathematical certainties.

In interactional moral analysis, rather than relying on the straw-in-the-wind, hoop, smoking-gun and doubly decisive tests to judge whether our causal inference is historically at once necessary and sufficient, necessary but insufficient, unnecessary but sufficient, or at once unnecessary and insufficient for certain event(s), occurrence(s) or situation(s), we focus on the morality, immorality or amorality of the actions and omissions of certain individual(s) or collectives in light of a given event, occurrence or situation. This event, occurrence, or situation might be a moral good, a moral bad, or a moral neutral, or might be harmful or not harmful. Often, the focus of interactional moral analysis is on harms done. So let us focus on harmful incidents for the purpose of illustration.

We can trace a harmful incident to the action or omission of certain individuals or collectives. Even if these individuals or collectives are the sufferers of the harmful incident, we can still trace it back to them just as we can trace back the harmful incidents to other individuals or collectives who are not the sufferers of the harmful incident. Then, we make counterfactual assertions, or hypothesise, about whether the harmful incident would have occurred if particular individual(s) or certain collective(s) had not acted the way they did, or had not failed to act.

In the next step, we analyse our hypothetical scenarios, hypothesis or counterfactual assertions to ascertain when any individual or collective agents ought not to have acted the way they did or ought to have acted when they failed to act. “This will involve us in examining whether any such agents could have foreseen that their conduct would lead to the

¹²⁴ Ibid. p. 825.

¹²⁵ Ibid.

regrettable event and could also reasonably have averted the harm without causing substantial costs to themselves or to third parties.”¹²⁶ Based on this analysis, we can determine whether any of the causally relevant agents is fully or only partially, and to what extent, responsible for the harmful incident.¹²⁷

This individual level of analysis (i.e. analysing the individual and collective agents) is not methodological individualism which says “social phenomena must be explained by showing how they result from individual actions, which in turn must be explained through reference to the intentional states that motivated the individual actors.”¹²⁸ Rather, it is just a level of analysis which says while there are other levels of analysis, and there are other ways we can analyse social, political and economic activities and domestic and global activities, analysing the role of the individual helps in determining to what extent the individual agent *qua* individual agent causes anything or collective agents *qua* collective agents cause anything and to what extent they should be assigned responsibility.

The method of analysis of institutional moral analysis is same as that of interactional moral analysis. The only difference is that the former analyzes institutions while the latter analyzes individual or collective agents. In institutional moral analysis, just like in interactional moral analysis, rather than relying on the straw-in-the-wind, hoop, smoking-gun and doubly decisive tests to judge whether our causal inference is historically at once necessary and sufficient, necessary but insufficient, unnecessary but sufficient, or at once unnecessary and insufficient for certain event(s), occurrence(s) or situation(s), we focus on the morality, immorality or amorality of the existing features of certain institutions or even the institutions themselves *qua* institutions in light of a given event, occurrence or situation.

This event, occurrence, or situation might be a moral good, a moral bad, or a moral neutral, or might be harmful or not harmful. Like the interactional moral analysis, the focus of institutional moral analysis is often on harms done. So, just as we did in the case of interactional moral analysis, let us focus on harmful incidents for the purpose of illustration.

We can trace a harmful incident to the existing features of certain institutions or the institutions themselves *qua* institutions. Then, we make counterfactual assertions, or

¹²⁶ Pogge, Thomas. *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric*. Cambridge, UK: Polity Press, 2010: p.15.

¹²⁷ Ibid.

¹²⁸ Heath, Joseph. “Methodological Individualism,” *Stanford Encyclopaedia of Philosophy* (2010). <http://plato.stanford.edu/entries/methodological-individualism/>

hypothesise, about whether the harmful incident would have occurred if particular existing features of certain institutions were different or if the institutions themselves *qua* institutions were differently shaped or formed. In the next step, we analyse our hypothetical scenarios, hypothesis or counterfactual assertions to ascertain whether any existing features of certain institutions ought to have been different or whether certain institutions ought to have been differently shaped or formed.

Based on this analysis, we can determine whether any of the causally relevant features of the institutions or the institutions themselves *qua* institutions are fully or only partially, and to what extent, responsible for the harmful incident. To do this, we will have to examine “whether those responsible for the design of the relevant rules ... could have foreseen that these rules would lead to harm and could reasonably have formulated them differently without causing substantial harm elsewhere.”¹²⁹ Based on this analysis, we can ascertain whether any of the causally relevant rules should have been different and whether any agent is responsible for the flaws in these rules that fully or only partially cause the deplorable incidents. Finally, we will then be able to determine the extent to which any agent is responsible for the deplorable incidents.¹³⁰

I will employ interactional moral analysis and institutional moral analysis in order to find out how and why Sub-Saharan Africa in general and Nigeria, Angola and the Democratic Republic of Congo (DRC) in particular are resource-cursed. This analysis of the moral and historical factors responsible for resource curse in Sub-Saharan Africa, especially in Nigeria, Angola and DRC, will show us how individual agents, collective agents, multinational corporations, governments or the state, and the global institutional order cause, engender, exacerbate or contribute to resource curse.

1.2.3. Levels of Analysis and Levels of Causality and Responsibility

The two terminologies ‘levels of analysis’ and ‘levels of causality and responsibility’ have the same meaning and usage in this discussion. I am using the terminology ‘levels of causality and responsibility’ as a substitute for ‘levels of analysis.’ My preference lies in the former rather than the latter because the former has moral connotations and denotations while

¹²⁹ Pogge, Thomas. *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric*. Cambridge, UK: Polity Press, 2010: p. 15.

¹³⁰ Ibid.

the latter does not. In the course of our discussion, I shall be arguing that any actor or agent that contributes to causing resource curse is morally responsible on the 'level', and to the extent, the actor or agent contributes to causing resource curse.

As shall be seen in the course of this discussion, the relevant actors or agents are individuals, collectives, corporations, the state and the global institutional order. Given that these actors or agents are not only morally responsible to the extent they contribute to causing resource curse, but are also morally responsible on the 'analytic level' they contribute to causing resource curse, my usage of levels of analysis is not value-neutral but laden with moral connotations and denotations. Hence, my substitution of the terminology 'levels of analysis' with 'levels of causality and responsibility.'

In the above vein, the individual, who might be working for a corporation or the state, is said to have a causal role and a corresponding moral responsibility when his/her actions and omissions are analysed as the actions and omissions of an individual rather than as the actions and omissions of a corporation or the state. So also a corporation that is staffed and managed by individuals is said to have a causal role and a corresponding moral responsibility when its actions and omissions are analysed as actions and omissions of a corporation rather than as actions and omissions of individuals who acted or failed to act in the name of the corporation. The same analysis applies to collectives, the state and the global institutional order.

As we shall see in chapters three, four and five, there are different factors and agents involved in causing resource curse. There is no one simple or single factor or agent that can be said to be the cause of resource curse; every single factor or agent is a contributing factor or contributing agent to causing resource curse. It is the combination of these contributors that result in resource curse. In spite of the complex and multiple nature of the cause of resource curse, it is still possible to understand what role different factors or agents play. Lumping all the factors and agents together and dealing with them merely as complex factors or seeing them only as multiple agents will not allow us to properly ascertain the causal role played by different agents and to assign responsibility to different agents based on their causal roles. It is for this reason that I shall analyse resource curse on different levels. Thus the levels of analysis or levels of causality and responsibility approach.

Moreover, the levels of analysis, or levels of causality and responsibility, approach is not a misnomer. Social scientists are used to analysing various levels in order to ascertain

correlation or attribute causality to such levels. For instance, as Kenneth Waltz shows in *Man, the State and War*, this approach can be used to analyse the individual level (First Image) as classical realists have done, it can be used to analyse the role of the state (Second Image), and can also be used to analyse the role of the international system (Third Image). Waltz himself did all the above analyses although he favours the international system (Third Image) analysis. So also I am dealing with different levels of analysis or different levels of causality and responsibility.

Also, I am applying the notion of moral responsibility to corporations, the state and the global institutional order as if they were moral agents. One might argue that this sort of extension of the notion of moral responsibility is implausible, incorrect or even out-rightly wrong on the ground that corporations, the state and the global institutional order are not persons and it is only persons who can be moral agents. Nevertheless, before the notion of moral responsibility was applied to corporations, the state and the global institutional order, they were personified, i.e., seen as persons. Hence it was possible and plausible to treat them as moral agents.

This personification of corporations, the state and the global institutional order is not out of place. Political realists treat states as rational actors in the international arena, and economists treat firms as rational actors in the market. *Prima facie*, states and firms are not persons, it is only persons that are rational, and so states and firms cannot be rational. Political realists and economists know this. But for theoretical purposes they treat states and firms as if they were persons and ascribe rationality to them. So also for theoretical purposes I treat corporations, the state and the global institutional order as if they were persons, and ascribe moral responsibility to them.

As already mentioned, the different levels I shall be dealing with are the individual, the collective, the corporate, the state and the global institutional order. The analysis in the above levels will be used to show that neither cosmopolitanism nor statism is enough to understand and deal with the problem of resource curse. Consequently, this approach will justify our need of fusion of horizons; fusing the horizons of the two perspectives together in order to be able to understand and deal with the problem of resource curse.

1.2.4.

Fusion of Horizons

Evidently, the concept of fusion of horizons has two key words; fusion and horizon. On the one hand, horizon can be understood as the point beyond which we cannot see. On the other hand, fusion can be understood as the combination or joining together of two or more things. The above definitions have some connotations in the way I will employ the concept of fusion of horizons. However, I am not employing the concept in the above ordinary language sense of it. Rather I am employing it technically. So let us turn to Hans-Georg Gadamer, who, although did not originate the concept and its technical use, but is rightly notable for his use of the concept as the pivot of his hermeneutics.

Gadamer's notion of fusion of horizons is derived from his account of dialogue. According to this account, it is possible for a reader to have a dialogue with the text he or she reads; dialogue represents an active language or a language in action; and the fusion of horizons is the end-result of any successful dialogue.¹³¹ Building his hermeneutics on the foundation laid by Edmund Husserl's and Martin Heidegger's phenomenology, Gadamer sees fusion of horizons as the ideal way to conduct a dialogue. While Husserl focused on perception, Gadamer focused on linguistics. Hence the latter's concern with dialogue.¹³²

Husserl opines that "Perception has horizons made up of other possibilities of perception, as perceptions we *could* have, if we *actively directed* the course of perception otherwise: if, for example, we turned our eyes that way instead of this, or if we were to step forward or to one side, and so forth."¹³³ Furthermore, he argues that there are three types of horizons, namely; internal horizon, external horizon and temporal horizon.

Internal horizons are those characteristics that an object necessarily has because they are in the nature of the object. External horizons are those horizons that establish the relationship between an object and its environment. Temporal horizons denote the temporal nature or circumstances of the object. In other words, the internal horizon denotes the existence of the object - its nature. The external horizon denotes the special relations of the object to the environment. While the temporal horizon, *cum* the internal and external horizons, denote the

¹³¹ Vessey, David, "Gadamer and the Fusion of Horizons," www.davevessey.com/gadamer_Horizons.htm.

¹³² Ibid.

¹³³ Husserl, Edmund. *Cartesian Meditations*. Published in 1931. Den Hague: Martinus Nijhoff, 1973: p. 44.

spatio-temporal nature of the object and its relations to time, space, other objects and its environment.¹³⁴

The temporal horizon, for Husserl, is more important than the internal and external horizons. He sees it to be the most important horizon because we see all objects as temporal objects, as objects that are not only extended in space but also in time. Given that the inner horizon is made known to us by our common expectations of future disclosures about the object, and given that the outer horizon is made known to us as how the object relates to its surroundings, therefore temporality is the vital link between objects and other horizons. Furthermore, he argues that future disclosures and relations, including the history of the object that made the object the sort of object that it is and put it in the place where it is, are in essence temporal. Hence he argues that it is temporal horizon that makes other horizons possible.¹³⁵

In the vein of Husserl's temporal horizon, Heidegger argues that time is "the possible horizon for any understanding of being."¹³⁶ Heidegger defines horizon as "that towards which each ecstasis¹³⁷ is intrinsically open in a specific way...the *open expanse* towards which remotion itself is outside itself"¹³⁸ (italics are original). But Gadamer would later argue, thirty-seven years after *Truth and Method* was first published, that the argument for the importance of temporal distance was not helpful in talking about the importance of "the otherness of the other" and the essential role that language plays as conversation.¹³⁹ For him, interpretive distance needs not always be a historical distance, and it is not always temporal distance that helps us defeat erroneous memories and images and their resonance and warped uses. But temporal distance is still very helpful because it is only through temporal distance that certain changes are made apparent to us and certain differences become observable.¹⁴⁰

¹³⁴ Vessey, David, "Gadamer and the Fusion of Horizons," www.davevessey.com/gadamer_Horizons.htm.

¹³⁵ Ibid.

¹³⁶ Heidegger, Martin. *Being and Time*. Trans. Joan Stambaugh. Albany, NY: SUNY Press, 1996: p. xix.

¹³⁷ *Ecstasis* or *ekstasis* stands for transcendence or transcendental.

¹³⁸ Heidegger, Martin. *The Basic Problems of Phenomenology*. Bloomington, IN: Indiana University Press, 1982: p. 267.

¹³⁹ Gadamer, Hans-Georg. "Reflections on My Philosophical Journey." Ed. Lewis Edwin Hahn. *The Philosophy of Hans-Georg Gadamer*. Peru, Illinois: Open Court, 1997: pp. 3-63; p. 45.

¹⁴⁰ Ibid.

Horizon, according to Gadamer, is “the range of vision that includes everything that can be seen from a particular vantage point.”¹⁴¹ While it is important to have a horizon, according to Gadamer, because “A person who has no horizon does not see far enough and hence overvalues what is nearest to him,”¹⁴² it is not enough to have a horizon. It is even more important to fuse one’s horizon with other horizons. As Gadamer says, “Every finite present has its limitations. We define the concept of ‘situation’ by saying that it represents a standpoint that limits the possibility of vision. Hence essential to the concept of a situation is the concept of a ‘horizon.’”¹⁴³ So the merely changing of stand points entails the possibility of having different horizons and the mere stepping out of our horizons entails the possibility of having broader horizons.

It is apt to say that the technical sense of horizon entails the possibility of the gradual expansion of our range of vision. Consequently, it helps us not to be “limited by what is nearby, but to see beyond it.”¹⁴⁴ After all, flexibility rather than rigidity is the defining characteristic of horizon. As Gadamer succinctly puts it, rather than being a non-shifting border line horizon actually shifts with us and encourages us to go forward.¹⁴⁵

Ultimately, Gadamer argues that “the historical movement of human life consists in the fact that it is never absolutely bound to any one standpoint, and hence can never have a truly closed horizon. The horizon is, rather, something into which we move and that moves with us. Horizons change for someone who is moving.”¹⁴⁶ In a nutshell, fusion of horizons at once rejects objectivism and universalism. It rejects objectivism whereby we objectify the other’s horizon and discount ours or at the expense of ours. It rejects universalism whereby a singular horizon is the sole holder of the truth, the whole truth and nothing but the whole truth. Consequently, it asserts that we are not closed-up in a closed horizon.¹⁴⁷

Fusion of horizons is not Hegelian dialectics of, say, being + nothingness = becoming or thesis + antithesis = synthesis which itself becomes a new thesis. Nevertheless, fusion of

¹⁴¹ Gadamer, Hans-Georg. *Truth and Method*. New York: Crossroad, 1989: p. 302.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

¹⁴⁵ Ibid. p. 245.

¹⁴⁶ Ibid. p. 304.

¹⁴⁷ “Fusion of Horizons,” *Wikipedia*.

horizons occurs when individuals understand that the context of their discourse can be seen from a different perspective in order to reach a new conclusion.¹⁴⁸

The acquisition of novel information, or the development of a novel perception of the existing information, makes individuals reevaluate their previous conclusions, make individuals aware of the limitations of their previous conclusions, help individuals gain novel understanding of their discourse, and supposedly leads to a fusion of the horizons of the individuals who are involved in the discourse.¹⁴⁹ Hence the limitations of the previous conclusions are at least minimised, previous understanding is improved, new perspectives are formed and the formerly limited horizon becomes a broadened horizon.¹⁵⁰

For Gadamer, “it requires a special effort to acquire a historical horizon.”¹⁵¹ So, fusion of horizons is not a simple task. Naturally, given our high valuation of our stance, we would like to hold on to our stance even when rigorously challenged. It is only when we humbly realize that our stance is not, or should not be, absolute that we begin to entertain the possibility of fusion of horizons.

Just as our stance is not or should not be absolute, so also the other stance is not or should not be absolute. So we are not invited to jettison our stance for the other stance, just as we are not asked to jettison the other stance for ours. We are only asked to fuse the two stances. Here it is assumed that both stances are not so absurd that they are worthless. They are assumed to be reasonable to the extent that there are plausible and positive elements within them that are worthwhile fusing.

Eric Donald Hirsch, Jr. arguably poses the strongest criticism¹⁵² against the Gadamerian concept of fusion of horizons. He argues that the Gadamerian concept of horizon negates the possibility of any fusion of horizons. According to Hirsch, it is impossible for a person to fuse his or her own horizon and that of the text together. For such a fusion to happen, one must have understood the original perspective of the text and integrate it into one’s own perspective. Given that fusion of horizons cannot happen without one understanding the original perspective of the text, and given that once one understands the original perspective

¹⁴⁸ Vessey, David, “Gadamer and the Fusion of Horizons,” www.davevessey.com/gadamer_Horizons.htm.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Gadamer, Hans-Georg. *Truth and Method*. New York: Crossroad, 1989: p. 305.

¹⁵² Vessey, David, “Gadamer and the Fusion of Horizons,” www.davevessey.com/gadamer_Horizons.htm.

of the text it is automatically no longer beyond one's horizon, then fusion of horizons is impossible.

As Hirsch puts it, if the original perspective of the text is beyond our horizon, then we cannot understand the text. If this is the case, then fusion of horizons is impossible. As long as we are limited by our own horizon, then we cannot break the barrier of this limitedness in order to fuse our horizon with that of the text. Saying that we can break the barrier of this limitedness in order to fuse our horizon with the text is tantamount to saying that we were not in the first place limited at all. If so, then there was no horizon in the first place.¹⁵³

Hirsch would be right if Gadamer used horizon in the ordinary language sense of the word. But, like Husserl¹⁵⁴ did in his phenomenology, Gadamer reconceptualises horizon to play a technical role in his hermeneutics. Like Husserl, Gadamer does not lay emphasis on the meaning of horizon as a limit. Rather, he emphasizes horizon as that which we can enlarge, as that which gives us pointers to something else and somewhere else and as that which we can go outside of in order to reach some new place. Moreover:

the 'horizon' is the larger context of meaning in which any particular meaningful presentation is situated. Inasmuch as understanding is taken to involve a 'fusion of horizons', then so it always involves the formation of a new context of meaning that enables integration of what is otherwise unfamiliar, strange or anomalous. In this respect, all understanding involves a process of mediation and dialogue between what is familiar and what is alien in which neither remains unaffected.¹⁵⁵

So, while horizon designates our particular limit at a particular time and place, it does not confine us to that limit. It leaves us the opportunity to walk ahead and see further.¹⁵⁶

Finally, as earlier noted, in my application of fusion of horizons to global justice, I am not employing the concept in the ordinary language sense of it. Rather I am employing it technically. I must also say that I am not following Gadamer dogmatically. It will be clear in the course of this dissertation that I am only using fusion of horizons to use the strengths of cosmopolitanism to compensate for the weaknesses of statism and vice versa. In this case, although my use of the concept is an extension of Gadamer's, the proper way to understand

¹⁵³ Hirsch, Jr., Eric Donald. *Validity in Interpretation*. New Haven: Yale University Press, 1967: p. 254.

¹⁵⁴ Husserl, Edmund. *Ideas*. Published in 1913. Dordrecht: Kluwer Academic Publishers, 1990;
Vessey, David, "Gadamer and the Fusion of Horizons," www.davevessey.com/gadamer_Horizons.htm.

¹⁵⁵ Malpas, Jeff. "Hans-Georg Gadamer," *Stanford Encyclopaedia of Philosophy*. 8 June, 2009.

¹⁵⁶ Vessey, David, "Gadamer and the Fusion of Horizons," www.davevessey.com/gadamer_Horizons.htm.

my use of the concept is to take it as a flexible rather than a rigid, an adaptation rather than the original, and most of all, an application rather than a transfer or transposition, and a conversion rather than a transportation, of Gadamer's fusion of horizons to global justice.

For the purpose of my applied use, Gadamer's fusion of horizons will be tilted from hermeneutics to global justice in the following two ways. Firstly, rather than use it as a mere value-neutral hermeneutic methodology for the interpretation of texts, my usage of it will be moral laden because global justice is inherently a moral issue. Secondly, I will not be using it as a mere hermeneutic theory of interpretation which is primarily aimed at helping us conduct dialogues and which sees a 'successful' dialogue as an end in itself. Consequently, the fusion of the horizons of cosmopolitanism and statism will not be an end in itself but a means to determining or ascertaining causal roles and assigning moral responsibilities in complex cases of global justice.

In this chapter I engaged in two kinds of discussion. In the first kind of discussion, I discussed the theoretical and conceptual differences between cosmopolitanism and statism. I preliminarily, but vitally, juxtaposed cosmopolitanism with statism. This was meant to achieve two objectives. First, it was aimed at giving us an overview of the various arguments cosmopolitans and statistes use in defence of their perspectives. Second, it was aimed at showing us the large extent to which cosmopolitanism and statism are different, and the less extent to which they are similar.

The second kind of discussion was aimed at discussing the methodological approach on which the rest of the discussion (the remaining chapters) will be hinged. In this discussion, firstly, I presented the distinction between Ideal Theory and Non-Ideal theory, and then showed why Non-Ideal Theory, rather than Ideal Theory, is more appropriate for our justice-analysis in this dissertation. Secondly, Interactional Moral Analysis and Institutional Moral Analysis were explained. Then I showed why the two analyses, rather than one or none of them, will be used in our moral analysis in this dissertation. Thirdly, I discussed Levels of Analysis and explained why in the context of this dissertation I prefer to refer to it as Levels of Causality and Responsibility. Finally, I discussed Fusion of Horizons, explained my adoption of it from Hans-Georg Gadamer, and gave reasons for the adoption.

The juxtaposition of cosmopolitanism with statism in this chapter shall be continued in the next chapter. While the juxtaposition in this chapter is preliminary, the juxtaposition in the next chapter shall be detailed. In other words, while this chapter gave us insights into the cosmopolitan and statist discourse, the next chapter will elucidate those insights in detail. The next chapter is divided into six sub-chapters. The first sub-chapter presents an overview of cosmopolitanism and statism. The second and third sub-chapters discuss the views of two statisticians namely John Rawls and Thomas Nagel. The fourth and fifth sub-chapters discuss the views of two cosmopolitans namely Charles Beitz and Thomas Pogge. While the sixth sub-chapter discusses Sebastiano Maffettone's intermediary position between the cosmopolitan and the statist views.

2.0. POLITICAL PHILOSOPHERS IN DEFENCE OF COSMOPOLITANISM AND STATISM

2.1. **Cosmopolitanism and Statism**

According to Sebastiano Maffettone, there are two ways of dividing or distinguishing between (normative) distinction lines of, or perspectives on, global justice. The first division or distinction, which is about the desideratum or desiderata on which justice is based ('the grounds of justice'), is that between the relational and the non-relational.¹⁵⁷ While the second division or distinction which is based on 'the scope of justice' is that between cosmopolitanism and statism.¹⁵⁸

The relational approach, as the name suggests, lays emphasis on the common relationships that link or bind subjects and agents of justice together.¹⁵⁹ In other words, to use Maffettone's terms, it is associative, it is a member-based approach.¹⁶⁰ In its *crudest*¹⁶¹ sense, the relational approach can be described as follows. On the one hand, any subject and agent of justice that is not part of the aforementioned relationship, and any subject and agent that is not linked to the subjects and agents that are part of that relationship, such subject and agent has neither obligation nor right *per se* within the confines or jurisdiction of that relationship.

On the other hand, any subject or agent of justice that is within that relationship, that is bound to that relationship, and that is linked to other subjects and agents in that relationship, has obligations and rights within the confines or jurisdiction of that relationship. Consequently, within the relationship, the subjects and agents who are *related* have duties toward one another and right-claims against one another; but have neither duty toward nor right-claims against the *non-related*. On the other hand, outside the relationship, the *non-related* have neither duties toward nor right-claims against the *related*.

For the non-relational approach, unlike the relational approach, the conception of justice is

¹⁵⁷ Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: pp. 126-127.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid. p. 127.

¹⁶⁰ Ibid.

¹⁶¹ By crudest sense I mean the most general sense in which we can talk about an absolute distinction between members and non-members of the relationship, in which there is absolutely no justice-relationship between members and non-members. Excepting this crudest sense of description, there can be certain obligations (or even rights), whether humanitarian duties or duties of charity, or human rights, between members and non-members. For example Thomas Nagel concedes that at least there can be humanitarian obligations. While Sebastiano Maffettone asserts that there can be certain basic human rights between members and non-members.

not dependent on any relationship between the subjects and agents of justice.¹⁶² Here, to say that the conception of justice is not based on any relationship means that it is not based on any special relationship such as compatriotism, citizenship, etc.¹⁶³ The non-relational approach can base the conception of justice on humanity, (basic) human needs, natural prerogatives and sufferance, etc.¹⁶⁴ According to Maffettone, while the non-relational approach is always cosmopolitan, the relational approach can be cosmopolitan, and can be statist.

Non-relational cosmopolitanism asserts the global moral obligations of the subjects and agents of justice. While relational cosmopolitanism argues that inequality ought to be dealt with on the individual level on the grounds that injustice has to do with the relationships that bind together individual persons who are the inhabitants of the world. For the relational cosmopolitans, since injustice has to do with the relationship among individuals globally, the problem of inequality should be dealt with from the individual's point of view.¹⁶⁵

Rejecting statism and arguing that the domestic basic structure is similar to the global basic structure, relational cosmopolitanism is hinged on the institutional argument "that there is a network of global structures which are able to create obligations for people and that are not so different from the obligations whose nature we usually associate with the State."¹⁶⁶ While statism, or relational statism, is not sanguine about global justice although it accepts the validity of certain human rights and the plausibility of humanitarian reasons to aid the worst-off of the world.¹⁶⁷ For the (relational) statist, it is erroneous to think of international relations as dealing with relationships among individuals rather than states. Since states are the predominant institutions of our world, we must focus on states if we want to discuss justice or injustice in our world.¹⁶⁸

¹⁶² Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: p. 127.

¹⁶³ In principle it is based on what might be called a universal relationship – that we are humans means that we are already in some sort of relationship with one another as humans, and this sort of relationship supersedes compatriotism, citizenship, etc. which the relational approach uses as criteria for inclusivity and exclusivity.

¹⁶⁴ Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: p. 127.

¹⁶⁵ Ibid. p. 128.

¹⁶⁶ Ibid. p. 131.

¹⁶⁷ Ibid. p. 129.

¹⁶⁸ Ibid. p. 128.

Apart from the above distinction (a distinction that is based on the grounds of justice) between relational cosmopolitanism and non-relational cosmopolitanism, there is a distinction between legal and moral cosmopolitanism. Legal cosmopolitanism, on the one hand, defends “a concrete political ideal of a global order in which all persons have equivalent legal rights and duties, that is, are fellow citizens of a universal republic.”¹⁶⁹ Moral cosmopolitanism, on the other hand, asserts “that all persons stand in certain moral relations to one another; we are required to respect one another’s status as ultimate units of moral concern.”¹⁷⁰

I shall concentrate on moral cosmopolitanism rather than legal cosmopolitanism for reasons I shall outline below. The major criticism levelled at legal cosmopolitanism is that it is committed to a universal republic – a world government which “would either be a global despotism or else would rule over a fragile empire torn by frequent civil strife as various regions and peoples tried to gain their political freedom and autonomy.”¹⁷¹ For this reason, legal cosmopolitanism is seen as unrealistically utopian, intellectually implausible and practically unfeasible.

Although in international law and political science legal cosmopolitanism is not utopian because it is not committed to a world government. The international law version of legal cosmopolitanism is different from the political philosophy one. But here, I am dealing with the political philosophy version rather than the international law version of legal cosmopolitanism. In a strict sense, legal cosmopolitanism is utopian as long as it is the political philosophy version.¹⁷²

Alongside the above criticism, another problem is that, as we know, that which is legal is not always necessarily morally right and that which is morally right is not always necessarily legal. For instance, in legal parlance, when that which is legal, say a judgement, is not

¹⁶⁹ Pogge, Thomas. “Cosmopolitanism and Sovereignty,” *Ethics*, Vol. 103. No.1. (1992): p. 49.

¹⁷⁰ Ibid.

¹⁷¹ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 36;

First asserted by Immanuel Kant in *Perpetual Peace: A Philosophical Sketch*, 1795.

¹⁷² For this paragraph, I credit Prof. Andreas Vasilache for his very helpful insight.

morally right, it is said to be procedural justice and not substantive justice. During the holocaust in Nazi-ruled Germany it was legal for Nazis to kill Jews but immoral. While it was legal to own slaves and sell slaves, and even abuse slaves – after all, slavery itself is an abuse, the very nature of slavery is inherently dehumanising in many ways and in many cases – today it is widely accepted that slavery is immoral.

Also, apartheid in South Africa, racial segregation in the United States of America, etc. were legal but today widely accepted as immoral. In view of resource curse, the main problem concerning oil extraction and trade is not illegality but immorality. Many condemnable practices and activities in the extraction and trade are very legal but are very deplorable too. The conception of cosmopolitanism as legal cosmopolitanism will rather help justify such practices.

Moral cosmopolitanism itself is divided into interactional moral cosmopolitanism and institutional moral cosmopolitanism. According to Pogge, institutional moral cosmopolitanism allocates indirect responsibility for the fulfilment of human rights to institutional schemes while interactional moral cosmopolitanism allocates “direct responsibility for the fulfilment of human rights to other individual or collective agents.”¹⁷³ In other words, on the one hand the former postulates certain second-order fundamental principles of justice which apply to institutional schemes; “standards for assessing the ground rules and practices that regulate human interactions.”¹⁷⁴ While on the other hand the latter put forward certain first-order fundamental normative principles which bypasses states and directly applies to the actions and omissions of persons and groups.¹⁷⁵

In the frame of interactional cosmopolitanism the obligors of duties will all be humans and must be in a position to be able to carry out the duties. Correspondingly, “human right(s) ...will be right(s) whose beneficiaries are all humans and whose obligors are all humans in a

¹⁷³ Pogge, Thomas. “Cosmopolitanism and Sovereignty.” *The Cosmopolitan Reader*. Eds. Garrett Wallace Brown and David Held. Cambridge, UK: Polity Press, 2010: p. 115.

¹⁷⁴ Pogge, Thomas. “Cosmopolitanism and Sovereignty,” *Ethics* Vol. 103. No.1. (1992): p. 50.

¹⁷⁵ Ibid.

position to effect the right(s).”¹⁷⁶ Furthermore, in the frame of interactional cosmopolitanism, “human rights impose constraints on conducts” while in the frame of institutional cosmopolitanism, human rights “impose constraints upon shared practices.”¹⁷⁷ Despite the difference between institutional and interactional cosmopolitanism, Pogge says they are not mutually exclusive hence it is possible to combine the two.

As an example of the successful combination of institutional and interactional cosmopolitanism, Pogge refers to the work of Rawls – although Rawls is by no means a cosmopolitan. Starting with what Pogge deems institutional cosmopolitan arguments, Rawls defends “a natural duty to uphold and promote just institutions.”¹⁷⁸ Then, combining this with what Pogge deems interactional cosmopolitan argument, Rawls also defends different types of natural duties which are not dependent on shared institutions. These natural duties include the duty of mutual assistance, the duty of the avoidance of harm and brutality, the duty of the establishment of just institutions where they are lacking, etc.¹⁷⁹

In view of the foregoing discussion my focus shall not be on the categorization of perspectives on global justice as relational and non-relational approaches. Rather, my focus is on the other categorization of perspectives on global justice as cosmopolitanism and statism. Although there are different strands of statism, I shall deal with statism holistically. As already mentioned, although there are legal cosmopolitanism and moral cosmopolitanism, my focus shall be on the latter rather than the former or rather than both. And although there are interactional moral cosmopolitanism and institutional moral cosmopolitanism, I shall deal with moral cosmopolitanism holistically.

On statism, I will focus on two thinkers namely John Rawls and Thomas Nagel. I shall focus

¹⁷⁶ Luban, David. “Just War and Human Rights.” *International Ethics*. Eds. Charles Beitz et al. Princeton, New Jersey: Princeton University Press, 1985: p. 209.

¹⁷⁷ Pogge, Thomas. “Cosmopolitanism and Sovereignty,” *Ethics*, Vol. 103. No.1. (1992): pp. 50-51.

¹⁷⁸ *Ibid.* p. 50;

Rawls, John. *A Theory of Justice*, Cambridge, MA: Harvard University Press, 1971: pp. 114-115, 334.

¹⁷⁹ Pogge, Thomas. “Cosmopolitanism and Sovereignty,” *Ethics*, Vol. 103. No.1. (1992): p. 50; Rawls, John. *A Theory of Justice*. Cambridge, MA: Harvard University Press, 1971: pp. 114-115, 334.

on Rawls because his *The Law of Peoples* is arguably the most important work on statism in the last century. One might contend that Rawls is not a statist, but I hold a contrary view. Samuel Freeman argues that “Rawls’s recognition of the duty to assist burdened peoples...renders his Law of Peoples a so-called ‘weak’ cosmopolitan position.”¹⁸⁰ When taken *sui generis*, read in isolation or understood out of context, the duty of assistance can easily make one think that Rawls is a weak cosmopolitan. However, looking at the following reasons I give for arguing that Rawls is a statist, one will realize that in the context of *The Law of Peoples* what the duty of assistance makes Rawls is not a weak cosmopolitan but rather a weak statist.

Firstly, according to Rawls himself, the difference between cosmopolitanism and the Law of Peoples is that cosmopolitanism, rather than being concerned with whether societies are just or unjust, is ultimately concerned with individuals’ well-being and consequently how to make the lives of the worst-off individuals in the world better-off. But the Law of Peoples, unlike cosmopolitanism, is not concerned with individuals. It is rather concerned with the justice and order of well-ordered peoples.¹⁸¹

Secondly, as Beitz says, Rawls’ Law of Peoples is the most sophisticated thesis on the side of social liberalism in the global justice debate.¹⁸² By social liberalism Beitz simply means statism – although he did not use the term ‘statism.’ After all, the term ‘social liberalism’ was only used by Beitz ‘for want of a better term.’ His definition, or rather description, of social liberalism reveals that it is synonymous with statism. He says social liberalism holds the view that the international system is populated by states, that international relations principles only apply to states, and that international relations principles are justified only by the consideration of the interests of states.¹⁸³

Then Beitz goes on to say that cosmopolitan liberalism is the most famous alternative view to social liberalism. Of course by cosmopolitan liberalism he means cosmopolitanism. He says while the cosmopolitan view - like social liberalism - is logically consistent with a world that is populated by domestic societies or states, but - unlike social liberalism - it does not grant

¹⁸⁰ Freeman, Samuel. *Rawls*. New York: Routledge, 2009; p. 439.

¹⁸¹ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 120.

¹⁸² Beitz, Charles, “Rawls’ Law of Peoples,” *Ethics*, Vol. 110. No. 4. (July 2000): pp. 669-696; pp. 677-678.

¹⁸³ *Ibid.*

domestic societies or states any moral privilege over persons or individuals. The logical consistency of the cosmopolitan view with a world populated by domestic societies is only at face value. Because, for the cosmopolitan view, our social world is not composed of peoples as Rawls would have it; it is rather composed of persons.¹⁸⁴ Consequently, cosmopolitanism, unlike Rawls' Law of Peoples, holds the view that international relations principles should apply to persons and be justified based on the consideration of the interests of persons.¹⁸⁵

Thirdly, Beitz also says that the major theoretical difference between Rawls' Law of Peoples and cosmopolitanism is that, unlike the latter, the former is inclined towards regarding peoples as independent moral agents.¹⁸⁶ For cosmopolitanism, it is only individuals, and not domestic societies, who are moral agents in their own right.

Fourthly, Nagel says, "If Rawls is right, perhaps there can be something that might be called justice or injustice in the relations between states, but it bears only a distant relation to the evaluation of societies themselves as just or unjust: for the most part, the idea of a just world for Rawls would have to be the idea of a world of internally just states."¹⁸⁷ In other words, unlike cosmopolitans who recognise individuals, Rawls only recognises 'peoples' and not individuals in his global justice discourse.

Fifthly, and finally, Nagel also says there are two conceptions of global justice; the one or first conception is cosmopolitanism while the other or second conception is the political conception – by which he means statism. "Unlike cosmopolitanism, the second conception...is exemplified by Rawls' view," and in this conception the existence of sovereign states "is precisely what gives the value of justice its application, by putting the fellow citizens of a sovereign state into a relation that they do not have with the rest of humanity."¹⁸⁸ Hence Nagel concludes that this conception reaches the same conclusion as Hobbes: justice is only applicable within the state; outside the state there is no justice.¹⁸⁹

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid. p. 678.

¹⁸⁷ Nagel, Thomas, "The Problem of Global Justice," *Philosophy and Public Affairs*, Vol. 33. No. 2. (2005); p. 115.

¹⁸⁸ Ibid. p. 120.

¹⁸⁹ Ibid. pp. 121-122.

Nagel is the second statist I shall focus on because of the sheer influence which his article, “The Problem of Global Justice”, has had on the discourse on statism in particular and the debate on global justice in general. Given that he is the founder of statism, Thomas Hobbes’ idea shall permeate this focus although I will not particularly focus on him. Mentioning Hobbes echoes (political) realism. Although political realism and statism have a great deal of similarity, they are not quite the same.

The obvious similarities are that both are state-centric and deny the existence of justice at the international or global arena. Also the obvious difference is that while statism is a perspective on global justice, realism is an IR theory. Cosmopolitanism is the main opponent of statism, while liberalism (an IR theory) is the main opponent of realism. Given the close resemblance statism shares with realism, they are easily - albeit erroneously - taken to be the same thing. But they are not. Hence, here, statism should not be misconstrued for realism.

On cosmopolitanism, I will focus on two thinkers namely Charles Beitz and Thomas Pogge. I will focus on Beitz because his very influential *Political Theory and International Relations*, arguably, contributed to the establishment of the sub-sub-discipline of global justice in particular and the sub-discipline of international political philosophy in general. Furthermore, he was one of the first to globalize Rawls’ theory of justice.

I will focus on Pogge not just because he also globalized Rawls’ theory of justice, but more importantly because he is one of the finest cosmopolitans and global justice thinkers today. Arguably relational cosmopolitanism is more prominent than non-relational cosmopolitanism on the cosmopolitan side of the debate on global distributive justice. “Charles Beitz and Thomas Pogge are the most well-known authors of relational cosmopolitanism.”¹⁹⁰ For this key reason, alongside the above reasons, my discussion on cosmopolitanism shall dwell on Beitz and Pogge rather than other cosmopolitans.

For Beitz and Pogge (at least in *Political Theory and International Relations* in the case of the former, and in *Realizing Rawls* and “An Egalitarian Law of Peoples” in the case of the latter), just as the state is a vehicle for social cooperation so also the international system is a

¹⁹⁰ Maffettone, Sebastiano, “Normative Approaches to Global justice.” *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: p. 131.

vehicle for social cooperation due to the extent of globalization and interconnectivity. More importantly, for them, the basic structure does not only exist on the domestic level, it also exists on the global level. Hence just as the domestic basic structure ensures that the inviolability of persons is respected domestically, so also the global basic structure should ensure that the inviolability of persons is respected globally.

Following the above line of argument perhaps it will not be far-fetched to say that for Beitz and Pogge cosmopolitanism would see the whole world as a global basic structure. According to Pogge, all cosmopolitan positions have three elements in common namely individualism, universality and generality.¹⁹¹ Individualism posits that “the ultimate units of concern are *human beings or persons*”¹⁹² (emphasis is original). Universality posits that “the status of ultimate unit of concern attaches to *every* living human being *equally*”¹⁹³ (emphasis is original). While generality posits that everyone is an ultimate unit of concern for everyone.¹⁹⁴

In conclusion, Beitz and Pogge on the cosmopolitanism side, and Rawls and Nagel on the statism side, bring to fore the dichotomy between the two distinction-lines in global justice. Hence focusing on the four of them gives us a two-fold advantage. First, it helps us deal with some of the most original and salient arguments in the global justice debate. Second, it helps us create a balance in terms of juxtaposing cosmopolitanism with statism. On his part, Sebastiano Maffettone forges the bridging of that dichotomy by arguing for ‘reconciliation’ of both sides in order to arrive at a neutral and an intermediary position. So an extra focus on Maffettone will be an added advantage.

2.2. John Rawls’ Law of Peoples

To understand properly *The Law of Peoples* it is pertinent that one studies or reads *A Theory of Justice* and *Political Liberalism*. This is because *The Law of Peoples* is, more or less, a sequel to *A Theory of Justice* and *Political Liberalism*. While *A Theory of Justice* and *Political Liberalism* can be studied independently of the *The Law of Peoples*, I opine that *The Law of Peoples* may not be studied independently of *A Theory of Justice* and *Political Liberalism* because as Rawls says, *The Law of Peoples* is “the culmination of my reflections

¹⁹¹ Pogge, Thomas. “Cosmopolitanism and Sovereignty.” *The Cosmopolitan Reader*. Eds. Garrett Wallace Brown and David Held. Cambridge, UK: Polity Press, 2010: p. 114.

¹⁹² Ibid.

¹⁹³ Ibid.

¹⁹⁴ Ibid.

on how reasonable citizens and peoples might live together peacefully in a just world.”¹⁹⁵ Nevertheless, having already summarily discussed the relationship between *A Theory of Justice* and *The Law of Peoples* in chapter 1.1, I will not give any further overview or background of *A Theory of Justice* and *Political Liberalism*. I will confidently assume that my readers are familiar with the books and the debates they have generated.

A key characteristic of the Law of Peoples is that it is a realistic utopia. In Rawls’s words, the scenario described in *The Law of Peoples* is realistic because “it could and may exist. I say it is also utopian and highly desirable because it joins reasonableness and justice with conditions enabling citizens to realize their fundamental interests.”¹⁹⁶ In other words, it is realistic in that it accommodates the real situation of our world, it deals with people, institutions and the world as they are, and it is actually practicable or can be applied to international political structures of our world. It is also utopian because it points to what international political arrangements ought to be.

The Law of Peoples is geared towards showing “how a world society of liberal and decent peoples might be possible.”¹⁹⁷ In other words, *The Law of Peoples* is geared towards the formulation of the framework of the foreign policy of well-ordered peoples. So it is no surprise that the model, in terms of methodology, Rawls uses in *The Law of Peoples* is the one he first used in *Political Liberalism*.¹⁹⁸ The difference is that while in *Political Liberalism* the model is used for domestic liberal democracies, in *The Law of Peoples* the model is used in the international relations of well-ordered societies.

The Law of Peoples is divided into four parts. The first and second parts deal with the ideal theory. The third part deals with non-ideal theory. The fourth part is the conclusion. Also, to the book itself - *The Law of Peoples* - rather than to the principles, Law of Peoples, Rawls added another part titled “The Idea of Public Reason Revisited.” In terms of methodological procedure, in *The Law of Peoples*, Rawls started from the ideal theory and then proceeded to non-ideal theory. The ideal theory explicates the principles of the Law of Peoples. While the

¹⁹⁵ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. VI.

¹⁹⁶ Ibid. p. 7.

¹⁹⁷ Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, 2010: p. 293.

¹⁹⁸ Ibid.

non-ideal theory deals with just war doctrine (*jus ad bellum* and *jus in bello*), outlaw states, burdened societies and global distributive justice.

According to Rawls, “By the ‘Law of Peoples’ I mean a particular political conception of right and justice that applies to the principles of right and justice and norms of international law and practice.”¹⁹⁹ Rawls distinguishes among reasonable liberal people, decent people, outlaw states, burdened societies and benevolent absolutisms. Reasonable liberal people and decent people are referred to as well-ordered peoples.²⁰⁰ But outlaw states, burdened societies and benevolent absolutisms lack the moral characteristics of well-ordered peoples, hence they are not well-ordered.

By definition or description, reasonable liberal people are liberal democracies. Decent people are people who, although do not qualify as liberal people, are externally neither aggressive nor expansionist, and internally respect human rights.²⁰¹ Outlaw states are expansionist and aggressive, internally they meet no requirements of well-ordered peoples and externally they threaten the peace of others. Burdened societies, unlike outlaw states, are neither expansionist nor aggressive. Nevertheless, they lack the means to be well-ordered due to unfavourable historical, social, cultural, political and economic factors.²⁰² While benevolent absolutisms respect most human rights but do not allow their members any significant participation in the process of political decision making. Hence they are not well-ordered.²⁰³

Rawls’ focus was on liberal people. So, compared to how he dealt with liberal people, he sparingly dealt with other categories. Although Rawls devotes a reasonable amount of time to dealing with decent people, he mainly does so to show how liberal people should relate to decent people. To show how such relationship should be, Kazanistan, a decent hierarchical people, is given as an example of decent people.

¹⁹⁹ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 3.

²⁰⁰ *Ibid.* p. 63, pp. 92-93.

²⁰¹ *Ibid.* pp. 4-5.

²⁰² *Ibid.* p. 106.

²⁰³ *Ibid.* p. 63.

Even outlaw states were only sparingly dealt with.²⁰⁴ He mainly dealt with outlaw states in terms of the grounds on which liberal and decent peoples should intervene in outlaw states. Furthermore, he mainly dealt with burdened societies in terms of the grounds on which they should be helped by liberal and decent peoples. Finally, apart from telling us what benevolent absolutisms are, he did not go into details to deal with them.

To liberal peoples Rawls assigns three fundamental characteristics namely: they have “a reasonably just constitutional democratic government”; they are “citizens united by common sympathies”; and they have “a moral nature.”²⁰⁵ Although decent peoples are considered to be well-ordered, they are still not (thoroughly) liberal because they fail to guarantee all, but only guarantee some, of the human rights that liberal people guarantee.²⁰⁶ Internationally they are neither aggressive nor expansionist, and domestically they “respect human rights and impose certain moral duties on all individuals through a system that, being governed according to a broadly shared conception of the good, administers justice in a reasonable egalitarian way.”²⁰⁷ While the above qualities qualify decent peoples to be called decent, yet they are not qualified to be called liberal.

The enforcement of rights is not only what makes liberal peoples distinctive. They only go to war in extreme or ‘urgent’ cases (particularly against out-law states), for example, in cases of self-defence and extreme violation of human rights and principles. And they have a duty of assistance to burdened societies. Rawls does not consider burdened societies to be outlaw states because they are neither aggressive nor expansionist. However, since they lack the necessary conditions to become well-ordered, well-ordered people have a duty of assistance to assist them in order for them to be well-ordered. In other words, burdened societies are to be helped by liberal and decent peoples in providing the necessary conditions that will help them qualify to be part of well-ordered peoples.²⁰⁸

Finally, the ultimate goal or the long-term project of the Law of Peoples is to eliminate such evils as unjust wars, genocide, mass extermination, starvation, abject poverty, religious

²⁰⁴ Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, 2010: p. 294.

²⁰⁵ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 87;

Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, 2010: pp. 293-294.

²⁰⁶ Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, 2010: p. 302.

²⁰⁷ *Ibid.* p. 301.

²⁰⁸ *Ibid.* p. 307.

bigotry, violation of liberty of conscience and all forms of oppression.²⁰⁹ For Rawls, since these evils are products of political injustice, the elimination of political injustice – especially the worst forms of political justice – will help in eliminating these evils.

But for political injustice to be eliminated, just social policies, or decent social policies at least, must be followed and just social institutions, or decent social institutions at least, must be established.²¹⁰ The foreign policy of liberal people ensures that they follow just social policies and establish just social institutions. While the foreign policy of decent people ensures that they at least follow decent social policies and establish decent social institutions. Hence liberal people and decent people are committed to eliminating political injustice and ultimately the aforementioned evils.²¹¹

Given that *The Law of Peoples* is not about outlaw states, burdened societies and benevolent absolutisms, but rather about well-ordered people especially liberal people, with the particular aim of the derivation of principles that will guide their international affairs especially the foreign policy of liberal people, Rawls' first focus was on liberal peoples. To derive the principles that will determine or guide the international relations of liberal people, Rawls had recourse to his notion of the original position. Albeit in this case he has two original positions rather than one. The first is the familiar one which is applicable to domestic democratic liberal societies. In this first original position, representatives of individuals or citizens behind the veil of ignorance choose impartial principles that will govern the affairs of their domestic liberal people.²¹²

In the second original position, as postulated in *The Law of Peoples*, the representatives of peoples stand behind a veil of ignorance to choose the principles that will govern foreign relations, and to choose the organizations that will facilitate different aspects of foreign relations. Furthermore, Rawls argued that decent people would choose the same principles and organizations chosen by liberal peoples. Hence the third original position in which representatives of decent people stand behind a veil of ignorance to choose the principles that

²⁰⁹ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: pp. 6 - 7.

²¹⁰ Ibid.

²¹¹ Ibid. pp. 105-106.

²¹² Ibid. p. 31.

will govern their foreign relations and to choose the organizations that will facilitate different aspects of foreign relations.

In summary, there are three original positions. The first original position is the domestic one for liberal democratic people in which individuals or citizens are represented. The second original position is the international one for liberal peoples in which peoples, rather than individuals or citizens, are represented. While the third original position is the international one in which decent peoples are represented. Rawls refers to the first original position as the 'first use' of the original position while he refers to the second original position as the 'second use' of the original position.²¹³ Given that the third original position or the 'third use' is *merely* an extension of the second original position or the 'second use,' Rawls would continue to refer to the first and second original positions or the first and second uses without reference to the third original position or the third use. So, hereafter, I shall do likewise.

In establishing the Law of Peoples, Rawls says we start "with principles of political justice for the basic structure of a closed and self-contained liberal democratic society. We then model the parties in a second but appropriate original position in which, as representatives of equal peoples, they select the principles of the law of peoples for the society of well-ordered peoples."²¹⁴ In this second original position, Rawls argued that both liberal and decent peoples would accept the same Law of Peoples. But some differences between the first and second uses of the original position are glaring.

