

PR5911 Sovereignty, Rights & Justice: Issues in International Political Theory

B511A

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Introduction:

Given the complexity and controversy of events and occurrences in international affairs, it seems strange to think that the disciplines of international relations and political theory were considered to be separate in the 20th Century. This course will look at the (re)emergence of international political theory after the Cold War which seeks to provide a more comprehensive understanding of international events. In doing so, it will examine and evaluate key ideas about the central notions of *sovereignty*, the *rights* of states and individuals and what *justice* means in an international context.

Aims and Objectives

- To provide intellectual challenge to academically able students by engaging with difficult and demanding material at the cutting edge of contemporary political and international relations theory.
- To allow students to comprehend a number of key normative issues in IR, providing detailed insight into how the ‘international community’ works, and to the relationship between theory and practice that will be helpful in their future careers.
- To provide a framework to assist concerned citizens to think about issues that will be of increasing importance in the 21st century.
- To promote a critical engagement with a wide range of literature, predominantly secondary sources, but employing some case studies as exemplars of theory.
- To encourage students to engage with the course material via the development of a succinct writing style and the ability to present complex arguments orally.

Teaching Methods:

There will be 10 seminars in the second term. Each session will include lectures, student presentations and class discussions. You will be expected to read material before class and to be able to discuss the readings in class.

Course Work Requirements and Assessment:

Students will be required to write two 2500 word essays due by **NOON** Thursday 24th April and Thursday 15th May.

Each paper will be worth 50% of the final mark.

Essay Questions:

1. Does Walzer romanticise the nation-state? Is this a problem?
2. What is the moral value of norm of non-intervention?
3. Are human rights an ethno-centric and patriarchal idea? How does this affect your evaluation of them?
4. Economic and social rights are aspirations rather than rights. Do you agree?
5. Is there a “responsibility to protect” in international society?
6. Although genocide is clearly outlawed in international law, why is it so hard to do anything about it?
7. Can we distinguish between “just” and “unjust” wars? Why is this important?
8. Is international law anything more than the norms supported by powerful states that seek to influence international society?
9. What obligations do individuals have towards other individuals outside their own nation-state?

Notes on reading:

Brown, C. *Sovereignty, Rights and Justice* (Polity, 2002) is recommended as essential background reading. Though some of the material is dated, it deals with key concepts on the course such as the cosmopolitan/communitarian divide, and provides an introduction to several thinkers on the course. This book is recommended for purchase.

Brooks, T. *The Global Justice Reader* (Wiley-Blackwell, 2008) is a more up-to-date book on the central themes of the course.

In addition, the following books will be used quite widely: students should purchase *at least one* of these books, and are encouraged to co-ordinate purchasing so that they have access to all of them:

Highly recommended:

Beitz, C.R. *Political Theory and International Relations* (Princeton Univ Press, 1979/2000): a classic ‘cosmopolitan’ statement, partially anthologised in Beitz *et al* above. The Second Edition (2000) reprints the first with an ‘Afterword’ most of which can be found elsewhere. A reasonably priced second hand copy of the 1979 edition would be a worthwhile investment.

Walzer, M. *Just and Unjust Wars* (3rd ed. Perseus Books, 2000 – but earlier editions equally useful if you can get a second hand copy). Excellent work, wider than title would suggest. Students will be expected to be familiar with this book by the end of the course.

Course Outline

Please note that there will be a lot of overlap between seminars in terms of reading. Students are encouraged to apply the readings from one week to other seminars on the course.

Please note that the Course Moodle will provide the most up-to-date reading list (and links to many of the articles listed below.)

1. Introduction to the course: A “Sovereignty, Rights and Justice” approach to international politics and normative theory

In this session we will look at the development of International Political Theory (IPT) as a distinctive sub-field in the study of politics, considering both its history and the contemporary state of the discipline. We will focus on the linkage between international relations and international ethics, or the lack thereof, as well as the distinction between communitarian/nationalist and cosmopolitan/universalist positions. We will also go over details about the course.