While individuals are the subject of the first use of the original position, peoples are the subject of the second use of the original position - albeit peoples are represented by their representatives who of course are individuals. Also while the first use of the original position is in the domestic context, the second use of the original position is in the international context. More importantly, as Rawls notes, there are three key differences between the first and second uses of the original position:

- (1) A people of a constitutional democracy has, as a *liberal* people, no *comprehensive* doctrine of the good...whereas individual citizens within a liberal domestic society do have such conceptions, and to deal with their needs as citizens, the idea of primary goods is used.

²¹³ Ibid. p. 40.

²¹⁴ Ibid. p. 86.

- (2) A peoples' fundamental interests as a people are specified by its political conception of justice and the principles in the light of which they agree to the Law of Peoples, whereas citizens' fundamental interests are given by their conception of the good and their realizing to an adequate degree their two moral powers.
- (3) The parties in the second original position select among different formulations or interpretations of the eight principles of the Law of Peoples as illustrated for the restrictions of the two powers of sovereignty.²¹⁵

Consequently, on the one hand the first original position allows room for individuals to choose from alternative principles of justice in which justice as fairness is an alternative. On the other hand, the second original position does not present representatives of peoples with different alternatives to choose from apart from different formulations of the Law of Peoples.²¹⁶ Furthermore, just as Rawls rejects utilitarianism in the first original position, so also he rejects utilitarianism in the second original position. While he argues that individuals in the first original position will choose justice as fairness rather than utilitarianism or any other principle of justice, he does not present utilitarianism as an alternative - not even as an implausible, irrational or unreasonable alternative - to the eight principles of the Law of Peoples.²¹⁷

Although Rawls allows that some other principles can be added to the eight principles which he said will be chosen in the second use of the original position, he holds that his eight principles will be chosen. In deriving the principles, just as "in examining the distributive principles in justice as fairness we begin with the baseline of equality," in examining the principles of Law of Peoples we also begin with equality but "the equality of and the equal rights of all peoples."²¹⁸ The principles are:

1. Peoples are free and independent, and their freedom and independence are to be respected by other peoples.
2. Peoples are to observe treaties and undertakings.
3. Peoples are equal and are parties to the agreements that bind them.
4. Peoples are to observe a duty of non-intervention.

²¹⁵ Ibid. p. 40.

²¹⁶ Ibid. pp. 39-40.

²¹⁷ Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, 2010: p. 300.

²¹⁸ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 41.

5. Peoples have the right to self-defence but no right to instigate war for reasons other than self-defence.
6. Peoples are to honour human rights.
7. Peoples are to observe certain specified restrictions in the conduct of war
8. Peoples have the duty to assist other peoples living under unfavourable conditions that prevent their having a just or decent political and social regime.²¹⁹

Since I am dealing with global distributive justice rather than other sorts of global justice, rather than focus on other aspects of *The Law of Peoples* I shall focus on the eighth principle namely: “Peoples have the duty to assist other peoples living under unfavourable conditions that prevent their having a just or decent political and social regime”;²²⁰ or in short the ‘duty of assistance.’²²¹

Rawls says following a principle of distributive justice to address social and economic inequalities in societies is not necessarily the only way or even the best option to choose when well-ordered peoples are carrying out their duty of assistance towards burdened societies. For Rawls, the problem with principles of distributive justice is that most of them do not have a particular aim or threshold at which assistance will stop.²²² Remember the reason for assistance is that burdened societies lack the necessary and sufficient conditions to be well-ordered, and well ordered people are to help provide those conditions. So once those conditions are met, the assistance should stop. According to Rawls, on the contrast between cosmopolitanism and the Law of Peoples, it is this threshold that differentiates the Law of Peoples from cosmopolitanism.²²³

To illustrate the problem with cosmopolitan principles of global distributive justice, Rawls imagines two hypothetical scenarios. In the first hypothetical scenario, two societies, say, society A and society B started off with the same amount of resources or wealth at the same threshold. Since societies A and B are either liberal or decent, they are both well-governed. Society A industrializes and maximizes its savings, but society B remains agrarian and engages in a life of leisure. Hence, after some decades, society A’s wealth doubles that of society B.

²¹⁹ Ibid. p. 37.

²²⁰ Ibid.

²²¹ Ibid. p. 106.

²²² Ibid.

²²³ Ibid. p. 120.

According to Rawls, global distributive justice or cosmopolitanism would demand that society A should be redistributing its wealth to society B until society B becomes as wealthy as society A.²²⁴ For Rawls, this is wrong. Hence, the Law of Peoples, rather than cosmopolitanism, should be opted for. In other words, the eighth principle or duty of assistance, rather than global distributive justice, should be opted for.

In the second hypothetical scenario, two societies, say, society A and society B started off with the same amount of resources or wealth at the same threshold. Since societies A and B are either liberal or decent, they are both well-governed. Both societies have rather high population growth. And both societies respect the human rights of women or provide the elements of equal justice for them. Society A stresses these human rights or elements of justice so that its women flourish economically and politically. This leads to lower birth rate per woman which in turn drives the population growth to zero. Hence Society A is able to increase its level of wealth in the long run.

But Society B's population growth was not reduced because its women cherish certain religious beliefs and social values which encourage high birth rate. So, after some decades, society A's wealth doubles that of society B.²²⁵ According to Rawls, global distributive justice or cosmopolitanism would demand that society A should be redistributing its wealth to society B until society B becomes as wealthy as society A.²²⁶ Again, for Rawls, this is wrong. Hence, the Law of Peoples, rather than cosmopolitanism, should be opted for. In other words, the eighth principle or duty of assistance, rather than global distributive justice, should be opted for.

The Rawlsian illustrations above are quite comprehensible if we consider the three guidelines Rawls says should be followed in carrying out the duty of assistance. The first guideline reveals the similarities between the principle or duty of just savings in domestic liberal societies in *A Theory of Justice* and the duty of assistance in *The Law of Peoples*.²²⁷ The guideline is to note that a society does not have to be wealthy in order to be well-ordered.²²⁸

Rawls believes that "A society with few natural resources and little wealth can be well-ordered if its political traditions, law, and property and class structure with their underlying

²²⁴ Ibid. p. 107.

²²⁵ Ibid. pp. 117-118.

²²⁶ Ibid. p. 107.

²²⁷ Ibid.

²²⁸ Ibid. p. 106.

religious and moral beliefs and culture are such as to sustain a liberal or decent society.”²²⁹ Although some societies are wealthier than others, it is not the aim of the duty of assistance to redistribute wealth in order to increase or maximize the wealth of burdened societies or equalize wealth among societies. After all, just as it is not all well-ordered peoples that are wealthy, so also it is not all burdened societies that are poor. Rawls argues that except in very few cases, generally there is no society that will not be well-ordered if it is well-governed.²³⁰

The second guideline is to note that the political culture of a society determines its poverty or wealth level or status. Rawls famously asserts “that the causes of the wealth of a people and the form it takes lies in their political culture and in the religious, philosophical, and moral traditions that support the basic structure of their political and social institutions, as well as in the industriousness and cooperative talents of its members, all supported by their political virtues.”²³¹ So, well-ordered peoples have no easy way or formula to change the socio-political culture of burdened societies.

Given that the economic status or condition of a society is dependent on its political culture, foreign aid in form of fund dispensation will not help change the economic condition of a society because a mere dispensation of fund cannot change a society’s political culture.²³² But emphasising on human rights could change the behaviour of the rulers which will in turn make them considerate of their people’s well-being.²³³

The third and final guideline is to note that the duty of assistance is meant “to help burdened societies to be able to manage their own affairs reasonably and rationally and eventually to become members of the Society of well-ordered Peoples.”²³⁴ This is what Rawls refers to as ‘the target of assistance’; when reached, assistance is to be stopped even if the formerly burdened society (now well-ordered) is still relatively economically poor.²³⁵ So, when carrying out the duty of assistance, the well-ordered people must not treat burdened societies paternalistically but rather respect their freedom and equality which are the ultimate goals of the duty of assistance.²³⁶

²²⁹ Ibid.

²³⁰ Ibid. p. 108.

²³¹ Ibid.

²³² Ibid.

²³³ Ibid. p. 109.

²³⁴ Ibid. p. 111.

²³⁵ Ibid.

²³⁶ Ibid.

Due to the ‘target of assistance’ argument, many criticisms have been levelled at Rawls’ Law of Peoples. But it is not only because of the ‘target of assistance’ that Rawls’ Law of Peoples has been criticised. Also, due to the other assertions in the previous paragraphs, there have been many criticisms levelled at *The Law of Peoples*. I will not attempt to consider all of the criticisms here, but I will dwell on the most salient ones.

(i)

Critics have argued that Rawls’ dependence on the traditional Westphalian notion of states and international relations is problematic and even the notion is somewhat out of tune with current global realities. Andrew Hurrell and others have argued that given the level of globalization and other forms of integration in our world today, international factors in many ways affect the way a society is shaped. So to talk of peoples as if they were a distinctively separate state does not reflect the situation of our world.²³⁷

Certainly, a look at regional organizations, especially the European Union, and a look at other organizations or institutions such as the United Nations, International Monetary Fund, World Bank, African Union, etc. will reveal to us that apart from globalization - which has clearly figuratively removed boundaries of state - such institutions and organizations as mentioned above have made states figuratively less sovereign and more confederated.

However, Rex Martin and David Reidy contend that although *The Law of Peoples’* view of international relations is Westphalian, it is not merely Westphalian, it also goes beyond the Westphalian view. In other words, although Rawls starts with the Westphalian view of international relations, he goes beyond that view.²³⁸ Rawls contends that peoples are different from states in that while states are seen as merely rational, peoples are at once rational and reasonable. Hence while states do not respect the priority of rights, on the contrary peoples respect the priority of rights.²³⁹

Nevertheless, as Sebastiano Maffettone notes, the notion of peoples is closer to the notion of states than to the notion of individuals. While political realists prefer the notion of states,

²³⁷ Hurrell, Andrew, “Global Inequality and International Institutions,” *Metaphilosophy*, Vol. 32. Iss. 1 -2 (January 2001); pp. 34-57.

²³⁸ Martin, Rex, and David A. Reidy, eds. *Rawls’ Law of Peoples: A Realistic Utopia?* Malden, MA: Blackwell, 2006: p. 6.

²³⁹ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 87.

cosmopolitans prefer the notion of individuals.²⁴⁰ Hence, we can deduce that Rawls is closer to political realists than cosmopolitans. In support of Rawls, Samuel Freeman argues that *The Law of Peoples* is not meant to address issues of global justice. Rather it is meant to formulate a foreign policy for liberal democracies that will guide them in their relationships with one another and with non-liberal democracies.

Also, Joseph Heath argues that *The Law of Peoples* is an attempt to counter political realism which is inclined to discounting moral principles from international relations, and not an attempt to formulate principles for global justice. Hence, Freeman and Heath opine that the criticisms that Rawls gives no consideration to issues of justice are misplaced.²⁴¹

(ii)

Thomas Pogge and Andrew Kuper have argued that Rawls' conception of peoples and the way he attempted to use it in *The Law of Peoples* is flawed. It is common knowledge that most countries in the world are populated by more than one 'people', and it is also abundantly evident that many people have different affiliations and identities.²⁴²

(iii)

In the second original position well-ordered peoples are free and equal. The principle of reciprocity guides the relationships of well-ordered peoples. Accordingly, peoples have the duty to respect one another's interests concerning their choice to remain independent and to have the benefit of self-respect.²⁴³ Andrew Kuper, among others, argues that peoples have all sorts of citizens with different beliefs and political leanings. So in decent hierarchical peoples, there will be citizens who have liberal ideas but will be suppressed by the peoples.

If as Rawls says, that decent peoples should be tolerated and not interfered with, then this will have to be done to the detriment of liberal values because liberal peoples will be tolerating decent hierarchical peoples who are suppressing liberal values and the individuals who hold

²⁴⁰ Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, 2010: p. 293.

²⁴¹ Heath, Joseph, "Rawls on Global Distributive Justice: A Defence," *Canadian Journal of Philosophy*, Vol. 35. Sup. 1. (2005): pp. 193-226; p. 212;
Freeman, Samuel, "The Law of Peoples, Social Cooperation, Human Rights and Distributive Justice," *Social Philosophy and Policy*, Vol. 23. Iss. 01. (January 2006); pp. 29-68.

²⁴² Pogge, Thomas, "An Egalitarian Law of Peoples," *Philosophy and Public Affairs*, Vol. 23. Iss. 3. (July 1994): pp. 195-224; p. 197;

Kuper, Andrew, "Rawlsian Global Justice: Beyond *The Law of Peoples* to a Cosmopolitan Law of Persons," *Political Theory*, Vol. 28. No. 5. (October 2000); pp. 640-674.

²⁴³ Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, 2010: pp. 299-300.

such values. In other words, Rawls is in a way granting to illiberal peoples the right to suppress its citizens who are liberal. Even when the liberal citizens are the majority, the decent hierarchical people has thus been given the legitimacy to oppress or suppress them.

It is on the above note that Darrel Moellendorf argues that in a bid to get foreign policy that favours almost every people, Rawls readily sacrifices justice.²⁴⁴ While Bruce Ackerman argues that *The Law of Peoples* is merely nothing but a *modus vivendi* between liberal democracies and illiberal regimes.²⁴⁵ However, Leif Wenar argues that Rawls is much more concerned with the legitimacy of liberal people using their coercive apparatus to deal with other peoples rather than concerned with ideas such as human rights, justice, etc.²⁴⁶

The logic of Wenar's argument is that in the international system a peaceful and stable environment is a precondition for justice. To think that justice can flourish in the international system in the absence of peace is not to know the value of peace and stability. It can be safe to say that peace and stability are prior to justice, and if so, Rawls is right to focus on peace and stability rather than justice.²⁴⁷ The stability envisioned by the Law of Peoples is different from that of political realists. While political realists' model of stability is based on balance of power or *modus vivendi*, the model of stability envisioned by the Law of Peoples is based on the respect of principles,²⁴⁸ namely the principle of independence (non-intervention except in 'urgent' cases) and the principle of self-respect.

(iv)

Pogge, *contra* Rawls, is of the view that although the life style of citizens and especially the political culture of a people contribute to the economic conditions of a people, they are not the sole factors. Sometimes and in some cases, perhaps even in many cases, they are not the most important factors. The most important factors are international and external. Hence Rawls is mistaking when he thinks the economic condition of a people is solely based on the people, and to see a people in Westphalian terms as utterly independent of other peoples is

²⁴⁴ Moellendorf, Darrel. *Cosmopolitan Justice*. New York: Westview Press, 2002: p. 15.

²⁴⁵ Ackerman, Bruce, "Political Liberalisms," *The Journal of Philosophy*, Vol. 91. No. 7. (July 1994): pp. 364-386; p. 383.

²⁴⁶ Wenar, Leif. "Why Rawls is Not a Cosmopolitan Egalitarian," Eds. Rex Martin and David A. Reidy. *Rawls' Law of Peoples: A Realistic Utopia?* Malden, MA: Blackwell, 2006: pp. 95-113; p. 100.

²⁴⁷ Ibid. p. 110.

²⁴⁸ Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, Vol. 32. Iss. 1-2. 2010: p. 301.

mistaking. This argument of Pogge is based on what he refers to as international borrowing privilege and international resource privilege²⁴⁹

To illustrate how developed countries determine the economic conditions of poor countries to a large extent, Pogge employed the notions of international borrowing privilege and international resource privilege²⁵⁰ which can be explained in the following way. The international community often pays no attention to the fact that a leadership of a poor country is corrupt, dictatorial, etc. As long as the leadership is in charge of the state, it is recognized and accepted by the international community as having the legitimate authority at once to sell the resources of the state and to borrow on behalf of the state.

As usually happens with poor states with corrupt leaders, a huge part of the funds realized from the selling of the resources goes into the private pockets of the corrupt leaders and so also a huge percentage of any money borrowed goes into their private pockets at the expense of the people. These two situations worsen the conditions of poor states, encourage rogues to want to come to power because of the benefits, and even when a democratic leader does eventually come to power, s/he will be left with a huge debt to pay and sometimes depleted resources.

Given the above scenario, the poor state in question cannot be said to have been insulated from the wealthy states and the wealthy states do not have the moral justification to insulate or isolate themselves from the problems of the poor state. In this case, the Westphalian notion of state, which Rawls adopted, fails to capture the interdependence of states. Rawls, having adopted that notion, is also guilty of turning a blind eye to this interdependence.²⁵¹ However, Samuel Freeman argues that actually the sort of countries described by Pogge which stand in a position of oppressors in the international system are the sort of states that are referred to as out-law states in *The Law of Peoples*, and as such, liberal peoples are not to extend their policy of tolerance to them.²⁵²

²⁴⁹ Pogge, Thomas, "Priorities of Global Justice," *Metaphilosophy*, Vol. 32. Iss. 1-2. (January 2001): pp. 6-24.

²⁵⁰ Ibid.

²⁵¹ Ibid.

²⁵² Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: p. 117;

Freeman, Samuel. "Distributive Justice and *The Law of Peoples*," Eds. Rex Martin and David A. Reidy. *Rawls' Law of Peoples: A Realistic Utopia?* Malden, MA: Blackwell, 2006: pp. 243-260; p. 251.

(v)

Kok-Chor Tan and Darrel Moellendorf have argued along the following line. Rawls has no logical basis upon which to argue that while the parties in the first original position will be interested in socio-economic equality for all in the domestic liberal society, those in the second original position will not be interested in socio-economic equality for all internationally.²⁵³

If the parties in the first original position are interested in socio-economic equality because they care for themselves (because they would prefer a well-off life to a worse-off one), and care about fellow citizens (because their common institutions - especially the political - which they share, create enough grounds for this); the second parties logically will also care about themselves because they prefer a well-off life to a worse-off one, also the common institutions and integrations which bind peoples together in our current world are likewise enough grounds for them to care about the socio-economic well being of all.

However, Joseph Heath argues that the international system neither has strong enough global structures nor has enough global basic structures. The rule of law is the basic instrument in the domestic society that facilitates political justice and given that the rule of law is absent at the international level, there is more or less nothing to facilitate political justice on the international level.²⁵⁴

In addition, David Reidy argues that persons do not share any global self-understanding in which persons are understood as morally and politically free and equal persons.²⁵⁵ On his part, Wenar argues that international relations are not interpersonal but international. Persons are not the subject of international relations. Rather, states are the subject of international relations. Therefore, Rawls is right to make peoples, rather than persons, the subject of the Law of Peoples.²⁵⁶

²⁵³ Tan, Kok-Chor. *Tolerance, Diversity, and Global Justice*. University Park, PA: The Pennsylvania State University Press, 2000; ch. 7;

Moellendorf, Darrel. *Cosmopolitan Justice*. New York: Westview Press, 2002: ch. 2.

²⁵⁴ Heath, Joseph, "Rawls on Global Distributive Justice: A Defence," *Canadian Journal of Philosophy*, Vol. 35. Sup. 1. (2005): pp. 193-226; pp. 201-203.

²⁵⁵ Reidy, David A. "Rawls on International Justice: A Defence," *Political Theory*, Vol. 32. No. 3 (June 2004): pp. 291-319; p. 310.

²⁵⁶ Wenar, Leif. "Why Rawls is Not a Cosmopolitan Egalitarian," Eds. Rex Martin and David A. Reidy. *Rawls' Law of Peoples: A Realistic Utopia?* Malden, MA: Blackwell, 2006: pp. 95-113; p. 103.

(vi)

Rawls' list of human rights is limited due to his fixation on the eight principles which would be chosen by well-ordered peoples in the second original position and his quest to respect plurality as a liberal.²⁵⁷ Pogge argues that Rawls offers no convincing arguments why well-ordered people will restrict themselves to the eight principles or rights which Rawls says they will choose in the second original position. Furthermore, he says Rawls does not even convincingly argue why they will choose those principles or rights instead of some other principles or rights.²⁵⁸

Also, Andrew Kuper has argued that Rawls made a serious blunder when he failed or decided not to include democratic rights in the rights well-ordered people would choose in the second original position.²⁵⁹ In the same vein, Amartya Sen argues that it is known that authoritarian or non-democratic governments are a strong factor which threatens and in fact negatively affects the well-being and lives of peoples and even abuse their human rights.²⁶⁰ Hence, to neglect to consider democratic rights as Rawls did is a weakness of *The Law of Peoples*.

However, some proponents argue that Rawls' list of human rights is by no means limited, at least, as limited as critics think. According to Reidy, Rawls' basic rights are at the moral heart of the rights enumerated in the Universal Declaration of Human Rights.²⁶¹ Furthermore, he argues that Rawls does not actually claim that his basic rights are the only basic rights, but rather implies that they are among other basic rights which can be chosen. He adds that a closer look at *The Law of Peoples* will reveal that Rawls even included alongside his basic rights some Universal Declaration of Human Rights articles such as articles 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16 and 17.²⁶²

(vii)

Andrew Kuper and some other critics argue that *The Law of Peoples* is not adequately a realistic utopia as Rawls claims it is. They argue that since it fails to give consideration to

²⁵⁷ Maffettone, Sebastiano. *Rawls: An Introduction*. Cambridge, UK: Polity Press, 2010: pp. 304-305.

²⁵⁸ Pogge, Thomas, "An Egalitarian Law of Peoples," *Philosophy and Public Affairs*, Vol. 23. Iss. 3. (July 1994): pp. 195-224; pp. 214-215.

²⁵⁹ Kuper, Andrew, "Rawlsian Global Justice: Beyond *The Law of Peoples* to a Cosmopolitan Law of Persons," *Political Theory*, Vol. 28. No. 5. (October 2000): pp. 640-674; pp. 655-658.

²⁶⁰ Sen, Amartya. *Development as Freedom*. Oxford: Oxford University Press, 1999: pp. 147-148, 154-155.

²⁶¹ Rex Martin and David A. Reidy, eds. *Rawls' Law of Peoples: A Realistic Utopia?* Malden, MA: Blackwell, 2006: p. 170.

²⁶² *Ibid.* p. 171.

every substantial reality such as globalization, global interdependence and global domination of some countries by others, it cannot be adequately realistic. Also since it fails to depart from the Westphalian notion of states and the traditional international law and international relations, it cannot be said to be a utopia.²⁶³

On the criticism that *The Law of Peoples* is not utopian enough, a counter argument is that Rawls, although aims at utopia, tries hard to keep *The Law of Peoples* real. It is for this reason that *The Law of Peoples* might be seen as not utopian enough. If this ‘not utopian enough’ is due to *The Law of Peoples* being realistic, then it cannot be seen as a weakness.²⁶⁴ Furthermore, on the argument that *The Law of Peoples* is not realistic enough, a counter argument is that Rawls does not consider factors of global interdependence which might lead to oppression because his focus was not on the formulation of principles that will lead to a just society. Rather he was concerned with formulating principles that will help us realize a peaceful or stable society.²⁶⁵

2.3. Thomas Nagel’s Problem of Global Justice

In 2005, nine years ago, Thomas Nagel started his influential article, “The Problem of Global Justice”, with the concession that our world is unjust. But this concession is followed with a qualification that we do not have a comprehensible view on what international or global justice might mean and what its requirements might be or what its principles might entail.²⁶⁶

Nevertheless, Nagel goes on to mention that international or global justice is concerned with war and human rights. For war, the issue is whether it is justified for one nation to wage war against another and whether the war is justly executed; in other words, *jus ad bellum* and *jus in bello*. And for human rights, international or global justice concerns itself with only the most basic of human rights. Since Nagel does not give us a list of the most basic human rights, we do not know the limit of the list although intuitively we know at least some of the rights such a list should entail.

²⁶³ Kuper, Andrew, “Rawlsian Global Justice: Beyond *The Law of Peoples* to a Cosmopolitan Law of Persons,” *Political Theory*, Vol. 28. No. 5. (October 2000): pp. 640-674; p. 383.

²⁶⁴ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: pp. 5-6.

²⁶⁵ Audard, Catherine, “Cultural Imperialism and ‘Democratic Peace,’” Eds. Rex Martin and David A. Reidy. *Rawls’ Law of Peoples: A Realistic Utopia?* Malden, MA: Blackwell, 2006: pp. 59-75; p. 73.

²⁶⁶ Nagel, Thomas, “The Problem of Global Justice,” *Philosophy and Public Affairs*, Vol. 33. No. 2. (2005); p. 113.

Nagel says his focus is solely on socio-economic justice and whether it can possibly mean anything on the global level.²⁶⁷ To deal with the above issue, he approaches it by “focusing on the application to the world as a whole of two central issues of traditional political theory; the relation between justice and sovereignty, and the scope and limits of equality as a demand of justice.”²⁶⁸ For Nagel the two issues are necessarily related when we talk about justice on the global level.²⁶⁹

After reminding his readers that the justice/sovereignty issue was first dealt with by Thomas Hobbes, Nagel goes on to present Hobbes’ formulation of the issue. For Hobbes, while it is possible for us to “discover true principles of justice by moral reasoning alone, we can only get real justice in a sovereign state.”²⁷⁰ Since justice and injustice have to do chiefly with the interactions among persons, a sovereign government is needed to bring about justice and injustice. At the international arena, where there is no such sovereign government to bring justice about, states are constantly at potential war with one another, hence their situation is some sort of state of nature.²⁷¹

In Hobbes’ view, principles of justice are nothing but a set of rules, when if adhered to by everyone, will be advantageous to everyone. No one would want to adhere to these rules except he or she is certain that everyone else will also adhere to the rules. Hence everyone needs a sovereign who will assure him or her that everyone else will adhere to the rules. Furthermore, in conjunction with the belief that everyone else will adhere to the rules, the fear of sanction from the sovereign forces everyone to adhere to the rules.

No matter how strong the common interest of the individuals might be, without the assurance that everyone else will adhere to the rules and without the fear of the sanction of the sovereign, people are bound not to obey the rules.²⁷² Although individuals crave for peace and justice, in the absence of a sovereign - who alone can guarantee peace and justice - individuals, in order to preserve their lives, will have to resort to self-defence. Hence they find themselves in a state of nature where everyone stands in a posture of war against everyone else.²⁷³

²⁶⁷ Ibid. p. 114.

²⁶⁸ Ibid.

²⁶⁹ Ibid.

²⁷⁰ Ibid.

²⁷¹ Ibid.

²⁷² Ibid. p. 115.

²⁷³ Ibid. p. 116.

According to Nagel, Hobbes' assertion, as discussed above, is also true of conceptions of justice that are hinged on the interests of other persons. Nagel, like Hobbes, argues that except there is a government that ensures that just institutions are stable, individuals - no matter how high their moral motivation is - can only aspire for justice in theory but cannot have it in practice.

In the above scenario, the best practical expression of justice individuals will have will be their readiness to help sustain just institutions if such institutions exist. Conceptions of justice that are hinged on the interests of other persons promote obedience to just institutions when there are just institutions. But when the facilitating factors for just institutions do not exist, such conceptions of justice fail to offer helpful guidance. For Nagel, this scenario is the case with our entire world.²⁷⁴

Having presented Hobbes' case on sovereignty and justice, Nagel goes on to present Rawls' case on equality as a demand of justice. In Nagel's reading of Rawls:

the liberal requirements of justice include a strong component of equality among citizens, but...this is a specifically political demand, which applies to the basic structure of a unified nation state. It does not apply to the personal (non-political) choices of individuals living in such a society, nor does it apply to the relations between one society and another, or between the members of different societies. Egalitarian justice is a requirement on the internal political, economic, and social structure of nation states and cannot be extrapolated to different contexts, which require different standards.²⁷⁵

Nagel's presentation of the institutional argument or, put more accurately, institutional defence of Rawls, is well summarised by Maffettone. He says due to the fact that domestic institutions are different from international institutions, their practices are different. Since Rawlsian principles of justice are not applicable to members of different political entities, we cannot arrive at global justice principles by the simple extension of (Rawlsian) domestic justice principles to the global level.²⁷⁶

For Nagel, the sort of *special* association or the sort of *special* associative relationship we have within the state is not found outside the state. Therefore, justice is only found within the state and not outside the state. "Justice is something we owe through our shared institutions

²⁷⁴ Ibid. pp. 116-117.

²⁷⁵ Ibid. pp. 114-115.

²⁷⁶ Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: pp. 133-134.

only to those with whom we stand in a strong political relation. It is, in the standard terminology, an *associative* obligation.²⁷⁷ A unique characteristic of this special relationship is; through state institutions, vertically the state makes special claims on the will of citizens and horizontally citizens make special claims on the will of one another.²⁷⁸ These special claims generate special duties of justice namely positive duties of justice. These special duties or positive duties of justice start and stop where the special claims that generate them start and stop.²⁷⁹

The actions of the state are seen as the general will of the citizens. Since the state “exercises sovereign power over its citizens and in their name, those citizens have a duty of justice toward one another through the legal, social, and economic institutions that sovereign power makes possible. This duty is *sui generis*, and is not owed to everyone in the world, nor is it an indirect consequence of any other duty that may be owed to everyone in the world, such as a duty of humanity.”²⁸⁰ Hence, while in the relationship or interaction on the one hand between citizens and on the other hand between the citizens and the state duties and rights of justice are involved, this is not the case outside the state or globally.

Nagel, following Hobbes and Rawls, asserts that we can only properly talk about justice within the nation state because it is in the nation state that political legitimacy is located. But on the global level, since we have no structure or entity to play the role of the nation state, there is no similar political legitimacy.²⁸¹ As Nagel puts it:

Without being given a choice, we are assigned a role in the collective life of a particular society. The society makes us responsible for its acts, which are taken in our name...thereby supporting the institutions through which advantages and disadvantages are created and distributed. Insofar as those institutions admit arbitrary inequality...we therefore have standing to ask why we should accept them. This request for justification has moral weight even if we have in practice no choice but to live under the existing regime. The reason is that its requirements claim our active cooperation.²⁸²

So, for Nagel, a crucial distinction between our relationship with national institutions and global institutions is that while our relationship with the formal is involuntary, our relationship with the latter is voluntary. This voluntariness is why we cannot have global justice because justice is not a matter of voluntariness. It is a matter of responsibility that can

²⁷⁷ Nagel, Thomas, “The Problem of Global Justice,” *Philosophy and Public Affairs*, Vol. 33. No. 2. (2005); p. 121.

²⁷⁸ *Ibid.* p. 130.

²⁷⁹ *Ibid.*

²⁸⁰ *Ibid.* p. 121.

²⁸¹ *Ibid.* pp. 113-114.

²⁸² *Ibid.* p. 129.

be enforced only through coercive apparatus which is present in the state but absent globally. As Nagel himself mentions, the statist's coercion argument was first propounded by Michael Blake but adopted and adapted by Nagel.²⁸³

However, given the terrible level of poverty and other preventable terrible conditions in which most people live globally, Nagel admits that it is plausible to think the well-off should come to the aid of the worse-off; that this disparity in well-being and the disastrous consequences it has for the worse-off should be a genuine concern for the well-off. Nevertheless, it is not that the well-off have an obligation to help the worse-off or that the worse-off have a right to be helped by the well-off. It is merely a matter of charity; the worse-off need humanitarian assistance and the well-off who are in a position to assist humanitarily can help to alleviate global poverty.²⁸⁴ Hence what we can plausibly argue for on the global level is not global justice but humanitarian assistance.

In summary, Nagel's thesis is as follows in a manner of syllogism. Firstly, Nagel agrees with Hobbes that there can be no justice without a sovereign government. Thus, for Nagel - just as for Hobbes - since the world has no sovereign government, the idea of global justice is implausible. Secondly, Nagel agrees with Rawls that equality is a demand of justice. Equality only exists among members of a state and between states. Thus we can only talk about justice on the one hand among individuals within a state, and on the other hand between states - for instance Italy and Germany. But we cannot talk about justice among individuals across states or globally.

Consequently, and thirdly, according to Nagel, "If Hobbes is right, the idea of global justice without a world government is a chimera. If Rawls is right, perhaps there can be something that might be called justice or injustice in the relations between states, but it bears only a distant relation to the evaluation of societies themselves as just or unjust: for the most part, the idea of a just world for Rawls would have to be the idea of a world of internally just states."²⁸⁵ Although this statement seems to suggest that Nagel is sitting on the fence between Hobbes and Rawls, what he does in the entire article is a synthesis of both Hobbes and Rawls. But he seems to lean more towards Hobbes than Rawls. His synthesis, arguably, is more reliant on Hobbes than Rawls.

²⁸³ Ibid. p. 126.

²⁸⁴ Ibid. p. 118.

²⁸⁵ Ibid. p. 115.

In conclusion, Nagel's thesis makes him closer to Hobbes than Rawls, and his conclusion makes him a strong statist while Rawls is a weak statist. At least Rawls, in *The Law of Peoples*, argues for duty of assistance to burdened societies, the duty to remedy cases of severe poverty and the duty to remedy gross violation of human rights.²⁸⁶ While for Rawls these will count as duties of justice, for Nagel they are mere humanitarian duties or mere duties of charity.²⁸⁷

2.4. Charles Beitz's Cosmopolitan Liberalism

Charles Beitz, in *Political Theory and International Relations* (1979), extended Rawls' theory of justice - as conceptualized in *A Theory of Justice* meant for domestic societies - to the global arena as a cosmopolitan perspective on global justice. Beitz propounded two cosmopolitan principles of global justice, namely; the resource redistribution principle and global distribution principle.

In the resource redistribution principle, he hypothetically imagines a scenario in which each state is self-sufficient, each absolutely depends on its own resources and labour and does not trade with any country. Furthermore, some states are well resource-endowed and manage their resource-endowment very well. But other states are not resource-endowed and this lack of resource-endowment negates all the positive efforts they make to be reasonably well-off.

In view of the resource redistribution principle, the resource-endowed and well-off states are to aid, that is, redistribute part of their resources, to the non-resource-endowed and worse-off states in order for the latter to be able to put in place the necessary political and economic structure to guarantee the well-being of their citizenry *vis-à-vis* to meet their basic human needs.²⁸⁸ Thus the resource redistribution principle assures individuals in societies that are not resource-endowed that their unfavourable fate will not be a hindrance to their realization

²⁸⁶ Rawls, John. *The Law of Peoples: With The Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: pp. 105-106;

Blake, Michael, and Patrick Taylor Smith. "International Distributive Justice", *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

²⁸⁷ Nagel, Thomas. "The Problem of Global Justice," *Philosophy and Public Affairs*, Vol. 33. No. 2. (2005); p. 118; Blake, Michael, and Patrick Taylor Smith. "International Distributive Justice", *Stanford Encyclopaedia of Philosophy*, 24 October, 2013.

²⁸⁸ Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1979: p. 137.

of economic conditions that will be enough for the sustainability of just social institutions and the protection of human rights.²⁸⁹

In the hypothetical scenario in the global distribution principle, like the hypothetical scenario in the resource redistribution principle, some states are well resource-endowed while others are not. The resource-endowed states are well-off because of their resources while the non-resource-endowed states are worse-off because of their lack of resources. But unlike the hypothetical scenario in the resource redistribution principle, these states are not self-sufficient, they are not closed-up and they engage in international trade. Given that this international or global connectivity and interaction entails international or global cooperation, this is a ground to argue for global distributive justice, namely global difference principle similar to the Rawlsian difference principle for domestic liberal societies.

Moreover, presumably, the well-off states are well-off at least partly because of the benefits they derive from being part of the international or global cooperation (although this is not Beitz's explicit ground for global distributive justice or global difference principle). Hence, adopting and globalizing Rawls' difference principle, Beitz argues that the resources or wealth of the well-off states should be redistributed to assist the worse-off states.²⁹⁰

Nevertheless, in 1999, in the "Afterword" to the second edition of *Political Theory and International Relations*, Beitz adopts a moderate position which I shall present as follows. He argues for what he refers to as 'a cosmopolitan theory of international distributive justice.'²⁹¹ He posits that there are two ways to argue for his position. The first way he calls the strong thesis and the second way he calls the weak thesis. The theses draw an analogy between domestic society and international relations and hold that the structures and factors that make distributive justice morally justifiable on the domestic level are analogously present on the global level.

The weak thesis posits merely that since international relations resemble domestic societies in terms of their basic structures; international distributive justice morally applies to international relations. While the strong thesis posits that the particular moral principles that

²⁸⁹ Ibid. p. 141.

²⁹⁰ Ibid. pp. 154-159, 161-162.

²⁹¹ Ibid. pp. 198-199.

international relations should be subject to are internationalized Rawlsian principles of distributive justice as formulated in *A Theory of Justice*.²⁹²

For Beitz, given philosophical and practical considerations, the weak thesis seems more essential.²⁹³ The weak thesis neither concerns itself with the most excellent or finest institutional structure that should obtain in international politics nor does it concern itself with how individuals ought to conceive their identities or how to identify themselves and their loyalties or who they ought to be loyal to. Rather, it concerns itself with the grounds on which we should justify or criticise institutions and practices.²⁹⁴

Beitz terms the weak thesis moral cosmopolitanism according to Thomas Pogge's understanding of the term which says that every person "has a global stature as the ultimate unit of moral concern."²⁹⁵ The crust of the weak thesis or moral cosmopolitanism, according to Beitz, is that the unbiased consideration of the stance or argument of everyone that will be affected by institutions and policies determine our decisions regarding the sort of institutions we ought to create and the policies we should choose.²⁹⁶

Beitz divides his arguments for the weak thesis into three categories. In the first category, he contrasts the global society with domestic society. Under this category, he explains that in order to formulate principles of justice for domestic society, Rawls bases his baseline for gauging fair cooperation in the society on equality. Likewise, it might seem plausible to judge the logic of global justice based on the equality baseline.²⁹⁷

He goes on to say that to have a proper conception of distributive justice on the global level, we acknowledge that there are certain basic structures that are necessary due to the nature and extent of socio-economic integration, and then try to establish moral principles which are requirements that must be met by these structures in order for equal persons who are at once free and moral to accept the principles. According to Beitz, our current situation is far from this ideal.²⁹⁸ Because on different levels of political associations in our world there are

²⁹² Ibid. pp. 198-199.

²⁹³ Ibid. p. 199.

²⁹⁴ Ibid.

²⁹⁵ Ibid. 1979: p. 199;

Pogge, Thomas, "Cosmopolitanism and Sovereignty," *Ethics*, Vol. 103. No. 1 (1992): pp. 48-75; p. 49.

²⁹⁶ Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1999: p. 200.

²⁹⁷ Ibid. p. 203.

²⁹⁸ Ibid. pp. 203-204.

institution and norms that people are subjected to, for the most part, without them consenting, and their life prospects can be radically controlled by these institutions and norms.²⁹⁹

Beitz termed his second category of arguments ‘determinants of the political and economic development of societies.’³⁰⁰ In this category, he says it is possible at once to accept in principle that moral principles demand that there is an economic threshold on the global level below which will be unjust for persons to live, and to accept that it is impossible, practically, to ensure this threshold globally.³⁰¹ This is based on Rawls’ argument that the social and economic development of a society is based on its social and political culture rather than on the amount of natural resources it is endowed with or on how it is affected by international politics or international economy.³⁰² Following this argument, then the responsibility to rectify socio-economic or politico-economic injustice in a society is that of the society itself rather than that of other societies.³⁰³

Beitz argues that we cannot confidently conclude that the presence or absence of natural resources necessarily leads to the development of a state or its underdevelopment given that our current state of knowledge of the correlation between natural resources endowment and development is poor or uncertain. Furthermore, he posits that we cannot argue plausibly that the development of a state depends on its socio-political or socio-economic culture rather than on its position in global political economy. This is because it is practically unfeasible to separate international influence from domestic influence – both are intertwined – in the development of a society.

Also the international politico-economic structures, institutions and organizations that regulate world economy impact poor countries negatively and contribute to shaping the domestic structures of these countries to a large extent. These countries have to be part of

²⁹⁹ Ibid. p. 205.

³⁰⁰ Ibid.

³⁰¹ Ibid.

³⁰² Rawls, John. *The Law of Peoples: With the Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999: pp. 74-77;

Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1999: p. 205.

³⁰³ Rawls, John. *The Law of Peoples: With the Idea of Public Reason Revisited*. Cambridge, MA: Harvard University Press, 1999. p. 77;

Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1999: p. 205.

these structures which are essentially meant to benefit the wealthy.³⁰⁴ Hence, Beitz asserts that even if domestic circumstances and issues crucially determine the socio-economic development or under-development of a state, they may be considered to be necessary condition rather than sufficient condition for the development or under-development of a state.³⁰⁵

Beitz terms the third category of arguments ‘the claims of compatriots.’³⁰⁶ In this category, although one might hold that cosmopolitan moral principles should guide international relations, however one can, at the same time, hold that whenever there is a conflict between the interests of compatriots and others, one should always give preference to compatriots.³⁰⁷ Since giving preference to compatriots might lead one to prioritize ‘the less urgent needs of compatriots’ over ‘the more urgent needs of others,’ this is inconsistent with cosmopolitanism because it violates the core principle of cosmopolitanism – the principle of equality which says that everyone, irrespective of affiliations, should be treated equally.³⁰⁸

According to Beitz, any justifiable form of the priority argument will have to be weakened to become different from what it already looks like in our common morality and be redefined to create room for global distributive justice. Therefore, even if we grant that the interests of compatriots should be given preference, this will not be mutually exclusive with accepting the weak thesis on global distributive justice.³⁰⁹

In the first edition of *Political Theory and International Relations*, Beitz considered the disagreement between the morality of states and cosmopolitan morality as the most important and productive theoretical issue in international political theory.³¹⁰ Unlike cosmopolitan morality, the morality of states upholds the sovereignty of states, the principle of non-intervention and preference for the needs of compatriots.³¹¹ Contrary to his earlier view, in the “Afterword” to the second edition Beitz thinks the resolution of the tension between

³⁰⁴ Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1999: p. 205.

³⁰⁵ Ibid. p. 207.

³⁰⁶ Ibid. p. 208.

³⁰⁷ Shue, Henry. *Basic Rights: Subsistence, Affluence, and US Foreign Policy*. Princeton, NJ: Princeton University Press, 1980: p. 132;

Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1999: p. 208.

³⁰⁸ Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1999: p. 208.

³⁰⁹ Ibid. p. 214.

³¹⁰ Ibid.

³¹¹ Ibid.

social liberalism and cosmopolitan liberalism is the major issue that international political theory has to deal with.³¹²

The international community is understood by social liberalism to be a community populated by domestic societies. On the one hand, the duty of the domestic societies is to ensure the welfare and safeguard the interests of their citizens. On the other hand, the duty of the international community is to ensure a milieu where domestic societies will thrive.³¹³ For social liberalism, international relations principles apply to domestic societies. Since international relations principles are only justifiable by the consideration of the primary interests of the societies which the principles apply to; international relations principles are only justifiable by the consideration of the interests of domestic societies.³¹⁴

Cosmopolitan liberalism, unlike social liberalism, does not grant domestic societies any moral privilege over persons or individuals. Because, for the cosmopolitan liberalism, on the deepest level our social world is not composed of domestic societies, states, nations, or peoples as Rawls would have it; it is rather composed of persons.³¹⁵ Consequently, cosmopolitan liberalism holds that international relations principles are only justifiable by considering the primary interests of individuals.³¹⁶

In the final analysis, Beitz's defence of the weak thesis reveals his preference for cosmopolitan liberalism over social liberalism. However, it is his shift from defending the strong thesis in 1979 to defending the weak thesis in 1999 that also reveals that he became somewhat sceptical about cosmopolitanism. No wonder he concedes to political realists that "In the application of principles to practice, normative and empirical considerations interact in complex waysBasing decisions to act on normative principles without paying attention to these complexities is certain to yield bad decisions."³¹⁷ This statement might leave one wondering whether the twenty-year period between 1979 and 1999 has wavered Beitz's commitment to cosmopolitanism.

³¹² Ibid. p. 216.

³¹³ Beitz, Charles R., "Rawls' Law of Peoples," *Ethics*, Vol. 110. No. 4. (July 2000): pp. 669-696; pp. 677-678.

³¹⁴ Ibid.

³¹⁵ Ibid.

³¹⁶ Ibid.

³¹⁷ Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1999: p. 183.

One might even argue that he seemed to drift towards what can be referred to as a weak statism. But this will be far too fetched. For what he drifted to is, accurately in his own terminology, ‘the weak thesis’ - cosmopolitan morality - which at once: argues for global distributive justice in general, but not the globalisation of Rawlsian distributive justice in particular; and upholds cosmopolitan liberalism but accepts its limitations.

2.5. Thomas Pogge’s Negative Duty

In 1989 (ten years after the publication of Beitz’s *Political Theory and International Relations*) Thomas Pogge, in *Realizing Rawls*, also extended Rawls’ theory of justice - as conceptualized in *A Theory of Justice* meant for domestic societies - to the global arena as a cosmopolitan perspective on global justice. Again, in 1994 in “An Egalitarian Law of Peoples,”³¹⁸ he repeated his globalisation of Rawls’ theory of justice. But, he has since gone on to develop some robust defence for cosmopolitan global justice.

It is Pogge’s original views, rather than his ‘extension’ of Rawlsian principles of justice to global justice, that I shall focus on. This is partly because Pogge has abandoned the ‘extension project’ for his original views and partly because even Rawls did not agree with the ‘extension.’ Having already presented Pogge’s conception of cosmopolitanism in the foregoing discussion, now I shall go straight to the heart of his argument.

Pogge blames the global institutional order for injustice on the global level. In what he refers to as the international resource privilege and the international borrowing privilege, Pogge shows how the global institutional order causes and engenders injustice. He argues that regardless of how any group comes to power, how it exercises power and whether the citizenry supports or opposes it, as long as such group has the preponderance of the means of coercion or near monopoly of force within the state, it is internationally recognized as the legitimate government of the state.³¹⁹ Although the nature of such group coming to power, the nature of its exercise of power and the opposition of it by the citizenry make it illegitimate. By recognizing such group as the legitimate government the international

³¹⁸ Pogge, Thomas, “An Egalitarian Law of Peoples,” *Philosophy and Public Affairs*, Vol. 23. Iss. 3. (July 1994): pp. 195-224.

³¹⁹ Pogge, Thomas, “Priorities of Global Justice,” *Metaphilosophy*, Vol. 32. Iss. 1-2. (January 2001): pp. 6-24; pp. 19-20.

community consequently bestows upon it two crucial privileges namely the international borrowing privilege and the international resource privilege.³²⁰

As earlier discussed, to illustrate how developed countries determine the economic conditions of poor countries to a large extent, Pogge employed the notions of international borrowing privilege and international resource privilege³²¹ which can be explained in the following way. The international community often pays no attention to the fact that a leadership of a poor country is corrupt, dictatorial, etc. As long as the leadership is in charge of the state, it is recognized and accepted by the international community as having the legitimate authority at once to sell the resources of the state (international resource privilege) and to borrow on behalf of the state (international borrowing privilege).

As usually happens in poor states with corrupt leaders, a huge part of the funds realized from the selling of the resources goes into the private pockets of the corrupt leaders and so also a huge percentage of any money borrowed goes into their private pockets at the expense of the people. These two situations worsen the condition of poor states and encourage rogues to want to come to power because of the benefits. Even when a democratic leader eventually comes to power, s/he will be left with a huge debt to pay and sometimes depleted resources.

These international privileges are particularly relevant to Sub-Saharan Africa especially Nigeria, Angola, the Democratic Republic of Congo (DRC), Equatorial Guinea, etc. On the international resource privilege which confers the property rights of the resources of a state on any regime irrespective of how illegitimately the regime came to power, Sub-Saharan African dictators, cronies of dictators, and warlords have capitalised on their resource privileges to sustain their regimes, sponsor conflicts and lead lavish lifestyles.

Joseph Mobuto Sese Seko and Laurent-Désiré Kabila of DRC (former Zaire), Ibrahim Babangida and Sanni Abacha of Nigeria, José Eduardo dos Santos and Jonas Savimbi of Angola, Teodoro Obiang Nguema Mbasogo and Teodorin Nguema Obiang Mangué of Equatorial Guinea, Samuel Doe and Charles Taylor of Liberia, Ahmed Tejan Kabbah and Johnny Koroma of Sierra Leone are a few examples of African leaders who epitomised the above privileges.

³²⁰ Ibid. p. 20.

³²¹ Ibid. pp. 6-24.

Concerning the international borrowing privilege which confers the right to borrow in the name of a state and on behalf of its citizens on any regime irrespective of how illegitimately the regime came to power, this has terrible consequences for poor countries. This borrowing privilege incentivises potential coup plotters and dictators to seize power because they know doing so will give them access to huge amounts of money. When in power, illegitimate rulers completely control the credit of a country. So these rulers can always borrow money in the name of their countries. Although they often embezzle the money they borrow or use it to sustain their regimes, it is their countries that are saddled with the responsibility of settling the debt.³²²

In view of the negative effects of the international resource privilege and the international borrowing privilege, Pogge asserts that individuals and collectives or institutions globally have the negative duty to desist from imposing on the less privileged of the world an institutional scheme that is unjust³²³ For Pogge, in a globalised world that is interdependent, the global institutional order enormously affects peoples' lives. In order to safeguard the welfare and interests of peoples, there must be a paradigm of human rights that regulates the global institutional order and it must be imposed on the global order.³²⁴ The human rights paradigm he advocates is the one that will involve radical institutional reform which will result in reconfiguring the current Westphalian system into what he terms dispersion of sovereignty. This reform, Pogge argues, will eradicate abject poverty and minimise injustice.³²⁵

Pogge argues that the current global system – the Westphalian system of nation-states – is a contributing factor to the problem of global injustice in our world.³²⁶ According to Pogge, “A global institutional scheme is imposed by all of us on each of us. It is imposed *on* us in that we cannot simply drop out and renounce participation. This fact is most significant in the case of the scheme's most disadvantaged participants, who are literally being forced, ultimately with resort to violence, to abide by the going ground rules”³²⁷ (emphasis is original). Furthermore, he argues that due to the dynamics of the international system in

³²² Pogge, Thomas. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge, UK: Polity Press, 2005: pp. 114-115.

³²³ Maffettone, Sebastiano, “Normative Approaches to Global justice.” *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: p. 131.

³²⁴ Ibid.

³²⁵ Ibid.

³²⁶ Pogge, Thomas. *Realizing Rawls*. New York: Cornell University, 1989: pp. 10-11.