Readings

Beitz, C.R. *Political Theory and International Relations* (1979/2000), Part I

Brooks, T. *The Global Justice Reader* (2008), Introduction and Section VI

Brown, C. *International Relations Theory: New Normative Approaches* (1992)

Brown, C. *Sovereignty, Rights and Justice* (2002), especially Chapters 1-4

2. Sovereignty and the norm of non-intervention in international relations

Sovereignty is normally considered the fundamental norm of international politics, both as a claim about the nature of politics and a moral claim, in this session we will consider why sovereignty has been so central to our thinking and some of its limitations. In Particular, we will consider whether world politics has changed to such a degree that sovereignty should no longer be thought of as absolute but rather seen as conditional.

Questions:

1. What factors in international society have challenged the norm of non-intervention in the last 40 years?
2. Is it useful to differentiate between a 'pluralist' and 'solidarist' conception of international society? To which is international society more inclined today?
3. What is more important in international politics, order or justice?

Readings

Beitz, C.R. *Political Theory and International Relations* (1979/2000), Part II

Brooks, T. *The Global Justice Reader* (2008), Sections I and II

Brown, C. *Sovereignty, Rights and Justice* (2002), especially Chapter 5

Bull, H. *The Anarchical Society* (1977/1995/2002)

Dunne, T. and N. Wheeler, "Hedley Bull's Pluralism of the Intellect and Solidarism of the Will," *International Affairs*, Volume 72, Number 1 (1996): 91-107

Krasner, S. *Sovereignty: Organized Hypocrisy* (1999), link to excerpt on moodle

Kratochwil, F. "Sovereignty as Dominium" (1995), link to excerpt on moodle

Wheeler, N. J. "Pluralist and Solidarist Conceptions of International Society: Bull and Vincent on Humanitarian Intervention," *Millennium: Journal of International Studies*, Volume 21, Number 3 (1992): 463-87.

Wheeler, N. J. *Saving Strangers* (2000)

3. The moral standing of states in the international system

While traditional notions of sovereignty grant power to the state the moral defence of sovereignty, as we have seen, is normally framed in terms of preserving order. There are, however, other accounts of the moral value of the state; in this session we will look at communitarian claims that the state should be granted inviolability because it enables the realisation of community, which has intrinsic moral value. We will also consider why this linkage between sovereignty, community and morality is problematic.

Questions:

1. Is Walzer right to attribute a moral standing to states in the international system? Or is he guilty of ‘romanticizing’ the nation state?
2. Can we have shared understandings across community boundaries?
3. When should we intervene in a political community?

Readings:

Beitz, C.R. *et al* eds. *International Ethics* (1985)

Brooks, T. *The Global Justice Reader* (2008), Sections V and VI

Cochran, M. *Normative Theory in International Relations* (1999) , Chapter 2

Frost, M. *Ethics in international relations* (1996), Chapter 5

Luban, D. "Just War and Human Rights," *Philosophy and Public Affairs*, Volume 9, Number 2 (1980): 160-181

Luban, D. "Romance of the Nation State," *Philosophy and Public Affairs*, Volume 9, Number 4 (1980): 392-397

Shue, H. "Limiting Sovereignty," in Welsh, J. (ed) *Humanitarian Intervention and International Relations* (2004)

Walzer, M. "The Moral Standing of States: A Response to Four Critics," *Philosophy and Public Affairs*, Volume 9, Number 3 (1980): 209-229

Walzer, M. *Just and Unjust Wars* (2000)

Walzer, M. *Thick and Thin: Moral Argument at Home and Abroad* (1994)

4. Human Rights: The contemporary human rights regime and its critics.

The ascent of human rights in the 20th century challenges both ideas of state sovereignty and communitarian morality as it suggests that individuals have universal rights that must be respected. In this session we will look at the idea of universal rights and the way it has changed world politics, while also considering criticisms of human rights that focus on their origin in Western and patriarchal ways of thinking.

Questions:

1. What are the main complaints against the “western” conception of human rights?
2. What are the strengths and weaknesses of the “Asian Values” argument?
3. Should we distinguish between political, economic and social rights?