³²⁷ Ibid. p. 276.

which rich and powerful states are at advantage while poor and non-powerful states are at disadvantage, the former and their citizens are part of the cause of global injustice and are thus morally responsible for it. Hence they have a duty towards those who are globally disadvantaged.³²⁸

Since institutions are not natural but social, are brought into existence through our plans and actions, we are thus responsible for their existence. And since they have led to dismal conditions on the global level, we are also responsible for those dismal conditions. Hence, the onus, in moral terms, is on us to remedy those dismal conditions and to desist from causing and engendering those dismal conditions.³²⁹ However, Pogge stresses a negative duty rather than a positive duty on the side of the advantaged, and consequently a negative right rather than a positive right on the side of the disadvantaged. He stresses that we ought to desist from acting the way we act that makes the global order unjust and consequently makes some people and parts of the world disadvantaged.³³⁰

For Pogge, given the fact that some individuals and parts of the world, namely the developed world, are very wealthy and powerful, nearly everything they do impact significantly on living conditions of other parts of the world, namely the developing world. And given the fact that these individuals and the developed world are very wealthy and powerful, they “are in a unique position to take up the theoretical and practical task of institutional reform.”³³¹ Nevertheless, as individuals, for Pogge, we cannot really do much on our own (interactionally) to change the global structure that leads to global disadvantages for the worst-off. In other words, the malaise of the global structure cannot be corrected by the direct (interactional) effort of individuals or cannot be corrected directly (interactionally) by the efforts of individuals. Hence he argues that the task of the individual is to advocate institutions - particularly global institutions - that can restructure the global system and help correct the problem of global injustice.³³²

In conclusion, the crust of Pogge’s argument is that there should be a global institutional reform of the global institutional order and the onus is on those who perpetrate global institutional injustice. These perpetrators of global institutional injustice need to desist from perpetrating global institutional injustice; hence their negative duty to stop inflicting injustice

³²⁸ Ibid. pp. 10-11.

³²⁹ Ibid. pp. 276-277.

³³⁰ Ibid. p. 277.

³³¹ Ibid. p. 275.

³³² Ibid. pp. 277-278.

on the worse-off and worst-off individuals and on the worse-off and worst-off parts of the world.

2.6. Sebastiano Maffettone's Liberal Internationalism

In this sub-chapter I shall present Sebastiano Maffettone's Liberal Internationalism which will help us grasp the salient points in the cosmopolitanism/statism debate and how a neutral position can be a vital and viable option. Maffettone says "Liberal Internationalism can be seen as an intermediate position between relational and non-relational approaches to global justice."³³³ Remember that in sub-chapter 2.1. I have already distinguished between relational approaches and non-relational approaches as expounded by Maffettone. So I shall not rehash that distinction here. Rather, I shall directly focus on cosmopolitanism and statism.

Maffettone sees his Liberal Internationalism as an intermediary between - on the one side - relational approaches and - on the other side - non-relational approaches.³³⁴ It will be apt to say that it is just as well an intermediary between - on the one side - cosmopolitanism and - on the other side - statism. Because in order to argue for a neutral position Maffettone juxtaposes cosmopolitanism with statism. Then he argues that there is a third way other than cosmopolitanism and statism. The third way is Liberal Internationalism which he also refers to as liberal international justice.³³⁵

Moreover, Liberal Internationalism is more realistic than cosmopolitanism and more utopian than statism.³³⁶ According to Maffettone, it creates a continuum on the spectrum of global justice with statism on the 0 global justice end and cosmopolitanism on the 1 global justice end.³³⁷ In order to defend it, firstly he proffers normative regionalism, using the European Union (EU) as the key example, which he conceives as a relational institutional argument. Secondly, he proffers humanitarian duty of justice which he conceives as a non-relational argument.³³⁸

³³³ Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: p. 126.

³³⁴ Ibid. pp. 125-126.

³³⁵ Ibid. pp. 126, 128.

³³⁶ Ibid. pp. 126, 135.

³³⁷ Ibid. p. 128.

³³⁸ Ibid. p. 126.

In their rejection of what they consider to be the cosmopolitans' utopian view of global justice in which the world is populated by directly egalitarian persons, statist argue for a minimalist conception of global justice in which the world is populated by "States and peoples that all behave in a reasonably fair manner in order to achieve a more egalitarian society."³³⁹ While cosmopolitans are sanguine about global justice and total realization of socio-economic human rights, on the contrary statist are not sanguine about global justice - however, they create room for or accept the plausibility of certain human rights and humanitarianism in favour of the globally worst-off.³⁴⁰

Cosmopolitans argue that given the level of globalization and global interdependence, it is implausible to argue for the non-existence of global forms of coercion and reciprocity which statist see as quintessentially characteristics of the state. The rules made by global multilateral institutions "are enacted in the name and on behalf of citizens of the States that must accept them. Even if there is a possibility that the citizens of these States find these rules wrong or unjust, that does not seem to go against the idea that even in such a case there is a sort of co-authorship, as posited by Nagel, however *sui generis* the co-authorship may be."³⁴¹ The rules made by global multilateral institutions and the regimes put in place and promoted by them constrain the state's power to make and implement policies and impact states regardless of boundaries. Given that statist base their plausibility and necessity or justifiability of distributive justice within the state on such characteristics as coercion and reciprocity, and given that these characteristics also exist globally, therefore global distributive justice is also plausible, necessary or justifiable.

According to Maffettone, although states are intermediaries between their citizens and multilateral institutions, these institutions seem to impose their rules coercively on the citizens of the states. Nevertheless, he says, statist can argue on two grounds against the cosmopolitan claim that multilateral institutions coercively enforce rules on citizens globally. The first ground is that of voluntariness while the second is that of arbitrariness.

On the voluntariness ground, statist can argue that such rules are analogous to rules binding voluntary associations. While they entail certain obligations, both individual and collective obligations, such obligations are limited and do not cover the entirety of the life of the members. They are only meant for specific reasons, times and, if I may add, places.

³³⁹ Ibid. p. 128.

³⁴⁰ Ibid. pp. 129-134.

³⁴¹ Ibid. p. 130.

On the ground of arbitrariness, statist can argue that the conditional character of international relations negates the possibility of a lasting or continuous cooperation and reciprocity in this sort of relationship. Since distributive justice is predicated on such a continuous cooperation and reciprocity, therefore we cannot plausibly argue for distributive justice within the ephemeral relationships in international relations.³⁴²

Against the above objections, (relational) cosmopolitans argue that the above categorization of international relations is misleading because continuity, rather than discontinuity, and consistency rather than ‘occasionality’, have come to characterize international relations. However, it can be argued that while there are discontinuity and ‘occasionality’, they are not the order of the day; they are in fact mere exceptions.³⁴³

The above-mentioned cosmopolitan claim leaves Nagel with only two alternatives, “either the full continuity of political relations in the domestic case, or the dominion of voluntaristic arbitrariness in the global case. Relational cosmopolitans invoke a third option where the creation of ever more stable and lasting international constraints generates a form of embryonic political community where cooperation and reciprocity progressively gain ground.”³⁴⁴ Here, I may add that if this third option is successfully argued for by relational cosmopolitans, statist claims will be much weakened and principles of global distributive justice may become as relevant as principles of domestic distributive justice.

Maffettone argues that given the trend of regionalization which has led to the formation of regional organizations in a few parts of the world, this seems to support the idea of continuity rather than discontinuity in the nature of international relations as described above.³⁴⁵ Furthermore, he argues that the special characteristic of the domestic basic structure, “the effectiveness of social institutions over time and their ability to create a truly social dimension”, is at least in principle attainable on the global level.³⁴⁶

He says the above argument might be countered in two ways. The first way is to argue that regionalization does not equal globalization. One will be apt to say this argument implies that; that some parts of the world are regionalized, that is, have formed a regional political community, does not mean that the whole world is globalized, that is, the whole world has

³⁴² Ibid. pp. 130-132.

³⁴³ Ibid. pp. 131-132.

³⁴⁴ Ibid. p. 132.

³⁴⁵ Ibid. p. 135.

³⁴⁶ Ibid.

formed a global political community. Consequently, perhaps the furthest we can go here is to talk of regional distributive justice rather than global distributive justice. Nevertheless even regional distributive justice seems implausible given that many of the regional organizations are not authentic political communities.

The second way is to argue that although there is less voluntariness and arbitrariness in global institutional constraints due to the global trend tending towards more global institutionalization, this does not necessarily imply that we currently have every necessary condition that permits the globalisation of constraints of normativity among citizens globally. However, if we think about how the global society is currently ordered, we may be lured into accepting that the relationships between the basic structures of domestic societies and the basic structure of the global society will in due course be characterised by continuity instead of discontinuity.³⁴⁷ Such global organisations as the United Nations,³⁴⁸ the International Monetary Fund, the World Bank, the World Trade Organisation, the International Labour Organisation, etc. will suffice as examples of such continuity.

Statists argue that there is a qualitative difference rather than mere quantitative difference between the domestic basic structure and the global basic structure. It is not only that the basic structure which cosmopolitans assumed exists on the global level is not quantitatively enough to justify the sort of coercion and cooperation that will serve as the source of any authentic associative duties.

The qualitative difference is that unlike the global basic structure, “The domestic basic structure corresponds to a genuine political society.”³⁴⁹ The political conception, as viewed by Nagel, is that “distributive justice is not an end in itself... [it]serves a political purpose. It may be argued that an excessive income or status difference does not allow for actual freedom and equality and, therefore, it is likely to distort the original political relations between equality and liberty among fellow citizens within their political community.... since there is nothing like a worldwide State...the same type of political argument does not apply to a global level.”³⁵⁰ And Nagel asserts crucially, in this vein, while citizens can be said to have a special relationship with the state authority in that the former authored the law that the latter coercively enforces on the former, global citizens cannot be said to be the authors of the rules

³⁴⁷ Ibid.

³⁴⁸ Ibid.

³⁴⁹ Ibid. p. 131.

³⁵⁰ Ibid. pp. 131-132.

of multilateral institutions.³⁵¹

In Liberal Internationalism our global justice responsibilities, according to Maffettone, originates principally from our universal obligation to protect and ensure the security and subsistence of every person irrespective of their citizenship, state or relational linkages.³⁵² Furthermore, he argues, even if we agree with statist that the idea of distributive justice is only plausible domestically but implausible globally, “There can nonetheless be other sources of moral obligations which are based on justice towards the poor around the globe. These sources are connected to natural duties, but are non-relational. This way, they do not depend on any existence of a controversial basic structure.”³⁵³ Consequently, the global poor have rights to security and subsistence irrespective of their associations, relations or linkages.

For Maffettone, without securing and protecting these basic rights, humans cannot flourish, they will not even be able to exercise the majority of other rights, and they might not even be alive. So these rights are so indispensable that he considered them, as Henry Shue does, as some sort of meta-rights, namely rights “without which no other rights or opportunities may be enjoyed. In this case, they would be a requirement to live one’s life.”³⁵⁴ These meta-rights are similar to Hannah Arendt’s right to have rights, and arguably these meta-rights play the same role here as Arendt’s right to have rights play in *The Origins of Totalitarianism*.³⁵⁵

As Maffettone succinctly puts it, “The basic rights and the correspondent universal duty depend on the nature of our human vulnerability. They are imposed by the fact that our weakness as human beings requires a necessary support that cannot be overlooked.”³⁵⁶ In reconciling the cosmopolitan³⁵⁷ view and the statist view, Maffettone argues that we can imagine that there is a line separating members of Rawls’ cooperating society from those under the line. While the former are to be treated according to Rawls’ liberal principles, liberals should not adopt a neutral position to the latter. Rather the latter should be treated according to the notion of urgency; paying special attention to them due to their urgent situation which needs urgent response.³⁵⁸

³⁵¹ Ibid. p. 132.

³⁵² Ibid. p. 136.

³⁵³ Ibid.

³⁵⁴ Ibid. p. 137.

³⁵⁵ Arendt, Hannah. *The Origins of Totalitarianism*. New York: Harcourt Books, 1994: pp. 292-299.

³⁵⁶ Maffettone, Sebastiano, “Normative Approaches to Global justice.” *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: p. 137.

³⁵⁷ Although the model of cosmopolitanism he chose was that of Amartya Sen in *The Idea of Justice*.

³⁵⁸ Maffettone, Sebastiano, “Global Justice: Between Leviathan and Cosmopolis”, *Global Policy*, Vol. 3, Iss. 4. (November 2012): pp. 443-454.

Re-echoing Arendt's concept of 'the right to have rights,'³⁵⁹ the notion of urgency demands that whether there is a global structure that is similar to the nation-state or not, humans have an obligation to protect the 'dignity and fragility' of their fellow human beings. In other words, there are 'a few fundamental basic rights' that must be guaranteed, these include such socio-economic rights without which other rights cannot be enjoyed and without which life will not be fully lived.³⁶⁰

For the above reasons - that is, due to the characteristics of the basic rights - Maffettone sees these meta-rights as *sui generis* and argues that consequently they neither pose any threat to (liberal) pluralism nor are they subject of controversy, and they are not hinged on any singular notion of the good. Because they either precede any notion of the good or they encompass all notions of the good.³⁶¹

These universal obligations, according to Maffettone, must respect two provisos. We can term the provisos the anti-perfectionism proviso and the less-demandingness proviso. The anti-perfectionism proviso states that the universal obligations "should not violate the anti-perfectionist principles which are treasured by the liberal political conception."³⁶² While the less-demandingness proviso states that the universal obligations "should be less demanding than obligations that depend on the soundness of a 'full' theory of global distributive justice."³⁶³ Given that these universal obligations of justice are neither relational nor associative; their justifiability does not need the existence of a basic structure.³⁶⁴

One of the desiderata on which Maffettone bases his Liberal Internationalism is that: we usually argue for a greater global distributive justice in two ways; the two ways are usually confused to mean one and the same thing; and there is a need to disentangle these two ways. This disentanglement, I should add, is called for presumably in order for the argument for greater global distributive justice³⁶⁵ to have a strong case and a wider acceptability.

In the first way, he argues that cosmopolitans directly extend distributive justice from the domestic society to the global society. Because they focus on relative deprivation or relative

³⁵⁹ Arendt, Hannah. *The Origins of Totalitarianism*. New York: Harcourt Books, 1994: pp. 292-299.

³⁶⁰ Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: pp. 136-137.

³⁶¹ *Ibid.* p. 137.

³⁶² *Ibid.* p. 136.

³⁶³ *Ibid.*

³⁶⁴ *Ibid.*

³⁶⁵ Here, greater global distributive justice does not mean greater than what the cosmopolitans argue for. Rather, it means greater than what the statisticians allow.

inequality, consequently cosmopolitans argue for greater global distributive justice. The other way which he opts for is the sufficientarian one which is concerned with human rights and minimal thresholds.³⁶⁶ It does not concern itself with relative poverty. Rather it aims at solving the problem of absolute poverty and hence makes no comparison between global inequality and domestic inequality.³⁶⁷ In other words, he asserts that his humanitarian duty of justice is rather sufficientarian than egalitarian, by which he means that while egalitarian duty of justice focuses on relative deprivations and relative inequalities, his sufficientarian duty of justice focuses on absolute deprivations and absolute inequalities.³⁶⁸

Another desideratum for Liberal Internationalism, according to Maffettone, is that: unlike non-relational cosmopolitans, it has no tendency to radically moralize international relations or global politics; and unlike statists, it has no tendency to eliminate the role of morality in international relations or global politics. He believes that, for a liberal, both the cosmopolitan and statist positions should prove scarcely convincing. The cosmopolitan and statist positions, he argues, should be implausible for a liberal political philosopher, and it is on this ground that he calls his intermediary position liberal internationalism.³⁶⁹

In short, Maffettone provides both relational institutional and non-relational moral arguments to support liberal internationalism. He calls the former normative regionalism while he calls the latter humanitarian duty of justice.³⁷⁰ He criticises statism for not accommodating humanitarian duty of justice, and criticizes cosmopolitanism on two grounds namely institutional and moral grounds. While his institutional criticism is directed at relational cosmopolitans, his moral criticism is directed at non-relational cosmopolitans.³⁷¹

Finally, I share Maffettone's concern with 'absolute poverty' and 'sufficientarian' arguments for 'positive duties' and 'basic rights' or 'meta-rights.' But I will go further to ask: what, if any, are the contributory roles of individuals, collective agents, corporations, the state and the global institutional order in resource curse?; and given the contributory roles of individuals, collective agents, corporations, the state and the global institutional order in resource curse, what, if any, is their responsibility in resource curse?

³⁶⁶ Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: pp. 126, 128.

³⁶⁷ Ibid.

³⁶⁸ Ibid.

³⁶⁹ Ibid. p. 128.

³⁷⁰ Ibid. p. 126.

³⁷¹ Ibid. p. 135.

In this chapter I engaged in four kinds of discussion. Firstly, I engaged in the preview of cosmopolitanism and statism to prepare for the rest of the discussion which is more detailed. Secondly, I presented the views of John Rawls and Thomas Nagel. This was aimed at giving us a detailed elucidation of the statist perspective by looking at statism through the lenses of two prominent statisticians. Thirdly, I presented the views of Charles Beitz and Thomas Pogge. As I did in the case of statism, this was also aimed at giving us a detailed elucidation of the cosmopolitan perspective by looking at cosmopolitanism through the lenses of two prominent cosmopolitans. Finally, I discussed the views of Sebastiano Maffettone in order to show us the possibility of creating an intermediary position between the cosmopolitan and the statist views.

In this chapter, cosmopolitans and statisticians argued, in effect, that their respective perspective is at once necessary and sufficient for global justice. There might be particular and simple cases of global justice in which cosmopolitanism or statism alone might just be at once necessary and sufficient. Nevertheless, generally cases of global justice are usually complex, and in these cases neither cosmopolitanism nor statism is at once necessary and sufficient. One of such complex cases is resource curse. So, the next chapter will focus on resource curse which is a typical complex case of global justice or global injustice which reflects the absence of global justice within some specific spatio-temporal circumstances and events.

The focus on resource curse will help in narrowing down the scope of the debate on our subject-matter. The next chapter will start with a general focus on resource curse. But for the purpose of contextualisation, it will proceed and end with a particular focus on Sub-Saharan Africa. The focus on Sub-Saharan Africa as a whole shall be an overview while there will be special focus on Nigeria, Angola and the Democratic Republic of Congo. Note that the next chapter (chapter 3) will only engage in the descriptive analysis of resource curse. The application of cosmopolitanism and statism to resource curse will only be done in subsequent chapters (chapters 4, 5 and 6).

3.0. A COMPLEX CASE OF GLOBAL (IN)JUSTICE: RESOURCE CURSE

3.1.1. Resource Curse

Resource curse means a situation whereby despite their being endowed with abundant natural resources, some states are poor and their poverty is directly or indirectly linked with their natural resources endowment. Resource-rich countries “often perform *worse* in terms of economic development and good governance than do countries with fewer resources”³⁷² (emphasis is original). Other things equal, a resource-rich country is supposed to be economically well-developed. However, in the case of resource-cursed countries, the reverse is always the case; hence the term ‘resource curse.’ Furthermore, the situation is also known as paradox of plenty because plenty resources, other things equal, should lead to economic development rather than poverty. Hence it is a paradox when plenty resources lead to poverty or when high level of poverty persists despite plenty resources.

It is not that every resource-rich country is resource-cursed. Australia, Botswana, Canada, Norway, Qatar, Saudi Arabia,³⁷³ South Africa, United Arab Emirates, United Kingdom, United States of America, etc., although have a lot of natural resources, are exceptions to resource curse because they avoided the Dutch disease and have a relatively low level of rent-seeking (these are the two major factors responsible for resource curse).

It is not the claim of the resource curse thesis that whenever and wherever a country is endowed with abundant natural resources such country must be resource-cursed. Rather, the claim of the thesis is that many resource-rich countries such as Angola, Cameroun, Democratic Republic of Congo, Equatorial Guinea, Gabon, Liberia, Nigeria, Sierra Leone, South Sudan, Venezuela, Zambia, etc.³⁷⁴ are economically worse-off today due to their natural resources.

Countries, without the endowment of abundant natural resources, such as Japan and the Asian Tigers - Hong Kong, Singapore, South Korea and Taiwan - have been able to develop

³⁷² Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: p. 1.

³⁷³ Although Saudi Arabia is doing well economically, its human rights records are nothing to write home about. To a large extent, this also applies to Qatar.

³⁷⁴ Some of these countries are far less natural resource-endowed than others. For instance Gabon, Liberia and Zambia are far less natural resource-endowed than Angola, Equatorial Guinea and Nigeria.

economically basing their economies on manufacturing and export industries.³⁷⁵ But in many resource-rich countries the situation has been lack of economic development and social cohesion.

About thirty-five years ago, in the mid-1970s, “Indonesia and Nigeria had comparable per capita incomes and heavy dependencies on oil sales. Yet today, Indonesia’s per capita income is four times that of Nigeria.”³⁷⁶ This situation is not peculiar to oil and gas countries such as Nigeria. It is also true of resource-cursed countries that do not have oil as the mainstay of their economy but are diamond, gold, uranium, etc. producing countries. If we compare countries endowed with abundant diamond such as Botswana and Sierra Leone, we will find out that over the past twenty-five years, while the economy of Botswana grew averagely at seven percent, averagely Sierra Leone’s per capita GDP from 1971 to 1989 dropped thirty-seven percent, and from 1991 to 2001 the country was ravaged by a civil war.³⁷⁷

A major oil producing country like Norway is top-ranked at the United Nations Human Development Index (UNHDI). Also, oil producing countries such as Argentina, Brunei, Kuwait, Mexico, Qatar and United Arab Emirates are high-ranked. However, some of the lowest-ranked countries are oil-producing countries such as Angola, Chad, Equatorial Guinea, Nigeria, Democratic Republic of Congo, Yemen, etc.³⁷⁸ “Variation in the effects of resource wealth on well-being can be found not only across, but also *within* them. Even when resource-rich countries have done fairly well, they have often been plagued by rising inequality – they become rich countries with poor people”³⁷⁹ (emphasis is original). Although the living standard and the general economic well-being of the citizenry of some resource-cursed countries have improved over the years, the facts are: (i) given the natural resources they have, they should have been better-off; (ii) their being worse-off relative to non-

³⁷⁵ Sachs, Jeffrey D., and Andrew M. Warner, “Natural Resource Abundance and Economic Growth,” NBER Working Paper Series, Working Paper 5398, National Bureau of Economic Research, Cambridge, MA., December, 1995.

³⁷⁶ Ross, Michael L., “Nigeria’s Oil Sector and the Poor,” Paper Prepared for the UK Department for International Development (DFID)’s “Nigeria: Drivers of Change” Programme, 23 May, 2003; Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: p. 2.

³⁷⁷ World Bank Country Briefs. <http://web.worldbank.org>. Accessed: 02 July 2006; Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: p. 2.

³⁷⁸ Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: p. 2.

³⁷⁹ Ibid.

resource-rich countries is directly or indirectly due to their being endowed with abundant natural resources.

Moreover, the taxation of natural resources, at least theoretically, is a guaranteed source of revenue. Many natural resources, for instance oil and gas, are immobile. Oil and gas, being immobile commodities, are not like mobile assets, for instance capital, which can be moved away from a country because of high tax. Furthermore, given that tax proceeds from oil and gas (given their ‘immobility’) are guaranteed, and in view of the fact that these proceeds can and ought to go into creating better economic conditions for everyone, it is plausible to expect oil and gas-rich countries to have, in economic terms, lesser degrees of inequality and higher degrees of equality among their citizens.³⁸⁰ This is as well true for many solid mineral-rich countries such as uranium-rich countries, diamond-rich countries, gold-rich countries, copper-rich countries, etc.

3.1.2. The Distinct Nature of Natural Resource Wealth

Given the statistical caveat that correlation is not causation, resource curse sceptics have argued that although studies have shown that the abundance of natural resources - “or at least an abundance of particular types of natural resources – and various development outcomes are *correlated* with one another, they do not prove that the former causes the latter. Those arguing in favour of the notion of resource curse have merely inferred causality from the evidence of correlation. However, the direction of causation may in fact run the other way”³⁸¹ (emphasis is original).

In the above vein, Andrew Rosser states that proponents of the resource curse thesis pose the wrong question when they ask why natural resource-endowment promotes diverse political diseases and consequently leads to poor development. For Rosser, the right question to ask is; which dynamics, both political and social, allow some natural resource-endowed countries to use their natural resource-endowment to foster development on the one hand and do not allow

³⁸⁰ Ibid.

³⁸¹ Rosser, Andrew, “The Political Economy of the Resource Curse: A Literature Survey,” IDS Working Paper 268, Institute of development Studies, University of Sussex, April 2006. p. 12.

other natural resource-endowed countries to use their natural resource-endowment to foster development on the other hand.³⁸²

In the following discussion I will show how natural resource-endowment and (under)development are linked with each other in terms of both correlation and causation. Empirical works have been done to support the resource curse thesis. In 1995, Jeffery Sachs and Andrew Warner³⁸³ empirically showed that from 1970 to 1989, averagely the growth rates of many resource-rich countries were about 1% slower than the growth rate of non-resource-rich countries.

Sachs and Warner's empirical findings have been corroborated by Leite and Weidmann's empirical findings in 1999, and Bravo-Ortega and de Gregorio's empirical findings in 2001.³⁸⁴ In 1999, Leite and Weidmann³⁸⁵ empirically showed that resource-rich countries are prone to corruption. Before then, Mauro³⁸⁶ had empirically shown in 1995 that resource-rich countries are prone to corruption. In the same year, 1995, Lane and Tornell³⁸⁷ empirically showed the susceptibility of resource-rich countries to rent-seeking.

In 1999, Ricky Lam and Leonard Wantchekon empirically showed that “a one percent increase in the size of the natural resource sector generates a decrease by half a percentage point in the probability of survival of democratic regimes”³⁸⁸ Also in 1999, Wantchekon empirically showed that “a one percent increase in resource dependence as measured by the

³⁸² Ibid. p. 10.

³⁸³ Sachs, Jeffrey D., and Andrew M. Warner, “Natural Resource Abundance and Economic Growth,” NBER Working Paper Series, Working Paper 5398, National Bureau of Economic Research, Cambridge, MA., December, 1995.

³⁸⁴ Bravo-Ortega, C., and J. De Gregorio. “The Relative Richness of the Poor? Natural Resources, Human Capital, and Economic Growth.” Mimeo, University of California, Berkeley, 2001.

³⁸⁵ Leite, C., and M. Weidmann. “Does Mother Nature Corrupt? Natural Resources, Corruption and Economic Growth,” IMF Working Paper WP/99/85, Washington D.C., 1999.

³⁸⁶ Mauro, P., “Corruption and Growth,” *Quarterly Journal of Economics*, Vol. 90. (1995); pp. 681 – 712.

³⁸⁷ Tornell, A., and P. Lane, “Voracity and Growth,” *American Economic Review*. Vol. 89. (1999); pp. 22-46.

³⁸⁸ Lam, Ricky, and Leonard Wantchekon. “Dictatorship as a Political Dutch Disease,” Working Paper, 19 January, 1999. Economic Growth Centre, Yale University, Centre Discussion Paper 795. <http://econpapers.hhs.se/paper/wopyalegr/>: pp. 35-36.

ratio of primary exports to GDP” results in an increment of almost eight percent in the possibility of dictatorship.³⁸⁹

Furthermore, in 1998 Paul Collier and Anke Hoeffler³⁹⁰ empirically showed that resource-rich countries, compared to non-resource-rich countries, are more prone to civil conflicts. According to them, non-resource-rich countries only have a 0.5% probability of civil conflicts. But resource rich countries with 26% of resources to GDP have a 23% probability of civil conflicts.

Macartan Humphreys et al. argue that in order to understand resource curse, we must first understand why and how natural resource wealth differs from other types of wealth of countries. They mention that the former differs from the latter in two ways which are as follow. The first fact is that, “unlike other sources of wealth, natural resource wealth does not need to be produced. It simply needs to be extracted (even if there is often nothing simple about the extraction process). Since it is not a result of a productive process, the generation of natural resource wealth can occur quite independently of other economic processes that take place in a country; it is, in a number of ways, ‘enclaved.’”³⁹¹ The second factor is that oil, gas, and many other natural resources are non-renewable resources. Thus, economically these resources should be properly seen as assets rather than sources of income.³⁹²

The above factors generate a host of problems among which, and the most of which, is ‘rent-seeking behaviour.’ Since the value of the natural resources usually far outweighs the cost of their extraction, anyone who is able to secure the license to exploit the resources is automatically in a lucrative business. For this reason, there is usually a scramble for exploration of natural resources which often leads to negative political and economic consequences in resource-cursed countries. In other words, a gap commonly referred to as economic *rent* exists between the value of that resource and the costs of extracting it. In such cases, individuals, private sectors or politicians, have incentives to use political mechanisms to capture these rents.

³⁸⁹ Wantchekon, Leonard. “Why do Resource Dependent Countries Have Authoritarian Governments?” Working Paper, Yale University, 12 December, 1999. www.yale.edu/leitner/pdf/1999-11.pdf: p. 2.

³⁹⁰ Collier, Paul, and Anke. Hoeffler, "On Economic Causes of Civil War," *Oxford Economic Papers*, 50 (1998): pp. 563-573.

³⁹¹ Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: et al., p. 4.

³⁹² Ibid.

As Ricky Lam and Leonard Wantchekon assert, given their empirical finding, “a one percent increase in the size of the natural resource sector generates a decrease by half a percentage point in the probability of survival of democratic regimes,” and this is the case due to “elite discretion over the process of rent distribution.”³⁹³ Furthermore, as Wantchekon asserts, given his empirical finding, “a one percent increase in resource dependence as measured by the ratio of primary exports to GDP” results in an almost eight percent increment in the possibility of dictatorship.³⁹⁴ Unbridled avenues exploited by political elites and multinational corporations who connive and combine to engender rent-seeking make complex and exacerbate the negative political and economic consequences of natural resource-endowment.³⁹⁵

Several experts have argued that the abundance of natural resources contributes to resource curse in two other ways. First, because the government can always extract a natural resource and get revenue for it, it does not bother about making any investment. Hence the country becomes a spendthrift rather than an investor. Second, since it is very easy for the government to get revenue from natural resource, the government will not (sufficiently) tax its citizens. And given that the citizens are not (sufficiently) taxed, they will not bother to check the government’s income and expenditure because they the citizens will not have the feeling that their personal money is being spent. This makes the country a rentier state, i.e., a state suffering the rentier effect, a socially undesirable and economically and politically harmful situation in which governments use large revenues accruing from the sales of natural resources to pacify pressure and opposition, evade accountability and abstain from institutional reform.³⁹⁶

The first argument is an economic issue, and the solution is thus economic; the government should engage in long term investments that will bring reasonable returns in terms of development. The second argument is a political issue, and the crust of the argument is that unless citizens are (sufficiently) taxed, they will not care how the government goes about

³⁹³ Lam, Ricky, and Leonard Wantchekon. “Dictatorship as a Political Dutch Disease.” Working Paper, 19 January, 1999. Economic Growth Centre, Yale University, Centre Discussion Paper 795. <http://econpapers.hhs.se/paper/wopyalegr/>: pp. 35-36.

³⁹⁴ Wantchekon, Leonard. “Why do Resource Dependent Countries Have Authoritarian Governments?” Working Paper, Yale University, 12 December, 1999. www.yale.edu/leitner/pdf/1999-11.pdf: p. 2.

³⁹⁵ Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: p. 4.

³⁹⁶ Sala-i-Martin, Xavier, and Arvind Subramanian, “Addressing the Natural Resource Curse: An Illustration from Nigeria,” IMF Working Paper 03/139 (2003); p. 4.

spending. In other words, citizens are only concerned with that portion of the revenue that is made up of their taxes.

I contend that while the second argument is sometimes true in some cases, it is not always true in all cases. Some citizens may not be very enthusiastic about how government spends revenue because it is not their tax money. Nevertheless, a large portion of the population will still be concerned. In the case of Nigeria, given that governmental financial mismanagement has given rise to numerous protests and industrial actions, I am convinced that majority of citizens are just as concerned with how their national wealth is squandered whether it is from taxation or from natural resources.

However, what I will agree with totally is that the government's easiness to get revenue from natural resource extraction promotes corruption. First, other things equal, less amount of money is realized from taxation than natural resources. Second, it is more difficult to divert money from taxation into personal purse because there seems to be a more accurate accounting for the money realised from taxation and as a result cover-ups are more difficult. Third, on the one hand although politicians might be actively involved in the levying of taxes or setting tax rates, the collection of taxes is basically left to the domain of civil service. On the other hand politicians in a country like Nigeria have a knack for interfering with the process of collecting oil revenue.

Fourth, on the one hand, in the process of collection of taxes, foreign governments and multinational corporations have little or no economic interest to corrupt the government; except to get lower taxes, tax credit, or to be tax-free. On the other hand, in the process of the extraction of natural resources, foreign governments and multinational corporations have an economic interest to corrupt the government. As Jeffery Sachs says, the excessive reliance on one or few resources like oil, gas, gold, diamonds, etc., tends to drive countries to chronic or colossal corruption and violent struggles. In addition, foreign countries that also depend on these resources of such resource-rich countries aggravate the problem of corruption³⁹⁷ through various questionable activities they engage in to get natural resources at a low cost.

³⁹⁷ Sachs, Jeffrey D. "Nigeria Hurtles Into a Tense Crossroad," *The New York Times*, 10 January, 2012.

Rent-seeking (as discussed above) and the Dutch disease are the two major problems associated with resource curse. The Dutch disease simply means “the currency appreciation due to resource revenue and its negative effect on the competitive position of other industries.”³⁹⁸ The term ‘Dutch disease’ was first used by *The Economist* in 1977 to describe the economic situation of the Netherlands then.³⁹⁹ The Dutch disease, as the name suggests, originated in the Netherlands when the country discovered natural gas in the North Sea in the 1960s/70s. The Netherlands shifted focus from manufacturing industries to the gas industry which resulted in the manufacturing sector performing poorly.

The Dutch disease has the following pattern:

A sudden rise in the value of natural resource exports produces an appreciation in the real exchange rate. This in turn makes exporting non-natural resource commodities more difficult and competing with imports across a wide range of commodities almost impossible (called the ‘spending effect’). Foreign exchange earned from the natural resource meanwhile may be used to purchase internationally traded goods, at the expense of domestic manufacturers of the goods. Simultaneously, domestic resources such as labour and materials are shifted to the natural resource sector (called the ‘resource pull effect’).⁴⁰⁰

The above scenario leads to a situation whereby the prices of manufactured goods will rise, and this will in turn raise the cost of manufacturing. In a nutshell, shifting focus to the exploration and exploitation of natural resources leads to the abandonment of other sectors. In the case of the Netherlands, shifting focus to the exploration and exploitation of natural gas led to the abandonment of the manufacturing sector. In the case of developing countries, shifting focus to the exploration and exploitation of natural resources usually leads to the abandonment of the agricultural sector.⁴⁰¹ For instance, in the case of Nigeria, shifting focus to the exploration and exploitation of oil and gas led to the abandonment of the agricultural sector.

The solution is not that the Netherlands should have focused on manufacturing or developing countries should focus on agriculture or Nigeria should focus on agriculture rather than oil and gas. Rather the solution is that, taking into consideration absolute and comparative

³⁹⁸ Soros, George. “Afterword.” Eds. Macartan Humphreys et al. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: pp. xi-xv; p. xi.

³⁹⁹ Lawson-Remer, Terra, and Joshua Greenstein, “Beating the Resource Curse in Africa: A Global Effort,” *Africa in Fact*, Council on Foreign Relations, August 2012.

⁴⁰⁰ Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: p. 5.

⁴⁰¹ *Ibid.*

advantages, diversification is the best possible option. Because, a diversified economy, rather than a mono-product economy - or an almost mono-product economy - is a safer way to stable economic growth in particular and economic development in general.

Alongside rent-seeking and the Dutch disease, there are other problems associated with resource curse such as unequal expertise, volatility, living off your capital, insufficient investments (in education, health, etc.), spoliation, weak and unaccountable states, threats to democracy, grievances in producing regions, military challenges to governments, political and economic interactions,⁴⁰² etc. However, most of these problems are either generated by rent-seeking or the Dutch disease or a combination of both. Hence I am focusing on rent-seeking and the Dutch disease rather than on these problems. Nevertheless I will discuss a couple of the problems as a way of giving us an insight into what they are.

Unequal expertise has to do with the fact that in many cases, international companies have a superior know-how in mineral exploration than developing countries that possess the resources. Although it is not all resources that are very expensive and challenging to explore and exploit, the exploration and exploitation of some resources like oil and gas is at once capital and technological intensive. Hence in the extraction of oil and gas, usually governments need to cooperate with multinational corporations that have the technical know-how, the wherewithal and long experience in the industry. In numerous instances, unfortunately, this cooperation results in a situation whereby the multinational corporations are more knowledgeable about, and have more information (information asymmetry) on, the oil and gas than the government. Consequently, the multinational corporations have a bargaining leverage on the government.⁴⁰³

There are solutions that can be proffered to the above problem of unequal expertise. The government can choose to stop cooperating with international companies and rather cooperate with local companies. But this solution does not quite work well. Presumably, the local companies might not have the high capital and technology of the international companies. Even if the former has the high capital and technology of the latter, being local does not necessarily mean that the former will be patriotic. The former might just be as opportunistic as the latter. Hence a more plausible solution might be for resource-rich countries to find ways to contract with companies, especially the high capital and

⁴⁰² Ibid. pp. 3-14.

⁴⁰³ Ibid. pp. 4-5.

technologically advanced ones which are mostly international, such that both parties will fairly share the disadvantages and advantages of their contract.⁴⁰⁴

As Macartan Humphreys et al. say, if there are many companies with high capital and know-how, this will lead to competition which will be favourable to host countries. However, competition is not that rampant in the exploration industry⁴⁰⁵ given the huge level of capital required for exploration. Also, the companies do not always act alone. Sometimes, in the case of foreign companies, they are supported by their foreign governments. Companies can bribe their governments in order to get the support of their governments in doing illegal or unethical business with agents of resource-rich countries.

On the problem of volatility, volatility is simply “the fluctuation in commodity prices and its disruptive effects.”⁴⁰⁶ The problem has to do with the fact that exporting countries have little or no control over the timing of resource revenues. In other words, resource revenue is volatile⁴⁰⁷ and this volatility “comes from three sources: the variation over time in rates of extraction, the variability in the timing of payments by corporations to states, and fluctuations in the value of the natural resource produced.”⁴⁰⁸ While the volatility problem might be relatively manageable in terms of some natural resources, the level of price volatility when it comes to oil and gas is very high.

High volatility of prices leads to high volatility of revenues. High volatility of revenues leads to high volatility of expenditure. And high volatility of expenditure leads to high volatility in economic development and the living standard of citizens. Basically, a high level of uncertainty characterizes the whole economy of the resource-rich country; and this is obviously a recipe for anxiety in the ‘present’ and disaster in the ‘future’ for resource-cursed countries.

Still on volatility, natural resources can be used as collaterals by resource rich-countries. When prices of certain natural resources are high, countries rich in those resources will earn more revenue. But also such natural resource rich-countries and lenders - being confident that

⁴⁰⁴ Ibid. p. 5.

⁴⁰⁵ Ibid.

⁴⁰⁶ Soros, George. “Afterword.” Eds. Macartan Humphreys et al. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: pp. xi-xv; p. xi.

⁴⁰⁷ Sala-i-Martin, Xavier, and Arvind Subramanian, “Addressing the Natural Resource Curse: An Illustration from Nigeria,” IMF Working Paper 03/139 (2003); p. 4.

⁴⁰⁸ Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: p. 6.

debt will be repaid - tend to do business. Such countries have the leverage to borrow more and lenders are induced to lend more. But when prices are low, lenders - usually lacking the confidence that those countries will be able to repay their debt the lower the prices of their natural resources - demand for repayment.⁴⁰⁹ Hence, the level of volatility in the economy becomes even higher and citizens suffer the negative consequences.

3.1.3. Natural Resource Wealth and Overlapping Curses

The foregoing discussion has been centred on the problem that many countries, notably less developed countries, that get a huge proportion of their revenue from the export of very valuable natural resources are liable to the affliction of resource curse. Leif Wenar asserts they are liable to be afflicted by three overlapping curses. The first curse is proneness to authoritarianism. Here authoritarianism stands for any sort of despotism or dictatorship whereby power is illegitimately concentrated in the hands of a single or few persons whose main instrument of governance is violence or the threat of violence. The second curse is higher risk of civil conflict and the third curse is lower rates of growth.⁴¹⁰

In the same vein, Pogge argues that underdevelopment and conflicts characterise many resource-rich developing countries because of the lure of the benefits from governing such countries. As usually happens in resource-rich developing countries with corrupt leaders, a huge part of the funds realized from the selling of the resources goes into the private pockets of the corrupt leaders. Furthermore, such leaders can use the natural resources of their countries as collaterals to get loans. Like the revenues from the sales of resources, a huge percentage of the loans borrowed by such corrupt leaders is embezzled. Since a huge percentage of any money borrowed goes into the private pockets of such leaders at the expense of the country, this incentivises them, and gives them the funds, to perpetuate themselves in power. These situations worsen the condition of resource-rich developing countries, and encourage rogues to want to come to power because of the benefits.⁴¹¹

⁴⁰⁹ Ibid. p. 8.

⁴¹⁰ Wenar, Leif, "Property Rights and the Resource Curse," *Philosophy and Public Affairs* Vol. 36. No. 1. (2008); p. 3.

⁴¹¹ Pogge, Thomas. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge, UK: Polity Press, 2005: p. 143.

Similarly, Wenar argues that there is a correlation between resource curse and authoritarianism because authoritarians can enhance their power by selling valuable natural resources and use the huge revenue to boost their repressive apparatus in order to repress and suppress any domestic resistance to their authoritarian rule. Also since authoritarians do not have to levy tax to get any revenue, they have no sense of responsibility for or accountability to the people or tax payers. Finally authoritarians can use their slush funds to bribe persons or leaders or movements that pose any threat of resistance to their regime.⁴¹²

In terms of civil conflicts – civil war and *coup d'états* – the desire to gain control over abundant valuable natural resources and the enormous economic benefits from such control make civil wars and *coup d'états* rampant. Without these resources or the revenues accrued from them: many rebels and military governments cannot sustain their militaries or prosecute expensive civil wars; also the incentives for *coup d'états* would have been lower.⁴¹³ Although many coup plotters cite injustice, unfairness and bad governance as their reasons for carrying out a coup, actually often the two major reasons are power and money. No wonder when they take over they become, sooner than later, just as ruthless and corrupt as their predecessors or just as guilty of the charges they levelled at the regime they toppled.

Without the economic incentive, the power incentive would often be the only major incentive for *coup d'états*; hence reducing the instances of coups. Also, since many people, corporations and states that support military regimes do so because of the economic incentive, they too will have no incentive to support military regimes. When we look at many resource-cursed countries we see how conflicts, *coup d'états* or strong men can drive countries to the brink. “Abundant resources are neither necessary nor sufficient for authoritarian repression, civil conflict, or low growth.”⁴¹⁴ But abundant resources make countries prone to the above curses.

⁴¹² Wenar, Leif. “Property Rights and the Resource Curse,” *Philosophy and Public Affairs*, Vol. 36. No. 1. (2008); pp. 3-4.

⁴¹³ Pogge, Thomas. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge, UK: Polity Press, 2005: pp. 113-115, 163;

Pogge, Thomas. *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric*. Cambridge, UK: Polity Press, 2011: p. 17;

Wenar, Leif, “Property Rights and the Resource Curse,” *Philosophy and Public Affairs* Vol. 36. No. 1. (2008); p. 4.

⁴¹⁴ Wenar, Leif, “Property Rights and the Resource Curse,” *Philosophy and Public Affairs* Vol. 36. No. 1. (2008); p. 3.

When we combine the two curses of authoritarianism and civil conflicts with corruption, the Dutch disease, price volatility, unequal expertise, insufficient investments, etc. then we have a recipe for low growth; hence the third curse namely low rates of growth. “The more a country relies on exporting minerals, the worse its standard of living tends to be. Resource dependence is correlated, for example, with...higher poverty rates and lower life expectancy.”⁴¹⁵ Finally, the above sort of over-dependence on natural resources by resource-rich states is *internal* over-dependence. There is another sort of over-dependence which is *external* over-dependence.

In external over-dependence, powerful countries over-depend on the natural resources of developing countries. This leads to aggressive resource competition which in turn is likely to result in resource conflicts and consequently underdevelopment and insecurity. There is no doubt that the scramble for Africa and the subsequent partitioning of Africa by European colonialists had, among other things, a lot to do with natural resources. In post-independence Africa there is still what Dino Mahtani refers to as “new scramble for Africa’s resources”⁴¹⁶ and what John Ghazvinian refers to as the scramble for Africa’s oil.⁴¹⁷

There is nowhere in the world that the resource curse and the overlapping curses of resource curse are more manifested than in Sub-Saharan Africa. Thus, at this juncture, I shall switch my general focus to a special focus on the sub-continent and use the remainder of this chapter to discuss the nature and consequences of resource curse on the sub-continent. Countries such as Nigeria, Angola and the Democratic Republic of Congo shall be used to highlight the dismal condition of the sub-continent in terms of resource curse

3.2. Resource-Cursed Sub-Saharan Africa

Although the GDPs of Sub-Saharan African countries have recently risen, the sub-continent has experienced woeful economic performance for five decades. On average, from 1960 to 2008, the per capita GDP of the sub-continent only grew at the ratio of 0.74% annually compared to East Asia’s 5.47%, South Asia’s 2.78%, Latin America’s 1.83% and low income

⁴¹⁵ Ibid. p. 5.

⁴¹⁶ Mahtani, Dino. “The New Scramble for Africa’s Resources.” *Financial Times*, 28 January, 2008.

⁴¹⁷ Ghazvinian, John. *Untapped: The Scramble for Africa’s Oil*. San Diego, California: Harcourt, 2007.

economies' 1.67%.⁴¹⁸ Although the sub-continent's ratio of natural resource exports to total merchandise exports has dropped from 77% to 65%, in 2006 this was still far higher than that of low income economies which was about 49% and that of middle income economies which was about 41%.⁴¹⁹

In Africa, as it is in developing countries, extractive industries have an enclaved nature, i.e., "they are oriented to external markets and may have few linkages to the domestic economy."⁴²⁰ Given that many of these natural resources are non-renewable, non-reproducible and immobile, extractors reap large benefits from scarcity rents.⁴²¹ This partially accounts for why many resource-rich Sub-Saharan African countries are not only poverty-stricken but are also chronically corrupt as they form the bunch of the most corrupt countries in the world.

The 'unholy alliance' between the powerful elites of these countries and multinational corporations (MNCs) has devastated these countries. In the natural resource sector of developing countries, morally and legally corrupt practices by MNCs are the order of the day. Elf Aquitaine, with its corrupt deals in Africa from the 1980s to the 1990s, is a poster child of such MNCs.⁴²² The unholy alliance is so banal to the extent that it is common knowledge that the extractive industry is a play ground for corruption practitioners.

Alongside the Extractive Industry Transparency Initiative (EITI), the Open Government Partnership (OGP), the Dodd-Frank Wall Street Reform and Consumer Protection Act and similar transparency requirements proposed by the European Commission seem to be steps in the right direction in terms of curbing corrupt practices in the extractive industry. Unfortunately, on Dodd-Frank, the Security and Exchange Commission (SEC) of the United States of America "has so far stalled in issuing the final disclosure rules for companies. In the

⁴¹⁸ Carmignani, Fabrizio, and Abdul Chowdhury, "Why Are Natural Resources a Curse in Africa, But Not Elsewhere?" Discussion Papers Series 406, School of Economics, University of Queensland, Australia (2010): p. 2.

⁴¹⁹ Ibid.

⁴²⁰ Jones, Sam, "Sub-Saharan Africa and the 'Resource Curse': Limitations of the Conventional Wisdom," DIIS Working Paper 2008/14, Danish Institute for International Studies (DIIS), Copenhagen (2008): p. 7. www.diis.dk

⁴²¹ Ibid.

⁴²² Shaxson, Nicholas, "Oil, Corruption and the Resource Curse," *International Affairs*, Vol. 83. No. 6. (2007): 1123-1140;

Jones, Sam, "Sub-Saharan Africa and the 'Resource Curse': Limitations of the Conventional Wisdom," DIIS Working Paper 2008/14, Danish Institute for International Studies (DIIS), Copenhagen (2008): p. 22. www.diis.dk

meantime, the industry campaigns to dilute or abandon the reforms.”⁴²³ While the European Union (EU) member states, and the EU parliament, are stalling on approving the European Commission’s proposals.⁴²⁴

Many of the Sub-Saharan African countries are not only chronically corrupt and poverty stricken, they are also conflict stricken. These countries are not just plagued by ordinary conflicts; many of them have actually been plagued by civil wars. In West Africa, Cote D’Ivoire is just re-emerging from the rubbles of a civil war. Mali has just barely survived a civil war. Chad has just returned from the brink of a civil war. Nigeria fought a civil war from 1967 to 1970. Sierra Leone fought a civil war that brought the country to its knees. Sierra Leone is now infamous for its ‘blood diamonds.’ Liberia with monstrous Charles Taylor is another story altogether. Chad, Mali and Niger are hubs of Al Qaeda. While Nigeria is the home of Boko Haram which has spread to parts of Cameroun, Chad and Niger.

In Central Africa, the DRC has been an arena of two devastating civil wars since the assassination of Patrice Lumumba in 1961. As for East and Central Africa, with Joseph Kone and his Lord’s Resistance Army shuttling between East and Central Africa, moving around Uganda, DRC and Rwanda, peace is still far from the people of that axis. In East Africa, the dictator Yoweri Museveni and the rebel Joseph Kone have turned Uganda into a theatre of conflicts. Sudan was split into two countries by its civil war. In Southern Africa, Angola, having already fought a thirteen-year liberation war, fought a twenty-five year civil war from 1977 to 2002.

In Equatorial Guinea, the autocratic Teodoro Obiang Nguema Mbasogo who has been in power since 1979 has epitomized absolute dictatorship to the extent that he describes himself as “the country’s God.”⁴²⁵ Having personalised the country and its oil wealth, no wonder he feels like the God of the country. Since 1995, a nineteen-year-period, the country’s average daily export of oil has been 400,000 barrels, “a bonanza that has made the country wealthier in terms of GDP per capita than France, Japan and the United Kingdom. Little of this wealth, however, has helped the vast majority of Equatorial Guinea’s 700,000 people; today, three

⁴²³ Lawson-Remer, Terra, and Joshua Greenstein, “Beating the Resource Curse in Africa: A Global Effort,” *Africa in Fact*, Council on Foreign Relations, August 2012.

⁴²⁴ Ibid.

⁴²⁵ Wenar, Leif, “Property Rights and the Resource Curse,” *Philosophy and Public Affairs* Vol. 36. No. 1. (2008): p. 6.

out of every four Equatorial Guineans live on less than \$2 a day.”⁴²⁶ Since oil was discovered in the 1990s, Equatorial Guinea has become a rich country; but a rich country with very poor people.

Africa’s third largest oil exporter behind Angola and Nigeria, Equatorial Guinea as of 2007 “has the fourth highest average income in the world: 15 percent higher than the per capita income of the United States.”⁴²⁷ Equatorial Guinea’s oil reserves are more than one billion barrels. Yet Equatorial Guineans are some of the poorest people in the world and the average Equatorial Guinean lives in abject poverty.

Obiang, whose personal wealth was US\$ 600 million in 2007, and expectedly far higher now, spent US\$ 55 million to purchase a sixth private jet in addition to five private jets he already has, while “raw sewage runs through the streets of the country’s capital, three quarters of the country’s people are malnourished, and the majority of its citizens survive on less than ...\$1 a day.”⁴²⁸ In 2010, alarmingly, 75% of Equatorial Guineans lived on less than US\$700 per annum while the country had Africa’s highest per capita income of about US\$ 35,000.⁴²⁹

Like father, like son! Teodoro Obiang Nguema Mangue who is the heir apparent to the ‘throne’ and the oldest of Teodoro Obiang Nguema Mbasogo’s sons, has followed the corruption footsteps of his father. Apart from his wealth in Equatorial Guinea and Paris, he owned assets in Malibu, California which were worth US\$71 million in October, 2011.⁴³⁰ No wonder John Ghazvinian describes Equatorial Guinea, and aptly so, as “a family business masquerading as a country.”⁴³¹ After all, Equatorial Guinea is more of an ‘Equatorial Business’ than an Equatorial country!

⁴²⁶ Diamond, Larry, and Jack Mosbacher, “Petroleum to the People: Africa’s Coming Resource Curse – and How to Avoid It,” *Foreign Affairs*, September/October 2013.

⁴²⁷ Wenar, Leif, “Property Rights and the Resource Curse,” *Philosophy and Public Affairs* Vol. 36. No. 1. (2008): p. 6;

“Rank Order – GDP – per capita (PPP)”, CIA World Factbook 2007.

⁴²⁸ Wenar, Leif, “Property Rights and the Resource Curse,” *Philosophy and Public Affairs*, Vol. 36. No. 1. (2008): p. 7;

“The Fortunes of Kings, Queens, and Dictators,” *Forbes Magazine*, 5 May, 2006.

⁴²⁹ Lawson-Remer, Terra, and Joshua Greenstein, “Beating the Resource Curse in Africa: A Global Effort,” Africa in Fact, Council on Foreign Relations, August 2012.

⁴³⁰ Diamond, Larry, and Jack Mosbacher, “Petroleum to the People: Africa’s Coming Resource Curse – And How to Avoid It,” *Foreign Affairs*, September/October 2013.

⁴³¹ John Ghazvinian qtd. in “The Resource Curse’: Why Africa’s Oil Riches Don’t Trickle Down to Africans,” *Public Policy*, 31 October, 2007.

Although Gabon's daily production of oil is around 300,000 barrels, the majority of the people wallow in abject poverty while the extremely rich few lavish the oil money on themselves. "At one point, Gabon was the world's largest per-capita importer of champagne."⁴³² Despite decades of oil production, Chad remains one of the poorest countries in the world "with 80% of its citizens living below the poverty line."⁴³³ We can go on and on mentioning case after case and country after country; the final analysis is that the situation of the sub-continent is a misnomer. So, rather than keep mentioning case after case and country after country, I shall concentrate on some of the worst cases and countries namely Nigeria, Angola and the Democratic Republic of Congo.

3.3.1. The Nigerian Context

The Federal Republic of Nigeria comprises thirty six states and the federal capital territory. Nigeria is a West African country with an area of 923,768 km² and 356,667 sq mile; bordered by Benin Republic in the west, Chad and Cameroun in the east, Niger Republic in the north, and the Gulf of Guinea and the Atlantic Ocean in the south. Nigeria gained political independence from the United Kingdom on October 1, 1960 and became a republic on October 1, 1963. Its Lingual Franca is English Language, and has over 250 ethnic groups with about 520 languages. In the last census which was taken in 2006, it was estimated that Nigeria has a population of 150,000,000. In July 2011, the United Nations estimated that Nigeria has a population of 162, 471,000 while in July 2012 the CIA World Factbook estimated Nigeria's population to be 170,123,740.

Since political independence, Nigeria has had twenty-four years of woefully disappointing civilian rule and thirty years of brutal military dictatorship. Alongside the civil war, the numerous religious and ethnic conflicts, there have been assassinations of heads of state; Tafawa Balewa in January, 1966 and Aguiyi Ironsi in July, 1966. There have been several coups: Awolowo planned coup, 1963; Five Majors Coup in January, 1966; Northern Military Officers Coup in July, 1966; Mohammed Coup in July, 1975; Dimka Coup in February, 1976; Buhari Coup in December, 1983; Babangida Coup in August, 1985; Vatsa Coup in

⁴³² Ibid.

⁴³³ "The Resource Curse': Why Africa's Oil Riches Don't Trickle Down to Africans," *Public Policy*, 31 October, 2007.

December, 1985; Orkar Coup in April, 1990; Abacha Coup in November, 1993; Obasanjo and Others Coup in 1995; and Diya and Others Coup in 1997.⁴³⁴

A look at Nigeria reveals some very obvious facts. Nigeria has a lot of natural resources that if well managed will surely make its citizenry better-off. Also Nigeria has a lot of human resources that if well managed will make the country and its citizenry better-off. Nigeria has a lot of potentials that if well harnessed will make the country and its citizenry better-off. On the other hand, there are facts that are even more evident. Corruption has become part and parcel of the Nigerian system. Religious tensions are rife. Ethnicism has become very cancerous. Violence has been normalised. And poverty is the fate of the vast majority of Nigerians.

In my opinion the civil war is the greatest catastrophe that has befallen Nigeria since the October 1, 1960 independence. But Nigeria was able to navigate its way through the civil war and still remains 'one Nigeria', although with unnecessary loss of numerous precious lives and properties. But nothing, not even the civil war, has plagued Nigeria for so long like the resource curse. Without the resource curse, corruption and poverty would have been at the barest minimum, and conflicts would have been reduced drastically. Hence, by the Nigerian context I shall mean the impact of resource curse on Nigeria or what I refer to as 'resource-cursed Nigeria.'

The years 1956 to 2014, a fifty-eight-year period, is my focus. I am choosing this time period because oil was discovered in 1956 in Oloibiri (in Bayelsa State) by Shell-BP and extraction started in 1958. Over ninety percent of Nigeria's income comes from oil and gas.⁴³⁵ With an estimated 2,211, 000 barrels extraction per day in 2009, Nigeria is the 7th largest Organization of Petroleum Exporting Countries (OPEC) oil producing country and the 14th largest oil producing country in the world.⁴³⁶ It used to be the largest African oil producing country; it is now the second African oil producing and exporting country. With over 35.5 billion barrels of reserve, Nigeria has the world's tenth largest oil reserves making it the 10th largest oil country in the world. It has over 187 trillion cubic feet (2800 km) of gas reserves which triples the amount of crude oil it has. This makes Nigeria's gas reserve the largest natural gas reserve on the African continent and the 9th largest in the world.

⁴³⁴ The coups are named after the leaders or alleged leaders of the coups, or those who took over power after the coups.

⁴³⁵ Gelb, Alan, et al. *Oil Windfalls: Blessing or Curse?* New York: Oxford University Press, 1988: p. 240.

⁴³⁶ CIA World Factbook Data: en.wikipedia.org/wiki/List_of_countries_by_oil_production.

Forty percent of oil revenue goes to the oil companies and sixty percent goes to the government, and the federal government gives an oil-producing state thirteen percent of the oil revenue that the federal government realises from that state. The oil producing states are Abia, Akwa-Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo, and Rivers. Oil was discovered in Anambra in 2012 and the state will start production soon.

The oil producing states are known as the Niger Delta. The Niger Delta is so-called because it is the delta of the River Niger. Actually, before the discovery of oil in the Niger Delta, it was predominantly a palm oil producing delta. Hence the British named it the British Oil Rivers Protectorate in 1885 when it became a British protectorate until 1893 when, with the addition of more territory, it became the Niger Coast Protectorate.

The Niger Delta originally consisted of present day Bayelsa, Delta and Rivers States. But every oil-producing state is now officially considered to be part of the Niger Delta since 2000 AD when the government of Olusegun Obasanjo named Abia, Akwa-Ibom, Cross River, Edo, Imo and Ondo States as part of the Niger Delta. Altogether these states have around six hundred and six oil wells. It is estimated that the Niger Delta hosts three percent of the world's oil.

Oil, being the most lucrative commodity on the commodities market, generates billions of dollars. No wonder some of the largest corporations in the world are oil companies. For about a period of thirty years, from the 1940s to early 1970s, the oil industry was dominated by the Seven Sisters/Super Majors/Big Oil (before various mergers and acquisitions). From the early 1970s dominance was wrested from the Seven Sisters by the New Seven Sisters/New Super Majors. Four of the Seven Sisters/Super Majors were operating in Nigeria, three are still operating today, and two of the New Seven Sisters/Super Majors are operating in Nigeria.

Together, the Seven Sisters and the New Seven Sisters top the list of the twenty-five biggest oil companies in the world.⁴³⁷ Eleven of these twenty-five companies had presence in Nigeria. Today, ten of them are still present. Alongside these ten, several oil companies are present in Nigeria. They include: the biggest oil company in Nigeria namely the Shell Petroleum Development Company whose parent company is the Royal Dutch Shell (Anglo-Dutch); the former British Petroleum (BP) - now African Petroleum (AP); Texaco

⁴³⁷ Helman, Christopher, "The World's Biggest Oil Companies," *Forbes Magazine*, 16 July 2012; "The World's 25 Biggest Oil Companies," *Peoples Daily*, Nigeria, 29 May 2013.

(American) – now Chevron (American); ExxonMobil (American); ConocoPhillips (American); Total (French); Elf Aquitaine which is now a major brand of Total (French); Eni (Italian); Agip which is a subsidiary of Eni (Italian); StatoilHydro (Norwegian); former Addax Petroleum (Swiss) - now Sinopec (Chinese); Petrobras (Brazilian); Nigerian National Petroleum Corporation (NNPC); etc.

From 1965 to 2000, “Nigeria’s cumulative revenues from oil (after deducting the payments to the foreign oil companies) have amounted to about US\$350 billion at 1995 prices. In 1965, when oil revenues per capita were about US\$33, per capita GDP was US\$245. In 2000, when oil revenues were US\$325 per capita, per capita GDP remained at the 1965 level.”⁴³⁸ In Nigeria, annual oil exports yield revenues of between six billion and ten billion US dollars which in turn make up around 25 percent of the GDP.⁴³⁹

As Leif Wenar says, different Nigerian governments from 1970 to 2000 earned around three hundred billion US dollars as petroleum revenue. But “during this period the percentage of Nigerians living in extreme poverty (\$1 per day) increased from 36 percent to almost 70 percent. Meanwhile inequality skyrocketed and corruption was everywhere evident in the Nigerian government.”⁴⁴⁰ After fifty-six years of oil extraction and over seven hundred billion dollars of oil revenue, Nigeria is still a developing country with most of its citizens wallowing in abject poverty.

In a country characterised by an abysmal social infrastructure, Nigerian roads are literally death-traps, the aviation is known for plane crashes, and with no reliable electricity supply Nigeria is the highest consumer of power generators in the world. With an abysmally high poverty rate, half of the population lives in abject poverty surviving on less than one US dollar or one hundred and seventy naira per day.

From 1970 to 2000 the number of those subsisting on less than US\$1 per day increased from 35% to almost 70%. While “in 1970 the top 2 percent and the bottom 17 percent of the population earned the same total amount of income, in 2000 the top 2 percent had the same

⁴³⁸ Sala-i-Martin, Xavier, and Arvind Subramanian, “Addressing the Natural Resource Curse: An Illustration from Nigeria,” IMF Working Paper WP/03/139 (2003): p. 3.

⁴³⁹ Pogge, Thomas. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge, UK: Polity Press, 2005: p. 113.

⁴⁴⁰ Wenar, Leif. “Property Rights and the Resource Curse,” *Philosophy and Public Affairs*, Vol. 36. No. 1. (2008): pp. 5-6.

total amount of income as the bottom 55 percent.”⁴⁴¹ This is a reflection of the well-known fact that “Nigeria has been a disastrous development experience. On just about every conceivable metric, Nigeria’s performance since independence has been dismal. In PPP terms, Nigeria’s per capita GDP was US\$1,113 in 1970 and ...US\$1,084 in 2000.”⁴⁴² These statistics make Nigeria one of the poorest countries in the world.

Despite being the 26th largest economy in the world and the largest economy in Africa, Nigeria’s wealth does not trickle down to the average citizen. Hence, the average citizen remains a poor citizen in a rich country. For this reason, although Nigeria is theoretically one of the richest countries in the world, it is practically one of the poorest countries in the world. The best and simplest way to define Nigeria paradoxically is to say it is a rich country with poor people.

Given the above-mentioned negative characteristics of Nigeria, unsurprisingly it is one of “the 20 countries in the world with the widest gap between rich and poor....Nigeria has one of the highest Gini indexes⁴⁴³ in the world - for Nigeria, it is 50.6”⁴⁴⁴ In the year 2000, United Nations Development Programme (UNDP) reported that Nigeria’s real Gross Domestic Product (GDP) between the years 1977 and 1998 suffered a 22 percent decline – on average, a more than 1 percent decline for a continuous period of 21 years.

On 22 November, 2012 the Economist Intelligence Unit (EIU), in its 2013 “Where-To-Be-Born Index,” ranked Nigeria as the worst of eighty countries. Nigeria had the lowest score of 4.74 points. Out of the eighty countries assessed, Nigeria was ranked 80th. Hence among the eighty countries, Nigeria was the worst country to be born in.⁴⁴⁵ In other words, none of the respondents would want to be born in Nigeria.⁴⁴⁶

⁴⁴¹ Sala-i-Martin, Xavier, and Arvind Subramanian, “Addressing the Natural Resource Curse: An Illustration from Nigeria,” IMF Working Paper WP/03/139 (2003): p. 3.

⁴⁴² Ibid.

⁴⁴³ ‘Gini index measures the extent to which the distribution of income or consumption expenditure among individuals or households within an economy deviates from a perfectly equal distribution.... a Gini index of 0 represents perfect equality, while an index of 100 implies perfect inequality.’ (“GINI index,” data.worldbank.org/indicator/SI.POV.GINI).

⁴⁴⁴ Onyeukwu, Agwara John, “Resource Curse in Nigeria: Perception and Challenges,” 2006-07 International Policy Fellowship Programme, Open Society Institute, Budapest (December 2007): p. 7.

⁴⁴⁵ “EIU Rates Nigeria Worst Country to be Born In,” *Thisday*, 23 November, 2012.

⁴⁴⁶ Ibid.

Transparency International rated Nigeria's literacy level of 60.8 percent around 175th in the world. The education system is in shambles, and those who can afford better education go to the United States of America, Europe, Canada, Australia, South Africa, Ghana, etc. In the UNDP Human Development Index (HDI), Nigeria is ranked 156th, with life expectancy of 51.9 years, \$2,069 Gross National Income (GNI) per capita in PPP terms, 0.278 inequality-adjustment HDI value, 0.471 HDI value, and with 5 years mean years of schooling of adults.

We have to bear in mind Mahbub Ul Haq's, Amartya Sen's and others' caveat on how to calculate well-being; meaning that we have to go beyond income of persons. So employing the HDI which Ul Haq and Sen created and is used by the UNDP; in 2011 Nigeria was ranked 157th out of 187 countries by the UNDP HDI. This made Nigeria a low HDI country and part of the fourth tier of the HDI.⁴⁴⁷

A 2008 United Nations Children's Fund (UNICEF) report on Nigeria shows that sixty-four percent of Nigerians live below the poverty line of US\$1.25, and only fifty-eight percent of the population has access to clean drinking water while only thirty-two percent has access to improved sanitation facilities. However, I disagree with the above data. Having lived in and regularly visits different parts of the country from the south to the north, and from the east to the west, in villages, towns and cities, what I see seems even worse than UNICEF reported.

Concerning health issues, generally the Nigerian health system is at best malfunctioning. There is prevalence of fake drugs, and hospitals are in shambles. As a testament to the above claim, usually the rich and powerful go to India, Europe, United States of America, Canada, Saudi Arabia, South Africa, etc. for medical treatment. In World Bank's estimation, "public spending per capita on health is less than \$5 - and is as low as \$2 in some parts of Nigeria - which contrasts with the \$34 recommended for low-income countries by the World Health Organization."⁴⁴⁸ The inefficient health system has particularly affected women. Nigeria is the second country, behind India, with the highest amount of maternal mortality rate. In Nigeria, according to Friday Okonofua - the Executive Director, Women Health and Action Research Centre (WHARC) - at least forty thousand woman die each year due to maternity

⁴⁴⁷ Human Development Report 2011.

⁴⁴⁸ Onyeukwu, Agwara John, "Resource Curse in Nigeria: Perception and Challenges," 2006-07 International Policy Fellowship Programme, Open Society Institute, Budapest (December 2007): p. 29.

problems. This figure means fourteen percent of worldwide maternity deaths occur in Nigeria yearly.⁴⁴⁹

3.3.2. The Main Economic Aspect of the Nigerian Resource Curse: The Dutch Disease

The resource curse is largely responsible for the decay and poverty in Nigeria. Both the economic and political aspects of the resource curse are prevalent in Nigeria. On the economic side, the two diseases which Nigeria has clearly caught are the Dutch disease and the volatility problem. But the former is by far the one that has affected Nigeria more. Moreover, the effects of the latter are especially devastating when the former exists. But in the absence of the former, the effects of the latter are almost always minimal. This is because it is the failure to diversify – consequently the over reliance on one commodity – that makes the volatility in the price of, and revenue from, that commodity send shock waves through the spines of the economy of a country.

Before the discovery of oil in 1956, and even after the discovery of oil until the late 1960s and early 1970s, the mainstay of the Nigerian economy was agriculture. Since the discovery of oil, the agricultural sector has become neglected and almost forgotten. The northern part of the country was producing groundnut and cotton, the eastern part was producing kola nut and palm oil, the western part was producing cocoa, and the mid-west was producing rubber and palm produce, so on and so forth.

Nigeria was the world's leading palm oil and vegetable oil producer in the 1960s and early 1970s. Malaysia sent some Malaysians to the Nigerian Institute for Oil Palm Research (NIFOR) in the 1960s to learn from Nigeria how to propagate palm. Malaysia got the first palm seedlings they cultivated from NIFOR. Today, Nigeria cannot even produce enough palm oil and vegetable oil for its local consumption, talk less of exporting.

Nigeria currently imports palm oil and vegetable oil produce from Malaysia in order to meet its local consumption demand. This has nothing to do with Nigeria having comparative advantage in international trade; it is rather a fact and consequence of the Dutch disease. As conceded by President Goodluck Jonathan, Nigeria's excessive reliance on oil and gas has

⁴⁴⁹ "Nigeria Contributes 14% Global Maternal Death," *Blueprint*, 22 November, 2012.

devastated the Nigerian economy.⁴⁵⁰ While the Nigerian palm sector is almost non-existent today, Malaysia has grown to be the second producer of palm oil, behind Indonesia, and its palm oil industry employs about six thousand people.

Alongside the Dutch disease, the volatility problem which often gives rise to borrowing and debt has affected Nigeria over the years. In the extraction industry, “Future prices are not known with certainty and, historically, have been highly volatile.”⁴⁵¹ Due to volatilities in production and prices of oil and gas, the Nigerian economy as a whole has suffered. Regarding volatility of the growth rate of Nigeria’s GDP, it rises when oil prices rises and falls when oil prices fall. Adding other undesirable economic factors to the volatility problem, Nigeria’s economy is a non-stable one and it is even more unstable than the economies of many other oil producing countries.⁴⁵²

Of particular notice is Nigeria’s debt. For instance, in December, 2000 when Nigeria attempted to reschedule its debt, the principal was US\$10.3 billion, the interest arrears was US\$4.45 billion and late interest was US\$5.18 billion. Having had a rescheduling agreement, the principal was USD\$1.48 billion, the principal arrears was USD\$10.31 billion, the interest arrears was USD\$4.45 billion while the late interest arrears was USD\$5.18 billion.⁴⁵³ Furthermore, from 2002 to 2003, due to depreciation of the US dollars – the currency of the debt - there was a US\$4 billion increment in Nigeria’s debt profile.⁴⁵⁴

In the second half of the 1980s, in the face of severe balance of payments, the Ibrahim Babangida government accepted the recommendations of the International Monetary Fund and World Bank to adopt the structural adjustment programmes. Although this was allegedly aimed at ensuring that Nigeria was able to service, at that time, its 28 billion dollars foreign debt and sustain a healthy economy, it led to a mass retrenchment of workers thereby taking the level of employment to a record high and consequently increasing the level of poverty in the country.

⁴⁵⁰ Gentile, Carmen, “Analysis: Nigeria’s Resource Curse,” Energy Resources, United Press International, 2012. UPI.com

⁴⁵¹ Jones, Sam, “Sub-Saharan Africa and the ‘Resource Curse’: Limitations of the Conventional Wisdom,” DIIS Working Paper 2008/14, Danish Institute for International Studies (DIIS), Copenhagen (2008): p.7. www.diis.dk

⁴⁵² Sala-i-Martin, Xavier, and Arvind Subramanian, “Addressing the Natural Resource Curse: An Illustration from Nigeria,” IMF Working Paper WP/03/139 (2003): p. 3.

⁴⁵³ Onyeukwu, Agwara John, “Resource Curse in Nigeria: Perception and Challenges,” 2006-07 International Policy Fellowship Programme, Open Society Institute, Budapest (December 2007): pp. 15 -16.

⁴⁵⁴ Ibid.

3.3.3. The Main Political Economy Aspect of the Nigerian Resource Curse: Rent-Seeking

The problem of resource curse is at once a problem of economics on the one hand and political economy on the other hand. The political economy problem is usually seen as a political problem and a political philosophy problem. This is quite apt because practically the problem is political, but on the theoretical level it is a political philosophy problem. The economic issues of resource curse do not really need any political philosophy in order to be resolved. Sound economic theories, principles and policies are enough to deal with them. So I will direct my attention to where political philosophy fits, that is, the political economy, political philosophy, or political problem.

Although, if the political issues are resolved without actually dealing with the economic ones, the resource-cursed country will in the long run suffer. So the economic issues, just like the political issues, should be dealt with in order for the economy to be viable. Just as the heart of the economic problem is the Dutch disease, the heart of the political economy, political philosophy, or political problem is rent-seeking. Rent-seeking is the hub which every other political problem revolves around.

Rent-seeking has to do with using political means at the political realm to try to get economic rent. By economic rent, it is meant the variation between the total cost of production and the total price of the product. The product can be goods or services or both. Rent-seeking is an economic term. The British economist, David Ricardo, introduced the term 'rent' into economics. By rent he meant "the payment to a factor of production in excess of what is required to keep that factor in its present use."⁴⁵⁵ Ricardo applied the notion of rent to land which was a main factor of production during his time. Although Ricardo is most famous for his theory of comparative advantage, it is his notion of rent that plays a crucial role in the analysis of resource curse.

In the context of extractive industry, economic rent would mean "the difference between the value of production and the cost to extract it. The extraction cost consists of normal exploration, development, and operating costs as well as a share of profits for the industry."⁴⁵⁶ Based on the Ricardian notion of rent, Gordon Tullock originated the idea of

⁴⁵⁵ Henderson, David R. "Rent Seeking," *The Concise Encyclopaedia of Economics*.

⁴⁵⁶ Humphreys, Macartan, et al., eds. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: pp. 379 – 380.

rent-seeking in 1967 and was popularised by Anne Krueger in 1974.⁴⁵⁷ Rent-seeking is not purely economic, perhaps it is more accurately a political-economy issue – political economy understood as the way in which the production and use of wealth is organised by states, the interaction between politics and economics and how they affect each other.

In the resource curse discourses, rent-seeking is understood to be a political problem because the arena in and the means by which rent is sought is political. Rent-seeking is the central political problem of resource curse because, although it may not be the only source, it is the chief source of other political problems of resource curse. The seeking of rent leads individuals, companies, organisations, and states to get involved in corruption, bad governance, abuse of human rights, dictatorship, disregard for the rule of law, so on and so forth. Rent-seeking has largely fuelled corruption in Nigeria, and corruption is so endemic in the Nigerian system that many Nigerians see it as ‘normal.’ When the abnormal is seen as ‘normal’, then surely there is perversion in society. In this case, the long history of corruption has made the Nigerian society perverted.

3.3.4. Corruption

Eleven years ago, on the Corruption Perception Index of Transparency International, Nigeria scored 1.4 out of 10 which made the country the second most corrupt country in the world.⁴⁵⁸ Corruption has cancerously invaded the Nigerian body, system or context that getting rid of it or ‘managing’ it seems more difficult than the Herculean task of cleaning the Augean stables. It seems more like Pandora’s Box. Nigeria has opened the box and can no longer control the content that has been let out. Hence in any conceivable form of measuring corruption, and whatever methodological way corruption is measured, Nigeria fails woefully.

In 2010, in the Transparency International Corruption Perception Index, Nigeria scored 2.4 out of 10. “The Corruption Perceptions Index ranks countries/territories based on how corrupt their public sector is perceived to be. A country/territory's score indicates the perceived level

⁴⁵⁷ Krueger, Anne O., “The Political Economy of the Rent-Seeking Society,” *American Economic Review* 64 (1974): pp. 291-303;

Tullock, Gordon, “Rent-Seeking,” Brookfield, Vt: Edward Elgar, 1993;

Tullock, Gordon, “The Welfare Costs of Tariffs, Monopolies and Theft,” *Western Economic Journal* 5 (1967): pp. 224 – 232.

⁴⁵⁸ Corruption Perception Index, Transparency International, 2003.
www.transparency.org/cpi/2003/cpi2003.en.html

of public sector corruption on a scale of 0 - 10, where 0 means that a country is perceived as highly corrupt and 10 means that a country is perceived as very clean. A country's rank indicates its position relative to the other countries/territories included in the index.”⁴⁵⁹ Hence out of 178 countries, Nigeria was ranked joint 134th with Azerbaijan, Bangladesh, Honduras, The Philippines, Sierra Leone, Togo, Ukraine and Zimbabwe.

According to Sala-i-Martin, “nowhere are all the pathologies associated with oil are clearly manifest as in Nigeria....oil, and the institutional deterioration that it has led to, has perhaps been the single most important cause of Nigeria’s economic and political problems.”⁴⁶⁰ If oil were not a curse to Nigeria, the revenues from oil would have turned Nigeria into an African version of the United Arab Emirates in terms of economic development. To put this in perspective, consider that the Marshal Plan to rebuild Europe after the Second World War in current purchasing power parity is one hundred and forty-eight billion US dollars. But the cost of the Marshal Plan is not even up to fifty percent of the amount of oil revenue that has been embezzled in Nigeria.⁴⁶¹

Obiageli Ezekwesili - former minister of solid minerals, former minister of education and former World Bank Vice-President for Africa - says around four hundred billion US dollars of oil revenue has been embezzled by the elite one percent. This near-total embezzlement amounts to eighty percent of oil revenue.⁴⁶² Nigeria is virtually a mono-product economy which excessively relies on oil. Since oil accounts for ninety percent of Nigeria’s export, if eighty percent of oil revenue has been going into the private pockets of only one percent of the population since independence in 1960, then most Nigerians have been subjected to abysmal levels of poverty.

The Global Financial Integrity estimates that about two hundred and eighteen billion dollars left Nigeria between 1970 and 2002 for the United States of America in illicit financial flows. Analysts have opined that this amounts to Nigeria’s total revenue between 1970 and 1990. In

⁴⁵⁹ Corruption Perception Index, Transparency International, 2010.

⁴⁶⁰ “Tackling the Natural Resource Curse: An Illustration from Nigeria,” Interview with Arvind Subramanian and Xavier sala-i-Martin, IMF Survey, 15 March 2004: p. 79.

⁴⁶¹ Ezekwesili, Obiageli. “The Uncomfortable Truth of Elusive Economic Development – Nigeria’s Century Old Failures and Prospects for a New Nigeria,” *Sahara Reporters*, 11 March, 2014. saharareporters.com/interview/uncomfortable-truth-elusive-economic-development-nigeria’s-century-old-failures-and-prospects-for-a-new-nigeria

⁴⁶² <http://allafrica.com/stories/201208290453.html>

other words, two decades of any sort of development have been eroded due to illicit financial flows.

Nigeria is estimated to have lost about US\$380 billion to corruption between 1960 and 2007.⁴⁶³ Some of the corruption cases include those of: the government of Babangida which is reported to have looted around US\$12.2 billion dollars; Abacha's government which is reported to have looted around US\$10 billion; Abubakar's government which is reported to have looted around US\$2.7 billion dollars;⁴⁶⁴ former internal affairs minister, Sunday Afolabi, who is reported to have looted around US\$214 million; former Inspector General of Police, Tafa Balogun, who looted over 13 billion Naira; and the former governor of Delta State, James Ibori, who was convicted of laundering around US\$290 million. Ibori is currently serving a jail term in London. The former Economic and Financial Crimes Commission (EFCC) chairman, Nuhu Ribadu, stated in an interview that Ibori offered him fifty million dollars cash bribe which he rejected.

The EFCC estimates that around US\$ 400 billion of oil revenue has been stolen or fraudulently spent or compromised in the past five decades.⁴⁶⁵ It has been estimated that, with good record keeping, the total amount stolen from the oil sector could be nearing one trillion dollars. Four billion dollars was recovered from the stolen money of General Sanni Abacha alone. Recently, the former central bank governor, Sanusi Lamido Sanusi, who was arbitrarily relieved of duty by President Jonathan for being a whistle-blower, said between 2012 and 2013 US\$20 billion accrued from the sale of crude oil was not remitted to the national treasury by the Nigerian National Petroleum Corporation (NNPC).⁴⁶⁶ In other words, the money was embezzled.

During the military dictatorship of General Sanni Abacha, each member of the Provisional Ruling Council (PRC) - the highest ruling body of the dictatorship - was allocated oil wells. So, although theoretically the oil wells were owned by the citizenry, in practice the oil wells were owned by military generals who belonged to the PRC. Much more alarming was that although those oil wells were taken over through the barrel of the gun, which makes the take-

⁴⁶³ Human Rights Watch 2007.

⁴⁶⁴ Okonta, Ike, and Oronto Douglas, *Where Vultures Feast: Shell, Human Rights and Oil in the Niger Delta*. London: Verso, 2003.

⁴⁶⁵ Tutton, Mark, "Can Africa Break Its 'resource Curse,'?" CNN, 23 August 2010.

⁴⁶⁶ Nossiter, Adam. "Nigerians Ask Why Oil Funds Are Missing," *The New York Times*, 10 March, 2014.

over theft, robbery and illegal, the military generals were treated as having legal possession of the oil wells. Hence multinational oil corporations, the international community and individuals (both Nigerians and non-Nigerians) did ‘businesses’ with the military generals. This is a clear case of Pogge’s international resource privilege.

General Abdusalaami Abubakar was Abacha’s Chief of Defence Staff. He was the third-in-command and later the second-in-command in the hierarchy of the PRC. After the death of Abacha, Abubakar took over as the new military head of state, the commander-in-chief of the armed forces and the head of the PRC. Concerning his military regime, *The Economist* reported that revenues from oil were directly paid to the top-most command of government and General Abubakar had absolute power over and absolutely control “all the cash. He depend[ed] on nobody and nothing but oil. Patronage and corruption spread” from the top, beginning with general Abubakar, down to the bottom.⁴⁶⁷

In November 2012, the Petroleum Revenue Task Force (PRTF), which was set up to look into the dismal condition of the petroleum sector in Nigeria, reported that “estimates of crude oil stolen or spilled reviewed by the Task Force ranged from 6 to 30 percent of production, with 35 percent claimed for one especially troubled area.”⁴⁶⁸ Nigeria’s refineries are not functioning due to mismanagement. Hence it exports crude oil and imports refined oil which is a strategy aimed at maximising the opportunities for higher corruption. The country loses billions of naira from importing while corrupt importers gain billions of naira. This scheme was clear to the public to see during the January, 2012 removal of subsidies on petroleum products by the Jonathan government. The government accepted that there is a ‘cabal’ that benefits from oil importation at the expense of the country.

Jeffery Sachs, who advised Nigerian governments, says Nigeria is a prototype of a resource-cursed country. It is a corruption playground for individuals, MNCs, Nigerian governments and foreign governments. For instance, Halliburton – an American oil-service company – was convicted of enormous bribery offences in Nigeria which were committed when former American vice president, Dick Cheney, was its chief executive officer.⁴⁶⁹ Julius Berger, a

⁴⁶⁷ “Going on Down,” *The Economist*, 12 December, 1998: p. 19.

⁴⁶⁸ Petroleum Revenue Task Force (PRTF) Report, November, 2012: p. 124.

⁴⁶⁹ Sachs, Jeffrey D. “Nigeria Hurtles Into a Tense Crossroad,” *The New York Times*, 10 January, 2012.

German construction company, acted as the intermediary between the giver of the bribe and the takers.

On 13 October, 2009 the then US Ambassador to Nigeria - Robin Renee Sanders - met with Ann Pickard, the then Shell's vice president for Sub-Saharan Africa, at the US Embassy, Abuja, Nigeria. Details of the meeting were revealed in a cable - 'Nigeria: High Level Corruption' – which was sent from the United States of American Embassy, Abuja, Nigeria to the then US Secretary of State, Hilary Clinton.

The cable, which was released by WikiLeaks, says;

The Ambassador asked what the Embassy could do to help with the Joint House Committee on Petroleum Upstream and Downstream and Justice that is working on the PIB. Pickard said she hoped the current level of dialogue between the GON and the IOCs continues. Unfortunately, 'We have not been able to meet with President Yar'Adua for nine months,' she said. 'They have him protected.' She said it would be helpful if the Embassy would continue to deliver low-level messages of concern. In particular, she thought it would be helpful for the Embassy to call on Speaker of the House Dimeji Bankoke to see where he stood on the bill. Beyond that, she would like to keep the Embassy in reserve and use it as a 'silver bullet' if the PIB passes the House. The Ambassador noted that the U.S., U.K., Dutch and French Embassies had already made a joint call on NNPC General Managing Director Dr. Mohammed Barkindo.⁴⁷⁰

Furthermore, the cable says;

Pickard of Shell also reported an instance of the attorney general soliciting a \$20 million bribe to sign a document...Oil buyers would pay NNPC large bribes, millions of dollars per tanker, to lift oil." ...Pickard said the Nigerian government "had forgotten that Shell had seconded people to all the relevant ministries and that Shell consequently had access to everything that was being done in Nigeria." ..."Pickard has repeatedly told us she does not like to talk to USG (United States' Government) officials because the USG is 'leaky.' She may be concerned that...bad news about Shell's Nigerian operations will leak out.⁴⁷¹

Nigeria's corruption problem is so serious that to tackle corruption, Olusegun Obasanjo established the Economic and Financial Crimes Commission (EFCC) and the Independent

⁴⁷⁰ "US Embassy Cables: Shell Says 'We Have People In All Relevant Nigerian Ministries,'" *The Guardian* (UK), Wednesday, 8 December, 2010.

⁴⁷¹ "WikiLeaks Cables: Shell's Grip On Nigerian State Revealed," *The Guardian* (UK), 8 December, 2010;

"Shell Had 'Access to Everything' in Nigeria: WikiLeaks," *Reuters*, (London), 9 December, 2010;

"WikiLeaks: Oil Giant Shell 'More Powerful than Nigerian Government' and Infiltrated Every Office," *Daily Mail* (UK), 9 December, 2010.

Corrupt Practices and Other Related Offences Commission (ICPC). Already in existence are offices such as the Code of Conduct Bureau, Office of the Auditor-General and office of the Attorney-General that have fighting corruption as one of their aims. Nevertheless, the former head of EFCC, Nuhu Ribadu, was reported to have said that the Obasanjo government was even more corrupt than the Abacha government. Corruption is still as high as ever. Nigeria's lack of transparency was aided by the Official Secrecy Act which militated against transparency. The act was only replaced by the Freedom of Information Act in 2011 although the Freedom of Information Bill originated since 1998.

While corruption is present in every country, it is “more prevalent in emerging economies, developing countries and least developed countries”⁴⁷² especially the resource-cursed ones of which Nigeria is a typical example. The vastness and seriousness of the negative effects of corruption have been well outlined by development theorists including Dilip Mhookerjee and Ivan Png (1995), Paulo Mauro (1996), Vito Tanzi and Hamid Davoodi (1997), Paulo Mauro (1998), Alberto Ades and Rafael Di Tella (1997), Carlos Leite and Jens Weidmann (1999), Edgardo Campos and Donald Lien (1999), George Abed and Hamid Davoodi (2000), Shang-Jin Wei (2000), Fahim Al-Marhubi (2000), Sanjeev Gupta, Hamid Davoodi and Erwin Tiongson (2000), Sanjeev Gupta, Luiz de Mello and Raju Sharan (2001), Pak Hung Mo (2001), Mohsin Habib and Leon Zurawicki (2001), Susan Rose-Ackerman (2001), Mohsen Bahmani-Oskooee and A.B.M. Nasir (2002), Seligson (2005), Grigorescu (2006), Cooper Drury, Jonathan Kreickhaus, and Michael Lusztig (2006), Maureen Lewis (2006), Lorenzo Pellegrini and Reyer Gerlagh (2006), Nejat Anbarci, Monica Ascaleras and Charles Register (2006), etc.

3.3.5. Transparency

In the traditional policy approaches to resource curse, transparency and accountability have been strongly suggested as the remedies for resource curse. However, these are more of solutions for the political problem than the economic problem whose solution is mainly diversification. Furthermore, transparency and accountability are not sufficient conditions, although they are necessary conditions, for the resolution of the political problem.

⁴⁷² Nichols, Philip M., “Who Allows Facilitating Payments,” p. 2.

<https://www.google.de/search?q=Who+Allows+Facilitating+Payments> Accessed: 16 September 2013.

It is pertinent to note the difference between my theoretical approach and the traditional policy approaches. I am not going to look at policy-remedies for the problems. Rather, I will attempt to argue for a plausible way to look at the issue of resource curse so that ascertaining causality and assigning responsibility will be plausibly done in the resource curse debate. In chapter four, I shall expand and explicate the notion of responsibility and how I will use it. For now, let us discuss the traditional policies.

It is widely accepted that the road that must be travelled on the way out of (the political aspect of) resource curse is transparency. Some countries, having accepted the veracity of the above claim, came together to form the Extractive Industries Transparency Initiative (EITI) in June, 2003 at the Lancaster House Conference. The EITI principles are;

1. We share a belief that the prudent use of natural resource wealth should be an important engine for sustainable economic growth that contributes to sustainable development and poverty reduction, but if not managed properly, can create negative economic and social impacts.
2. We affirm that management of natural resource wealth for the benefit of a country's citizens is in the domain of sovereign governments to be exercised in the interests of their national development.
3. We recognise that the benefits of resource extraction occur as revenue streams over many years and can be highly price dependent.
4. We recognise that a public understanding of government revenues and expenditure over time could help public debate and inform choice of appropriate and realistic options for sustainable development.
5. We underline the importance of transparency by governments and companies in the extractive industries and the need to enhance public financial management and accountability.
6. We recognise that achievement of greater transparency must be set in the context of respect for contracts and laws.
7. We recognise the enhanced environment for domestic and foreign direct investment that financial transparency may bring.
8. We believe in the principle and practice of accountability by government to all citizens for the stewardship of revenue streams and public expenditure.
9. We are committed to encouraging high standards of transparency and accountability in public life, government operations and in business.
10. We believe that a broadly consistent and workable approach to the disclosure of payments and revenues is required, which is simple to undertake and to use.
11. We believe that payments' disclosure in a given country should involve all extractive industry companies operating in that country.
12. In seeking solutions, we believe that all stakeholders have important and relevant contributions to make—including governments and their agencies, extractive industry

companies, service companies, multilateral organisations, financial organisations, investors, and non-governmental organisations.⁴⁷³

Furthermore, the EITI has certain criteria which the implementation of the above principles must be consistent with. The criteria are;

1. There will be regular publication of material oil, gas and mining payments by companies to governments ('payments') and all material revenues received by governments from oil, gas and mining companies ('revenues') for a wide audience, and in a publicly accessible, comprehensive and comprehensible manner.
2. Where such audits do not already exist, payments and revenues should be the subject of credible, independent audit, applying international auditing standards.
3. Payments and revenues will be reconciled by a credible, independent administrator, applying international auditing standards and with publication of the administrator's own opinions regarding such reconciliation, also referring to discrepancies, should any be identified.
4. This approach is extended to all companies, including state-owned enterprises.
5. Civil society is to be actively engaged as a participant in the design, monitoring and evaluation of this process and should be able to make contributions to public debate.
6. A public, financially sustainable work plan related to all of the above should be developed by the host government, with assistance from the international financial institutions where required, and it should include measurable targets, a timetable for implementation, and an assessment of potential capacity constraints.⁴⁷⁴

That Nigeria is a member of the EITI seems to be good news. The following even seems to be better news; Nigeria, in 2007, established its own national equivalent of the EITI. The Nigerian version of the EITI is called Nigerian Extractive Industries Transparency Initiative (NEITI). "The Nigerian Extractive Industries Transparency Initiative Act 2007 mandates NEITI to promote due process and transparency in extractive revenues paid to and received by government as well ensure transparency and accountability in the application of extractive revenues."⁴⁷⁵ In order to carry out the above mandate, NEITI adopted the twelve principles and six criteria of EITI.

If the above principles and criteria were observed in Nigeria, the problem of resource curse, or specifically political resource curse, would have been dealt with already. However, eleven years after EITI and seven years after NEITI, the Niger Delta is still a dialectic Delta, the Nigerian system is still malfunctioning, the story remains the same, history is still repeating itself, and as it has always been, it is still business as usual.

⁴⁷³ Extractive Industries Transparency Initiative (EITI). www.eiti.org

⁴⁷⁴ Ibid.

⁴⁷⁵ Nigerian Extractive Industries Transparency Initiative (NEITI). www.neiti.org.ng

3.3.6.

Conflicts

Apart from corruption, rent-seeking has also fuelled the abuse of human rights and conflicts. In the Failed States index - an annual special report by the Foreign Policy Magazine and the Fund for Peace - in 2010, 2011 and 2012 Nigeria was ranked 14th while in 2013 it was ranked 16th alongside countries like Somalia, Iraq, etc.⁴⁷⁶ The index has five categories ranging from the worst cases to the best cases: Critical; In Danger; Borderline; Stable; and Most Stable. In all the years 2010, 2011, 2012 and 2013 rankings, Nigeria is placed in the worst cases, that is, Nigeria is termed a critical case. With the Boko Haram terrorist group ravaging Nigeria, there is no surprise that Nigeria appeared on the failed States index and is ranked as a critical state and one of the most insecure places in the world.

The African Insurance Organisation, in October 2012, ranked Nigeria – which accounts for twenty-five percent of all the kidnapping cases in the world - as the ‘Kidnap-for-Ransom Capital of the World.’ According to the ranking, “Somalia, which had been in the business of sea piracy and kidnappings long before Nigeria joined the 'league', has long been overtaken by Nigeria.”⁴⁷⁷ Also, Nigeria was ranked “the sixth most dangerous African country to live in”⁴⁷⁸ by the Global Peace Index in June 2012.

Although Nigerian conflicts are mostly ethnic and religious, there have been some that were glaringly due to the crude oil in the Niger Delta. In such oil-related conflicts, an estimated one thousand die every year.⁴⁷⁹ In this vein, Annegret Mähler argues that violence has increased in the Niger Delta because of “the involvement of security forces, politicians and (international) businessmen in illegal oil theft.”⁴⁸⁰ After over twenty-five years of non-violent resistance, the injustice in the Niger Delta gave birth to militant groups such as the Movement for the Emancipation of the Niger Delta (MEND), Niger Delta People’s Volunteer Force (NDPVF), Federated Niger Delta Ijaw Communities (FNDIC), Niger Delta Strike Force

⁴⁷⁶ “Failed States,” *Foreign Policy*, 30 July, 2013.

http://www.foreignpolicy.com/articles/2013/06/24/2013_failed_states_interactive_map

⁴⁷⁷ “EIU Rates Nigeria Worst Country to be Born In,” *Thisday*, 23 November, 2012.

⁴⁷⁸ *Ibid.*

⁴⁷⁹ Ghazvinian, John. qtd. in “‘The Resource Curse’: Why Africa’s Oil Riches Don’t Trickle Down to Africans,” *Public Policy*, 31 October, 2007.

(NDSF), Niger Delta Vigilantes (NDV), People's Liberation Force (PLF), Central MEND, Outlaws, etc.

When meeting with some Niger Delta youths on 16th April, 2004 President Olusegun Obasanjo admitted that due to insincerity on the parts of all stakeholders – governments, corporations, individuals, etc. – underdevelopment, abject poverty, insecurity and conflicts have engulfed the Niger Delta. Then he concluded that it is only when stakeholders become sincere in dealing with poor villagers of the Niger Delta that violence will be abated.⁴⁸¹ Also, the incumbent president, Goodluck Jonathan, concedes that the Niger-Delta conflicts are as a result of underdevelopment and decades of social and economic neglect which the people have been subjected to by various governments, oil companies and other agents.⁴⁸²

In the Niger Delta, over fifty thousand civilians have been killed by government security apparatus. In 1990, there were killings in Umuechem. In the 1990s, Ogoni women were raped and Ogoni people were massacred by soldiers led by Major General Paul Okutinmo. Similarly in 1999, Odi women were raped and Odi people were massacred by soldiers led by Colonel Agbiaka.

The government of Obasanjo said the Odi killings in Bayelsa State were aimed at stopping militancy in Odi. But President Goodluck Jonathan, who was the deputy governor of Bayelsa State during the killings, said, “After that invasion, myself...and the governor entered Odi...Most of the people that died in Odi were mostly old men, women and children; none of the militants was killed.... If bombarding Odi was to solve the problem... the attack on Odi never solved the militancy problem and we had more challenges after that attack on Odi.”⁴⁸³ Due to the gruesome nature of the Odi massacre, many human rights activists in Nigeria have been campaigning for Obasanjo to be charged to the International Criminal Court for crimes against humanity.

⁴⁸⁰ Mähler, **Annegret**, “Nigeria: A Prime Example of the Resource Curse? Revisiting the Oil-Violence Link in the Niger Delta,” GIGA WP 120/2010, German Institute of Global and Area Studies (GIGA) Working Paper, January 2010: p. 3.

⁴⁸¹ Onyeukwu, Agwara John, “Resource Curse in Nigeria: Perception and Challenges,” 2006-07 International Policy Fellowship Programme, Open Society Institute, Budapest (December 2007): p. 24.
<http://www.policy.hu/themes06/resource/index.html>.

⁴⁸² Gentile, Carmen, “Analysis: Nigeria’s Resource Curse,” Energy Resources, United Press International, 2012. UPI.com

⁴⁸³ “Obasanjo Faults Jonathan on Odi,” *Vanguard*, 20 November, 2012.

Also there were massacres in Odioma in 2005, and Agge in 2008. Some of the people who have suffered more than others due to the actions and omissions of the oil companies and various governments are the Ogoni people. Thus they formed the Movement for the Survival of the Ogoni People (MOSOP). The former MOSOP leaders, human right activists, Ken Saro-Wiwa, Saturday Dobe, Nordu Eawo, Daniel Gbooko, Paul Levera, Felix Nuate, Baribor Bera, Barinem Kiobel and John Kpuine were hanged by the Abacha government in November, 1995.

On 9 June, 2009 the Guardian Newspaper of the United Kingdom reported that “The oil giant Shell has agreed to pay \$15.5m (£9.6m) in settlement of a legal action in which it was accused of having collaborated in the execution of the writer Ken Saro-Wiwa and eight other leaders of the Ogoni tribe of southern Nigeria.”⁴⁸⁴ One of the witnesses who testified against Ken Saro-Wiwa and others revealed that he was bribed by Shell to testify falsely. Shell is in charge of fifty percent of the oil in the Niger Delta and the profit it makes from the Niger Delta is reported to be forty percent of its global profit. So, collaborating with Abacha to execute the human rights activists protects Shell’s business interests.

Between 2001 and 2011 the United States of America imported about 11 percent of its crude oil from Nigeria. It is estimated that around 50 percent of Nigeria’s oil is exported to the United States of America, and America imports around 10 percent of its oil from Nigeria.⁴⁸⁵ “In parallel with the expansion of oil imports from Nigeria, the United States has increased its supplying of weapons to the country and has expanded its military presence in the Gulf of Guinea, for example, via naval patrols.”⁴⁸⁶ This Nigerian-United States oil trade can be said to have fuelled conflicts in Nigeria due to what many of the imported weapons are used for.

The volume of the oil trade was planned to be increased before shale gas became a substitute to a certain percentage of imported oil in the United States of America. If this Nigerian-United States oil trade can be said to have fuelled conflicts in Nigeria in the past, in the future it will add another problem namely economic volatility. With the recent massive exploration and exploitation of shale oil and gas in the United States, Nigeria is set to experience

⁴⁸⁴ *The Guardian* (UK), 9 June, 2009.

⁴⁸⁵ Economist Intelligence Unit 2009.

⁴⁸⁶ Mähler, Annegret, “Nigeria: A Prime Example of the Resource Curse? Revisiting the Oil-Violence Link in the Niger Delta,” GIGA WP 120/2010, German Institute of Global and Area Studies (GIGA) Working Paper, January 2010: p. 21.

economic volatility because the United States will certainly reduce its demand for Nigerian crude oil.

3.3.7. Pollution

The Niger Delta which experiences daily pollution is the worst polluted oil place in the world. In gas flaring, Nigeria is only second to Russia. Gas flaring is hazardous to human health and the environment because it may emit methane, sulphur dioxide, benzene, toluene, xylenes, benzopyrene, etc. Activities of the oil companies have resulted in environmental degradation: polluted water and land resulting in death of fish, land animals, vegetation, and lack of clean water for consumption; and cessation of fishing and farming which are the livelihood of most families in the villages in the oil extraction areas.

The Niger Delta is “the site of more than 6,800 recorded oil spills.”⁴⁸⁷ As usual, the number of unrecorded spills will beat the imagination. In an interview, Mnimmo Bassey - the president of Friend of the Earth International - says about the Niger Delta; we have more than one oil spill everyday in an area that is already heavily polluted. The best way to sum up the amount of pollution going on is to compare it to the Exxon Valdez spill that happened in 1989 in Alaska. It is estimated that what we have here is equivalent to one Exxon Valdez spill every year.⁴⁸⁸

When the spills are multiplied by about fifty-six years, then we have about fifty-six ‘Exxon Valdez spills’ in the Niger Delta. During the BP spill in the Gulf of Mexico, BP was rightly pressured by the American government to stop the spill, clean up the area and pay a compensation of 4.5 billion US dollars. But in the Niger Delta, as a resident of the Niger Delta puts it, ‘the oil companies and the Nigerian government are one’; they work hand in hand to let oil spill continue without any consequence to the oil companies and no compensation to the victims.

Shell (SPDC) CEO, Mutiu Sunmonu - in a bid to portray Shell as an environmental friendly company - says, in an interview, that Shell has cleaned up over two hundred spill sites in the first five months of 2012.⁴⁸⁹ While Sunmonu might think this claim helps place Shell as an

⁴⁸⁷ Tutton, Mark, “Can Africa Break Its ‘resource Curse,’?” CNN, 23 August 2010.

⁴⁸⁸ See Mnimmo Bassey, the President of Friend of the Earth International, Interview on Journeyman.tv

⁴⁸⁹ See Mutiu Sunmonu, Shell (SPDC) CEO, Interview on Journeyman.tv

environmental friendly company, it goes a long way to show how much the inhabitants of the Niger Delta suffer. The actual amount of spills is always far greater than the official amount. In April, 2012 The Guardian (UK) reported that Shell's oil spill in the Niger Delta is sixty (60) times the official amount Shell claimed.⁴⁹⁰

If the inhabitants experience the 'Shell-officially accepted amount' of spill of over two hundred spills within five months from only one oil company, one can only wonder how much the inhabitants have suffered, are suffering, and will continue to suffer from the spills of all the oil companies. Then consider that the actual amount of spill is sixty times the official amount.

In addition to land and water pollution is air pollution which has contributed a lot to making the Niger Delta oil producing areas inhabitable. The Niger Deltans almost live in a Stone Age; "They live in stick huts on little islands in the mangrove swamps. Many of the villages are accessible only by boat. Nearby, you will have ... multibillion oil facilities, with executives being dropped in by helicopter."⁴⁹¹ No wonder the Niger-Deltans live as if they were in a Hobbesian state of nature where their lives are extremely nasty, principally brutish and ultimately short.

3.3.8. The Nigerian Resource Curse Summarised

Do the activities of actors, namely individuals, collectives, corporations, Nigerian governments and foreign states, in the Nigeria context particularly in the extraction industry, result in the current poor state of Nigeria through mainly rent-seeking and the Dutch disease? Firstly, and most important, there is evidently rent-seeking and the Dutch disease in Nigeria. Secondly, the Nigerian history of debt is largely due to volatility in oil prices and bad governance.

Thirdly, although there are other contributing factors to corruption in Nigeria, the corruption is almost singularly fuelled by the abundance of oil and gas and lack of transparency. Fourthly, although most conflicts are due to other factors such as ethnicism, religion, etc., the conflicts in the Niger Delta as described in this chapter are all exclusively due to the

⁴⁹⁰ "Shell Nigeria Oil Spill '60 Times Bigger Than It Claimed,' *The Guardian* (UK), 23 April 2012.

⁴⁹¹ Ghazvinian, John. qtd. in "'The Resource Curse': Why Africa's Oil Riches Don't Trickle Down to Africans," *Public Policy*, 31 October, 2007.

abundance of oil and gas there. Of course there are non-oil-related conflicts in the Niger Delta, but very few. Finally, as has been shown, these factors, combined, have kept Nigeria poor.

While it is clear how rent-seeking and the Dutch disease have contributed to the poor Nigerian context, the role of conflicts in the Niger Delta might not be clear. But I think it is clear enough if we realise that these are conflicts that have led to: the loss of lives of people who are mostly the bread-winners of their families; the loss of properties of people who can barely replace those properties; the destruction of the means of livelihood of people who barely have alternatives; the displacement of people which has made them destitute and internal refugees; and the scaring away of potential investors and the abandonment of actual investments by investors.

I readily admit that it is not every problem, or every major problem for that matter, in Nigeria that has to do with resource curse. Most conflicts in Nigeria are based on ethnicism, religion and politics. For instance, the Boko Haram terrorism is mainly based on religion and politics. The civil war was largely based on ethnic and geo-political differences. Nevertheless, oil played a strategic role in the prosecution of the war. Although Chukwuemeka Odumegwu Ojukwu - the leader of Biafra - was fighting for the Igbos, he annexed the present Akwa-Ibom, Bayelsa, Cross-River and Rivers⁴⁹² states (although they were not Igbo) to Biafra simply because these states have oil; at least this is the most plausible reason for the annexation.

Also, when the strongest command of the Nigerian Army during the civil war (the Third Marine Commando commanded by Benjamin Adekunle who was later replaced with Olusegun Obasanjo) invaded Biafra, the first task of the commandoes was to recapture the oil states for Nigeria. With the recapturing of the oil states, Nigeria could fund the war while Biafra could no longer fund the war. This, to a large extent, contributed to Nigeria winning the war and Biafra losing it.

There are other significant issues that are not at all based, or at least entirely based, on resource curse. There are a lot of cases of pollution that have nothing to do with resource curse; there can be pollution without the extraction of natural resources. Many corruption

⁴⁹² Although there are Igbos in Rivers state, most of the indigenes are non-Igbos.

cases cannot be linked to resource curse, and in fact, have nothing to do with resource curse. A country does not have to have abundant resources in order for its citizens to be corrupt. But some cases are purely due to resource curse, for instance the US\$12.4 billion oil windfall between 1988 and 1994 which the Central Bank of Nigeria and the Attorney-General of the Federation have failed to account for how it was spent. On this case, although the Pius Okigbo Panel Report indicted former military president, Ibrahim Babangida, he has never been charged to court by the federal government.

As can be seen in the foregoing discussion, resource curse is a huge problem for Nigeria, and oil has been the ‘Devil’s excrement’ for Nigeria. *Prima facie*, one would wonder why the Venezuelan politician and co-founder of OPEC, Juan Pablo Perez Alfonzo, would describe oil as the Devil’s excrement. But a close observation of the activities related to oil extraction and a critical examination of the activities of stakeholders would make one understand Alfonzo’s metaphor.

As Alfonzo says, “Ten years from now, twenty years from now, you will see: oil will bring us ruin ... Oil is the Devil’s excrement.”⁴⁹³ ‘I call petroleum the devil’s excrement. It brings trouble...waste, corruption, consumption, our public services fall apart, and debt - a debt we shall have for years.’⁴⁹⁴ Looking back to 1956 when oil was discovered or 1958 when extraction started, if we are to summarize what oil has been to Nigeria over the past six decades, we will be apt to confirm in hindsight about Nigeria what Alfonzo predicted in foresight about Venezuela.

In re-echoing Alfonzo’s words, oil has certainly brought Nigeria ruin, trouble, waste, corruption, debt, propensity to consume without propensity to produce other goods apart from oil, failed and inefficient public services, etc. In short, oil for Nigeria is the Devil’s excrement. To borrow the slogan or motto of the World Social Forum (WSF), ‘Another World is Possible’, looking at the Niger Delta in particular and the Nigerian context in general, looking at what ought to be and what can be, one might ask: Is another Nigeria possible?; Is another Niger Delta possible?; Is another Shell possible? So on and so forth. I

⁴⁹³ Useem, Jerry, “The Devil’s Excrement,” *Fortune*, 147.2 (03-02-2003): p. 96; “The Devil’s Excrement,” *Fortune*, 06-11-2009.

⁴⁹⁴ *The Economist*, May 22, 2003.

think I am apt to think that the singular answer is yes, but with a caveat. The answer is yes, if and only if the problem of resource curse, particularly rent-seeking, is tackled in Nigeria.

The Nigerian resource curse is unabated today mainly due to the dilemma the principal (citizenry) and the various agents face. The citizenry face a dilemma between despair and hope, between action and inaction, and between complicity and denunciation. They sometimes lose faith that they can do anything to change the status quo. Sometimes they say ‘if you can’t beat them, join them.’

Individuals (businessmen, politicians, etc.) face the dilemma between the common good and self-interest that is detrimental to the common good. The government of the day faces the dilemma between their own interest that is detrimental to the citizenry and the interest of the citizenry, between retaining power by all means necessary and allowing fair play. Foreign governments face the dilemma between maximising the gains for their countries and the interest of Nigeria. As for the corporations, they face the dilemma between profit maximization without moral constraints and operating a business with moral constraints.

Usually, businesses face a dilemma between business ethics and cost/benefit analysis, between moral procedures and efficient procedures, and between the moral consequences of their actions and return on investment. The ability to balance these moral and business challenges is the hallmark of a moral business; for these moral and business challenges are not mutually exclusive as many corporations deemed them to be.

However, the oil companies in the Niger Delta in their operations do not have regard for business ethics, moral procedures and the moral consequences of their actions. Rather, they are only concerned with cost/benefit analysis, efficient procedures and return on investment. As has been made evident in this chapter, alongside the oil companies, some individuals and governments of Nigeria in particular and foreign countries are in various ways, like the oil companies, responsible for the resource curse in the Nigerian context.

In the end, the picture of Nigeria we have is the following. In recent years the Nigerian economy has been growing at an average rate of between 5 and 7 percent. But as the National Bureau of Statistics reported; “Despite the fact that Nigerian economy is paradoxically growing, the proportion of Nigerians living in poverty is increasing every year....The

proportion of the population living below the poverty line increased from 1980 to 2004.”⁴⁹⁵ In 1982 the proportion of those living below the poverty line was 27.2 percent, in 1985 it soared to 46.3 percent, in 1992 it was 42.7 percent, in 1995 it rose to 65.6 percent, in 2004 it was 54.4 percent, and in 2010 it rose to 69.0 percent.⁴⁹⁶

As the apex bank in Africa, Africa Development Bank (AfDB), says in its Africa Economic Outlook 2011 report, in spite of the GDP growth mentioned above, “the Nigerian Economy remains confronted with many serious challenges. Structural imbalance and lack of diversification – with the economy excessively dependent on oil – is preventing the domestic economy from flourishing. High youth unemployment, poor infrastructure facilities, and widespread insecurity are the key challenges....containing political, civil and ethnic unrest, especially in the Niger Delta region, remains a challenge.”⁴⁹⁷ To the above challenges, I will add the factor which the general Nigerian populace correctly knows to be the greatest challenge faced by Nigeria due to resource curse in general and rent-seeking in particular; corruption.

3.4. Angola: A Rich Country with Poor People

Angola has overtaken Nigeria as the leading oil producer and exporter in Africa. The Portuguese colonialists discovered oil in Angola in 1955. Just as agriculture was the mainstay of Nigeria’s economy, so also it was the mainstay of Angola’s economy. Before the Portuguese colonialists shifted focus to oil, agricultural products made up fifty-six percent of Angola’s export, and coffee was chief among the products.⁴⁹⁸

The Dutch disease and rent-seeking, as usual in resource curse cases, have become part and parcel of Angola. The evidence of the Dutch disease in Angola is undisputed given that Angola has effectively become almost an oil-only economy – supplementary to oil is diamond. “Since the 1970s, with the exception of the oil sector, almost all other economic sectors have stagnated or declined. This situation has left Angola overwhelmingly dependent on oil revenue....agriculture is ever declining It is no wonder that oil has been accounting

⁴⁹⁵ “Nigeria Poverty Profile 2010,” National Bureau of Statistics, HNLSS 2010, January 2012; p. 11.

⁴⁹⁶ Ibid.

⁴⁹⁷ Nigeria, Africa Economic Outlook 2011, Africa Development Bank (AfDB): p. 214.

⁴⁹⁸ Hammond, John L., “The Resource Curse and Oil Revenues in Angola and Venezuela,” *Science and Society*, Vol. 75. No. 3. (July 2011): p.356.

for more than 90 percent of merchandise exports since 1980.”⁴⁹⁹ Expectedly, the United States of America and China are the two highest consumers of Angola’s oil.

Angola is not just the largest oil producer and exporter in Africa. It is also the fourth largest source of diamonds in the world.⁵⁰⁰ Angola’s oil and diamond revenues were used by both the Popular Movement for the Liberation of Angola (MPLA) and the National Union for the Total Independence of Angola (UNITA) to finance the twenty-five-year civil war. “The hallmarks of resource curse have followed; a corrupt, rent-seeking government which made secret deals with foreign oil companies and completely disregarded the well-being of the population.”⁵⁰¹ Describing how the Angolan civil war was fought and won, Tony Hodges says revenues from oil and diamond were essential means to winning the war, and are the spoils the victor gets for winning the war.⁵⁰²

On one side, Jose Eduardo dos Santos’ MPLA which controlled the extraction of oil was supported by Cuba and the Union of Socialist Soviet Republics (USSR). On the other side, Jonas Savimbi’s UNITA which controlled the extraction of diamonds was supported by South Africa and the United States of America (USA). It was the use of blood diamonds by UNITA to finance its rebellion that led to the creation of the Kimberley Process Certification Scheme. With Jonas Savimbi on one side and Jose Eduardo dos Santos on the other side, Angola fought a civil war from 1977 to 2002 that finally ended with the death of Savimbi. Add this civil war to the thirteen years liberation war Angola fought against the Portuguese who would not let Angola be free because chiefly, among other factors, Angola was already booming with oil and diamond. Then we have thirty-eight years of wars.

Like the Niger Delta of Nigeria, Cabinda is the oil hub of Angola. Just as the Niger Deltans are plagued by poverty so also the Cabindans are plagued by poverty. And just as the Niger Delta is rife with conflicts, so also Cabinda is rife with conflicts. In short, injustice is the common denominator of the Niger Delta and Cabinda. So, just like Nigeria, Angola is another poster child of resource-cursed countries where corruption, conflicts, bad governance, underdevelopment and abject poverty are the order of the day.

⁴⁹⁹ Gasper, Andre, “The Management of the Angolan Oil Revenues: Are There Any Chances to Change Course of the ‘Resource Curse?’” Centre for Energy, Petroleum and Mineral Law Policy (CEPMLP), University of Dundee; pp. 5-6.

⁵⁰⁰ Hammond, John L., “The Resource Curse and Oil Revenues in Angola and Venezuela,” *Science and Society*, Vol. 75. No. 3. (July 2011): p.356.

⁵⁰¹ Ibid.

⁵⁰² Hodges, Tony. *Angola: Anatomy of an Oil State*. 2nd ed. Lysaker: Fridtjof Nansen Institute, 2004.

Poverty, conflicts, authoritarianism, lack of respect for the rule of law, corruption, so on and so forth, are rife in Angola. But the lack of transparency and accountability, the secrecy - which is now an 'open secret' and 'transparent corruption' - which characterizes the Angolan extractive industry is seriously dangerous for the country. In these dubious dealings, "Angola is clearly in a class of its own."⁵⁰³ When, due to pressure for transparency and accountability, in February, 2001 British Petroleum (BP) attempted to disclose to the world its payments to the Angolan government, the government warned that BP's contract would be terminated "for violation of contractually guaranteed confidentiality"; hence, BP reneged.⁵⁰⁴

The IMF, the Human Rights Watch, Transparency International, and even the Attorney-General of Angola reported several and separate cases of corruption, some including billions of US dollars.⁵⁰⁵ Since it gained political independence in 1975, Angola, a typical resource-cursed country, has been in the shackles of corruption and authoritarianism.⁵⁰⁶ The strongman, Jose Eduardo dos Santos, who came to power since 1979, is in his fourth decade in power. He uses oil funds to sustain his dictatorship.⁵⁰⁷

Historically, dos Santos' autocracy has misappropriated Angola's natural resource wealth "and used its control over oil wealth to insulate itself from public scrutiny."⁵⁰⁸ With a corrupt dictator who returns Multinational Corporations favour of cash in kind, corruption is stock-in-trade in Angola.⁵⁰⁹ dos Santos' daughter, Isabel dos Santos, is one of Africa's billionaires. She is one of the few female billionaires on the continent and she is the youngest of them. Given that she has a huge stake in the extractive industry, in both the oil and diamond sectors,

⁵⁰³ Gary, Ian, and Terry Lynn Karl, "Bottom of the Barrel: Africa's Oil Boom and the Poor," Baltimore: Catholic Relief Services; p.33. <http://afraf.oxfordjournals.org/cgi/content/abstract/105/418/1>.

⁵⁰⁴ Hammond, John L., "The Resource Curse and Oil Revenues in Angola and Venezuela," *Science and Society*, Vol. 75. No. 3. (July 2011): p. 361;

Global Witness, *Time for Transparency: Coming Clean on Oil, Mining and Gas Revenues*. London: Global Witness, 2004: p. 56.

⁵⁰⁵ Hodges, Tony. *Angola: Anatomy of an Oil State*. 2nd ed. Lysaker: Fridtjof Nansen Institute, 2004: pp. 130, 168;

Human Rights Watch <http://www.hrw.org/en/reports/2010/04/13/transparency-and-accountability-angola-0>;
Transparency International http://www.transparency.org/policy_research/surveys_indices/cpi/2009.

⁵⁰⁶ Hammond, John L., "The Resource Curse and Oil Revenues in Angola and Venezuela," *Science and Society*, Vol. 75. No. 3. (July 2011): p. 348.

⁵⁰⁷ Hodges, Tony. *Angola: Anatomy of an Oil State*. 2nd ed. Lysaker: Fridtjof Nansen Institute, 2004: pp. 60, 62.

⁵⁰⁸ Human Rights Watch <http://www.hrw.org/en/reports/2010/04/13/transparency-and-accountability-angola>.

⁵⁰⁹ Hodges, Tony. *Angola: Anatomy of an Oil State*. 2nd ed. Lysaker: Fridtjof Nansen Institute, 2004: p. 62.

and in other important sectors like the communications sector, it is no surprise that she is worth US\$3 billion.⁵¹⁰

The Revenue Watch Institute reports that Angola earns US\$16 billion annually from oil revenues.⁵¹¹ This is not surprising because Angola has become the leading producer and exporter of oil in Africa.⁵¹² Oil boom has certainly made Angola's economy better-off; thereby making it a middle income economy. But the poor are still poor which means that the gains from oil only go to 'well-placed' people. Angola, though theoretically a rich country, is practically poor. If richness is measured by the amount of oil reserves and diamond a country has, and by the amount of revenues a country gets from minerals, then Angola is certainly a rich country. But this richness has not translated to well-being. So the people are still actually poor. Angola has a sixty-eight percent poverty rate and its rankings in other social indicators are some of the world's lowest.⁵¹³

Angola has over 80 billion barrels of oil on its coasts, over 30 trillion cubic feet of natural gas, and its oil revenues are expected to rise astronomically from US\$16 billion to US\$30 billion annually.⁵¹⁴ The estimated 18 million Angolans who own these resources should be economically well-off. But their plight is not different from that of other Sub-Saharan Africans who have been plagued by resource curse. Given the interplay between foreign interests and the interests of Angolan elites, or *oil nomenklaturas* as they are called, most of the revenues from oil, gas and diamond are illegally siphoned and remain off-shores without even reaching Angola.⁵¹⁵

In Luanda, the capital of Angola, the gap between the rich and the poor "is like nowhere else in the world."⁵¹⁶ Angola, in a nutshell, is a "successful failed state."⁵¹⁷ It is "successful at the

⁵¹⁰ "100 Most Influential Africans – Business," *New Africa*. 25 November, 2013.

<http://newafricanmagazine.com/special-reports/other-reports/2013-100-most-influential-africans/100-most-influential-africans-business>

⁵¹¹ The Revenue Watch Institute <http://www.revenuewatch.org/ourwork/countries/angola.php>

⁵¹² Energy Information Administration. <http://www.eia.doe.gov/emeu/cabs/Angola/pdf.pdf>.

⁵¹³ Hammond, John L., "The Resource Curse and Oil Revenues in Angola and Venezuela," *Science and Society*, Vol. 75. No. 3. (July 2011): p. 358.

⁵¹⁴ Gasper, Andre, "The Management of the Angolan Oil Revenues: Are There Any Chances to Change Course of the 'Resource Curse'?" Centre for Energy, Petroleum and Mineral Law Policy (CEPMLP), University of Dundee; p. 2.

⁵¹⁵ Ferguson, James. 2005. "Seeing Like an Oil Company: Space, Security, and Global Capital in Neoliberal Africa," *American Anthropologist*, Vol. 107. No. 3. (September 2005): pp. 377–382; p. 378.

⁵¹⁶ Ghazvinian, John. qtd. in "The Resource Curse: Why Africa's Oil Riches Don't Trickle Down to Africans," *Public Policy*, 31 October, 2007.

purpose for which it is intended, enriching the elites, even as it fails to provide for the country as a whole.”⁵¹⁸ Comparing the Human Development Index (HDI) rankings of Southern African countries, Angola only fares better than Malawi and Mozambique. Even countries like Lesotho, Mauritius, Namibia, Seychelles, Swaziland, Zambia and Zimbabwe fare better than Angola. Beyond Southern Africa, as poor as Tanzania is it still fares better than Angola in the HDI. Worldwide, Angola was ranked 162nd out of 177 countries in the HDI.⁵¹⁹ In the end, it is apt to say that oil and diamonds are not gifts to Angolans. They are Trojan Horses!

3.5. The Democratic Republic of Congo: *What Is that Ought Not To Be*

The Democratic Republic of Congo (DRC), like Angola and Nigeria, is abundantly endowed with natural resources. But like Angola and Nigeria, it is also resource-cursed. Its abysmal economic and political performances in spite of plentiful natural resources is, like those of Angola and Nigeria, another typical paradox of plenty. Like the Cabinda province of Angola and the Niger Delta region of Nigeria, the DRC’s Katanga region is so rich in natural resources that colonial geologists described it as a “veritable geological scandal.”⁵²⁰ For they had never seen one region so endowed with abundant natural resources of different kinds. Ironically, the region is now rife with different kinds of social, economic and political problems because of its natural resources.

Resource curse in the DRC can be traced back to one hundred and forty-three years ago, 1871. In that year, Sir Henry Stanley, an explorer of the British Empire, travelled on the River Congo route, explored the Congo and discovered that the Congo was abundantly endowed with natural resources.⁵²¹ On hearing Sir Stanley’s discovery, the King of Belgium - King Leopold II - set up the *Association Internationale Africaine* in order to colonize the Congo,⁵²² and of course, ultimately exploit its resources.

⁵¹⁷ de Oliveira, Ricardo Soares, “Business Success, Angola-Style: Postcolonial Politics and the Rise and Rise of Sonangol,” *Journal of Modern African Studies*, Vol. 45. No. 4. (2007): pp. 595–619. p. 617.

⁵¹⁸ Hammond, John L., “The Resource Curse and Oil Revenues in Angola and Venezuela,” *Science and Society*, Vol. 75. No. 3. (July 2011): p. 361.

⁵¹⁹ World Bank <http://www.-wds.worldbank.org/external/default/>

⁵²⁰ Jones, Sam, “Sub-Saharan Africa and the ‘Resource Curse’: Limitations of the Conventional Wisdom,” DIIS Working Paper 2008/14, Danish Institute for International Studies (DIIS), Copenhagen (2008): p.8. www.diis.dk

⁵²¹ Carpenter, Louisa, “Conflict Minerals in the Congo: Blood Minerals and Africa’s Under-Reported First World War,” Working Paper, Suffolk University, 02 April 2012: p.3.

⁵²² Ibid.

King Leopold II owned the Congo as a private property rather than as a colony of Belgium. Even during the scramble for Africa and the resultant partitioning of Africa, the European imperialists and colonialists at the Berlin Conference of 1885 respected King Leopold II's 'property right.' It was only in 1908 that he made Congo a Belgian colony.⁵²³ Among other serious harms and damages, King Leopold II's brutal oppression and exploitation resulted in the death of around ten million people which was half or fifty percent of the population then.⁵²⁴

After independence in 1960 when Patrice Lumumba was democratically elected to head the new government, he strongly believed, and asserted in his inaugural speech, that political independence without economic independence would still leave the country in imperial chains. Not pleased with Lumumba's resolve to make the country economically independent of imperial powers "which were hoping to keep their hold over the country's resources," the United States of America and Belgium, as confirmed by the then CIA chief in Congo, plotted the assassination of Lumumba.

The United States of America and Belgium "sent aid to anti-Lumumba factions, and in 1961, Lumumba was assassinated."⁵²⁵ Lumumba was eventually succeeded by Joseph Mobutu Sese Seko whose *coup d'état* was "endorsed by the USA in 1965."⁵²⁶ Despite his very long run oppression of his people and plunder of his country, not least the stashing away of US\$4

⁵²³ Ibid. pp. 3-4.

⁵²⁴ Carpenter, Louisa, "Conflict Minerals in the Congo: Blood Minerals and Africa's Under-Reported First World War," Working Paper, Suffolk University, 02 April 2012: p. 4;

Hochschild, Adam. *King Leopold's Ghost*. New York: Houghton Mifflin, 1998.

⁵²⁵ Hochschild, Adam, "Congo's Many Plunderers," *Economic and Political Weekly*. Vol. 4. No. 36. (2001): p. 287;

Carpenter, Louisa, "Conflict Minerals in the Congo: Blood Minerals and Africa's Under-Reported First World War," Working Paper, Suffolk University, 02 April 2012: p.4.

⁵²⁶ Carpenter, Louisa, "Conflict Minerals in the Congo: Blood Minerals and Africa's Under-Reported First World War," Working Paper, Suffolk University, 02 April 2012: p. 4;

Olsson, Ola, and Heather Congdon Fors, "Congo: The Prize of Predation," *Journal of Peace Research*. Vol. 3. No. 41. (2004): p. 323.

billion in Swiss banks, Mobuto Sese Seko was referred to as “one of our most valued friends” by President George Bush (Sr.).⁵²⁷

Mobuto Sese Seko, who ruled for over three decades, effectively ruled the DRC as if he were running his own private business. He plundered and squandered the resources of the country even as Congolese were dying in conflicts and dying of poverty. After the overthrow of Mobuto Sese Seko, his successor, Laurent Kabila, merely followed his footsteps. The latter governed the DRC as if he came to power to accomplish, ironically, the mission which was begun by the man he overthrew.

Alongside other conflicts, the DRC has experienced two protracted and wasteful civil wars. Nearly six million people have lost their lives due to these conflicts. Out of the 5.4 million people who lost their lives between 1996 and 2010 because of violent conflicts, 45% are children. Although the war has officially ended, 45,000 people still die monthly in the seemingly never-ending war that is “the deadliest war since World War II.”⁵²⁸ Regrettably, in the DRC “more than a thousand people die every day in the chaos caused by militias fighting over the minerals used to make chips for cell phones and laptops.”⁵²⁹ With this destructive war still raging, it is not any surprise that the DRC remains one of the poorest countries in the world. On every - and any imaginable - economic and political indicator or metric, the DRC performs dismally. The lives of its 60 million people, like the lives of those who have been sent to early graves, are wastefully, in Hobbessian terms, nasty, brutish and short.

The conflicts in the DRC make the resources of the country a free-for-all affair which in turn fuels the already existing conflicts. Columbite-Tantalite, popularly known as coltan, particularly attracts plunderers to DRC which has 64% to 80% of the world’s deposit of coltan. It is “the most profitable natural resource the Congo possesses, more so than gold or diamonds, and one of the most cherished minerals in the world...It is fundamental in sustaining and developing our civilization as it is used in almost all modern technological

⁵²⁷ Hochschild, Adam, “Congo’s Many Plunderers,” *Economic and Political Weekly*. Vol. 4. No. 36. (2001): p. 288;

Carpenter, Louisa, “Conflict Minerals in the Congo: Blood Minerals and Africa’s Under-Reported First World War,” Working Paper, Suffolk University, 02 April 2012: p.5.

⁵²⁸ Carpenter, Louisa, “Conflict Minerals in the Congo: Blood Minerals and Africa’s Under-Reported First World War,” Working Paper, Suffolk University, 02 April 2012: p. 11.

⁵²⁹ Wenar, Leif, “Property Rights and the Resource Curse,” *Philosophy and Public Affairs* Vol. 36. No. 1. (2008): p. 6.

devices.”⁵³⁰ At the ‘formal’ end of the second civil war, which started in 1998 and ended in 2002/2003, no less than “seven foreign governments, sometimes in collusion with mining companies,” were involved in plundering the country’s resources.⁵³¹ No wonder the second civil war was referred to as ‘world war.’

The DRC is home to around one-third of the world’s cobalt and about two-thirds of the world’s coltan. It “is also extravagantly endowed with copper, cassiterite (tin ore), diamonds, and gold. Yet this abundance of riches has led to war and poverty instead of peace and prosperity.”⁵³² The DRC, which is as huge as the whole of Western Europe, is home to minerals including uranium, diamonds, gold, tin, cobalt, coltan, etc. worth US\$ 24 trillion which “equals the combined GDP of Europe and the United States.”⁵³³ In plundering and in trade, both legal and illegal, natural resources worth around US\$6 million are shipped, flown, driven or taken out of the DRC every day.⁵³⁴

In summary, in the DRC, if there is anything that has any practical meaning, surely it is not the United Nations Declaration which says that “The right of peoples and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well-being of the people of the state concerned.”⁵³⁵ Surely, if natural resources have not been blessings to Sub-Saharan Africa, then they have not been blessings to the DRC. If natural resources have been curses to Sub-Saharan Africa, then they have been curses to the DRC. If oil is the Devil’s excrement in Nigeria, coltan is the Devil’s excrement in the DRC. If oil and diamonds have not been gifts to Angolans, then coltan and other resources have not been gifts to Congolese. And if oil and

⁵³⁰ Carpenter, Louisa, “Conflict Minerals in the Congo: Blood Minerals and Africa’s Under-Reported First World War,” Working Paper, Suffolk University, 02 April 2012: p. 6.

⁵³¹ Gilpin, Raymond, and Richard Downie, “Conflict-Business Dynamics in the Democratic Republic of Congo,” Special Report, United States Institute of Peace, Washington, DC: p. 2. www.usip.org Accessed: 12 December, 2013.

⁵³² Ibid.

⁵³³ Carpenter, Louisa, “Conflict Minerals in the Congo: Blood Minerals and Africa’s Under-Reported First World War,” Working Paper, Suffolk University, 02 April 2012: p.5; Noury, Valery, “The Curse of Coltan,” *New Africa* (2010): p. 35.

⁵³⁴ Carpenter, Louisa, “Conflict Minerals in the Congo: Blood Minerals and Africa’s Under-Reported First World War,” Working Paper, Suffolk University, 02 April 2012: p. 5;

Social Education, “Congo: Elections and the Battle for Mineral Resources,” Vol. 1. No. 71. (2007): p. 24.

⁵³⁵ “Permanent Sovereignty Over Natural Resources,” General Assembly Resolution 1803, United Nations Declaration, 14 December 1962. <http://www.un.org/documents/ga/res/17/ares17.htm>.

diamonds are Trojan Horses to Angolans, then coltan and other resources too are Trojan Horses to Congolese.

In this chapter I engaged in the descriptive analysis of resource curse. Generally, I descriptively analysed the distinct nature of natural resource wealth, and the connection between natural resource wealth and overlapping curses. Particularly, I described the nature of resource curse in Sub-Saharan Africa. Then I especially analysed the nature of resource curse in Nigeria, Angola and DRC. Firstly, I dwelt on the Nigerian context in which I analysed the main economic (the Dutch disease) and the main political economy (rent-seeking) aspects of the Nigerian resource curse, conflicts, corruption and transparency, and negative externalities – namely pollution. Secondly, I dwelt on the case of Angola in which I analysed why Angola is a rich country with poor people. Finally, I dwelt on the case of DRC in which I analysed why the situation in DRC is *What is that Ought Not to Be*.

To reiterate, this dissertation is not a work on case studies. Furthermore, the work in this chapter is not case studies in the narrow or strict sense of the term. The quasi-case studies are for illustrative purposes. Comparatively, the Nigerian case is extensive or very long while the Angolan and DRC cases are short. The Nigerian case is extensive because it is my main illustration. The Angolan and DRC cases are short because they are aimed at corroborating the Nigerian case. In other words, the Nigerian case is only important because it is illustrative, and the Angolan and DRC cases are only important because they corroborate the Nigerian case. Together, the three cases aid the contextualisation of my descriptive analysis.

Relying on the descriptive analysis in this chapter, the next chapter will provide a preliminary prescriptive analysis of resource curse. Resource curse is a man-made phenomenon; it is caused by the activities of humans. The next chapter is aimed at identifying the different human agents and their different activities which cause resource curse. In other words, the chapter will discuss the causal roles played by different agents in resource curse. The chapter will tackle the complexity of resource curse and the multifaceted nature of the activities that cause resource curse. The end-result shall be that despite the complexity of resource curse and the multifaceted nature of the activities that cause resource curse, we can still identify the

different causal roles played by different agents, and thus attribute causal responsibility to the agents.

4.0. THE COMPLEXITY OF RESOURCE CURSE: LEVELS OF ANALYSIS AND LEVELS OF CAUSALITY AND RESPONSIBILITY (PART 1)

4.1. George Soros' Analysis

Resource curse, to use George Soros' expression, is a complex phenomenon. For Soros, there are three factors to this complexity. The first factor is the Dutch disease.⁵³⁶ The second factor is volatility.⁵³⁷ While the third factor has to do with the effect resource curse has on political conditions.⁵³⁸ Soros argues that the third factor is the most important factor of the three factors because the impact it has on a resource-endowed country is far greater than the impact of the first and second factors combined. He says while the first and second factors are purely economic conditions, the third factor - to be properly understood - needs a combination of economic theories and political philosophy.⁵³⁹

More importantly, Soros argues that there are four key players involved in resource curse namely international companies, national companies, and the governments and the people of the countries concerned.⁵⁴⁰ Although Soros used oil in his analysis, he admits that any other commodity involved in resource curse can be used. Hence, I am speaking generally about natural resources rather than specifically about oil. Nevertheless, oil and gas get more emphasis because of the discussions on Nigeria, Angola, Equatorial Guinea, etc.

Soros expressed his "analysis in terms of three kinds of asymmetry: asymmetric information, asymmetric agency, and asymmetric bargaining power."⁵⁴¹ For him, the problem of asymmetric agency is far more important than those of asymmetric information and asymmetric bargaining power.⁵⁴² Deductively from his analysis, this is because agency - in the context of resource curse - has to do with the agent (politicians and business men and women) and the principal (the people who are represented).

When there is asymmetry between the agent and the principal, and the asymmetry advantages the agent while it disadvantages the principal, there is a problem. The agent is merely a representative of the principal; hence everything the agent does is supposed to be for the

⁵³⁶ Soros, George. "Afterword." Eds. Macartan Humphreys et al. *Escaping the Resource Curse*. New York: Columbia University Press, 2007: pp. xi-xv; p. xi.

⁵³⁷ Ibid.

⁵³⁸ Ibid.

⁵³⁹ Ibid.

⁵⁴⁰ Ibid.

⁵⁴¹ Ibid.

⁵⁴² Ibid.

interest of the principal. But in resource curse, the principal becomes the means while the agent becomes the end. To use Kantian term, in resource curse the agent uses the principal as mere means rather than as an end in themselves.

For Soros, since “agency problem arises when the agent does not faithfully serve the interest of the principal,” the first task of the analyst of resource curse is to identify who the principal is, that is, to identify who owns the natural resources.⁵⁴³ He concludes that this sort of analysis is exclusively the role of political philosophers and the domain of political philosophy.

Soros alluded to the political philosophy assertion that sovereignty lies with the people rather than the king or government. Hence, the government is a mere agent while the people are the principal. But being agents, it is the government that represents the people when companies, both national and international, want to exploit resources in a resource-endowed country. Members of the government can thus have the chance, which they take in resource curse cases, to be corrupted by resource exploiting companies. So also resource exploiting companies have the chance, which they also take in resource curse cases, to corrupt the agents of resource-rich countries.

Having bribed the agents and gotten their way, the companies have no incentives to care about the interests of the principals. And having been corrupted by the companies, agents now have enough resources to keep themselves in power and even to suppress or oppress the principal whom they supposedly represent. Hence the problem of resource curse goes on and on and the country becomes more impoverished and more destabilized and volatile. For Soros, this agency-companies corroboration of, and collaboration with, each other at the expense of the people is the primary source of resource curse.⁵⁴⁴

It is worth nothing the similarity and contrast between the agents of the people and the agents of the companies. The agents of the people, like the agents of the companies, are mere representatives of the interests of their various principals. But unlike the agents of the companies who do almost everything, including illegal and immoral acts, within their power to satisfy the interests of their principal, the agents of the people do almost everything, even illegal and immoral acts, within their power to satisfy their own interest.

⁵⁴³ Ibid.

⁵⁴⁴ Ibid.

So, while the agents of the companies are faithful representatives of their companies, albeit their actions are illegal and immoral, the agents of the people are unfaithful representatives and their actions are also illegal and immoral. Although both the actions of the agents of the people and the agents of the companies might be legal in many cases, the problem is that they are also unethical or immoral. In such cases, the actions are usually at best procedurally legal but failing the test of substantive law.

Soros' analysis of resource curse may shed light on my 'levels of analysis' or 'levels of causality and responsibility' approach which I will use in the next sub-chapter and the next chapter. Although Soros' analysis does not totally reflect my approach, it helps to elucidate my approach to a large extent. Nevertheless, it is pertinent to mention that while his analysis is similar to mine in notable ways, it is also remarkably different from mine. The differences will be glaring when I present my approach in the remainder of this chapter and in the next chapter.

In my analysis, the factors responsible for resource curse, as discussed in the previous chapter, are the handiwork of the following agents:

- (i) Individual agents.
- (ii) Collective agents. By collective I do not mean an institution or a group of individuals forming an institution, a corporation, etc. I simply mean two or more individuals - a group of individuals, a bunch of individuals or a plurality of individuals – that act jointly in a case of resource curse.
- (iii) Corporations. In this context, in the narrow sense of corporation although oil companies are the obvious ones, banks and law firms which aid money laundry, etc. are part and parcel of 'corporations' in the wider sense. So, by corporation I mean multinational corporations, mainly those in the extractive industry, but also financial institutions, law firms, and lobby groups and to a lesser extent the media and public relations firms.
- (iv) State. By state I mean the resource-rich and resource-cursed state (visibly represented by its government).
- (v) The global institutional order.

4.2. The 'Individual' Level of Analysis or Level of Causality and Responsibility

I shall start by looking at the 'individual' level of analysis or the 'individual' level of causality and responsibility where cosmopolitanism, or particularly interactional moral

cosmopolitanism, is primarily applicable. In view of its tenets, cosmopolitanism will help us to understand the causal role of the individual in resource curse. On the individual level, individual agents can be said to contribute to the causes of resource curse in various ways. Generally these ways can be summed up in twelve ways. I shall outline the twelve ways, neither by precedent nor antecedent, and neither in chronological, lexical nor in hierarchical order. They are outlined below without any special order.

(i)

Individuals contribute to the causes of resource curse, when *sui generis*, they seek rent for themselves, corrupting or being corrupted for their own sake – giving or taking bribes for themselves. When the individual agents, *sui generis*, seek rent or give or take bribe for themselves, they place priority on their selfish needs at the expense of the rightful owners of the resources, i.e., the citizens of the resource-rich states.

(ii)

Individuals can contribute to resource curse by acting as corrupt agents of the government or other sectors of the resource-rich state. When the individual and collective agents as officials of the government or other sectors of the resource-rich state allow themselves to be corrupted in order to facilitate rent-seeking, they place priority on their selfish interests at the expense of the citizenry they are supposed to be representing.

(iii)

Individuals can contribute to resource curse by acting as agents of a rent-seeking foreign government. The individual as an agent of a rent-seeking foreign government is not seeking rent for him/herself. Rather, the individual agent is seeking rent for the government which s/he represents. Since the government in turn represents its citizenry, by extension or ultimately the individual is seeking rent for the foreign citizenry. By so doing, s/he is not only placing priority on the interest of the foreign government at the expense of the citizens of the resource-rich state, but also s/he places priority on the foreign citizenry at the expense of the citizenry of the resource rich-state.

(iv)

Individual agents contribute to the causes of resource curse by acting as agents of rent-seeking multinational corporations. When the individual agent seeks rent on behalf of

multinational corporations (often oil, gas and mining companies) s/he does not seek rent for him/herself. But by seeking rent for the corporations s/he represents, in the process or as a means of getting rent, s/he corrupts officials of the government or other sectors of the resource-rich state which is detrimental to the citizenry. By so doing, s/he is placing priority on the interest of the corporations, in reality on the interest or profit of the share-holders of the corporations, at the expense of the citizenry of the resource-rich state.

(v)

The individual can contribute to resource curse as an agent of financial institutions, e.g. banks, which aid money laundry and other financial transactions concerning resource curse. Here, note that my focus for now is not on the financial institutions themselves, but the individual who acts on behalf of the financial institutions. As for the role of agents of financial institutions which aid money laundry and financial transactions related to resource curse, it is abundantly clear as a matter of historical fact that without their aid many corruption cases related to resource curse would not have been able to be executed. Infamous Swiss accounts, secret accounts in Seychelles, Cayman Islands, etc. aided by financial agents are some of the major routes for capital flight, money laundry and other illicit financial transactions concerning resource curse.

(vi)

Individuals also contribute to the causes of resource curse as lawyers helping to facilitate corruption. This can be done legally by looking for loopholes in legal systems or illegally by helping companies escape prosecution from their activities that resulted in negative externalities, providing cover-ups to corrupt clients, etc. These lawyers may often represent their legal firms or act on their own. In any way they act, they are basically putting priority on the interest of their clients, firms and their own selfish interests to the detriment of the rightful owners of the resources from which the money is gotten by their clients.

(vii)

Individual agents can also contribute to the causes of resource curse by representing public relations companies, the media or a medium that misinforms or 'disinforms' the public concerning the roles of certain actors in resource curse. For instance, when people are misinformed about the activities of a company that is causing resource curse, rather than

taking action, say, protesting or suing the company, they might just decide not to act against the company believing the company is doing no harm.

(viii)

Individual agents can contribute to resource curse as law makers responsible for laws that aid resource curse. This happens when the individual agents as legislators are part of the machinery that made a law that aids resource curse. For instance: sponsoring a bill that is passed into law, or voting for a bill, that allows oil companies to abnegate their corporate social responsibilities or community development in extraction areas or communities; or voting against bills that were meant to check the negative externalities of oil companies.

The individual agents might be acting for different reasons. Some might act because they have been corrupted or they stand to benefit economically from the law. In this case, we can say the individual agents are putting priority on their selfish interests at the expense of the populace. But others might act due to certain economic ideologies, political ideologies,⁵⁴⁵ political philosophies, etc. In this case, if for instance the individual agents believe that too much regulation leads to under-productivity and consequently non-competitiveness of the economy, intuitively we are likely to say they have the interest of the citizenry at heart albeit their ideology non-intentionally leads to resource curse. So they are not morally blameworthy. But if they defend such ideologies as a means of satisfying their selfish interests at the expense of the citizenry, then they are morally blameworthy.

(ix)

Individuals can contribute to resource curse as law enforcement agents failing to enforce laws that mitigate resource curse, for instance failing to prosecute ‘suspects.’ When individuals as law enforcement agents failed to enforce the law, for instance, failed to prosecute people responsible for illegalities which result in resource curse, we would say they are blameworthy. But if the law is such that even egregious activities that result in resource curse are not illegalities, then the law enforcement agents will have no blame at all for standing by and watching such activities happen. In this latter case the problem is not with the inaction of the law enforcement officers, but the law itself, and hence the law would need to be changed.

⁵⁴⁵ Here, I am using the word ‘ideology’ in the neutral sense rather than in the negative or pejorative sense.

(x)

As members of the judiciary, for instance judges miscarrying justice, individual agents can contribute to resource curse. This can be illustrated in the following simple way. The individual as a judge miscarries justice in order to let off the hook defendants who, beyond any reasonable doubt, have been proven to have engaged in gross illegalities which are connected to resource curse, and the judge must have acted due to ulterior motif. Then certainly s/he is blameworthy.

(xi)

Individuals can contribute to resource curse as policy makers responsible for bad or poor policies that aid resource curse. Individuals are morally blameworthy if they intentionally make poor or bad policies to satisfy their own interests at the expense of the citizenry. Nevertheless, they can make poor or bad policies that lead to resource curse and yet not be morally blameworthy. This latter case does not seem very comprehensible; hence it needs a bit of explanation which I will do by citing an example. Every Dutch disease is an effect of a cause which is always bad or poor economic policies of lack of diversification of production. But this does not necessarily suggest that the policy makers that contributed to or caused a particular Dutch disease placed priority on their own interests at the expense of their citizenry. Rather, it might just be that the policy makers were not good enough in making good economic policies or were not good enough to run the economy.

(xii)

Individual agents can also contribute to the causes of resource curse by lobbying on behalf of lobby groups or multinational corporations in order to get law makers and policy makers to make laws and policies that will benefit the corporations even when those laws and policies will contribute to resource curse and will be detrimental to the citizenry.

In spite of the above ways in which individual agents contribute to resource curse, it is difficult to expressly say these individuals are anti-cosmopolitan. If we look at the individuals and their activities, often we do not see anything to suggest that they are anti-cosmopolitan in the sense that they are not racists, supremacists, xenophobes, etc. As ordinary individuals or as singular individuals, they relate with anyone and everyone without any prejudice or

discrimination. Yet one wonders how it is possible to say, on cosmopolitan grounds, these individuals share in the causality and responsibility of resource curse.

Given that ‘interactional cosmopolitanism assigns direct responsibility for the fulfilment of human rights to other individuals or collective agents’, to understand how, although these individuals are not anti-cosmopolitan, but can be said to be part of the causality and responsibility of resource curse, their actions and omissions should be looked at from two angles. Firstly, their actions and omissions should be looked at as individual actions. Secondly, their actions and omissions should be looked at as collective actions (this argument will be extensively dealt with in sub-chapters 5.1 and 5.2 in which we will not only look at the individual actions but also the collective actions). As collective actions and omissions, they cause resource curse. And as individual actions, they are part of the collective actions that cause resource curse.

Furthermore, although it is difficult to see how the individual actors in their own right share in the causality and responsibility of resource curse without being anti-cosmopolitan, a look at their actions and omissions in relation to the tenets of cosmopolitanism namely individualism, universality and generality, will help us in our analysis. Firstly, individualism holds that our ultimate units of concern ought to be human beings or persons.⁵⁴⁶ Where the individual agents fail is that their ultimate units of concern are not human beings or persons; for they are not really concerned about the victims of resource curse or anyone affected negatively due to their actions and omissions.

Secondly, universality holds that we ought to attach equal status of ultimate unit of concern to every human being or person.⁵⁴⁷ And thirdly, generality holds that everyone ought to be an ultimate unit of concern for everyone.⁵⁴⁸ However, the individual agents are interested in their personal welfare, gains, profits, etc. to the detriment of the victims of their negative self-interest. As long as their actions and omissions ensure them their desired goals, they do not care what harm the actions and omissions cause the victims. In other words, there is negative self-interest at play. Also, to the detriment of the victims of resource curse, the individual agents are interested in the welfare of their entities they represent be it companies,

⁵⁴⁶ Pogge, Thomas. “Cosmopolitanism and Sovereignty.” *The Cosmopolitan Reader*. Eds. Garrett Wallace Brown and David Held. Cambridge, UK: Polity Press, 2010: pp. 114-133; p. 114.

⁵⁴⁷ Ibid.

⁵⁴⁸ Ibid.

governments, etc. As long as they achieve the goals of their entities they do not care about the negative consequences these cause their victims.

When the goals of the entities the individual agent represents have a lot in common with the common good or desires of the general population or victims, there is no harm or there is minimal harm. But when the goals and desires are invariably divergent, there is usually a high probability of grievous harm. But it is hardly the case that the goals of the entities the individual represents will have a lot in common with the goals of the populace. Because the aim of the individual agent is usually to help his/her entities subvert the goals of the populace. So, if both set of goals had a lot in common, then there would be no need for subversion.

In all the listed twelve scenarios above, at the expense of the citizenry of the resource-rich states some individual agents prioritize the interests of the shareholders of their companies, some prioritize the interests of their foreign governments and compatriots, some prioritize the interests of their friends-in-crime or friends-in-immorality (fellow corrupt politicians, judges, CEOs, etc.), and some prioritize just their own interests. Yet others were merely bad or poor policy makers, unfortunate ideologists or were just procedurally constrained by the law, and so on.

Apart from the individuals who were constrained procedurally by law, or merely poor policy makers or unfortunate ideologists, and so on, the rest - given our proof of culpability or moral responsibility in the next chapter - are morally culpable for their roles in resource curse. The culpable individual agents, in view of moral cosmopolitanism, have failed to hold the tenets that everybody weighs equally in moral consideration, no one should be discriminated against, and everyone should be an ultimate unit of moral concern. Because of their culpability, they will have the *pro tanto* obligations which apply to culpable agents as will be argued in the next chapter. They have the negative duty to refrain from their harm-causing actions and the positive duty to remedy the harm they have already caused.

Finally, in view of moral cosmopolitanism we would paraphrase the three standard conceptions of responsibility in the next chapter as follows. The first standard conception will be taken as saying individual agents have a duty to respect everyone as an ultimate unit of moral concern, and they will be blamed if they fail to do so. This blame even becomes apparent especially when the individual's failure to respect everyone as an ultimate unit of moral concern contributes to the causation of resource curse. The second standard conception

will be taken as saying that the individual agents have a duty to help remedy resource curse because of their role in the causation of resource curse. While the third standard conception will be taken as saying that the individual agents are blameworthy for resource curse because their deeds are part of the causation of resource curse.

The point I am making through the standard conceptions of responsibility and their paraphrases become clearer if we look at the conceptions and paraphrases not as mere independent or separate conceptions and paraphrases, but look at them jointly as an argument or specifically as a syllogism: the first conception (paraphrase) being the first premise; the second conception (paraphrase) being the second premise; and the third conception (paraphrase) being the conclusion.

4.3. The ‘Collective’ Level of Analysis or Level of Causality and Responsibility

Since by collective we simply mean two or more individuals - a group of individuals, a bunch of individuals or a plurality of individuals, or a group of individuals bound together by a common goal or purpose – that act jointly in a case of resource curse, whatever was said about the singular individual in the previous sub-chapter is also true of the plurality of individuals in this sub-chapter. So I shall simply discuss the collective level by “collectivising” the individual, or by “pluralising” the “singular individual” on the individual level. Nevertheless, I note that the actions or omissions of the individual acting alone or failing to act are not as *powerful* as those of a collective acting together or failing to act.

Here too, cosmopolitanism, particularly interactional moral cosmopolitanism, is primarily applicable. It will help us to understand the role of the collective. Like individual agents, collective agents can be said to contribute to the causes of resource curse in various ways which, generally, can be summed up in twelve ways. Just as I did in the previous sub-chapter, I shall outline the twelve ways, neither by precedent nor antecedent, and neither in chronological, lexical nor in hierarchical order. They are outlined below without any special order.

- (i) Collective agents contribute to the causes of resource curse, when *sui generis*, they seek rent for themselves, corrupting or being corrupted for their own sake – giving or taking bribes for themselves.
- (ii) Collective agents can contribute to resource curse by acting as corrupt agents of the government or other sectors of the resource-rich state or its government.

- (iii) Collective agents can contribute to resource curse by acting as agents of a rent-seeking foreign government.
- (iv) Collective agents contribute to the causes of resource curse by acting as agents of rent-seeking multinational corporations.
- (v) Collective agents can contribute to resource curse as agents of financial institutions, e.g. banks, which aid money laundry and other illicit financial transactions concerning resource curse.
- (vi) Collective agents also contribute to the causes of resource curse as lawyers helping to facilitate corruption.
- (vii) Collective agents can also contribute to the causes of resource curse by representing public relations companies, the media or a medium that misinforms or ‘disinforms’ the public concerning the roles of certain actors in resource curse.
- (viii) Collective agents can contribute to resource curse as law makers responsible for laws that aid resource curse.
- (ix) Collective agents can contribute to resource curse as law enforcement agents failing to enforce laws that mitigate resource curse, for instance failing to prosecute ‘suspects.’
- (x) As members of the judiciary, for instance judges miscarrying justice, collective agents can contribute to resource curse.
- (xi) Collective agents can contribute to resource curse as policy makers responsible for bad or poor policies that aid resource curse.
- (xii) Collective agents can also contribute to the causes of resource curse by lobbying on behalf of lobby groups or multinational corporations in order to get law makers and policy makers to make laws and policies that will benefit the corporations even when those laws and policies will contribute to resource curse and will be detrimental to the citizenry.

Since, as already stated, what is true of the singular individual in the previous sub-chapter is also true of the plurality of individuals in this sub-chapter, and since we are simply discussing the collective level by “collectivising” the individual, or by “pluralising” the “singular individual” on the individual level, I will not rehash the various explanations and arguments in the previous subchapter here. Therefore, I shall simply reiterate that the explanations in the previous sub-chapter apply here and the arguments are equally valid here. Albeit all the while noting that the actions or omissions of the individual acting alone or failing to act are not as *powerful* as those of a collective acting together or failing to act.

4.4. The “Corporate” Level of Analysis or Level of Causality and Responsibility

Many big corporations have become so powerful that even powerful, ‘developed’, high income and well-governed states rarely dare upset them or are very cautious when dealing with them. If these big corporations can almost always do whatever they will in powerful and well-governed states, then doing whatever they will in less developed and non-well governed states like Nigeria, Angola, DRC, etc. is almost a walkover.

As Chris Brown and Kirsten Ainley, in paraphrasing Robert Keohane and Joseph Nye’s argument, succinctly put it:

it can no longer be assumed that interstate relations are always the most important; in the modern world, the decisions and actions of non-state actors can affect our lives as much as, if not more than the decisions and actions of states....it can no longer be assumed that states have the power to regulate effectively these actors; in principle, some states may have this capacity but, in practice, they are loath to exercise it given the potential costs of so doing in economic, social and political terms.⁵⁴⁹

Multinational corporations might be involved in different lines of business (oil and gas, gold, uranium, banking, etc.), all these different lines of business are all means to one end; profit. Whatever the line of business multinational corporations are involved in; their common ideology is the maximization of profit and the minimization of costs and risks. In this vein, their *modus operandi* is cost/benefit analysis.

Multinational corporations might do a bit of corporate social responsibility, community development, community service, charity project, or they might follow the rules and regulations of the state, but these things are secondary. If the cost of, say, even following rules and regulations outweighs the benefit, they are likely not to follow the rules and regulations. On the other hand if the benefit outweighs the cost, they will certainly follow the rules and regulations. Consequently, if the benefit derived from exploiting individuals and societies outweighs the cost, minimizes cost and maximizes profit, multinational corporations will be prone to exploit individuals and societies.

Some of these corporations, especially those in the extractive industry, have a huge incentive to play illegal games and, more often than not, immoral games. Given the immobility of many natural resources especially in the extractive industry, many corporations in the

⁵⁴⁹ Brown, Chris, and Kirsten Ainley. *Understanding International Relations*. 3rd ed. New York: Palgrave

Macmillan, 2005: p. 35.

extractive industry cannot easily relocate their businesses from one country to another. For this reason, they are more likely to collude with politicians in order to maintain their business interests in a country. This collusion usually manifests in illegal and immoral practices which take the form of political interference.⁵⁵⁰

Corporations contribute to the cause of resource curse in different ways. In the extractive industry, oil and gas companies, mining companies, some other energy companies, etc., contribute to the cause of resource curse mainly through seeking rent and creating negative externalities. Negative externalities are costs “accruing to an individual or group – a third party – that is *external* to a market transaction”⁵⁵¹ (emphasis is original). In the context of the extractive industry, there are two sides of the coin called negative externalities. The first side of the coin is that corporations benefit from it. The flip side is that individuals, local communities in particular and the country in general suffer from it.

Such companies exploit or use resources, e.g. the natural resources of the oil-rich communities, freely without any form of compensation. An oil or gas company in the process of drilling, or a copper, or gold, or uranium company in the process of mining, causes environmental pollution. When the activities of the companies are unchecked and the companies, as they often do, act irresponsibly with impunity, the environmental pollutions are devastating. Land, water and air are polluted, and the economic, health and social hazards are borne by the local communities. While the companies, as the saying goes, privatize the profits from production, they socialize the risks of, and losses from, production.

In essence, in order to produce their goods the companies freely pollute the environment of the local communities without compensation. On the one hand, the companies minimize their cost of production and maximize their profit. On the other hand, the economic, health and social well-being of the inhabitants of the local communities are minimized, even reduced to the barest minimum, and their poverty, diseases, sicknesses, pains and sufferings are maximized. So, the lives of the locals become, in Hobbesian terms, nasty, brutish and short.

⁵⁵⁰ Ibid. p. 157.

⁵⁵¹ McConnell, Campbell R., et al. *Economics: Principles, Problems, and Policies*. New York: McGraw-Hill/Irwin, 2009: p. 340.

By seeking rent, companies get involved in corruption especially bribery. “Extractive industries are notoriously subject to bribe requests.”⁵⁵² A common bribery phenomenon is grease payment, also known as facilitating payment. Philip M. Nichols defines grease or facilitating payments as “bribes paid to secure routine, non-discretionary acts from government officials.”⁵⁵³ In some of the countries where many multinational corporations have their headquarters it is legal for multinational corporations to give certain bribes, and these bribes are classified as tax deductibles or expenses of running business.

As Pogge says, “most affluent countries, until quite recently, allowed their firms to bribe foreign officials and even made such bribes tax-deductible.”⁵⁵⁴ Australia is one example among many where such bribes are considered as tax deductibles. These sorts of bribes are called grease or facilitating payments. Although grease or facilitating payments are not considered as bribes by the United States of America, the Organization for Economic Cooperation and Development (OECD), international anti-bribery conventions, etc.,⁵⁵⁵ they are only not bribes in legal terminology. But in effect they are actually bribes, albeit legalized bribes - “the international regime does not require countries to criminalize the payment of these bribes abroad.”⁵⁵⁶ Due to moral pressure on the OECD, recently it started giving considerations to the criminalisation of the legal bribe it has always considered to be grease or facilitating payment.

Massive corruption that involves billions or multimillion dollars is impossible or at least almost impossible without the help of financial institutions (notably banks) and financial practitioners, and often without the help of financial and business lawyers too. So, in terms of corporations, alongside the multinational corporations in the extractive industry (which are the main corporate contributors to resource curse), the next in line are financial institutions notably banks, and then law firms.

⁵⁵² Nichols, Philip M., “Who Allows Facilitating Payments,” p. 10.

<https://www.google.de/search?q=Who+Allows+Facilitating+Payments> Accessed: 16 September 2013.

⁵⁵³ Ibid. p. 1.

⁵⁵⁴ Pogge, Thomas. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge, UK: Polity Press, 2005: p. 200.

⁵⁵⁵ Nichols, Philip M., “Who Allows facilitating payments,” p. 6.

<https://www.google.de/search?q=Who+Allows+Facilitating+Payments> Accessed: 16 September 2013.

⁵⁵⁶ Ibid. p. 1.

While the banks do the financial transactions, the law firms provide legal support or illegal cover-up. Looking for loopholes in legal systems to exploit, the latter assist both the multinational corporations in the extractive industries, the banks in the financial sector, and corrupt individuals and collective agents to facilitate (il)legally the movement of money related to resource curse, or to escape prosecution from their activities that resulted in negative externalities, etc.

As Alpha Conde, the president of Guinea, says, “Too many of the world’s financial centres enable the predators, who rely on offshore corporate vehicles to mask their identities, to loop their finances through exotic jurisdictions, while using prestigious law firms, accountants, financial advisers and public-relations firms to give their destructive behaviour a veneer of respectability.”⁵⁵⁷ Alongside all the above forms of rent-seeking in general and corruption in particular, tax evasion, transfer pricing and other forms of corporate opacity are means by which different sorts of corporations and individuals collude to contribute to the causation of resource curse.

Another form of corporation is lobbying groups. These groups have only one interest; to help their client-corporations. They contribute to the cause of resource curse by lobbying on behalf of multinational corporations in the extractive industry in order to get law makers and policy makers to make laws and policies that will benefit the corporations even when those laws and policies will contribute to resource curse and will be detrimental to the citizenry.

In 1938 during the Second World War, Franklin Delano Roosevelt, the then president of the United States of America, said about lobbying; “Today’s threat to our national security is not a matter of military weapons alone. We know of new methods; the Trojan horse, the fifth column.”⁵⁵⁸ That Roosevelt would consider lobbying just as a dangerous threat as military weapons to America’s national security during the Second World War shows how harmful lobbying can be.

Furthermore, lobbying can degenerate into corruption. It is not every form of lobbying that is positive; in fact most forms of lobbying are negative. Often, rent-seeking is done through negative lobbying. This is not to say that governments receive bribes when lobbying degenerates into bribery. Governments *qua* governments do not receive bribes as such. When

⁵⁵⁷ Conde, Alpha, “Africa’s Transparency Agenda,” *Project Syndicate*, 12 June, 2013.

⁵⁵⁸ The Brussels Business, 2012 Documentary. Presented by Friedrich Moser, Steven Dhoedt and Matthieu Lietaert. Produced by blue+green communication, in co-production with visualantics and in association with Not so Crazy! Productions.

we say a government or the public sector is corrupt, we mean the office holders are corrupt. As Joseph Nye succinctly puts it, “Public sector corruption is the use or abuse of a public office or trust for personal rather than public benefit.”⁵⁵⁹ Moreover, bribe can be defined as a transaction in which an official, especially a public official, abuses his/her office to render services in order to receive private benefit in return.⁵⁶⁰

Also, public relations companies and the media, whether international or local, can contribute to resource curse. They can ‘disinform’ or misinform the public concerning activities related to resource curse. This usually happens when the media are favourable to the multinational corporations, governments, individuals and collective agents responsible for resource curse. As we know; some of the public relations companies and media are either owned, controlled, or are connected to these agents of resource curse.

In view of the standard conceptions of responsibility, just as the individual and collectives are to blame for their roles in resource curse, so also corporations are to blame for their role in resource curse. Just as the individual and collectives have negative and positive duties in preventing and remedying resource curse, so also corporations have negative and positive duties in preventing and remedying resource curse.

As Robert Nozick says, “Individuals have rights and there are things you cannot do to them without violating their rights.”⁵⁶¹ To the above assertion, we may add that individuals and peoples, communities and societies have rights and there are things multinational corporations cannot do to them without violating their rights. Multinational corporations have the negative duties to refrain from rent-seeking and the creation of negative externalities.

Financial institutions have the negative duty to refrain from facilitating financial transactions that are connected to resource curse. Law firms have the negative duty to refrain from helping agents of resource curse get away with negative externalities and corruption. Lobby groups have a negative duty to refrain from lobbying law makers and policy makers into making bad laws and policies that aid resource curse. And the media and public relations companies have

⁵⁵⁹ Nye, Joseph, “Corruption and Political Development: A Cost Benefit Analysis,” *American Political Science Review*, Vol. 61. No.2. (June 1967): pp. 417-427.

⁵⁶⁰ Nichols, Philip M., “Who Allows Facilitating Payments,” p. 2.

<https://www.google.de/search?q=Who+Allows+Facilitating+Payments> Accessed: 16 September 2013.

⁵⁶¹ Nozick, Robert. *Anarchy, State and Utopia*. New York: Basic Books, 1974: p. IX.

a negative duty to refrain from disinformation and misinformation. In addition, multinational corporations in the extractive industry, financial institutions, law firms, lobby groups and the media and public relations companies have the positive duty to remedy the damages they have already caused.

Given the exploitative tendencies of multinational corporations, the role of the government and state is not only to make sure there are multinational corporations that provide goods and services or a viable economy and market, but also more importantly to set a good basic structure to determine the relationship between corporations and individuals, corporations and fellow corporations, and corporations and the government and state. This is to ensure the advantages and disadvantages from the relationships are fairly distributed and the relationships are mutually beneficial. The government ought to prevent multinational corporations from acting extra-basic structure or contrary to the basic structure. It is also the role of the state or government to sanction multinational corporations when they act contrary to the basic structure.

So, when corporations are causing resource curse we know that they are acting contrary to the basic structure and they ought to be sanctioned. If when they act contrary to the basic structure they are not sanctioned, then we know that the basic structure is ineffective and needs to be made effective. And if even when corporations cause resource curse, yet they are not judged to be acting contrary to the basic structure, i.e., their actions that cause resource curse are actually in accordance with the basic structure, then we will know that the basic structure is bad and unjust and needs to be fixed.

It is the role of the state, through its basic structure and otherwise: to ensure that corporations do not produce undesirable consequences *ab initio*; to ensure that corporations are sanctioned or punished when they produce undesirable consequences; to ensure that the damages caused by the undesirable consequences are remedied; and to ensure that no further undesirable consequences are produced in the future.

Because of his commitment to liberalism⁵⁶² Rawls' stance is that we do not have any feasible rules which we can practically "impose on economic agents that can prevent these undesirable consequences. These consequences are often so far into the future, or so indirect, that the attempt to forestall them by restrictive rules that apply to individuals would be an excessive if not impossible burden. Thus we start with the basic structure and try to see how this system itself should make the corrections necessary to preserve background justice."⁵⁶³ For the above reasons, we need statism to help us fit multinational corporations into the basic structure of our societies.

There is a particular limitation of statism when it is applied to corporations. This limitation is explained in the following two paragraphs. It is not every individual agent who is a citizen of the resource-cursed state and it is not every individual agent who resides in the resource-cursed state. So also it is not every corporate agent that is a registered corporation in the resource-cursed state. But the case of multinational corporations is even more complex. Many of them are at once registered corporations in the resource-cursed states and also registered corporations in their home countries. While the resource-cursed state is seen as a host state, the country where the corporation is headquartered is seen as the home state. Some corporations are not even hosted in the resource-cursed state; they are registered elsewhere, headquartered elsewhere and hosted elsewhere. This creates a dilemma for statism in the following way.

In the foregoing discussion, we have been talking about the corporate level as if it were merely domestic. But as just explained, it is also international or global. Here is one limitation of statism; it cannot deal with international or global aspect of corporations. While this aspect is rightly left to the global institutional order, it reminds us that statism alone is not sufficient for our multi-level and complex analysis. Although this aspect of corporation is not "the" reason or "the only" reason why we need a fusion of horizons, it is "part" of the reason or it is "one of the" reasons why we need a fusion of horizons. The grounds for fusion of horizons have already been explained in the introduction and chapter 1, and will be revisited and expatiated in the next chapter.

⁵⁶² Liberalism as understood in political philosophy rather than as understood in International Relations (IR) or everyday usage.

⁵⁶³ Rawls, John, "The Basic Structure as Subject," *American Philosophical Quarterly*, Vol. 14. No. 2. (April 1977): pp. 159-165; p. 160.

4.5. The ‘State’ Level of Analysis or Level of Causality and Responsibility

In resource curse, the government and state factor is the most critical of all the factors because the collapse of the basic structure leaves the state itself and other factors unchecked. On the government and state factor, on the one hand when we look at government we look at it in terms of its arms and functions. On the other hand when we look at the state we look at it as the unit which embodies or is supposed to embody the basic structure. Analogically the government is the hub through which the state, the wheel, revolves around. The wheel is not rotational without the hub, but the hub is just a means to help the wheel be functional. The government is to the state what the hub is to the wheel. The government is the representative or face of the state.

We can look at how the state or government contributes to the causation of resource curse by looking at crucial functions of the state or government. Within the remit of the legislature, we can look at law making. By commission or action, the state or government makes bad laws that aid resource curse. And by omission or inaction, it fails to make good laws that prevent or fight resource curse. Within the remit of the executive and civil service, we can look at policy making. By commission or action, the state or government makes bad policies (especially economic policies) that aid resource curse. And by omission or inaction, it fails to make good policies (especially economic policies) that can prevent or fight resource curse.

Also within the remit of the executive and the civil service, we can look at policy implementation. By commission or action, the state or government implements bad policies (especially economic policies) that aid resource curse. And by omission or inaction, it fails to implement good policies (especially economic policies) that can prevent or fight resource curse. Furthermore, the state or government contributes to the causes of resource curse in terms of law enforcement when, by commission or action, it enforces bad laws that aid resource curse. And when by omission or inaction it fails to enforce good laws that can prevent or fight resource curse.

Regarding the judiciary, the state or government contributes to the causes of resource curse in terms of inefficient or corrupt judicial system. This usually happens when the judiciary is so inefficient or corrupt to such an extent that rather than being the last hope of the common man, it becomes a safe haven for corrupt individuals, collective agents, and companies involved in resource curse activities because the courts are always letting them off the hook.

In the case of the failure of private markets, the state or government should have the role of correcting the failure. Failure to control certain market failures contribute to resource curse. The state or government's failure to control these market failures will be tantamount to it contributing to the causes of resource curse. One form of market failure is negative externalities and one form of negative externalities is pollution.⁵⁶⁴ In performing one of its duties namely allocation, government should not restrict itself to the production of public goods, but it should also correct negative externalities.⁵⁶⁵

Like corporations, some individuals and collectives have exploitative tendencies which can cause or engender resource curse. So, it is also the role of the government or state to check them. But the state or government is not immune from causing resource cause; it is a chief party to resource curse. Given the state's role in resource curse, the conclusion that will be reached, in view of the standard conceptions of responsibility, will be related to the conclusions reached on the individual, collective and corporate levels.

Just as individuals, collectives and corporations are to blame for their roles in resource curse, so also the state is to blame for its role in resource curse. Just as the individuals, collectives and corporations have negative and positive duties in preventing and remedying resource curse, so also the state has negative and positive duties in preventing and remedying resource curse. The state has the negative duties to refrain from making bad laws, enforcing bad laws, making bad polices, implementing bad policies, and unfairly trying resource curse agents in law courts. Also, the state has the positive duties to make good laws, enforce good laws, make good policies, implement good policies and fairly try resource curse agents in law courts. Finally, the state has the positive duty to remedy the damage it has already caused.

4.6. The "Global Institutional Order" Level Of Analysis or Level of Causality and Responsibility

To analyse how the global institutional order contributes to resource curse, we do not have to go into an unknown terrain or follow a road that has not been travelled. We only have to go into a terrain that is well known and follow a road that is well travelled by Thomas Pogge and Leif Wenar. A combination of Pogge's analysis of international borrowing privilege and international resource privilege with Wenar's analysis of property right and resource curse

⁵⁶⁴ McConnell, Campbell R., et al. *Economics: Principles, Problems, and Policies*. New York: McGraw-Hill/Irwin, 2009: p. 335.

⁵⁶⁵ McConnell, Campbell R., et al. *Economics: Principles, Problems, and Policies*. New York: McGraw-Hill/Irwin, 2009: p. 340.

will suffice. Before then, let us briefly look at Hedley Bull's analysis of "Order and Justice in World Politics"; this will provide a helpful background for the appreciation of Pogge's and Wenar's analyses.

Ali Mazrui argues that the international system prioritises peace, order and stability at the expense of justice and human rights.⁵⁶⁶ Hedley Bull agrees with Mazrui. However while Mazrui thinks the situation should be the other way around, Bull defends the status quo. According to Bull, "not only is order in world politics valuable, there is also a sense in which it is prior to other goals, such as that of justice. It does not follow from this, however, that order is to be preferred to justice in any given case."⁵⁶⁷ Just as in social life order is the precondition which if it exists, allows us to pursue other goals, so also international order is the precondition, which if it exists, allows us to pursue ideas of justice, human rights, sovereignty, etc.

Nevertheless, Bull warns that although order is a priceless precondition for the realisation of justice and other values, order should not be seen as an overriding value. Moreover, "to show that a particular institution or course of action is conducive of order is not to have established a presumption that that institution is desirable or that that course of action should be carried out."⁵⁶⁸ But the fact that order is not an overriding value does not negate the fact that it is a precondition for justice. Since order is a precondition for justice, without global order human or cosmopolitan justice will be unrealisable.⁵⁶⁹

Bull asserts that because of the primacy of order over justice, the structure of global order is hostile to human justice. "The international order does not provide any general protection of human rights, only a selective protection that is determined not by the merits of the case but by the vagaries of international politics."⁵⁷⁰ Although the global society recognizes human rights that citizens have and obligations that can legitimately be demanded against the state, generally the global society is restrained from making these claims effective, except discriminately and in a warped manner.

⁵⁶⁶ Mazrui, Ali. *Towards a Pax Africana*. London: Weidenfeld and Nicolson, 1967: pp. 36-38.

⁵⁶⁷ Bull, Hedley, *The Anarchical Society: A Study of Order in World Politics*, 3rd ed. London: Palgrave, 2002: p. 93.

⁵⁶⁸ *Ibid.* p. 94.

⁵⁶⁹ *Ibid.* p. 93.

⁵⁷⁰ *Ibid.* p. 86.

For Bull, given that there might be situations whereby the prioritization of different human rights will be problematic, therefore treating human rights or justice as primary and order as secondary is surely a recipe for disaster. If order were to be seen as secondary to human justice, this might become counterproductive to the extent of threatening or even eroding world order. It is for this reason that the international society opts for the primacy of international order at the expense of human justice.⁵⁷¹

As Bull says, “the institutions and mechanisms which sustain international order, even when they are working properly, indeed especially when they are working properly, or fulfilling their functions ... necessarily violate ordinary notions of justice.”⁵⁷² For Bull, it is not that justice and order are incompatible as such. It is possible to have a society that provides the precondition of order and also sustains other secondary goals such as justice. There is no theoretical reason, or in principle there is no reason, to argue that we cannot have a global society that accommodates both global order and global justice at the same time. However, the problem is that the institutions and rules that sustain the current global order are incompatible with justice.

This incompatibility is due to the fact that: advocating global justice entails the demolition of the current international society and its system; the current international society or system can only discriminately and in a warped manner be receptive of demands for human justice; and although the current international society or system is not essentially unreceptive of demands for interstate and international justice, it can only satisfy these demands insufficiently.⁵⁷³

Therefore, Bull, not sanguine about the feasibility of cosmopolitan justice, argues that even if cosmopolitan justice is feasible, it can only be realised within a world society. Thus clamouring for cosmopolitan justice is tantamount to clamouring for a revolutionary change of the current world system. Global order, as Bull puts it, “is preserved by means which systematically affront the most basic and widely agreed principles of international justice.”⁵⁷⁴

⁵⁷¹ Ibid. p. 85.

⁵⁷² Ibid. p. 87.

⁵⁷³ Ibid. p. 89.

⁵⁷⁴ Ibid. p. 87.

Although cosmopolitan justice and world order are not mutually exclusive, agitating for cosmopolitan justice necessarily conflicts with the current world order because the instruments by which the current world order is maintained are at variance with cosmopolitan justice.⁵⁷⁵

In view of the foregoing discussion, Bull explains that international law does not only sanctify the status quo, but also when there is a violation of international law and this violation results in a new situation – a feat made possible by force rather than justice - international law legitimises this new situation, and agrees with the forceful instruments through which it came to be. As Bull says, “The conflict between international law and international justice is endemic because the situations from which the law takes its point of departure are a series of *faits accomplis* brought about by force and the threat of force, legitimised by the principle that treaties concluded under duress are valid.”⁵⁷⁶ Re-echoing Mazrui, Bull says international law initially denounces aggression, but once aggression is triumphant, international law stops denouncing it but rather recognises it as legitimate.⁵⁷⁷

Finally, Bull argues, it is not that the high propensity of international law to be very receptive of power politics was some accidental unfortunate fault that can easily be corrected if one wills. Rather, this characteristic of international law, which necessarily puts it in conflict with elementary justice, is essential to the functioning and effectiveness of international law. Absent this essential characteristic, international law cannot deal with the reality of the international system; hence international law will become utterly redundant.⁵⁷⁸

In his analysis, Wenar argues that resource curse does not occur in poor countries because they are endowed with abundant natural resources. In itself the abundance of natural resources is a blessing rather than a curse. “The ‘curse’ results from a defect in the rules that allocate control over these resources. The fault is not in nature, but in human institutions....Only human practices can turn what should be a national asset into a collective

⁵⁷⁵ Ibid. pp. 84-85.

⁵⁷⁶ Ibid. p. 88.

⁵⁷⁷ Ibid.

⁵⁷⁸ Ibid. pp. 88-89.

liability.”⁵⁷⁹ Hence Wenar opines that the story of resource curse is only partially about the abundance of natural resources in a country. The other part of the story is the revenue or foreign exchange dictators and corrupt regimes earn from exploiting these resources.⁵⁸⁰

In the same vein, as earlier discussed, Pogge argues that regardless of how any group comes to power - how it exercises power and whether the citizenry supports or opposes it - as long as such group has the preponderance of the means of coercion or near monopoly of force within the state, it is internationally recognized as the legitimate government of the state.⁵⁸¹ This is in spite of the fact that the nature of its coming to power, the nature of its exercise of power and the opposition of it by the citizenry make it illegitimate. By recognizing such group as the legitimate government the international community consequently bestows upon it two crucial privileges namely international resource privilege and international borrowing privilege. These privileges respectively allow the government to sell the natural resources of the country and to borrow money in the name of the country.⁵⁸²

Such despotic governments, given their corrupt and unaccountable natures, borrow at will without considering the impact it will have on the population. Worse still they use the money to perpetuate themselves in power and for other self-aggrandisements and for their cronies, without any commitment to developing the country or making the plight of the population better. Nevertheless:

Any successor government that refuses to honour the debt incurred by a corrupt, brutal, undemocratic, unconstitutional, repressive, unpopular predecessor will be severely punished by the banks and governments of other countries; at minimum it will lose its own borrowing privilege by being excluded from the international financial markets. Such refusals are therefore quite rare, as governments, even when newly elected after a dramatic break with the past, are compelled to pay the debts of their ever so awful predecessors.⁵⁸³

Although in the above paragraph Pogge only mentioned the banks and governments of other countries, sometimes the Bretton Woods institutions - the International Monetary Fund (IMF) and the World Bank Group - can even do more damage. From the Structural Adjustment Programme (SAP) to the Washington Consensus, there are unfavourable conditionalities for

⁵⁷⁹ Wenar, Leif, “Property Rights and the Resource Curse,” *Philosophy and Public Affairs* Vol. 36. No. 1. (2008): pp. 8-9.

⁵⁸⁰ *Ibid.* p. 8.

⁵⁸¹ Pogge, Thomas, “Priorities of Global Justice,” *Metaphilosophy*, Vol. 32. Iss. 1-2. (January 2001): pp. 6-24; pp. 19-20.

⁵⁸² *Ibid.* p. 20.

⁵⁸³ *Ibid.*

receiving ‘help’ from IMF and World Bank. Just like IMF and World Bank, the World Trade Organisation (WTO) has the capacity to cause its own fair share of damage. Moreover, under the guise of free trade there are ‘strings attached’ to doing ‘business’ with WTO.

The international resource privilege, Pogge argues, goes beyond the global institutional order’s acceptance of the group in power as having the power of control over the natural resources of a country. This privilege involves the global institutional order recognizing both *de facto* and *de jure* the group in power as having the power and authority to legally, validly transfer the ownership rights of these natural resources to whoever they wish.⁵⁸⁴ When this happens, while the benefits are usually very lucrative for the benefactors, the consequences are usually very dire for the helpless victims.

Consider the following true case scenario. For instance, “a corporation that has purchased resources from...Sanni Abacha, has thereby become entitled to be – and actually *is* - recognized anywhere in the world as the legitimate owner of these resources”⁵⁸⁵ (emphasis is original). Indeed Abacha allocated oil wells to himself and military generals who were members of his Provisional Ruling Council. The oil companies Abacha and his generals sold their oil wells to still have legal title to those oil wells today. So also the generals who decided to keep their oil wells rather than sell them still have legal titles to those oil wells today. When we add these immoral legalities to the billions of dollars Abacha, his family, military generals and other cronies stole from oil revenues, then the consequences of Pogge’s international privileges become horrific.

Compare the above international case with a commercial law case; then you can deduce what is wrong with the former. “A group that overpowers and takes control of a warehouse may be able to give some of the merchandise to others, accepting money in exchange.”⁵⁸⁶ Neither the group nor the buyers are legally recognized as the rightful owners of the merchandise. But in the case of a group that illegitimately takes over power by force and sells off the natural resources of the country, “the purchaser acquires not mere possession, but all the rights and liberties of ownership, which are supposed to be – and actually *are* protected and enforced by all other states’ courts and police forces.”⁵⁸⁷ (emphasis is original). Juxtaposing the

⁵⁸⁴ Ibid.

⁵⁸⁵ Ibid.

⁵⁸⁶ Ibid. pp. 20-21.

⁵⁸⁷ Ibid. p. 21.

international case with the commercial case, we can see that while commercial law is close to principles of domestic justice, international law is far away from principles of global justice.

Corroborating the above commercial law case, Wenar argues that in legal parlance when a thief steals your watch the thief has no title to your watch, he or she only has possession of your watch. Even if the thief sells your watch to someone else, the transfer will be invalid, hence illegal. So you still have title to your watch - although you have lost possession of it – while the thief merely sells a stolen good and the buyer only has possession of a stolen good.⁵⁸⁸ Employing the legal maxim, *nemo dat quod non habet* (no one can give what he or she does not have), Wenar argues that the thief cannot give, sell or transfer your watch to another person legally because the thief does not own your watch and you have not authorized him or her to dispose of it. In legal terms, the thief's title is void and whoever buys or gets the watch will consequently have a void title.⁵⁸⁹

However, Wenar admits that there are exceptions to the above legal rule or norm. When one is dispossessed of his or her possession through deception, brainwashing, fraud, etc. and the dispossessor sells the possession to someone else, the buyer – in legal parlance – has no void but voidable title to the watch. If the purchaser purchases the watch in good faith, believing that s/he was buying the watch from the rightful owner, not knowing that the seller got possession of it through fraudulent means – has cogent reasons to believe that the seller is the rightful owner – then his/her title might not be voided. But if s/he buys the watch in bad faith, knowing that s/he might not be buying the watch from the rightful owner, knowing or suspecting that the seller got possession of it through fraudulent means – has cogent reasons to believe that the seller is not the rightful owner of the watch - then he or she has no valid title and his or her title can be voided in law court.⁵⁹⁰

While military regimes gain possession of natural resources through force (having come to power through the barrel of the gun) corrupt civilian regimes usually gain possession of natural resources through fraudulent means either by stolen ballots, administrative opacity or both. But the international system treats them as if they were the rightful owners of the resources. The foreign states and corporations that buy these resources know too well how

⁵⁸⁸ Wenar, Leif, "Property Rights and the Resource Curse," *Philosophy and Public Affairs* Vol. 36. No. 1. (2008): p. 12.

⁵⁸⁹ *Ibid.* pp. 18-19.

⁵⁹⁰ *Ibid.*

they are ill-gotten. These foreign states and corporations act as if there were nothing wrong with their trade. Even if there is nothing legally wrong with such international trade as the international system currently deems it, but surely there is something morally wrong with it. In other words, even if it is legally procedural, it is not legally substantive.

Wenar argues that there is a daily violation of national ownership principle. This daily violation is made possible by an outdated “provision in the international system that invites the seizure of natural resources by violence and threat.”⁵⁹¹ This argument is based on the grounds that “The property rights of a people are violated, as any owner’s right would be, whenever someone gains control of this property through theft, deception, force, or extreme manipulation.”⁵⁹² Wenar supports his arguments with some international covenants.

Article 1 of the International Covenant on Civil and Political Rights states that all peoples have the right to “freely pursue their economic ...development”, and “for their own ends, freely dispose of their natural wealth and resources.” In corroboration, Article 21 of the African Charter on Human and Peoples’ Rights states that “All peoples shall freely dispose of their wealth and natural resources. This right shall be exercised in the exclusive interest of the people. In no case shall a people be deprived of it.” Based on the above articles Wenar aptly argues that the natural resources of a country belong to the people of that country. This property right or principle of ownership is recognized by international law and enshrined in many state constitutions (of course except some monarchies) and legitimated by several UN declarations.⁵⁹³ But recognition of this property right is not enough. It also needs to be respected.

In view of the foregoing discussion, Wenar argues that international trade, as it is today, permits the selling and buying of stolen goods. “The raw materials used to make many of these goods have been taken – sometimes by stealth, sometimes by force – from some of the poorest people in the world. These goods flow through the system of global commerce under cover of a rule that is little more than a cloak of larceny.”⁵⁹⁴ Therefore, for him, many of the products sold and bought can be considered to be stolen goods.

⁵⁹¹ Ibid. p. 12.

⁵⁹² Ibid. p. 16.

⁵⁹³ Ibid. p. 10.

⁵⁹⁴ Ibid. p. 2.

Pogge's and Wenar's notions of property rights re-echo that of William of Ockham who was a fourteenth century Franciscan friar and philosopher. He developed his notion of property right when he sided with the then Minister-General of the Order of Friars Minor (a.k.a. Franciscans) Michael Cesena against Pope John XXII in Avignon on their dispute on the correct biblical meaning of the vow of poverty. Here, rather than rehash the historical context in which Ockham developed his notion of property right, I will simply state the content or substance of the notion. Ockham's notion of property right holds that the owner of a thing/property has authority over, and retains the right to, the thing/property. Although others can use the property, they can only use the property with the consent of the owner and according to the intention of the owner, and the owner can recall the property if s/he so wish.⁵⁹⁵

Applying Ockham's notion of property right to resource curse, in political philosophy - as already mentioned in sub-chapter 4.1 - it is generally accepted that sovereignty lies with the people rather than the government. The government is a mere agent while the people are the principal. The agent cannot be a representative of the principal without the consent of the principal, and the agent should not act contrary to the intention of the principal. The agency of the agent is derived from the principal and the principal has authority over, and retains a right to withdraw, the agency. So the resources of the state belong to the people. It is the people who give the government agency to manage the resources on behalf of the people and for the interest of the people. When this agency does not come from the people or when the people cannot withdraw this agency or when the government utilizes the resources contrary to the intention of or against the interest of the people, then the agency is illegitimate or null and void.

In the context of resource curse the corrupt politicians/military dictators are the illegitimate agents while the people are the rightful principal. But the global institutional order is on the side of the 'illegitimate' agents rather than respecting the property rights of the rightful principal. My position is that if the global institutional order respects Ockham's, Pogge's and Wenar's notions of property right, the causes of resource curse will be minimized and the problem alleviated.

⁵⁹⁵ See: Kilcullen, John. "The Political Writings." Ed. Paul Vincent Spade. *The Cambridge Companion to Ockham*. Cambridge, UK: Cambridge University Press, 1999: pp. 302-325.

If the global institutional order respects Ockham's, Pogge's and Wenar's notions of property right, the causes of resource curse will be minimised in the following related ways. First, obviously because rather than having five levels on which resource curse is caused, we will be left with only four levels since the problem on the global institutional order level will be resolved. Second, while the major economic problem of the Dutch disease will still remain, at least the major political economy problem of rent-seeking will be reduced to some extent.

Third, the resource curse triangle or tripod ("proneness to authoritarianism, higher risk of civil conflict and lower rates of growth"⁵⁹⁶) will lose at least one of its angles or legs thereby reducing its negative effectiveness. For instance, authoritarians will have less money to finance their repressive apparatus, coup plotters will have less incentive to take over power and rebels will have no funds or will have fewer funds to finance their rebellion. Consequently there will be fewer conflicts which may in turn lead to higher growth.

Moreover, given the standard conceptions of responsibility, there is no doubt that the global institutional order contributes to resource curse. If we had doubt about the role of the global institutional order in resource curse, given Pogge's analysis of the international borrowing privilege and the international resource privilege, and Wenar's analysis of resource curse and property right, at least we have enough grounds, and good grounds, to hold the global institutional order morally responsible.

Consequently, commensurate to its causal role in resource curse, the global institutional order is saddled with both negative and positive duties that are *pro tanto*. Like individuals and collective agents, corporations and the state, the global institutional order has a negative role to refrain from contributing to the causation of resource curse and a positive role to remedy the harm it has already done.

Finally, when it is determined that the global institutional order, through its actions or omissions, has done something wrong – for instance as it is in the cases of Pogge's international borrowing privilege and international resource privilege, and Wenar's resource curse and property right – the global institutional order's negative duty of refrain and positive duty of reparation are not mere politico-legal duties but more importantly moral duties. The more the global institutional order observes these duties, the more just our world will be.

⁵⁹⁶ Wenar, Leif. "Property Rights and the Resource Curse", *Philosophy and Public Affairs* Vol. 36. No. 1. (2008): p. 3.

But according to Nagel “the idea of a just world for Rawls would have to be the idea of a world of internally just states.”⁵⁹⁷ However, as we know from the fallacy of composition, that something is true of, or good for, a part, some parts, or every single part does not necessarily mean that it is also true of, or good for, the whole as a unit. Therefore, a Rawlsian or Nagellian world populated by internally just states is not necessarily a just world. I readily concede that the requirement that individuals and institutions adhere to moral principles, without any politico-legal structure, is not an effective and practical way to manage the global institutional order. Nevertheless, this does not obliterate the moral responsibility of the global institutional order.

In this chapter I engaged in the preliminary prescriptive analysis of resource curse. I discussed the complexity of resource curse and the multifaceted nature of the activities that cause resource curse. Despite the complexity of resource curse and the multifaceted nature of the activities that cause resource curse, I identified the different causal roles played by different agents, and thus attributed causal responsibility to the agents.

Analysing the agents on different levels, the chapter started with the ‘individual level’ in which the causal roles of individuals were analysed. This was followed by the ‘collective level’ in which the causal roles of collectives were analysed. The next levels were the ‘corporate level’ and the ‘state level’ in which the causal roles of corporations and the state were respectively analysed. Finally, the causal roles of the global institutional order was analysed at the ‘global institutional order level.’

The next chapter will extend the prescriptive analysis in this chapter by examining the moral relationship between causality and responsibility on different levels in the context of resource curse. The next chapter has three aims. First, it is aimed at resolving some moral quandaries concerning causal roles that are contributory rather than necessary or sufficient, or necessary and sufficient. Second, it is aimed at resolving some moral quandaries concerning degrees of responsibilities in relation to contributory causal roles. The final aim is to determine the

⁵⁹⁷ Nagel, Thomas, “The Problem of Global Justice,” *Philosophy and Public Affairs*, Vol. 33. No. 2. (2005); p. 115.

applicability of cosmopolitanism and statism to resource curse in view of contributory causal roles and degrees of responsibility.

5.0. THE COMPLEXITY OF RESOURCE CURSE: LEVELS OF ANALYSIS AND LEVELS OF CAUSALITY AND RESPONSIBILITY (PART 2)

5.1. Some Moral Quandaries Concerning Contributory Roles

When isolated as singular factors or agents, the factors or agents responsible for resource curse may neither be necessary nor sufficient conditions for resource curse. Nevertheless, when all these factors or agents are not seen in isolation, but are seen holistically, then we can see how together they cause resource curse. In other words, resource curse is ‘up to the actors’ collectively, therefore they “have a collective *causal* responsibility for”⁵⁹⁸ resource curse.

But how can an agent or actor be said to have caused resource curse when his/her/its actions are not causality if causality is understood as a necessary and sufficient condition for an effect? In my argument, the actor’s actions are not a necessary and sufficient condition for resource curse. The actor’s actions are not *the* cause of resource curse; but they are *part of the cause* of resource curse.

Let us assume that the actor in question is an individual called Babangida Abacha or an oil company called Shell-Mobil. Traditionally, the idea of causation is often looked at from the angles of necessity and sufficiency (necessary and sufficient conditions).⁵⁹⁹ But to see Babangida Abacha’s or Shell-Mobil’s role in resource curse, it is not enough to ask whether his/its actions are at once necessary and sufficient condition for resource curse. Initially we have to ask four questions rather than one. If unsatisfied, then we can even ask further questions.

So, Babangida Abacha and Shell-Mobil will not be exonerated from resource curse just because their actions have passed the first test, i.e., the first question. They also have to pass the second, third and fourth tests, i.e., the second, third and fourth questions, and even the further tests or questions. Even if their actions might not be necessary and sufficient condition for resource curse, they can still have a causal role in resource curse depending on the results of the other tests or questions and any further tests or questions.

⁵⁹⁸ Pogge, Thomas. *Realizing Rawls*. Ithaca, NY: Cornell University Press, 1989: p. 276.

⁵⁹⁹ Epp, Susanna S., "Discrete Mathematics with Applications, Third Edition," Brooks/Cole—Thomson Learning, 2004; pp. 25-26.

The first question is: Are Babangida Abacha's or Shell-Mobil's actions (hereafter A) necessary and sufficient condition for an effect (hereafter E), namely resource curse? The second question is; is A necessary but insufficient for E? The third question is; is A unnecessary but sufficient for E? And the final question which is an inverse of the first question is; is A at once unnecessary and insufficient for E?

First, assuming A is at once necessary and sufficient for E, therefore;

- (i) If A then E.
- (ii) If not A then not E.
- (iii) That there is the consequent E necessarily implies that the antecedent A is present.
- (iv) That there is not the consequent E necessarily implies that the antecedent A is not present.

Second, assuming that A is necessary but insufficient for E, therefore;

- (i) That there is the consequent E necessarily implies that the antecedent A is present.
- (ii) That there is the antecedent A does not necessarily imply that the consequent E is present; apart from A's presence, other condition(s) is/are needed to cause E.

Third, assuming that A is unnecessary but sufficient for E, therefore;

- (i) If A then E.
- (ii) That there is the consequent E does not necessarily imply the presence of the antecedent A; for the consequent E can be caused by other antecedents apart from the antecedent A.

Fourth, assuming that A is at once unnecessary and insufficient for E, therefore;

- (i) That there is the antecedent A does not necessarily imply that the consequent E is also present.
- (ii) That there is the consequent E does not necessarily imply that the antecedent A is also present.
- (iii) That there is not A does not necessarily imply that E is also absent.
- (iv) That there is not E does not necessarily imply that A is also absent.

So, A is: first, not at once a necessary and sufficient condition for E; second, not a necessary condition for E; third, not a sufficient condition for E and; fourth, at once not a necessary and not a sufficient condition for E. Then it might be argued that A ought to be exonerated from E. Nevertheless, A can still be seen as having a role in E in other ways I will show below.

Analogously, Babangida Abacha's or Shell-Mobil's actions are: first, not at once a necessary and sufficient condition for resource curse; second, not a necessary condition for resource curse; third, not a sufficient condition for resource curse and; fourth, at once not a necessary and not a sufficient condition for resource curse. Then it might be argued that they ought to be exonerated from resource curse. Nevertheless, their actions can still be seen as having a role in resource curse in various ways I shall show below.

First, the actions - on their own - are at once not necessary and not sufficient (passing the first and fourth tests or eliminating the first and fourth questions), neither necessary (passing the second test or eliminating the second question), nor sufficient (passing the third test or eliminating the third question) to cause resource curse. But combining the actions with all the factors that cause resource curse, the conditions of necessity and sufficiency might be present or the condition of either necessity or sufficiency alone might be met.

Second, we can see their actions as contributory factors to the causation of resource curse. The actions can be seen as contributory factors if, seen as antecedents, herald a consequent – resource curse - and alteration to the antecedent leads to alteration in the consequent.⁶⁰⁰ So, although the actions are not at once necessary and sufficient, and are neither necessary nor sufficient, yet they can be contributory factors to the causation of resource curse. If their actions are actually contributory factors to the causation of resource curse, then Babangida Abacha or Shell-Mobil ought not to be exonerated from resource curse.

Borrowing the idea of John Leslie Mackie, we can see their actions as INUS conditions. By INUS, Mackie means “an *insufficient* but *necessary* part of a condition which is itself *unnecessary* but *sufficient* for the result,”⁶⁰¹ in other words, “an *insufficient* but *non-redundant* part of an *unnecessary* but *sufficient* condition.”⁶⁰² Mackie asserts that our idea of causation implies insufficient but non-redundant parts of a condition which is itself unnecessary but sufficient for the occurrence of the effect.⁶⁰³

To illustrate the INUS condition, Mackie uses his famous short-circuit or fire example. For instance, a house caught fire but the fire was put out so the house did not get totally burnt.

⁶⁰⁰ “Causality,” *Wikipedia*. Accessed: 13 December 2013.

⁶⁰¹ Mackie, John Leslie. “Causes and Conditions,” *American Philosophical Quarterly* 12, Vol. 2. No. 4. (October 1965): pp. 245 – 265; p245.

⁶⁰² Mackie, John Leslie. *The Cement of the Universe: A Study of Causation*. Oxford: Clarendon Press, 1974: p.

62.

⁶⁰³ *Ibid*.

Fire fighters, having investigated the cause of the fire, concluded that the fire was caused by a certain short circuit in the house. But the fire fighters, by their conclusion, do not mean that the short circuit was a necessary condition for the fire; they know that another short circuit or other factors, if they had happened, could have caused the house to burn. Also they do not mean that the short circuit was a sufficient condition for the fire. They know that if there were no inflammable materials nearby to fuel the fire caused by the short circuit the house would not have caught fire. And even if there were inflammable materials near the short circuit but there were some automatic fire extinguisher or water sprinkler at the right place and it worked efficiently, the fire would not have occurred.

Although the short circuit was not at once a necessary and sufficient condition, and was neither a necessary nor a sufficient condition for the fire, the fire fighters have concluded that it caused the fire. What they mean is that:

there is a set of conditions (of which some are positive and some are negative), including the presence of inflammable material, the absence of a suitably placed sprinkler, and no doubt quite a number of others, which combined with the short circuit constituted a complex condition that was sufficient for the house's catching fire – sufficient, but not necessary, for the fire could have started in other ways. Also, of *this* complex condition, the short circuit was an indispensable part of a complex sufficient (but not necessary) condition of the fire. In this case, then, the so-called cause is, and is known to be, an *insufficient* but *necessary* part of a condition which is itself *unnecessary* but *sufficient* for the result. The experts are saying, in effect, that the short circuit is a condition of this sort, that it occurred, that the other conditions which conjoined with it, form a sufficient condition, were also present, and that no other sufficient condition of the house's catching fire was present on this occasion....when we speak of the cause of some particular event, it is often a condition of this sort we have in mind.⁶⁰⁴

If we see Babangida Abacha's or Shell-Mobil's actions like Mackie's short circuit, and resource curse like the burning of the house, then we will have no problem comprehending the role their actions in particular and other factors/agents/actors in general play in resource curse. Moreover, as Pogge says, "injustice can be systemic, can exist without being traceable to any manifestly unjust actions by individuals or groups [or institutions]. Our causal contribution to suffering is extremely indirect and intermixed with the causal contributions of others."⁶⁰⁵ In this case, although we cannot trace resource curse to any manifestly unjust

⁶⁰⁴ Mackie, John Leslie. "Causes and Conditions," *American Philosophical Quarterly*, Vol. 2. No. 4. (October 1965): p. 245.

⁶⁰⁵ Pogge, Thomas. *Realizing Rawls*. Ithaca, NY: Cornell University Press, 1989: pp. 11-12.

actions of Babangida Abacha or Shell-Mobil, yet their causal contributions are indirect and intermixed, hence systemic.

To see Babangida Abacha's or Shell-Mobil's role as part of a systemic one which causes resource curse, we can also borrow the idea of George Lakoff. According to Lakoff:

Systemic causation, because it is less obvious, is more important to understand. A systemic cause may be one of a number of multiple causes. It may require some special conditions. It may be indirect, working through a network of more direct causes. It may be probabilistic, occurring with a significantly high probability. It may require a feedback mechanism. In general, causation in ecosystems, biological systems, economic systems, and social systems tends not to be direct, but is no less causal. And because it is not direct causation, it requires all the greater attention if it is to be understood and its negative effects controlled. Above all, it requires a name: systemic causation.⁶⁰⁶

Some arguments might be raised against my conclusion as reached above. First, it can be argued that in most of the scenarios above, if it were not the particular actor A, or B, or C, or if it were not the particular group of actors ABC or XYZ, some other actors would have taken their places and done the same immoral deeds because the structures, system or institutions are such that there will always be some actors to do the exact deeds.

However, this does not negate the fact that the actors that actually did the deeds are blameworthy. What it shows is that the structures, systems or institutions are also blameworthy. When someone has committed a crime or moral wrong, we do not say that the person is not to blame because others would have done that crime or moral wrong. For instance, when there is a vicious and violent xenophobia in a community, the targets will be prone to crimes being committed against them and moral wrongs being done to them. But we do not exonerate a xenophobe from his/her morally wrong act or crime of killing someone because if he/she did not do it someone else would have done it.

Perhaps a stronger argument against my conclusion regarding Babangida Abacha and Shell-Mobil will say that individual or collective agents - unlike the global institutional order, the state and corporations - merely act as agents of corporations, governments, etc. Hence it is

⁶⁰⁶ Lakoff, George, "Global Warming Systematically Caused Hurricane Sandy," 30 October, 2012. <http://blogs.berkeley.edu/2012/11/05/global-warming-systemically-caused-hurricane-sandy/> Accessed: 04 May 2013.

these corporations, governments, etc. that should be held morally responsible rather than the individuals or collective agents.

Nevertheless, holding the individual and collective agents morally responsible does not negate holding the corporations, governments, etc. they represent morally responsible. Ultimately the corporations, governments, etc. are responsible for the deeds done on their behalf with their approval. But as moral agent(s), the individual and collective agents are morally responsible for their part in the deeds – for helping to do the deeds. They could have opted not to do the deeds, but they did not.

In summary, the individual and collective agents face a two-count moral charge namely action and inaction or commission and omission. When they act, for instance, seek rent, they are guilty of contributing to the causes of resource curse. When they are in a position, say, have the legislative power to make laws that can prevent resource curse but fail to do so, or have the power to prosecute perpetrators of illegalities but fail to do so, they are also guilty of contributing to the causes of resource curse.

There are exceptions in which although the individual or collective agents contribute to the causes of resource curse, they will not be held morally responsible. For instance, in the case of non-intentionality of a non-astute economic policy maker whose poor economic policies contributed to resource curse but he/she actually intended those policies to yield positive results for the citizenry. On consequentialist grounds such a policy maker would be deemed morally at fault. But moral cosmopolitanism is not hinged on consequentialism and my construal of cosmopolitanism is not ‘Singerian.’⁶⁰⁷

Another instance is the case of a judge who finds an oil company that has done a lot of negative economic externalities that contribute to resource curse not guilty, then discharges and acquits it because the activities of the company are legal although immoral. If intuitively we think there is something wrong with the judge’s verdict, then there should be a call to amend that section of the constitution which aids negative economic externalities.

But there is another type of non-intentionality, unlike the non-astute economic policy maker, that is morally blameworthy as shown below. First of all, remember that if isolated as singular factors or agents, no singular factor or agent may be necessary or sufficient condition

⁶⁰⁷ By Singerian I mean Peter Singer’s consequentialist conception of cosmopolitanism.

for resource curse. Also note that often the actions of these factors or agents are not intended to cause resource curse although they inadvertently cause it.

Consider the popular bank run example; individual account holders, out of fear of losing their money, simply withdraw their money and close their accounts. Yet the bank collapses, not just as a result of one individual's action as an individual but as a result of the collective actions of the individuals as a collective. A similar but less popular example is that of traffic jam. Individuals simply drive onto a road to drive on it, but so many individuals doing that at the same time result in traffic jam on a road that does not have the capacity to accommodate so many cars at the same time and still be free-flowing.

Note that in the above two examples the underlying factor is not intentionality but self-interest. In the first example the bank-runners have no intention to cause a bank to go bankrupt or collapse, but they only have the self-interest of safeguarding their money and the subsequent bankruptcy or closure of the bank is an unintended consequence or a collateral damage. In the second example, the individuals have no intention of causing a traffic jam, they only have the self-interest of getting to their various destinations and the resultant traffic jam is just an unintended consequence. So also in resource curse, although the actors do not have the intention to cause resource curse, their actions, which are propelled by self-interest, result in it and a host of negative consequences. Actors are not to be narrowly construed to only mean individual and collective agents, but by actors we also mean corporations, state and the global institutional order.

Just as the underlying factor in our examples is not intentionality so also the underlying factor of the actors in resource curse is not intentionality. Also, just as self-interest is the underlying factor in our examples, self-interest is the underlying factor in the actions and omissions of the actors in resource curse. However, the difference between our examples and the resource curse case – the problem with the resource curse case - is that while the self-interest in the examples cannot be said to be a negative one in the moral sense of the word, the self-interest in the resource curse case is a negative one morally.

On the one hand, other things equal, a depositor withdrawing his/her deposit or a driver driving on the road is a morally neutral incident. On the other hand, other things equal, incidents – such as corruption or rent-seeking – which cause resource curse are immoral

incidents. Thus, the resource curse case is said to be a moral negative. As a moral negative, it is not immune from moral criticisms unlike the interest of our bank-runners and road-users.

According to Paul Collier, “the resource curse happened because of strong forces of self-interest.”⁶⁰⁸ Collier is at least partially right. The economic aspect of the resource curse is not a result of self-interest. But the political economy aspect or rent-seeking is due to self-interest. Here, we understand self-interest to be negative self-interest, i.e., self-interest that is detrimental to the good of others. This kind of self-interest is very prevalent in resource curse cases because it is almost a glorified vice.

For instance, if we ask why rent-seeking is the order of the day in resource-cursed countries; the main answer, among other answers, is self-interest - self-interest that is rational but unreasonable. But why is self-interest prevalent? Because the system rewards it! When self-interest or rent-seeking are rewarded, they are basically being reinforced, and when they are reinforced they become strong and stronger. But if they were to be punished, they would be discouraged, and then become weak and weaker. This implicit, and sometimes explicit, approval of negative self-interest suggests that there is collaboration among some agents of resource curse.

While on the one hand there is competition among the extractive industry companies, on the other hand there is collaboration among the oil companies, state officials, and other financial institutions, law firms etc. So the competition is a competition within a system of collaboration. Usually individuals do not collaborate except they have some common goal(s) or interest(s). So also they do not compete except they have a goal which both are interested in and their interests clash.

In resource curse, the players – say, Shell against BP - compete for more extraction allocation of oil wells (that is the common goal). For example, the United States of America compete against China to buy more barrels of oil, say, from Nigeria - so on and so forth. But what allows the collaboration is the realization by all involved that they all have (negative) self-interests (although there are other factors such as force, intimidation, threat etc. that can be

⁶⁰⁸ Collier, Paul, “Tax and Transparency; Why the G8 Agenda Matters,” *Global Policy*, 29 May 2013.

involved in one player agreeing to collaborate with another player, negative-self interest is the ultimate factor).

The extractive industry companies that bribe know that they have an end, namely self-interest, to achieve and bribery is the means to that end. Also, they know that there are those who also have self-interest and their means of achieving that self-interest is collecting bribes or facilitating money laundry. The financial institutions or law firms that facilitate the laundry of the corrupt money know that they have self-interest to achieve and the means is the facilitation of money laundry or bribery. They also know that there are others that have self-interest and their means of achieving their self-interest is either by giving or taking bribe.

Furthermore, the state officials who collect the bribes know that they have self-interest to achieve and the means is through collecting bribes. They also know that there are others with self-interest and their means is either by giving bribe or facilitating bribe and money laundry. In short, the givers, receivers and facilitators of bribes know that bribery is a means to an end which is ultimately conditioned by negative self-interest.

In conclusion, there is a lot of herd behaviour in resource curse. When corporations or individuals get to areas of resource curse they often do what other corporations or individuals are doing there. They are socialized into the culture of bad behaviour. In areas of resource curse, the unfortunate necessary ingredients for bad behaviour are rife and plentiful. So, corporations and individuals easily join the bandwagon of bad behaviour.

One reason why, for instance, certain oil companies will behave well in the United States of America and behave badly in Nigeria is that they simply join the culture of good behaviour in the former where there are few unfortunate conditions for bad behaviour and simply join the culture of bad behaviour in the latter where every imaginable condition for bad behaviour is available.

As Kenneth Waltz argues, structures work their effects in two ways. “The first way in which structures work their effects is through a process of socialization that limits and moulds behaviour. The second way is through competition....Socialization encourages similarities of attributes and of behaviour. So does competition. Competition generates an order, the units of which adjust their relations through their autonomous decisions and acts.”⁶⁰⁹ Waltz uses the shoe-store example to illustrate his point. Imagine I want to open a shoe-store but wondering

⁶⁰⁹ Waltz, Kenneth. *Theory of International Politics*. Reading, MA: Addison-Wesley, 1979: p. 76.

which part of town to locate it. Then I notice that shoe-stores are usually clustered in one area of the town. Applying standard economic rationality, I will assume that market forces make the businesses of those who place their stores at the right place profitable, while those who place their stores at the wrong place suffer losses.

Following this economic rationality, I will open my shoe-store in the cluster.⁶¹⁰ In other words, I have been socialised into opening my shoe-store in the cluster. But by opening a new shoe-store in the cluster, I will increase the competition in the shoe market. In the resource curse 'business', agents are just as 'economically rational' as shoe-store owners. The higher the reward, the bigger the cluster! The bigger the cluster, the more the extensity and intensity of resource curse activities!! The more the extensity and intensity of resource curse activities, the greater the causal roles of agents!!! The greater the causal roles, the greater the corresponding moral responsibility!!!!

5.2. Some Moral Quandaries Concerning Degrees of Responsibility

A moral agent can be causally responsible in action or in omission and yet can be said not to have any corresponding moral responsibility for the consequences of the action or omission. So also a moral agent can be said to have a moral responsibility for an event, condition or situation even if the agent has no causal responsibility for the event, condition or situation. Nevertheless, in the following discussion, we are only concerned with the relationship between actions and omissions (causal responsibility) and the consequences generated by the action or omission (corresponding moral responsibility). Therefore, in the following discussion, the concept of 'responsibility' should be understood in the context of the relationship between causal responsibility and the corresponding moral responsibility.

The concept of responsibility is always difficult to define. This difficulty is usually resolved by proving that: first, a particular agent caused an undesirable incident or failed to prevent an undesirable incident; second, then the action or omission is shown to be against certain laws, rules, norms, codes or principles. When these two conditions of proof are met, then the

⁶¹⁰ Ibid. pp. 76-77.

agent is said to be responsible for the undesirable incident. This is usually the standard way of resolving the difficulty of defining responsibility in the context of the relationship between causal responsibility and the corresponding moral responsibility.

In the court of law, lawyers and judges have a constitution or legal code to serve as their frame of reference when proving the guilt of an accused. So their remaining task is only to interpret the law in relation to the accused and his/her actions or omissions. But in the court of moral philosophy there is neither a written nor an unwritten constitution, and there is no particular guidebook or material code that moral philosophers should interpret when proving the responsibility of a moral agent.

In moral philosophy, there is no canonical conception of moral responsibility. As Paul Ricoeur says, the concept of responsibility is “not really well-established within the philosophical tradition.”⁶¹¹ Nevertheless, there are standard conceptions of moral responsibility which serve as the Owl of Minerva to moral philosophers when proving the responsibility of a moral agent.

In the following lexical order, the standard conceptions of responsibility are:

- (i) moral responsibility may refer to prospective responsibility whereby a moral agent has a certain moral role,⁶¹² for instance a moral duty to care for or attend to a person or a thing, and failure to perform this duty leads to blame or punishment;
- (ii) moral responsibility may refer to retrospective responsibility which is a situation when the actions of a moral agent are judged to be morally wrong, and the moral agent thus deserves to be blamed or punished for the actions;⁶¹³
- (iii) “while theories of moral agency tend to regard an agent as either responsible or not, with no half-measures, our everyday language usually deploys the term ‘responsible’ in a more nuanced way....one way we do this is by weighing degrees of responsibility, both with regard to the sort of prospective responsibilities a person should bear and a person’s liability to blame or penalties.”⁶¹⁴

⁶¹¹ Ricoeur, Paul. *The Just*. Trans. David Pellauer. Chicago: The University of Chicago Press, 2000; p. 11.

⁶¹² Williams, Garrath. “Responsibility”, *Internet Encyclopedia of Philosophy*. <http://www.iep.utm.edu/responsi/> Accessed: 28 July, 2014.

⁶¹³ Ibid.

⁶¹⁴ Ibid.

In summary, the three standard conceptions conceive responsibility to be moral culpability for one's actions or omissions which cause moral harm.

Having established the contributory roles of agents in causing resource curse in chapter 4 and sub-chapter 5.1., and in view of the standard conceptions of responsibility, the conclusion we would draw is that such agents are morally responsible for resource curse. First and foremost, given that resource curse is 'up to the agents' collectively, and therefore they "have a collective *causal* responsibility for" resource curse, "this causal responsibility gives rise to a *moral* responsibility, which is a collective responsibility for [their] collective role in"⁶¹⁵ resource curse.

Second, but of equal importance as the first, contributory causal role or INUS condition (as discussed in sub-chapter 5.1.) implies partial blameworthiness, which in turn implies partial responsibility. Linking contributory causal role with partial responsibility suggests that the principle of commensurability is in application. It is with the help of the principle of commensurability that we are able to gauge the exact or approximate relationship between contributory causal role and the corresponding partial responsibility.

Given the contributory causal role or the INUS condition roles the agents play in causing resource curse, and given the principle of commensurability, it is only fair that they are *prima facie* morally responsible to the extent or degree that they are causally responsible. In spite of the principle of commensurability, the agents' moral responsibility, commensurate with their causal role, should only be a *pro tanto* obligation. Because, for instance, the individual being a citizen may have a duty concerning resource curse that goes beyond the extent of his or her causal role in resource curse. Therefore, by seeing the individual's responsibility as a *pro tanto* obligation, there will be enough room left for more demanding obligations. But, here, we shall not concern ourselves with such obligations because they are not part of our subject matter.

The foregoing discussion has not considered cases of exception. By this I mean it has not considered cases whereby although agents have contributory causal roles in resource curse, they may still be deemed not blameworthy because of certain circumstances. This raises issues such as the following situations:

⁶¹⁵ Pogge, Thomas. *Realizing Rawls*. Ithaca, NY: Cornell University Press, 1989: p. 276.

- (i) A situation of taking up the slack; although one has done his/her fair share, does s/he have the duty to take up the slack when others cannot or refuse to do their own part?
- (ii) Are persons - children who have not attained the age of reason, mentally retarded persons, etc. - (always) morally responsible for what they caused?
- (iii) Are there situations in which we can be morally responsible even if we have no part in the cause?
- (iv) What do we have to say about determinism, compatibilism, freewill and freedom of choice?

The list of issues can go on and on. Nevertheless, these are issues that are not within the purview of this dissertation. So their resolutions were assumed. Here are some of the key assumptions made by my argument in the foregoing discussion. It assumes that agents are not taking up any slack. It assumes that agents are neither mentally retarded persons nor children who have not attained the age of reason. Some of the other critical assumptions are as follow.

To say that agents have moral responsibility is already a presupposition that fatalism⁶¹⁶ and determinism⁶¹⁷ - especially hard determinism⁶¹⁸ - have been negated. Furthermore, responsibility, in the standard conceptions, is not based on compatibilism.⁶¹⁹ Neither is it based on teleology.⁶²⁰ Nor is our understanding of moral responsibility in the foregoing discussion based on consequentialism.⁶²¹ Even on consequentialist grounds actions and omissions which contribute to the causes of resource curse will be deemed morally wrong by consequentialists; because, the negative consequences of such actions and omissions outweigh the 'positive' consequences. Here I am only referring to the benefits that accrue to agents of resource curse as positive consequences for the sake of consequentialism.

Just as our understanding of moral responsibility is not consequentialist; so also, it is not based on that paramount form of consequentialism, namely, utilitarianism.⁶²² Even on utilitarian grounds actions and omissions which contribute to the causes of resource curse

⁶¹⁶ A view that we could not have acted otherwise or we cannot act otherwise because having been fated by some supernatural or super external forces to act, we have no power to act otherwise. In other words, we were or are doomed to act the way we did or in certain way in the future.

⁶¹⁷ A view that certain external conditionalities have determined us to act in certain ways and we cannot act otherwise.

⁶¹⁸ A view which, holding determinism to be correct, says freewill is incompatible with it.

⁶¹⁹ A view that freewill is possible in spite of determinism.

⁶²⁰ A view that humans have a *telos*, an end or a final cause and they are supposed to act in view of the realization of that *telos*.

⁶²¹ A view that the moral rightness or wrongness of an act depends on the consequences it produces.

⁶²² A view which holds that the morally right action is the one that leads to the maximisation of utility – maximising pleasure and reducing pain.

will be deemed morally wrong by utilitarians; because, such actions and omissions benefit few people and harm more people, and cause more pain than pleasure. Furthermore, neither act utilitarianism nor rule utilitarianism has a place here in our understanding of morality responsibility.

Finally, it will be apt to assume that our understanding of moral responsibility in the foregoing discussion is based on deontology which is a view that as moral agents we have certain duties or obligations, and these obligations are formalized in terms of rules. Whether the consequences of our actions are positive or negative do not determine their moral rightness or wrongness. What determines the moral rightness or wrongness of our actions is whether we act or fail to act in accordance with our duty or duties.

Bracketing different assumptions, my argument is simply following the standard conceptions of responsibility. When different assumptions such as the aforementioned ones are bracketed, other things equal, moral agents are morally responsible for their actions and the consequences of their actions. Consequently, agents are morally responsible for resource curse in commensuration to the extent of their causal role. But so many objections are bound, plausibly or legitimately, to arise due to this conclusion which seems to be a hasty conclusion or a hasty generalisation. For instance, a utilitarian might argue that although an agent causes resource curse, as long as there are more people who benefit from the curse than there are people who suffer from it, the agent is morally praiseworthy rather than blameworthy.

I shall make three statements relating to the utilitarian objection in particular and other objections in general. First, even if we accept the utilitarian premise, it is common knowledge that more people suffer from resource curse while less people benefit from it. So even on utilitarian grounds the agent is still blameworthy. Second, I shall neither rehash the literature on utilitarianism nor delve into the consequentialist, deontological and teleological debates. Third, although there are other possible objections alongside the utilitarian one, I shall only focus on what I consider the most potent objection. The counter-arguments I shall proffer in defence of the conclusion I reached in the foregoing discussion shall clarify that the conclusion is neither a hasty conclusion nor a hasty generalisation.

The most potent objection might be in the following way. Given that there are agents whose actions only resulted in unintended consequences, on what grounds are the agents morally responsible? As discussed earlier, the actions of the agents are not like those actions in our examples of the bank-runners and road-users; they are actions based on negative self-interest.

We can look at the actions from various perspectives and the agents will still be morally responsible from all perspectives. For instance, let us look at the objection from the following perspective which seems to be one of the strongest ways to frame the objection.

The objection can be strongly framed in this form. Certain agents, although had negative self-interest, did not know that their actions would cause harm; it was only after seeing the harm that they realised that their actions were capable of causing such harm. In effect, the agents did not know the right thing to do; they were morally ignorant. Here, holding the agents morally responsible is tantamount to adopting the legal principle of *ignorantia juris non excusat* or *ignorantia legis neminem excusat* (ignorance of the law does not excuse or ignorance of the law excuses no one). This principle or its equivalent, if adopted, will be arbitrary since morality does not equal legality or ethics does not equal law. Therefore, according to the objection, the ‘ignorant’ agents cannot be held morally responsible for resource curse.

I shall rebut the above objection in two ways. The first rebuttal – which consists of six arguments – is as follows:

- (i) The harm of resource curse is so enormous that the sort of singular action or few actions that will bring it about will be very enormous.
- (ii) It takes a long time and repeated several actions to bring about the harm of resource curse.
- (iii) In the case of the economic aspect of resource curse, one might ignorantly make a big error - in policy area or other areas – which will be responsible for resource curse.
- (iv) In the case of the economic aspect of resource curse, one might ignorantly repeat an error severally or commit several different errors which will be responsible for resource curse.
- (v) However, in the case of the political economy aspect of resource curse such ignorant big errors or repeated several errors are non-existent. Because rent-seeking, corruption, etc. are always intended to benefit agents at the expense of the principal – citizenry.
- (vi) Even if such ignorant big errors were existent in the case of the political economy aspect of resource curse, for the agents that are in a position to cause resource curse to be so ignorant is to be grossly negligent. Imagine an agent who is ignorant that rent-seeking benefits him/her at the expense of society! The failure of the agent to give enough moral consideration to his/her actions, and the society the action will affect, is the only plausible explanation for this sort of gross negligence. This sort of gross negligence is itself a moral culpability; because, it is a failure to give somebody or something the maximum care which is rightly deserved.

The second rebuttal will assume that the agents were actually ignorant of the fact that their actions were capable of causing or engendering resource curse. If the agents were actually ignorant but only realised that their actions were capable of causing harm, then after seeing the harm and having realized they have caused harm, they should be remorseful. When one realizes that due to ignorance s/he has caused harm, especially a serious harm like resource curse, remorse is the natural emotional reaction that one feels. To be remorseful is to acknowledge that one has done something wrong or bad, and then be extremely sorry for it. One who is remorseful holds him/herself morally responsible for his/her actions. Naturally, he or she will intend not to repeat the actions.

In view of the foregoing discussion, it is either agents were ignorant of the consequences of their actions or they were not ignorant. If they were not ignorant, then they are morally responsible. But if they were ignorant, having realised they have caused resource curse, then it is either they are remorseful or not. If they are remorseful, then they already hold themselves morally responsible for their actions. If they are not remorseful, then this suggests they have no moral consideration for their actions and the consequences of their actions. So society should even be more eager to hold them responsible for their actions.

Counter-arguing against my use of the notion of remorse, one might ask us to imagine the following scenario. An assassin who is a friend of a notoriously corrupt politician was paid by the politician to assassinate two innocent persons - a political opponent who lives in Lagos and an investigative journalist who lives in London. The assassin assassinated the political opponent but did not assassinate the journalist. So the journalist was able to investigate the corrupt activities of the politician and publish a report on them. Consequently, the politician was arrested, charged, tried, convicted and sentenced to thirty-one years in prison.

Finally, the assassin is “remorseful” that:

- (i) he did not assassinate the journalist;
- (ii) the politician is jailed;
- (iii) his not assassinating the journalist *led* to the jailing of the politician - if he knew that his decision not to assassinate the journalist was going to *lead* to the jailing of the politician he would have assassinated the journalist.

The question is: is the assassin morally responsible for failing to assassinate the journalist and for the jailing of the politician? Let us answer ‘No.’ The argument is, if he cannot be held morally responsible, then remorse does not suggest moral responsibility. However, I contend

that the word ‘remorse’ is incorrectly used in the above scenario. Although the assassin feels sorry, he is not remorseful, he is merely regretting. Remorse has to do with morality, and unlike remorse, regret is a neutral term. If we juxtapose regret with remorse, we will see that the key moral words ‘wrong’ and ‘bad’ are absent in regret while present in remorse. Due to this special character of remorse, my use of remorse in describing the moral responsible of agents in relation to resource curse is apt.

To summarise the foregoing discussion in this sub-chapter, agents are morally responsible, albeit commensurately, for resource curse. By implication, as already mentioned, they have *pro tanto* obligations which leave enough room for the possibility of more demanding obligations. The *pro tanto* obligations can be summed up into a negative and a positive duty. On the one hand, the agents will have a negative duty to desist from their activities that cause resource curse. On the other hand, they will have a positive duty to make amends for the harm they have already caused.

5.3. The Primary and Secondary Applications of Cosmopolitanism and Statism

To analyze the different roles of the different agents, I deemed it helpful to look at them on different levels of analysis or what I prefer to call levels of causality and responsibility. Here is where the two perspectives, namely cosmopolitanism and statism, come into play. Firstly, the perspectives tell us whether certain agents have certain moral responsibilities on certain levels. Secondly, the perspectives tell us how the failure of moral responsibility on each level can cause resource curse. Thirdly, the perspectives tell us what consequent responsibilities agents should have given the agents’ failure in their initial responsibilities.

Cosmopolitanism, rather than statism, is *primarily* applicable to interactional moral analysis. This is because; unlike statism which is primarily morally concerned with institutions (especially the institution of the state), cosmopolitanism is primarily morally concerned with individuals. But what makes cosmopolitan more suitable – compared to statism - for interactional moral analysis is also what makes it less suitable – compared to statism - for institutional moral analysis. On the one hand, it is because cosmopolitanism is primarily morally concerned with individuals that it is more suitable for interactional moral analysis; that is, used *primarily* for interactional moral analysis. On the other hand, it is also because

cosmopolitanism is primarily morally concerned with individuals that it is used only *secondarily* to analyse institutions.

Cosmopolitanism is appropriately primarily applicable to individuals because all the three tenets of cosmopolitanism are individual-centric. According to Pogge, all cosmopolitan positions have three elements in common namely individualism, universality and generality.⁶²³ These three elements are all about the individual. The first element is self-evidently about the individual, and the second and third elements are qualifiers of the first element. First and foremost, individualism posits that “the ultimate units of concern are *human beings, or persons*”⁶²⁴ (emphasis is original). This is self-evidently concerned with the individual; for it is individuals that are the ultimate units of concern and not corporations, the state, the global institutional order or institutions.

Secondly, universality posits that “the status of ultimate unit of concern attaches to *every* living human being *equally*”⁶²⁵ (emphasis is original). It is to individuals that the status of ultimate unit of concern is attached and not to corporations, the state, the global institutional order or institutions. Thirdly, generality posits that everyone is an ultimate unit of concern for everyone.⁶²⁶ It is every individual that is an ultimate unit of concern for every individual. The principle of generality neither says everyone is an ultimate unit of concern for corporations, the state the global institutional order or institutions. Nor does it say that corporations, the state, the global institutional order or institutions are ultimate units of concern for everyone.

The centrality of the cosmopolitan idea is the individual. The three tenets of cosmopolitanism are centred on the individual. Whether interactional moral cosmopolitanism or institutional moral cosmopolitanism; the idea is the well-being of the individual. Interactional moral cosmopolitanism deals with how individuals treat individuals or how some individuals treat other individuals. While institutional moral cosmopolitanism deals with how institutions treat individuals. These institutions, in our context, are corporations, the state and the global institutional order. But cosmopolitanism is only concerned with them to the extent that they impact individuals. So the appropriate domains of cosmopolitanism are the individual and collective levels of analysis or the individual and collective levels of causality and responsibility.

⁶²³ Pogge, Thomas. “Cosmopolitanism and Sovereignty.” *The Cosmopolitan Reader*. Eds. Garrett Wallace Brown and David Held. Cambridge, UK: Polity Press, 2010: pp. 114-133; p. 114.

⁶²⁴ Ibid.

⁶²⁵ Ibid.

⁶²⁶ Ibid.

But cosmopolitanism can also be applied to the corporate, the state, and the global institutional order levels of analysis or levels of causality and responsibility. In other words, cosmopolitanism is *primarily* applied to the individual and collective levels while it is *secondarily* applied to the corporate, the state and the global institutional order levels. When we apply cosmopolitanism *primarily* to the individual and collective levels, we employ interactional moral cosmopolitanism. But when we apply cosmopolitanism *secondarily* to the corporate, the state and the global institutional order levels, we employ institutional moral cosmopolitanism.

Despite the adjective “institutional”; institutional moral cosmopolitanism is not primarily concerned with institutions but individuals. It is only concerned with institutions to the extent that institutions affect the well-being of individuals. To the extent that institutions treat individuals well or not, institutional moral cosmopolitanism will appraise those institutions as good or bad.

To make the above assertion clearer, let us look at the following illustration. In a free market system or mixed economy system, although a few corporations might be owned by the state, most corporations are usually owned, managed and staffed by individuals or collectives. So, even if we cannot *primarily* apply cosmopolitanism to corporations because they are not individuals, we can *secondarily* apply cosmopolitanism to corporations because they are owned, managed and staffed by individuals or collectives. Even in legal parlance, corporations – being juridical persons – are considered as if they were persons or individuals and thus have legal rights and obligations.

The primary aim of the owners or shareholders of companies is to make profit for themselves. While the primary aim of the managers and entire staff is to make profit for the owners or shareholders. Hence corporations are quintessentially profit-seeking and profit-making entities. In the course of seeking profit, these corporations (or owners, shareholders, managers and staff) by their actions or omissions positively or negatively affect the well-being of individuals, communities, societies or even our entire world. It is this relationship between (owners and staff of) corporations and the persons that are affected by the actions of the latter that cosmopolitanism is concerned with.

In view of cosmopolitanism, on the state and global institutional levels, firstly, the actors involved in the resource curse problem are looked at as individuals although they are representatives, heads, etc. of supranational institutions, regional organizations, sub-regional

organizations, foreign governments, and state governments (ministries, parastatals, from the executive, legislature, judiciary, security agencies, civil service, so on and so forth). Secondly, the state and the global institutional order as institutions are judged based on how their actions and omissions harm their victims namely the victims of resource curse in a particular resource-cursed state.

Given its tenets, cosmopolitanism will help us to understand the role of the individual and collectives on the individual and collective levels of analysis or on the individual and collective levels of causality and responsibility. Cosmopolitanism tells us, *primarily*, how individuals should treat or relate to other individuals. And, *secondarily*, how institutions should treat or relate to individuals; in our context, how corporations, the state and the global institutional order should relate to or treat individuals.

But cosmopolitanism does not tell us how institutions should relate to one another, that is: (i) how a corporation should relate to other corporations, the state and the global institutional order; (ii) how the state should relate to other states, corporations and the global institutional order; (iii) how the global institutional order should relate to the state and corporations. So, in our analysis of the various levels, cosmopolitanism is *primarily* used to analyze the individual and collective levels - the moral responsibilities of individuals and collectives *vis-à-vis* global justice. And it is only *secondarily* used to analyze institutions namely corporations, the state and the global institutional order *vis-à-vis* their duties toward individuals in global justice.

In view of the above explanation, I hope it is clear that we can see why cosmopolitanism can be *secondarily* used for institutional analysis and applied to the corporate, the state and the global institutional levels. Moreover, as Pogge says:

Institutions are not only “staffed” and enforced by humans (are complex patterns of human conduct); they are also created, shaped, perpetrated, or changed by us. Property and promises, money and markets, governments and borders, treaties and diplomacy – all these do not occur naturally but are invented by human beings and continuously evolve through human conduct. Such institutions are “up to us,” collectively, and we therefore have a collective *causal* responsibility for existing institutions....this causal responsibility gives rise to a *moral* responsibility, which is a collective responsibility for our collective role in imposing existing institutions upon, in particular, their most disadvantaged (and involuntary) participants.⁶²⁷

As earlier mentioned, statism, rather than cosmopolitanism, is *primarily* applicable to institutional moral analysis. This is because, as earlier mentioned; unlike cosmopolitanism

⁶²⁷ Pogge, Thomas. *Realizing Rawls*. Ithaca, NY: Cornell University Press, 1989: p. 276.

which is primarily morally concerned with individuals, statism is primarily morally concerned with institutions - especially the institution of the state. But what makes statism more suitable – compared to cosmopolitanism - for institutional moral analysis is also what makes it less suitable – compared to cosmopolitanism - for interactional moral analysis. On the one hand, it is because statism is primarily morally concerned with institutions (especially the institution of the state) that it is more suitable for institutional moral analysis; that is, used *primarily* for institutional moral analysis. It is also because statism is primarily morally concerned with institutions – especially the institution of the state - that it is used only *secondarily* to analyse individuals.

Statism is primarily morally concerned with institutions, especially the institution of the state, because it seeks to determine: the grounds for cooperation institutionally, rather than interactionally, within the state; the division of the advantages and disadvantages resulting from the institutional cooperation; the relationship between the state and other states; and the behaviour of the state towards other states. Hence it is internally concerned with the state and its institutions and externally concerned with what, if any, the relationship of the state and its institutions should be with other states and their institutions. Consequently, it is not concerned, or at least it is not directly concerned, with individuals.

Statism is not concerned with interactional moral analysis, so it is not *directly* applied to interactional moral analysis or the individual and collective agents' levels of causality and responsibility. Nevertheless, what it tells us about interactional moral analysis or the individual and collective levels of causality and responsibility is that when and where there is a good basic structure: individuals and collectives are likely to act better rather than worse; and individuals and collectives are likely to be better-off rather than worse-off (after all, the essence of the basic structure is to make society – and individuals and collectives - better-off on all levels). Conversely, when and where there is no basic structure or there is bad basic structure: individuals and collectives are likely to act worse rather than better; and individuals and collectives are likely to be worse-off rather than better-off.

Having shown how and why the *primary* constituencies of cosmopolitan analysis are the individual and collective levels, and how and why statism can still be *secondarily* applied to the individual and collective levels, it is quite straightforward to see how and why the *primary* constituency of statist analysis is the state level. But the analysis of the corporate level is not as straight forward as those of the individual, collective and state levels. Since

cosmopolitanism is *primarily* concerned with individuals rather than institutions, it follows that we can only *secondarily* apply it to the corporate level because corporations are institutions.

Since cosmopolitanism is only *secondarily* applied to the corporate level, given that statism is primarily morally concerned with institutions, and given that corporations are institutions, then it follows that statism can be *primarily* applied to the corporate level. Again, let us reiterate that there is no need to delve into economic theories, legal theories or corporate law which might be the naturally applicable theories. As already said, I am concerned with prescriptiveness rather than descriptiveness, and with political philosophy rather than any other theories no matter how relevant such theories might be.

The corporate level is said to be *primarily* analysed by statism because corporations are institutions. This is clear when we understand corporation as a big significant organization that has a specific aim, and we understand institution as an organization or a set of organizations that is/are accepted by law as a distinct entity or distinct entities. For instance, in Nigeria, every corporation is registered with the Corporate Affairs Commission and such registration qualifies any registered corporation to be an institution or in legal parlance a juridical person. It is the duty of the Corporate Affairs Commission to regulate the affairs or activities of corporations. Given that the commission is a body of the government or state, ultimately it is the state that sanctions the existence of corporations and regulates their affairs. For the above reasons, we need statism to help us fit multinational corporations into the basic structure of our society.

In the analysis of the corporate level, we need the two perspectives. This is because on the one hand, corporations are seen as part of economic institutions that should be fitted into a well organized basic structure by statism. And on the other hand, corporations are seen as properties owned by individual shareholders, managed and staffed by individual persons, whose individuality must not be assigned more, or less, moral value or weight than assigned to other individuals – or whose collective agencies must not be treated as morally superior to other collective agencies.

On why statism is primarily applicable to the state level, statism - as explained in chapters 1 and 2 - tells us that given the sort of relationship between the citizenry and the state, justice is at once intellectually plausible and practically possible within the state. And in fact, justice is a moral requirement within the state. The state ensures justice through mainly the

government and its arms, but also through other agencies of the state. When all these means of ensuring justice are put together, we have what I will refer to as the state's justice apparatus. In other words, the state has a 'basic structure' that ensures or is supposed to ensure justice. So, while the sort of relationship that entails between the citizenry and the state is the ground for justice within the state, the basic structure is the mechanism that ensures justice within the state,

In view of the above remark, evidently the state level is statism's *primary* constituency or remit of analysis. By default statism is readily applicable to the state level. So, statism, on the 'state' level of analysis or on the 'state' level of causality and responsibility helps us to understand the role of the state. Statism has been used by statist to show that states have no duty, or they have limited duty, or they have only humanitarian or charitable duty *vis-à-vis* global justice. For now, we are not interested in this 'use' of statism, although we shall return to it later. We are, at the moment, interested in the other way statist have also used statism, that is, to show that the onus is on the domestic state to ensure distributive justice domestically. In our cases, as already shown, when the state fails in this duty then resource curse is the consequence.

Nevertheless, cosmopolitanism and statism, within the domestic context, are headed toward the same destination but through different directions. Their common destination is justice. The statist route is the basic structure while the cosmopolitan route is the three cosmopolitan tenets. Here, statism - in essence - says if the social institutions are arranged well in a good basic structure, there will be justice in society. As Rawls says, "The role of the institutions that belong to the basic structure is to secure just background conditions against which the actions of individuals and associations take place."⁶²⁸ While (institutional) cosmopolitanism says if the social institutions uphold the equality of the moral worth of every individual, there will be justice in both the domestic society and the global society.

The question is, according to Sen, "whether the analysis of justice must be so confined to getting the basic institutions and general rules right? Should we not also have to examine what emerges in the society, including the kind of lives that people can actually lead, given the institutions and rules, but also other influences, including actual behaviour, that would inescapably affect human lives?"⁶²⁹ For the cosmopolitan, no matter how just the basic

⁶²⁸ Rawls, John. *Political Liberalism*. 2nd ed. New York: Columbia University Press, 2005: pp. 266-267.

⁶²⁹ Sen, Amartya. *The Idea of Justice*. Cambridge, MA: The Belknap Press, 2009: p. 10.

structure is and no matter how well the social institutions are arranged or organized: if the equal moral value of everyone is not upheld; if certain individuals still suffer avoidably or unnecessarily especially because of who they are, where they come from, how powerless they are economically, politically and socially; then injustice is still the order of the day.

On its application to the global institutional order level, statism readily totally exonerates the global institutional order from any causal role and responsibility despite the undesirable institutional consequences in the global institutional order. This is because of statism's major tenet that justice is not applicable or is almost not applicable or is at best only partially applicable to the global realm.

But the total exoneration of the global institutional order by statism is a crucial part of the limitedness of statism. Statism, as we have seen, has been used by statist to show that states have no duty, or they only have limited duty, or they have only humanitarian or charitable duty *vis-à-vis* global justice. But here, we are not concerned with charitable or humanitarian work. We are concerned with the obligations the global institutional order, because of its causal role in resource curse, owes the victims of resource curse. Surely, this obligation is not charitable or humanitarian work.

Even if statist were to accept the causal role of the global institutional order, they would still argue that: the realisation of any kind of justice is only possible within the framework of an order;⁶³⁰ the obligations of the global institutional order are justice obligations; therefore they can only be realised if there is order on the global level. Furthermore, since there is no order on the global level, the obligations of the global institutional order cannot be realised.

However, even if we were to concede to statist that given the absence or at least partial absence of the necessary conditions for state-like justice on the global level, then state-like justice is impossible on the global level, we can still argue the case for moral responsibility. State-like justice is fundamentally politico-legal justice. But the elusiveness of politico-legal justice on the global level does not necessarily mean that moral justice, moral right and moral wrong are also elusive.

⁶³⁰ Bull, Hedley. *The Anarchical Society: A Study of Order in World Politics*. 3rd ed. London: Palgrave, 2002: p. 83.

Institutions do not have to be present in order for us to do our negative duties. “We do not need institutions *to enable us to refrain* from violating other people’s rights”⁶³¹ (emphasis is mine). The presence of structures or institutions, whether state-like or not, and whether domestic or global, does not bring into existence moral justice, moral right and moral wrong. It only brings into existence politico-legal justice. And the absence of structures or institutions, whether state-like or not, or domestic or global, do not cease the existence of moral justice, moral right and moral wrong, but only ceases the existence of politico-legal justice.

Even in the state of nature what we do not have is politico-legal justice not moral justice, moral right and moral wrong. The institution of the sovereign or Leviathan gives birth to politico-legal justice but not to moral justice, moral right and moral wrong. Any action or omission that is morally just or morally unjust, morally right or morally wrong, is said to be so due to its nature, but not because of the law, decree or edict of any sovereign. So, moral justness, moral rightness or moral wrongness is not conferred on actions and omissions by a sovereign; rather the sovereign only has the power to confer politico-legal lawfulness on actions and omissions. Morality is independent of the sovereign or Leviathan. What the laws, decrees and edicts of the sovereign bring into existence is politico-legal justice.

As Hedley Bull succinctly puts it, “Clearly, ideas about justice belong to the class of moral ideas, ideas which treat human actions as right in themselves and not merely as a means to an end, as categorically and not merely hypothetically imperative. Considerations of justice, accordingly, are to be distinguished from considerations of law, and from considerations of the dictates of prudence, interest or necessity.”⁶³² Neither the sovereign nor the laws, the decrees and the edicts of the sovereign, can bring into existence moral justice, moral right and moral wrong. Because moral justice, moral right and moral wrong pre-exist, and are independent of, the sovereign and the sovereign’s laws, decrees and edicts.

More than politico-legal justice, moral justice is what is at stake in resource curse. Because what are at stake in resource curse are the basic rights and negative rights of the victims of resource curse which “set universal and pre-political limit to the legitimate use of power,

⁶³¹ Nagel, Thomas, “The Problem of Global Justice,” *Philosophy and Public Affairs*, Vol. 33. No. 2 (2005): pp. 113-147; p. 131.

⁶³² Bull, Hedley. *The Anarchical Society: A Study of Order in World Politics*. 3rd ed. London: Palgrave, 2002: p. 75.

independent of special forms of association. It is wrong for any individual or group [or institution] to deny such rights to any other individual or group.”⁶³³ Looking especially at the nasty, brutish and short lives of the worst affected victims of resource curse in the Niger Delta, Cabinda, Katanga, etc. as described in chapter 3, without doubt their basic rights and negative rights have been violated by the actors in chapters 3-5 who have failed in their most basic duties.

In view of the above argument, the global institutional order can be held morally responsible for the causal role it plays in resource curse. Since this role directly affects the lives of the people in the Niger Delta, Cabinda, Katanga, etc., therefore, we can correctly conclude that despite the word “institution” in the global institutional order, cosmopolitanism is applicable to the global institutional order. However, since the global institutional order is an institution rather than an individual, or it is institutional rather than interactional, it is not the natural constituency of cosmopolitanism.

So, cosmopolitanism is only applied to the global institutional order based on how the actions and omissions of the global institutional order affect individuals, in our case, victims of resource curse. Using institutional moral cosmopolitanism, and doing institutional moral analysis, we can trace the sufferings of victims of resource curse to the causal role played by the global institutional order. In other words, we can trace the sufferings of individuals to certain harms done to them, and trace the causes of these harms to the global institutional order. Then we ask; could the global institutional order have acted differently without causing any comparable harm? If yes, then a reform is needed.

In view of the foregoing discussion, I have shown how and why:

- (i) In the analysis of the individual level: cosmopolitanism is primarily applicable; while statism is only secondarily applicable.
- (ii) In the analysis of the collective level: cosmopolitanism is primarily applicable; while statism is only secondarily applicable.
- (iii) In the analysis of the corporate level: statism is primarily applicable; while cosmopolitanism is only secondarily applicable.
- (iv) In the analysis of the state level: statism is primarily applicable; while cosmopolitanism is only secondarily applicable.
- (v) When applied to the global institutional order, statism tells us why we should not expect “too much” from the global institutional order. While

⁶³³ Nagel, Thomas, “The Problem of Global Justice,” *Philosophy and Public Affairs*, Vol. 33. No. 2 (2005): pp. 113-147; p. 127.

cosmopolitanism tells us at least there is a cogent reason to hold the global institutional order morally responsible for certain facts and situations of our world.

However, given Pogge's application of institutional cosmopolitanism to sovereignty, one might argue that my assertion that cosmopolitanism is only secondarily applied to institutions is wrong. I hold that my assertion is right because I think Pogge, in his application of cosmopolitanism to sovereignty, overstretches institutional cosmopolitanism beyond its limits.

In the application in question, the core of Pogge's institutional cosmopolitanism is the 'wide vertical dispersal of sovereignty.' To arrive at this core, Pogge: firstly, presents his conception of sovereignty; secondly, defines absolute sovereignty; thirdly, criticises the current Westphalian system; and then, fourthly, proposes his 'wide vertical dispersal of sovereignty.'

In Pogge's conception of sovereignty:

A is *sovereign* over B if and only if

1. A is a governmental body or officer ('agency'), and
2. B are persons, and
3. A has unsupervised and irrevocable authority over B
 - a) To lay down rules constraining their conduct, or
 - b) To judge their compliance with rules, or
 - c) To enforce rules against them through pre-emption, prevention, or punishments, or
 - d) to act in their behalf *vis-à-vis* other agencies (ones that do or do not have authority over them) or persons (ones whom A is sovereign over, or not).

A has *absolute sovereignty* over B if and only if

1. A is sovereign over B, and
2. No other agency has any authority over A or over B which is not supervised and revocable by A.⁶³⁴

Relating the above conceptions of sovereignty and absolute sovereignty to the Westphalian system, Pogge describes the system as follows:

Central to contemporary political thought and reality is the idea of the autonomous territorial state as the preeminent mode of political organization at a single level; it is states and only states that merit separate colours on a political map of our world. For nearly every human being, and for almost every piece of territory, there is exactly one

⁶³⁴ Pogge, Thomas. "Cosmopolitanism and Sovereignty," *Ethics*, Vol. 103. No. 1. (1992): pp. 48-75; p. 57.

government with preeminent authority over, and primary responsibility for, this person or territory. And each person is thought to owe primary political allegiance and loyalty to this government with preeminent authority over him or her. National governments dominate and control the decision making of smaller political units as well as supranational decisions, which tend to be made through intergovernmental bargaining.⁶³⁵

In what seems to be a syllogism, taking the definition of cosmopolitanism and the various distinctions therein as a major premise, and taking the conceptions of sovereignty and absolute sovereignty and the description of the Westphalian system as a minor premise, Pogge draws the follow conclusion:

From the standpoint of a cosmopolitan morality – which centres around the fundamental needs and interests of individual human beings – this concentration of sovereignty at one level is no longer defensible. What I am proposing instead is not the idea of a world state, which is really a variant of the preeminent state idea. Rather, the proposal is that governmental authority – or sovereignty – be widely dispersed in the vertical dimension. What we need is both centralization and decentralization, a kind of second-order decentralization away from the now dominant level of the state. Thus, persons should be citizens of, and govern themselves through, a number of political units of various sizes, without any one political unit being dominant and thus occupying the traditional role of state. And their political allegiance and loyalties should be widely dispersed over these units; neighbourhood, town, county, province, state, region, and world at large. People should be politically at home in all of them, without converging upon any one of them as the lodestar of their political identity.⁶³⁶

Pogge provided some salient arguments for his wide vertical dispersal of sovereignty and institutional cosmopolitanism. I shall not rehash the arguments here; rather, I shall present some arguments why Pogge's application is not viable. Let me reiterate what is by now a banal criticism among critics of institutional cosmopolitanism. Critics of institutional cosmopolitanism argue that cosmopolitanism is not a political or an international relations theory, say, political realism, liberalism, etc. that is meant to guide the conduct of states or international relations. Rather, it is a moral doctrine that guides the interactions or relationships among individuals. Given that Pogge adopts a wide vertical dispersal of sovereignty in place of the current Westphalian system, the above criticism might not be very potent in his framework. However, the criticism still carries some weight because the institutions Pogge is proposing are state-like to some extent although they are not states as we understand states in the current Westphalian system.

As framed by Pogge, his application is a 'Catch 22.' I call it 'Catch 22' because it at once seeks to replace the Westphalian dispersal of sovereignty with a wide vertical dispersal of

⁶³⁵ Ibid. pp.57-58.

⁶³⁶ Ibid. p. 58.

sovereignty and to avoid world government. But it cannot totally replace the Westphalian dispersal of sovereignty with a wide vertical dispersal of sovereignty without having a world government. It either has to be Westphalian-like at its apex or be world government.

For Pogge, the Westphalian dispersal of sovereignty that exists in our current world does not help the cause of global justice, it rather militates against it. Hence he proposes a wide vertical dispersal of sovereignty. However, except a wide vertical dispersal of sovereignty ends up at its apex with a world government it is always going to be Westphalian-like at its apex.

Pogge argues that in his vertical dispersal of sovereignty, “when some political units turn tyrannical and oppressive, there will always be other, *already fully organized* political units – above, below, or on the same level – which can render aid and protection to the oppressed, publicise the abuses, and, if necessary, fight the oppressors”⁶³⁷ (emphasis is original). To systematise the above argument, when one sovereignty errs on one level in the wide vertical dispersal of sovereignty:

- (i) There will be a higher sovereignty on a higher level to chastise the erring sovereignty.
- (ii) When there is no higher sovereignty on a higher level there will be other sovereignties on the same level with the erring one which will help publicise the undesirable activities of the erring sovereignty, an act which may help in making the erring sovereignty amenable.
- (iii) When there is no higher sovereignty on a higher level, and when there are no other sovereignties on the same level, there will be other sovereignties below the level of the erring one which will help publicise the undesirable activities of the erring sovereignty, an act which may help in making the erring sovereignty amenable.

Regards to (i) above, I have already argued that except a wide vertical dispersal of sovereignty ends up with a world government, it will always be Westphalian-like at its apex. As regards (ii) above, in the current Westphalian system, states can also help publicise the undesirable activities of erring states which may also help make the erring states amenable. As regards (iii) above, it is simply practically unfeasible that lower sovereignties will be in a position of power to discipline higher sovereignties. Even if this sometimes happens, it will be an exception rather than the norm. Hence the argument in (iii) might be plausible in theory but rarely possible in practice.

⁶³⁷ Pogge, Thomas. *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*. Cambridge, UK: Polity Press, 2005: p. 183.

Therefore, there is neither necessary nor sufficient reason to swap the Westphalian dispersal of sovereignty for the wide vertical dispersal of sovereignty. This is by no means a justification of the Westphalian dispersal of sovereignty in itself; rather it is an explanation of why, *contra* Pogge, it is not necessary to replace the Westphalian dispersal of sovereignty with the wide vertical dispersal of sovereignty.

Whether we look at Pogge's application of institutional cosmopolitanism to sovereignty through the lenses of Pogge's wide vertical dispersal of sovereignty, the lenses of the Westphalian dispersal of sovereignty, or the lenses of institutionalism, the picture remains the same. The question is not whether we are short-sighted or long-sighted, for we have already seen the problem as it is. On the one hand, we already have multiplicity of institutions around the world. We can re-orient them to make them work better; we do not really have to set up new ones.

On the other hand, if cosmopolitanism is committed to individualism, and in fact in Pogge's conception it is, then institutions cannot be the hinge on which cosmopolitanism revolves around. If institutions become the centrality of cosmopolitanism, then this will be tantamount to an erosion of individualism. Pogge's application is more of institutionalism than individualism. For it is individualism, not institutionalism, that is a tenet of cosmopolitanism.

The proper way to employ cosmopolitanism in our analysis is as follows. In a nutshell, using institutional cosmopolitanism or institutional moral analysis, we can look at individuals or collectives who are suffering the effects of resource curse and trace the cause to corporations. We can find out that the corporations have prioritized the interests of their shareholders – profit maximisation – to the detriment of individuals and collectives. In other words, if the corporations were to assign equal moral value to the suffering individuals and collectives as they assign to the shareholders, the harm that causes the suffering would have been avoided.

Therefore, we ask counterfactually; could the corporations have acted differently without causing any comparable harm? If yes, so there is a need to reform the activities of the corporations. So also we can trace the sufferings of individuals to certain harms done to them, and trace the causes of these harms to the state and global institutional order. Then we ask; could the state and global institutional order have acted differently without causing any comparable harm? If yes, then a reform is needed.

This chapter was engaged in the extended prescriptive analysis of resource curse. In the extended prescriptive analysis, the moral relationship between causality and responsibility on different levels in the context of resource curse was examined. First and foremost, the chapter provided a resolution to some moral quandaries concerning causal roles that are contributory rather than necessary or sufficient, or necessary and sufficient. Secondly, it provided a resolution to some moral quandaries concerning degrees of responsibilities in relation to contributory causal roles. Finally, it discussed the primary and secondary applicability of cosmopolitanism and statism to resource curse.

In view of the primary and secondary applicability of cosmopolitanism and statism to resource curse discussed in this chapter, the next chapter will be aimed at discussing the plausibilities and implausibilities of fusion of horizons. The next chapter will examine the arguments for implausibility namely mutual exclusivity, incompatibility, relativism, neutrality and aerial view. Then the chapter will be concluded with the argument for plausibility which says that fusion of horizons accommodates the complexity of resource curse.

6.1. Is the Fusion of the Cosmopolitan and Statist Horizons Plausible?

In finding resolution to complex cases of global justice, or global injustice in the case of resource curse, we opted for fusion of horizons on the grounds that: neither cosmopolitanism nor statism is at once necessary and sufficient; neither cosmopolitanism nor statism is at once unnecessary and insufficient; neither cosmopolitanism nor statism is unnecessary but sufficient; but cosmopolitanism and statism are each necessary but each insufficient. As shown in the global injustice case of resource case (chapters 3 – 5), the final result is that although each perspective is insufficient, a combination – in the form of fusion of horizons - of the two perspectives is sufficient to analyse complex cases of global justice.

In resolving complex cases of global justice, if cosmopolitanism alone were at once *necessary and sufficient*, there would be no need for statism. This is because if cosmopolitanism (C) were at once necessary and sufficient, whenever we apply cosmopolitanism to such complex cases we will have a *necessary and sufficient* resolution (NSR) for the problems. Other things equal, we should have an NSR. We will only fail to have an NSR if, and only if, we do not apply cosmopolitanism well enough.

Assuming C is at once *necessary and sufficient* for NSR, therefore;

- (i) If C then NSR.
- (ii) If not C then not NSR.
- (iii) That we have NSR necessarily implies that we have applied C.
- (iv) That there is not NSR necessarily implies that we have not applied C.

So also in resolving complex cases of global justice, if statism alone were at once *necessary and sufficient*, there would be no need for cosmopolitanism. This is because if statism (S) were at once necessary and sufficient, whenever we apply statism to such complex cases we will have a *necessary and sufficient* resolution (NSR) for the problems. Other things equal, we should have an NSR. We will only fail to have an NSR if, and only if, we do not apply statism well enough.

Assuming S is at once *necessary and sufficient* for NSR, therefore;

- (i) If S then NSR.
- (ii) If not S then not NSR.
- (iii) That we have NSR necessarily implies that we have applied S.
- (iv) That there is not NSR necessarily implies that we have not applied S.

In resolving complex cases of global justice, if C were at once *unnecessary and insufficient*, therefore;

- (i) That we have applied C does not necessarily imply that we have NSR.
- (ii) That we have NSR does not necessarily imply that we have applied C.
- (iii) That we have not applied C does not necessarily imply that we do not have NSR.
- (iv) That we do not have NSR does not necessarily imply that we have not applied C.

So also in resolving complex cases of global justice, if S were at once *unnecessary and insufficient*, therefore;

- (i) That we have applied S does not necessarily imply that we have NSR.
- (ii) That we have NSR does not necessarily imply that we have applied S.
- (iii) That we have not applied S does not necessarily imply that we do not have NSR.
- (iv) That we do not have NSR does not necessarily imply that we have not applied S.

In resolving complex cases of global justice, if C were *unnecessary but sufficient*, therefore;

- (i) If C then NSR.
- (ii) That we have NSR does not necessarily imply that we have applied C. For we can also have NSR by applying S (assuming that C and S are the only applicable perspectives).

So also in resolving complex cases of global justice, if S were *unnecessary but sufficient*, therefore;

- (i) If S then NSR.
- (ii) That we have NSR does not necessarily imply that we have applied S. For we can also have NSR by applying C (assuming that S and C are the only applicable perspectives).

Since in resolving complex cases of global justice, C is *necessary but insufficient*, therefore:

- (i) That we have NSR necessarily implies that we have applied C.
- (ii) That we have applied C does not necessarily imply that we have NSR. Apart from the application of C, we also need the application of S in order to have NSR (assuming that C and S are the only applicable perspectives).

So also since in resolving complex cases of global justice, S is *necessary but insufficient*, therefore:

- (i) That we have NSR necessarily implies that we have applied S.
- (ii) That we have applied S does not necessarily imply that we have NSR. Apart from the application of S, we also need the application of C in order to have NSR (assuming that S and C are the only applicable perspectives).

The situation with dealing with complex cases of global justice, as shown in the case of resource curse, is that while cosmopolitanism and statism are *individually necessary but individually insufficient*, they are at once *jointly necessary and jointly sufficient*. Although, things that are jointly necessary are not always jointly sufficient too, just as things that are jointly sufficient are not always jointly necessary too. Jointly necessary does not equal jointly sufficient, just as jointly sufficient does not equal jointly necessary.

As shown on the levels of analysis and levels of causality and responsibility, cosmopolitanism and statism are at once jointly necessary and jointly sufficient because: cosmopolitanism is necessary for the individual and collective levels of analysis or levels of causality and responsibility, while statism is necessary for the corporate, the state and the global institutional order levels of analysis or levels of causality and responsibility; and they both suffice for these five levels of analysis or levels of causality and responsibility.

Since this *jointly necessary and jointly sufficient* condition is arrived at through a fusion of horizons, fusion of horizons is deemed to be an appropriate solution to the *individually necessary but insufficient* condition of cosmopolitanism and statism respectively. Certainly,

there are arguments against fusion of horizons as I have used it on the different levels of analysis or levels of causality and responsibility chapter 4, chapter 5 and this subchapter 6.1. In other words, there are arguments against the fusion of the horizons of statism and cosmopolitanism in dealing with resource curse. Chief among the arguments are mutual exclusivity, incompatibility, relativism, neutrality, and aerial view.

6.2.1. The Mutual Exclusivity Argument

There are two categories of critics who hold the mutual exclusivity banner. The first category is those who argue that statism and cosmopolitanism are mutually exclusive. They do so because they misconstrue statism (as understood in political philosophy – as a perspective on global justice) to be political realism (as understood in International Relations (IR) – as a theory of IR). The above argument is rebuttable in two ways. The first way is to show that statism is not political realism. The second way is to show that even if statism were political realism; there are elements within political realism itself, as William E. Scheuerman has shown, that are not absolutely anti-cosmopolitan. The second category is those who argue that statism is the logical opposite of cosmopolitanism, hence they are mutually exclusive.

The first category of critics are easily misled because they focus on the similarities between statism and realism without giving due consideration to the differences between the two. On the one hand they compare the hierarchical structure of domestic politics with the basic structure of the state, and focus on the similarities in the comparison. On the other hand they contrast the above with the anarchical structure of the international system and the absence of (or the presence of only partial) basic structure at the global arena and focus on the differences in the contrast. Then they are led to think that statism is political realism and political realism is statism.

The strongest singular similarity between statism and political realism is that generally both can be said to deny morality in general, and justice in particular, a place in the international system. Nevertheless, a brief overview of political realism will show, evidently, that despite this general similarity, statism and political realism are based on different principles.

Political realism has no canonical form.⁶³⁸ There have been different distinctions of political realism; some are historical and others are thematic. Such divisions include classical realism, neo-realism or structural realism, defensive realism and offensive realism, descriptive realism and prescriptive realism, and even global reformist or progressive realism. Nevertheless, Beitz outlines three elements or tenets of political realism as it has been conceived in the last century.

First, political realism is a sceptic of the role of moral principles in international relations.⁶³⁹ Second, political realism is “an analytic paradigm for international behaviour; it holds, roughly, that international events are best explained as outcomes of the strategic interactions of self-interested states.”⁶⁴⁰ Third, political realism is heuristic in that it promotes a cautious idea of the function or position that should be assigned to ethical deliberation in practical reasoning about international relations.⁶⁴¹ At this juncture, let us turn to the various strands of realism namely, descriptive realism, prescriptive realism, classical realism, neo-classical realism or structural realism, progressive realism, etc.

Having accepted the above tenets, descriptive realism says that ‘is’ how the international system ‘is’. In other words, it is the nature of the international system to embody the above tenets. While prescriptive realism says states ‘ought’ to be pursuing the above tenets. Classical realism, originally propounding the tenets, thinks that actually it is due to human nature that states act according to the tenets. Being governed by humans, and human nature always being aligned to or seeking the above tenets, condition states to behave in line with those tenets.

In *Man, the State and War: A Theoretical Analysis*, Kenneth Waltz argues that international conflicts are primarily neither due to man (human nature) nor the state; rather, international conflicts are primarily due to the international system. Furthermore, in neo-realism or structural realism which he propounded in *Theory of International Politics*, Waltz, having accepted the above tenets, provides a systemic explanation of the international system. He asserts that the international system determines systemically the behaviour, actions and reactions of states at the international system. For him, the only way states can ensure their security is by behaving, acting or reacting according to the dictates of the systemic structure

⁶³⁸ Beitz, Charles R. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press, 1999: p. 185.

⁶³⁹ Ibid. pp. 185-186.

⁶⁴⁰ Ibid. p. 186.

⁶⁴¹ Ibid. pp. 186-197.

at the international system. Although Waltz actually clearly formulated this neo-realist or structural realist strand in his *Theory of International Politics*, a rudimentary form of it can be found in his earlier work *Man, the State and War: A Theoretical Analysis*.

Defensive realism opines that international security is absolutely a zero-sum game; as state A increases its security, the security of state B correspondingly diminishes. State B, reacting to its diminishing security, increases its security which in turn diminishes the security of state A. This scenario of power-balancing which is on-going destabilizes the international system. Given the anarchical structure or nature of the international system, states fear for their security and hence see the maximisation of security as the primary aim of states.

In opposition to defensive realism, offensive realism opines that the best way for a state to defend itself is by attacking its opponent in order to destroy the offensive capabilities of the latter. Offensive realism, like defensive realism, accepts the basic tenets of realism and believes that the buffering of a state's security is necessary. However, it differs from defensive realism because it holds that offence rather than defence is the better security option for states.

Thomas Hobbes' description of international politics or relations as a state of nature seems to be the leading foundation for realism. According to Hobbes:

in all times, kings, and persons of sovereign authority, because of their independency, are in continual jealousies, and in the state and posture of gladiators; having their weapons pointing, and their eyes fixed on one another; that is, their forts, garrisons, and guns upon the frontiers of their kingdoms; and continual spies upon their neighbours; which is a posture of warTo this warre of every man against every man, this also is consequent; that nothing can be Unjust. The notions of Right and Wrong, Justice and Injustice have there no place. Where there is no common Power, there is no Law: where no law, no Injustice.⁶⁴²

However, rather than Hobbes's *Leviathan*, Thucydides'⁶⁴³ *History of the Peloponnesian War* (hereafter *History*) is considered to be the first scientific book on international relations in general and political realism in particular. Suffice it to say that *History* is still famous today not because it is the first scientific book on international relations but because it is the first

⁶⁴² Hobbes, Thomas. *Leviathan*. London: Printed for Andrew Crooke, at the Green Dragon in St. Paul's Church-yard, 1651: ch. 13.

⁶⁴³ An Athenian historian and general who fought in the Peloponnesian war on the side of Athens against the Peloponnesians. Athens led the Delian League while Sparta led the Peloponnesian League.

book on political realism. Hence, unsurprisingly, political realists revere it as their ‘holy book’ while liberals⁶⁴⁴ seem to abhor it.

History documents the twenty-seven-year-war that was fought between the Athenians and the Peloponnesians in the late fifth century BC. Given that Thucydides narrates events of the war chronologically, the temptation is always to analyze *History* in a chronological order. However, I think analyzing it thematically is helpful since Thucydides was not interested in merely documenting the events of the war as historical occurrences but he was much more interested in telling his readers why the war ‘actually’ happened and why future wars might happen.

There are four themes that can be easily identified in *History*. The first is Thucydides’ juxtaposition of what can be referred to as the ‘official cause’ with the ‘real cause’ of the war. The second is the juxtaposition of power with right. The third is the juxtaposition of peace/security with justice. The fourth is coalition.

In juxtaposing the official cause with the real cause of the war, Thucydides argues that official reasons given for fighting the war were actually not the reason why the war was fought. He described the violation of some legal codes and many other reasons which were cited for the reason for fighting the war; he argued that actually those reasons were neither necessary nor sufficient to fight the war.⁶⁴⁵ Such reasons were only given by the Peloponnesians because they wanted to appear, and be perceived as being, objective in their decision to fight their neighbour – Athens.

For Thucydides, the war was actually waged by the Peloponnesians for a selfish reason. Hence the reason was concealed. Having observed the non-ceasing growth of Athens, the Peloponnesians were afraid that someday Athens will grow so strong that it will be able to easily destroy the Peloponnesians if it wants. Hence the Peloponnesians decided to wage a preventive war – to fight Athenians now that Athens is still relatively weak rather than when it becomes too strong.⁶⁴⁶

Note that Thucydides assumes *poleis* are rational and self-regarding. This can be seen in the case of the Peloponnesians who waged a preventive war. It can also be seen in the case of

⁶⁴⁴ Liberals as used here refers to proponents of the International Relations (IR) theory of liberalism.

⁶⁴⁵ Thucydides. *History of the Peloponnesian War*. London, Penguin Books, 1972: Book One, Chapter One.

⁶⁴⁶ Thucydides. *History of the Peloponnesian War*. London, Penguin Books, 1972: Book One, Chapter One, Paragraph 24.

Athens which 'will attack' the Peloponnesians when it is capable. This is the first lesson that political realists learned from Thucydides – that states will always be rational and self-regarding even to the detriment of other states. The issue that will always be debated is whether the Athenians would have actually attacked the Peloponnesians. However, being rational, Peloponnesians did not have to wait to see what the Athenians would actually do; they had to act fast. This leads us to the second theme.

The second theme which is the juxtaposition of peace/security with justice can be seen in the Melian Dialogue.⁶⁴⁷ The strong Athens had come to take over the weak Melos. The strong Athenians gave the Melians two options; either to surrender peacefully or put up a resistance and face being destroyed. The Athenians urged the Melians to opt for the former rather than the latter. But the Melians declined because they thought the Athenians were waging an unjust war against them. Furthermore, the Melians believed that if they were attacked, the gods would come to their aid because they were not the aggressors and they were only in justice resisting the Athenians.

However, as it turned out, the Melians were destroyed without the gods coming to their aid. Political realists have drawn one conclusion from the above juxtaposition or theme. In the international system, peace and security should be preferred to justice. Taken over Melos was essential for the Athenians in order to have a chance of winning the war, and winning the war would ensure the peace and security of Athens. Hence, although it was unjust, the Athenians had to destroy Melos. For the Melians, opting for peace and security would have averted the destruction while opting for justice did nothing to help them.

The third theme which is that of the juxtaposition of power and right is a continuation of the second theme which in turn is a continuation of the first theme. Put simply, it is an explication of the first and second themes. The Peloponnesians had no right to attack Athens, but they did because they had the power. So also Athens had no right to attack Melos, but it did because it had the power. Melos had the right to defend itself, but the right did not count; the only thing that counted was the power of Athens.

The fourth theme is 'coalition.' In this theme, Athens - on the one hand - entered a coalition with a couple of *poleis* to form the Delian League which was led by Athens. The Peloponnesians, on the other hand, formed the Peloponnesian League which was led by

⁶⁴⁷ Thucydides. *History of the Peloponnesian War*. London, Penguin Books, 1972: Book Five.

Sparta. The big lessons here for political realists are those of balance of power, bandwagoning and balancing.

Although Thucydides - in the introductory pages⁶⁴⁸ - says he intended to write an objective book that will last forever, what he actually did was to propound the doctrine of political realism that may last forever. Giving the foregoing analysis, one might conclude that Thucydides and his fellow realists are either saying to states that when states set out to act on the international scene, they should not ask the 'wrong' question: What is the right thing to do? Rather they should ask the 'right' question: What is the rational thing to do? When the latter question is asked or the former question is not asked, justice is discounted. So, political realism is totally not concerned with justice.

Although Thucydides is considered by many to be the founding father of international relations, Stanley Hoffman contends that Hans J. Morgenthau, if the discipline of international relations has a founding father, is the founding father.⁶⁴⁹ If Morgenthau who was a political realist is considered to be the founding father of international relations, then it follows that he can be considered to be the founding father of political realism while others will also contend that Thucydides is the founding father.

Edward Hallett Carr had argued that "no ethical standards are applicable to relations between states."⁶⁵⁰ Following suit, Morgenthau argues that "Universal moral principles cannot be applied to the actions of states."⁶⁵¹ For Morgenthau, political situations usually have a blend of good and evil on the one hand and wisdom and error on the other hand. This blend is so strong that we cannot extricate the good from the evil and wisdom from error in political situations. Hence to categorically deal with international political matters as purely moral or immoral or wise or wrong is at its best at once an inadequate way to deal with political situations and an injustice to political situations.⁶⁵²

⁶⁴⁸ Thucydides. *History of the Peloponnesian War*. London, Penguin Books, 1972: Book One, Chapter One.

⁶⁴⁹ Hoffmann, Stanley. *Janus and Minerva: Essays in the Theory and Practice of International Politics*. Boulder, CO: Westview Press, 1987. p. 6.

⁶⁵⁰ Carr, Edward Hallett. *The Twenty Years' Crisis, 1919-1939*. New York: Perennial, 2001: p. 153.

⁶⁵¹ Morgenthau, Hans J. *Politics among Nations: The Struggle for Power and Peace*. 2nd ed. New York: McGraw-Hill, 1954: p. 9.

⁶⁵² Morgenthau, Hans J. "The Moral Dilemma in Foreign Policy." *Year Book of World Affairs*, Vol. 5. (1951): pp. 12-36; p. 13.

Describing the history of American foreign policy as a realist one, Morgenthau says that is how every state behaves. The only thing that matters to states is their interest. When their interest is threatened they become utterly faithless, mean and crafty.⁶⁵³ For Morgenthau, our common moral principles are not the ultimate moral guide for the political actor. For the moral standards of politics are different from our common moral standards. The political actor acts according to the moral standards pertaining to politics.

Hence the ultimate moral duty of the political actor is to be politically expedient – for that is what is demanded of him in politics. To fail to be politically expedient is to have morally failed politically.⁶⁵⁴ If because of moralistic contempt for the rules of politics a political actor fails to act expediently and as a result those in his or her charge and the interest of the state are endangered, such an actor is politically morally culpable.⁶⁵⁵

Morgenthau says:

it is exactly the concept of interest defined in terms of power that saves us from both ... moral excess and ... political folly. For if we look at all nations ... as political entities pursuing their respective interests defined in terms of power, we are able to do justice to all of them in a dual sense: We are able to judge other nations as we judge our own and, having judged them in this fashion, we are then capable of pursuing policies that respect the interests of other nations, while protecting and promoting our own.⁶⁵⁶

For Morgenthau, prudence is the core of political morality. Political actors ought to consider the political effects of their political actions, and must ensure that their actions and the effects serve the interests of their states. The national interest is the only standard, both morally and intellectually, that great nations have.⁶⁵⁷ National interest, as understood by Morgenthau, has three components namely the protection of the territory, political institutions and culture of the state.⁶⁵⁸ National interest, understood as national security or survival, cannot be compromised for anything. But after it, states should bring morality into consideration when

⁶⁵³ Morgenthau, Hans J. "Another 'Great Debate': The National Interest of the United States." *The American Political Science Review*, Vol. 46. No. 4. (1952): pp. 961-988; pp. 970-971.

⁶⁵⁴ Morgenthau, Hans J. *Scientific Man vs. Power Politics*. Chicago: University of Chicago Press, 1946: p. 186.

⁶⁵⁵ Morgenthau, Hans J. *In Defense of the National Interest: A Critical Examination of American Foreign Policy*. New York: Knopf, 1951: p. 33.

⁶⁵⁶ Morgenthau, Hans J. *Politics among Nations: The Struggle for Power and Peace*. 2nd ed. New York: McGraw-Hill, 1954: p. 10.

⁶⁵⁷ Morgenthau, Hans J. "Another 'Great Debate': The National Interest of the United States." *The American Political Science Review*, Vol. 46. No. 4. (1952): pp. 961-988; p. 986.

⁶⁵⁸ *Ibid.* p. 973.

they act in the international arena. No wonder he argues that it is impossible for us to have a compromise between national interest and moral values in matters of foreign policy.⁶⁵⁹

It is on the above grounds, one may argue, that he propounded six principles of political realism, namely:

1. Political realism believes that politics, like society in general, is governed by objective laws that have their roots in human nature.
2. The main signpost that helps political realism to find its way through the landscape of international politics is the concept of interest defined in terms of power.
3. Realism assumes that its key concept of interest defined as power is an objective category that is universally valid, but it does not endow that concept with a meaning that is fixed once and for all.
4. Political realism is aware of the moral significance of political action.
5. Political realism refuses to identify the moral aspirations of a particular nation with the moral laws that govern the universe.
6. Intellectually, the political realist maintains the autonomy of the political sphere.⁶⁶⁰

However, Morgenthau seems to have contradicted himself if we look at some other passages of his writings. For instance, in *The Machiavellian Utopia* Morgenthau says our ordinary moral principles are not merely part of politics; rather they are the foundation of the political reality upon which a government is built.⁶⁶¹ He says although states pursue their national interests in their international relations with other states and will only comply with international law if it helps further their national interests; regard for a few moral principles restrains states from violating the fundamental rights of other states, and it is to these few moral principles that the law of nations and Western civilization itself owe their existence.

Then he admits that there is a contradiction between claiming on the one hand that states are only concerned with their national interest and on the other hand that there are few moral principles that guide states. But explains that these moral principles do not actually dictate to states the political actions they should take or not take at the international arena. Rather, the moral principles are so strong that they influence political actors to such an extent that political actors do not even entertain the thought of violating the fundamental rights of other states as a means of pursuing national interest.

⁶⁵⁹ Morgenthau, Hans J. *In Defense of the National Interest: A Critical Examination of American Foreign Policy*. New York: Knopf, 1951: p. 34.

⁶⁶⁰ Morgenthau, Hans J. *Politics among Nations: The Struggle for Power and Peace*. 7th ed. New York: McGraw-Hill, 1993: pp. 4, 5, 10, 12, 13.

⁶⁶¹ Morgenthau, Hans J. "The Machiavellian Utopia." *Ethics*, Vol. 55. No. 2. (1945): pp. 145-147; p. 147.

In other words, the violation of the fundamental rights of other states as a means of pursuing national interest is already eliminated from international politics by these moral principles even before political actions are considered by political actors.⁶⁶² According to Morgenthau:

if we ask ourselves what state men and diplomats are capable of doing to further the power objectives of their respective nations and what they actually do, we realize that they do less than they probably could and less than they actually did in other periods of history. They refuse to consider certain ends and to use certain means, either altogether or under certain conditions, not because in the light of expediency impractical or unwise, but because certain moral rules interpose an absolute barrier. Moral rules do not permit certain policies to be considered at all from the point of view of expediency.⁶⁶³

Having asserted that “Moderation in politics cannot fail to reflect the moderation of moral judgement”,⁶⁶⁴ Morgenthau admits that the moral boundaries of international politics have been negatively affected by national interest which results from the nature of modern warfare – given that advanced technology has changed the way wars are fought.⁶⁶⁵ Thus it is understandable while he opines that Hobbes’ characterization of international relations or politics as a state of nature misleads us to think that morality or norms have no effect on international politics.

Nevertheless, on another contradictory note, Morgenthau would consider as profoundly true Hobbes’ assertion that it is the sovereign that gives birth to law and morality, or justice and injustice; hence outside a sovereign state there is no law and morality or justice and injustice.⁶⁶⁶ This leads us to the statist who, at least to a large extent and to different degrees, seem to have bought the idea of ‘outside the state there is no morality’ or ‘outside the state there is no justice.’

Evidently, as can be deduced from the foregoing overview of political realism, statism is not political realism. For it is political realism, and not statism, that is characterized by principles such as balancing or balance of power, bandwagoning, containment, detente, etc. and notions such as hegemon, challenger, etc. Even if statism were political realism, there are

⁶⁶² Morgenthau, Hans J. “The Problem of Neutrality.” *The University of Kansas City Law Review*, Vol. 7. (1939): pp. 109-128; pp. 125-126.

⁶⁶³ Morgenthau, Hans J. *Politics among Nations: The Struggle for Power and Peace*. 1st ed. New York: McGraw-Hill, 1948: pp. 174-175.

⁶⁶⁴ Morgenthau, Hans J. *Politics among Nations: The Struggle for Power and Peace*. 2nd ed. New York: McGraw-Hill, 1954: p. 10.

⁶⁶⁵ Morgenthau, Hans J. *Politics among Nations: The Struggle for Power and Peace*. 1st ed. New York: McGraw-Hill, 1948: p. 182.

⁶⁶⁶ *Ibid.* pp. 169, 397.

political realists – namely progressive realists/global reformist realists - who are not absolutely anti-cosmopolitan.

Convinced that the nation-state is outdated, progressive realists argue for an extensive reform of the international system.⁶⁶⁷ They think the only way to attain this reform is to have a world community or a supranational community. For them, any worthwhile, attractive and workable post-national or post-Westphalian system of governance must be based on parallel post-national or post-Westphalian world that has the ability to carry out essential integrative roles similar to the essential integrative roles that viable states carry out.⁶⁶⁸

Progressive realists go on to argue that the fact that a global state is presently unrealisable does not mean that it can never be achieved. In view of this fact, to keep on aspiring for a viable global state is a reasonable thing to do and the realisation of a global state remains a reasonable and feasible goal.⁶⁶⁹ For this reason, progressive realists engage in the deconstruction, re-interpretation and re-conceptualisation of international politics, international justice and international morality. Even more important is that they interpret the main tenets of political realism such as the balance of power, national interest, security dilemma, etc. in such a way that these terms allow ample room for reforms in the international system.⁶⁷⁰

In the foregoing discussion, we have been dealing with the category of critics who hold the mutual exclusivity banner because they think that statism and cosmopolitanism are mutually exclusive based on their misconception of statism to be political realism. We rebutted such argument by showing that: statism is not political realism; even if statism were political realism, there are political realists that are not absolutely anti-cosmopolitan. Now, let us deal with the category of critics who hold the mutual exclusivity banner because they think that statism is the logical opposite of cosmopolitanism.

I will argue that although statism is the logical opposite of cosmopolitanism, to say that statism and cosmopolitanism are not mutually exclusive is not a logical contradiction of identity. The first rule of logic says a thing must be identical to itself; a thing cannot be A and non-A at the same time – it is either A or non-A. The faulty reasoning is that since statism is

⁶⁶⁷ Sheurman, William E. *The Realist Case for Global Reform*. Cambridge, UK: Polity Press, 2011: p. vii.

⁶⁶⁸ Ibid.

⁶⁶⁹ Ibid. p. ix.

⁶⁷⁰ Ibid. p. viii.

the “opposite” of cosmopolitanism, to say they are not mutually exclusive is to break the first rule of logic.

However, to say statism and cosmopolitanism are not mutually exclusive is not to say that statism is cosmopolitanism and cosmopolitanism is statism. Rather, it is to say that although both are “opposites,” they can still be moderately employed to work together. Moreover, “opposites” are not necessarily mutually exclusive. For instance, man is the opposite of woman, yet both of them cooperate in many ways including bringing into existence other men and women.

6.2.2. The Incompatibility, Relativism, Neutrality and Aerial View Arguments.

The mutual exclusivity argument is radical. Its moderate form is the incompatibility argument which holds that statism and cosmopolitanism are incompatible hence their horizons cannot be fused. For instance, referring to cosmopolitanism and statism, Nagel says, “I find the choice between these two incompatible moral conceptions difficult.”⁶⁷¹ However, why I agree that there are specific tenets of cosmopolitanism and statism that are incompatible, generally statism and cosmopolitanism are not incompatible.

As we have seen on our levels of analysis or levels of causality and responsibility: in some cases we employed statism as the primary tool of analysis and cosmopolitanism as the secondary tool of analysis; and in other cases we employed cosmopolitanism as the primary tool of analysis and statism as the secondary tool of analysis. Moreover, for instance we saw that resource curse is neither caused only by states nor only by individuals. Among other factors, these two factors combine to cause resource curse. Hence, statism can be employed as we did to look at the statist factor, and cosmopolitanism can be employed as we did to look at the individual factor.

In view of the Husserlian temporal horizon and the Heideggerian time horizon as presented in sub-sub-chapter 1.2.4, we might opine that ‘it is just a matter of time’ before statism opens up to global justice. Before the Westphalian system, there were no states as we understand them today. Although the Greek city-states had existed, and there were other monarchies, sovereignties, or some sort of administrative entities that might claim some sort of statehood,

⁶⁷¹ Nagel, Thomas, “The Problem of Global Justice,” *Philosophy and Public Affairs*, Vol. 33. No. 2. (2005); p. 126.

they were not states as we understand states today. Perhaps, some would even say likely, in the near future, even if in the far future, or just in the future, we might not have states anymore and we may have state-like entities or some entities totally different from states. If such entities look more and more like the world of the cosmopolitans, then perhaps statist might welcome a fusion of horizons with the cosmopolitans. Now that our world is still very “statist”, perhaps the cosmopolitans can fuse their horizons with the statist.

The relativism argument holds that fusion of horizons falls into relativism in which the truth of global justice is relative to each perspective; the statist position is true for the statist and the cosmopolitan position is true for the cosmopolitans. Consequently, there is no such thing as objective ‘global justice’; global justice is what the statist and cosmopolitans subjectively say it is. However, by fusing horizons, we are not falling into relativism, we are merely avoiding universalism. Moreover, if we were favouring relativism: first, we would have no need for fusion of horizons; and second, even if we were to fuse the horizons of statism and cosmopolitanism, we would totally accept every argument, or the whole position, of both perspectives.

The neutrality argument holds that having been presented with two options, namely statism and cosmopolitanism, fusion of horizons opted for a safe and easy escape by being neutral rather than committing to either statism or cosmopolitanism. However, to argue that we ought to have chosen either statism or cosmopolitanism over the other is to argue that things are always either/or. Things are not always either/or.

Things are either/or if the options are A and non-A; that is if one is necessarily correct, the other being the opposite, must be necessarily wrong. But if the options are A, B; they can be neither/nor if both are wrong; but it can also be A and B if both are right. Furthermore, either of them can be fully or partially right or wrong. So things can also be partially A and partially B, partially A and fully B, or fully A and partially B. Therefore we can be right to see the answer to the problem of global justice as partially statist and partially cosmopolitan. Fusion of horizons does not seek any safe or easy way out of the statist/cosmopolitan dilemma. Rather it painstakingly assesses the merits and demerits of each perspective, upholds the merits on both sides and criticises the demerits on both sides.

The aerial view argument holds that fusion of horizons captures the whole picture without concrete details. That is, fusion of horizons lumps all the properties of statism and

cosmopolitanism together without exploring the details of each individual property. In other words, fusion of horizons does not respect the separatedness between statism and cosmopolitanism and the differences between the tenets of the two perspectives.

However, the aerial view argument is false on the following grounds. I did not start my analysis with fusing the horizons of statism and cosmopolitanism together. I started with resource curse and then explored various ways in which cosmopolitanism and statism can be applied to it. I actually dealt with five different levels, and dealt with two different possible applications, namely primary and secondary, of statism and cosmopolitanism to those levels. By so doing, I addressed the problem of details and differences, before turning to the solution of fusion of horizons.

6.2.3. Fusion of Horizons Accommodates the Complexity of Resource Curse

In the course of this discourse, global justice was construed as the way in which fundamental rights and duties are distributed globally and how the division of advantages from global cooperation are determined. Furthermore, taking resource curse as a complex case of global justice, we defined resource curse as a situation whereby some states, despite being endowed with abundant natural resources, are poor and their poverty is directly or indirectly linked with their natural resources endowment.

Juxtaposing the construal of global justice with the definition of resource curse, we might not be able to directly deduce what makes resource curse a global justice issue. But deducing from the entire analyses of global justice and resource curse in the foregoing discussion, what make resource curse a global justice issue are the following:

- (1) There are rights and duties involved in resource curse.
- (2) The rights and duties in (1) are not only domestically distributed, but are also globally distributed.
- (3) Hence there is global cooperation involved in resource curse.
- (4) There are advantages resulting from the global cooperation in (3).
- (5) The advantages in (3) are not only domestically divided, but are also globally divided.
- (6) The division in (5) are not only domestically determined, but are also globally determined.

In other words, the agents linked with the poverty of the resource-cursed states are both domestic and global. The agents are not only domestic and global, but are also interactional and institutional. Broadly put, as seen in chapter three in the cases of Nigeria, Angola and DRC, the agents are individuals, collectives, corporations, the state (or its various governments), and the global institutional order – including foreign states, global institutions, etc.

Looking at the multiple and complex factors responsible for resource curse, we see that, on the one hand, some factors are interactional, and other factors are institutional. The interactional factors are the individual and collective agents, while the institutional factors are the corporations, state (governments), and the global institutional order. Also, on the other hand, some factors are local or domestic and other factors are international, transnational or global. Some individuals, collective agents and corporations act only on the domestic level, some act only on the global level, and others act both on the domestic and global level.

Therefore, we have:

- (1a) interactional domestic individual agents;
- (1b) interactional global individual agents;
- (1c) interactional domestic and global individual agents;
- (2a) interactional domestic collective agents;
- (2b) interactional global collective agents;
- (2c) interactional domestic and global collective agents;
- (3a) institutional domestic corporations;
- (3b) institutional global corporations;
- (3c) institutional domestic and global corporations;
- (4) institutional state (government);
- (5) global institutional order.

The combination of different agents as interactional and institutional, and as domestic and global, means the agents are just as complex as they are multiple. As G.H. von Wright says, “in normal scientific practice we have to reckon with plurality rather than singularity, and

with complexity rather than simplicity of conditions.”⁶⁷² As seen in chapters 4 and 5, a singular perspective proves inadequate to deal with the aforementioned multiplicity and a simple perspective proves inadequate to deal with the aforementioned complexity. For this reason, we turn to fusion of horizons. In a nutshell, fusion of horizons helps us to avoid Almighty Formula, cope with limitedness, accommodate systemic structures and take advantage of systemness.

Almighty Formula sees everything from the cosmopolitan lenses or statist lenses alone; it sees each perspective as if it were a silver bullet to solve every global justice problem. In terms of limitedness, we see that even on one level, cosmopolitanism or statism does not even tell the whole story; it needs the other for secondary support. Regarding fusion of horizons’ capacity to accommodate systemic structures, in terms of accommodating systemic structures the factors of resource curse put together become systemic and needs to be seen as a system rather than seen from ‘myopic’ cosmopolitan lenses or ‘myopic’ statist lenses. When all the agents, factors and facets of resource curse are joined together they become greater and even different from the mere sum of each of them; cosmopolitanism alone on its own and statism alone on its own fail to capture this.

Finally, fusing the horizons of cosmopolitanism and statism together helps us to take advantage of systemness. Systemness is defined as “the state, quality or condition of a complex system, that is, of a set, a whole, exhibiting behaviour distinct from the behaviour of the parts.”⁶⁷³ In other words, systemness is “the coordination of multiple components that, when working together, create a network of activity that is more powerful than any action of individual parts on their own.”⁶⁷⁴ Fusing the horizons of cosmopolitanism and statism together is much more effective, than cosmopolitanism or statism alone, in dealing with systemic structures.

Just as when all the agents, factors and facets of resource curse are joined together they become greater and even different from the mere sum of each of them; so also when the cosmopolitan and statist perspectives or horizons are fused together they become a greater “perspective” or a broader ‘horizon’ and even different from the mere sum of each of them.

⁶⁷² von Wright, G.H. *A Treatise on Induction and Probability*. London, 1951; p. 135.

⁶⁷³ “Systemness,” *Wikipedia*. Accessed: 16 September, 2013.

⁶⁷⁴ Seiler, Casey. “SUNY’s Chief Touts ‘Systemness,’” *Timesunion.com*, 9th January, 2012. Accessed: 14 August, 2013.

Hence fusion of horizons provides a systemic solution to a systemic problem. Surely, the systemic complexity of resource curse calls for systemness which fusion of horizons offers.

This chapter reviewed my hypothesis, recapitulated the key issues in the dissertation and summarised the benefits of fusing the horizons of cosmopolitanism and statism. It discussed the plausibilities and implausibilities of fusion of horizons. Firstly, it examined the arguments for implausibility namely mutual exclusivity, incompatibility, relativism, neutrality and aerial view. Then secondly it presented the argument for plausibility which says that fusion of horizons accommodates the complexity of resource curse. In other words, this chapter examined possible arguments against my attempt to fuse the horizons of cosmopolitanism and statism.

Following this chapter is the concluding part of the dissertation. In view of the review of my hypothesis, recapitulation of the key issues in the dissertation and the summarisation of the benefits of fusing the horizons of cosmopolitanism and statism which I did in this chapter, the following concluding part will make one further and final clarification. This clarification is aimed at resolving a possible misconception. There might be a possible misconception that my adopted fusion of horizons is a new perspective on global justice that negates cosmopolitanism and statism. But the concluding part of the dissertation disclaims the notion that my adopted fusion of horizons is a new perspective on global justice that negates cosmopolitanism and statism. Finally, it reiterates my position on the subject matter of the dissertation.

CONCLUSION

Fusion of Horizons: A New Perspective on Global Justice that Negates⁶⁷⁵ Cosmopolitanism and Statism?

Fusion of horizons, meaning the way it is applied in this dissertation, is not a negation of cosmopolitanism and statism. It is not a new perspective on global justice that has come to negate, displace or replace the old ones. *It is a mere attempt at bridging perspectives!* It is only an observation about the existing perspectives and an attempt to correct the apparent limitations of the existing perspectives as observed.

So, fusion of horizons is only possible because of the existing perspectives. Without the existing perspectives there will be no fusion of horizons; because there will simply be no horizons to fuse together. Fusion of horizons at once owes its possibility and actuality to the existence (and the observed strengths and weaknesses) of the existing perspectives.

Given the limitations of cosmopolitanism and statism, and the way fusion of horizons compensates for those limitations, one might be tempted to see fusion of horizons as *general* perspective on global justice while seeing cosmopolitanism and statism as *special* perspectives on global justice. In this case, cosmopolitanism will be seen as *special* perspective for interactional analysis while statism will be seen as *special* perspective for institutional analysis. Then fusion of horizons will be seen as *general* perspective for both interactional and institutional analyses.

Or cosmopolitanism will be seen as *special* perspective applicable to the individual and the collective levels while statism will be seen as *special* perspective applicable to the corporate, the state and the global institutional order levels. Then fusion of horizons will be seen as *general* perspective applicable to all levels. To reiterate, *fusion of horizons is a mere attempt at bridging the cosmopolitan and statist perspectives!*

The adjectives *general* and *special* or the phrases general perspective and special perspective bring to mind Albert Einstein's special theory of relativity and general theory of relativity. Nevertheless, our proper analogues are not Einstein's theories of relativity. Our proper analogues are to be found in John Maynard Keynes' *The General Theory of Employment,*

⁶⁷⁵ I am using the term "negation" in its Classical Logic sense in which negation is a unary operation which results in the value of a proposition being the exact opposite of its operand. For instance: p is the negation of $\neg p$; when p is true, $\neg p$ is false; and when p is false, $\neg p$ is true.

Interest and Money. In reaction to the works of classical economists as typified and pioneered by Adam Smith's *An Inquiry into the Nature and Causes of the Wealth of Nations*, Keynes asserts that his own theory is fit for general application while that of the classical economists is only fit for special application.

According to Keynes:

I have called this book the *General Theory of Employment, Interest and Money*, placing the emphasis on the prefix *general*. The object of such a title is to contrast the character of my arguments and conclusions with those of the *classical* theory of the subject, upon which I was brought up and which dominates the economic thought, both practical and theoretical, of the governing and academic classes of this generation, as it has for a hundred years past. I shall argue that the postulates of the classical theory are applicable to a special case only and not to the general case, the situation which it assumes being a limiting point of the possible positions of equilibrium. Moreover, the characteristics of the special case assumed by the classical theory happen not to be those of the economic society in which we actually live, with the result that its teaching is misleading and disastrous if we attempt to apply it to the facts of experience.⁶⁷⁶

In what follows, I shall emphasise the differences between Keynes' objective and that of fusion of horizons. Keynes aimed at contrasting his theory with the classical economic theory. So also fusion of horizons is aimed at showing the limitations of the cosmopolitan and statist perspectives. *But* fusion of horizons is also aimed at showing the strengths of cosmopolitanism and statism. Fusion of horizons goes further to use the strengths of cosmopolitanism to compensate for the weaknesses of statism and vice versa.

Just as Keynes was brought up in classical economic theory, so also I am being brought up in cosmopolitan and statist perspectives on global justice. Just as classical economic theory dominated the economic thought of Keynes' generation, so also cosmopolitan and statist perspectives dominate the global justice thought of my generation. Just as Keynes argued that classical economic theory is only fit for *special* application, so also I argue that: the cosmopolitan perspective is *primarily* fit for interactional analysis and *primarily* applicable to the individual and collective levels; and the statist perspective is *primarily* fit for institutional analysis and *primarily* applicable to the corporate, the state, and (although with serious caution) the global institutional order levels.

⁶⁷⁶ Keynes, John Maynard. *The General Theory of Employment, Interest and Money*. eBook No. 0300071h.html. 1st ed. February, 2003: Book I, Introduction, Chapter 1: The General Theory.

But I also argue that: while cosmopolitanism is not *primarily* applicable to institutional analysis, it can be *secondarily* used for institutional analysis and *secondarily* applied to the corporate, the state and the global institutional order levels; and while statism is not *primarily* applicable to *interactional* analysis, it can be *secondarily* used for interactional analysis and *secondarily* applied to the individual and collective levels.

While Keynes *totally* argued that *all* the characteristics of classical economic theory are not those of the society in which ‘we’ live, I only *partially* argue that *some* of the tenets of the cosmopolitan perspective on the one hand and the statist perspective on the other hand blur our vision of multiple and complex global (in)justice cases. Finally, while Keynes argued that classical economic theory “is misleading and disastrous if we attempt to apply it to the facts of experience,”⁶⁷⁷ I observe that although the cosmopolitan perspective on the one hand and the statist perspective on the other hand are limited (hence their insufficient conditions), they also have merits (hence their necessary conditions).

Using Keynes as an analogy, as I did above, shows us the following. It shows how fusion of horizons would have approached the global justice debate if the aim was to create a new perspective on global justice that negates cosmopolitanism and statism. By definition, fusion of horizons implies that there are already existing horizons, and these already existing horizons are insufficient on their own, but are necessary to form a new horizon and may be jointly sufficient when fused together as a new horizon. So, comparing and contrasting fusion of horizons with Keynes, as done in the above analogy, makes it evident that fusion of horizons does not negate, displace or replace cosmopolitanism and statism unlike Keynes who aimed his economics to negate, displace or replace classical economics.

In view of the above analogy, fusion of horizons is neither *general* perspective on global justice nor a new perspective on global justice that negates cosmopolitanism and statism. In fact, it is not an *original* perspective on global justice: for it is not the result of a lofty ambition but the work of a humble and, hopefully, careful observation. Moreover, as mentioned in sub-sub-chapter 1.2.4, fusion of horizons - at least as applied here - is not Hegelian dialectics of: being + nothingness = becoming; or thesis + antithesis = synthesis; and this synthesis is itself a new thesis, a different thesis, or in short, a thesis.

⁶⁷⁷ Ibid.

Having already said that fusion of horizons, as I used it, 'is neither an *original* perspective nor *general* perspective' but *a mere attempt to bridge the perspectives of cosmopolitanism and statism* because fusion of horizons comes from cosmopolitanism and statism; it would appear that both cosmopolitanism and statism are still separate even after fusing their horizons. Consequently, in other words, the two perspectives have not been *reduced to a singular perspective*. Nevertheless, I am not using 'fusion' in the literal sense that when two things are *fused* they become inseparable, or in the sense that when two things are *fused* they become a new singular thing in which the original parts are no longer distinguishable. I am using fusion of horizons in the sense of a 'combination', 'joining' or 'merging' of the cosmopolitan and statist perspectives.⁶⁷⁸

Fusion of horizons, as used in this dissertation, is rather *analogous* (I use the word *analogous* cautiously) to Maffettone's liberal internationalism. *Ab initio* I share Maffettone's concern with 'absolute poverty' and 'sufficientarian' arguments for 'positive duties' and 'basic rights' or 'meta-rights.' But I go further to ask: what, if any, are the contributory roles of individuals, collective agents, corporations, the state and the global institutional order in resource curse?; and given the contributory roles of individuals, collective agents, corporations, the state and the global institutional order in resource curse, what, if any, are their responsibilities in resource curse?

Therefore, fusion of horizons is at once in various ways 'similar' to, and 'different' from, Maffettone's liberal internationalism. In one notable way, it is 'similar' to Maffettone's 'juxtaposition' of cosmopolitanism and statism. According to Maffettone, "one can play cosmopolitan in combination with statist features and vice versa. This is not because either cosmopolitans or statistes are right. The intention is rather to avoid the pitfalls of both statism and cosmopolitanism by presenting a fresh start under the label of liberal internationalism."⁶⁷⁹ Similarly, fusion of horizons tries to avoid the pitfalls of cosmopolitanism and statism. It is for this reason that it uses the strength of the one to compensate for the weaknesses of the other and vice versa. In short, it accounts for both the strengths and weaknesses of cosmopolitanism and statism.

⁶⁷⁸ For this paragraph and the following paragraph, I credit Dr Domenico Melidoro for his very helpful insights.

⁶⁷⁹ Maffettone, Sebastiano, "Normative Approaches to Global justice." *Globalisation, Multilateralism, Europe: Towards a Better Global Governance?* Ed. Mario Telo. Surrey: Ashgate, 2013: pp. 125-126.

In another notable way in which we can talk about ‘similarity,’ Maffettone seeks a middle point on the spectrum between cosmopolitanism and statism. He thinks “This intermediate option creates a kind of continuity between ‘0’ global justice and ‘1’ global justice.”⁶⁸⁰ In fact, he at once seeks a middle point between, and an alternative to, cosmopolitanism and statism. He maintains that there is a third possible alternative which is at once more realistic or practical than the cosmopolitan alternative and more theoretical or utopian than the statist alternative.⁶⁸¹ Similarly, I seek a position that is ‘moderate’ compared to the ‘radical’ positions that cosmopolitans and statisticians argue for. And I seek an ‘intermediate’ position rather than the ‘extreme’ positions that cosmopolitans and statisticians argue for. But my position is the fusion of horizons of cosmopolitanism and statism.

One notable ‘difference’ is that Maffettone emphasizes positive duty. While I, like Pogge, emphasize negative duty. Another notable ‘difference’ is that Maffettone emphasizes basic rights or meta-rights. While I, like Pogge, emphasize contributory roles. It is for these reasons that having shared Maffettone’s concern with ‘absolute poverty’ and ‘sufficientarian’ arguments for ‘positive duties’ and ‘basic rights’ or ‘meta-rights’, I went further to ask: what, if any, are the contributory roles of individuals, collective agents, corporations, the state and the global institutional order in resource curse?; and given the contributory roles of individuals, collective agents, corporations, the state and the global institutional order in resource curse, what, if any, are their responsibilities in resource curse?

Another notable way in which my position is different from Maffettone’s position is the different phenomena we use, and how we use them, for our different positions. While Maffettone uses regionalism, I use resource curse. By using regionalism, Maffettone’s argument seems to be geographical and geopolitical concentric circles of three circles. Cosmopolitanism is the largest and outermost geographical and geopolitical circle. Statism is the smallest and innermost geographical and geopolitical circle. Regionalism is the medium and intermediate geographical and geopolitical circle. When regionalism contracts towards statism: the more our world looks like the statist’s world; and the less it looks like the

⁶⁸⁰ Ibid. p. 128.

⁶⁸¹ Ibid.

cosmopolitan's world. But when regionalism expands towards cosmopolitanism: the more our world looks like the cosmopolitan's world; and the less it looks like the statist's world.

Rather than using a phenomenon like regionalism, I am concerned generally with complex cases of global justice. Resource curse is only a particular example of complex cases of global justice. So the resource curse phenomenon can be substituted with other complex case phenomena of global justice. But regionalism, the way Maffettone uses it, seems not to be substitutable the way resource curse is.

To reiterate the fundamental differences between my position and those of Rawls, Nagel, Beitz and Pogge; my position is an intermediate position while their positions are extremes. Rawls and Nagel are at the statist extreme of my intermediary position while Beitz and Pogge are at the cosmopolitan extreme of my intermediary position. Although Rawls and Nagel also allow room for some cosmopolitan claims, Rawls creates room for only peoples at the international realm while Nagel even goes further to assert that only humanitarian duty or duty of charity exists on the global level. Unlike Rawls' position, my position also has room for individuals on the global level. Also, my position, unlike Nagel's position, has room for duties of justice on the global level. Furthermore, although my position accommodates some, but rejects other, claims made by Beitz and Pogge, while they see cosmopolitanism as *sufficient* to deal with complex cases of global justice, I argue that it is necessary but not sufficient.

Finally, fusion of horizons, as adopted here, is not consistent with a monist view of value; rather, it is consistent with a pluralist view of value. On the one hand, monist views of value - for example eudaemonism, rational eudaemonism, rational deontologism, utilitarianism, etc - argue that there is a *summum bonum* which we can reduce every value to. On the other hand, generally pluralist views of value argue that there is no *summum bonum* which we can reduce every value to. My view is pluralist in the sense that I argue that neither cosmopolitanism nor statism alone is *sufficient* to deal with complex cases of global justice or global injustice; hence we need a pluralist account, that is, the use of both cosmopolitanism and statism in order to deal with complex cases of global justice or global injustice.

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