Readings:

Bauer, J.R and D. A. Bell eds. *The East Asian Challenge for Human Rights* (1999)

Brooks, T. *The Global Justice Reader* (2008), Section III

Brown, C. *Understanding International Relations* (2005), Chapters 10-11

Brown, C. *Sovereignty, Rights and Justice* (2002), Chapter 7

Brown, C. “Human Rights” in Baylis and Smith, *The Globalization of World Politics* (2005)

Coomaraswamy, R. “To Bellow like a Cow: Women, Ethnicity, and the Discourse of Human Rights” in Cook, R. (ed.) *Human Rights of Women: National and International Perspectives* (1994)

Donnelly, J. "Human rights: a new standard of civilization" in Dunne, T & N. Wheeler (eds) *Human Rights in Global Politics* (1998)

Economist. "Cracking Down on Dissent" 7 January 2009 (on Charter 08)

Forsythe, D. *Human Rights in International Relations* (2006)

Jones, P. "Human Rights and Diverse Cultures: Continuity or Discontinuity?" in S. Caney and P. Jones (eds), *Human Rights and Global Diversity* (2001).

MacKinnon, C. "Crimes of War, Crimes of Peace" in S. Shute and S. Hurley (eds) *On Human Rights* (1993)

New York Review of Books, "China's Charter 08" (translated version of the Charter)
Review of International Studies, Volume 33, Volume 1 (2007) Special section on women and human rights

Shue, H. *Basic Rights: Subsistence, Affluence and United States Foreign Policy* (1980)

Vincent, R. J. *Human Rights and International Relations* (1986)

5. Humanitarian intervention

As the norm of non-intervention has waned the question of when intervention might be justified has come to the fore. In this session we will look at how intervention has been justified morally as well as how it has been practiced, paying special attention to questions of who is empowered to intervene and who is subject to intervention. Also, we will look at the success of the Responsibility to Protect doctrine as a development in world politics intended to protect individual rights against state violence.

Question:

1. Is there a “responsibility to protect”?
2. What has been the impact of the war on terror on humanitarian intervention?
3. Does Blair’s “Doctrine of the International Community” still apply after the 2003 Iraq War?

Readings

Bellamy, A. J. and N. Wheeler, “Humanitarian intervention in world politics” in Baylis and Smith, *The Globalization of World Politics* (2005), Chapter 25

Bellamy, A. J. "The Responsibility to Protect and the problem of military intervention," *International Affairs*, Volume 84, Number 4 (2008): 615-639.

Bellamy, A. J. "Preventing Future Kosovos and Future Rwandas: The Responsibility to Protect after the 2005 World Summit," *Carnegie Council Policy Brief* (2006)

Bellamy, A. J. "The United Nations Security Council and Humanitarian Intervention after Iraq," *Journal of Military Ethics*, Volume 5, Number 2 (2006): 144-160.

Blair, T. “Doctrine of International Community,” Speech to *The Chicago Council on Global Affairs* (22 April 1999)

Brown, C. *Sovereignty, Rights and Justice* (2002), Chapters 6 and 8

Gow, G. *Triumph of the Lack of Will* (1997) PDF document on moodle

International Commission on Intervention and State Sovereignty, *The Responsibility to Protect* (2001)

Johnson, J. T. "Humanitarian Intervention After Iraq," *Journal of Military Ethics*, Volume 5, Number 2 (2006): 114-127.

Moore, J. (ed) *Hard Choices: Moral Dilemmas in Humanitarian Intervention* (1998)

Roth, R. "Was the Iraq War a Humanitarian Intervention?" *Journal of Military Ethics*, Volume 5, Number 2 (2006): 84-92.

Teson, F. "Eight Principles for Humanitarian Intervention," *Journal of Military Ethics*, Volume 5, Number 2 (2006): 93-113.

Welsh, J. (ed) *Humanitarian Intervention and International Relations* (2004)

Wheeler, N. J. *Saving Strangers* (2000)

Wheeler, N. J. "Legitimizing Humanitarian Intervention: Principles and Procedures," *Melbourne Journal of International Law*, Volume 2, Number 2 (2001): 550-566.

6. Genocide: Rwanda and Darfur

Genocide is often taken to be the least controversial cause for intervention yet the history of genocide is one of inaction on the part of bystanders. In this session we will look at both why genocide is seen to be such a profound crime as well as why it has proven so difficult to confront.

Questions:

1. What are some of the problems with the Genocide Convention as it currently exists?
2. Did the West fail to act in Rwanda? Is it failing to act in Darfur?
3. Can we prevent genocide?

Readings:

Dallaire, R. *Shake Hands With the Devil: The Failure of Humanity in Rwanda* (2003)

Des Forges, A. *Leave None to Tell the Story* (1999)

Des Forges, A. and A. J. Kuperman, "Shame: Rationalising Western Apathy on Rwanda" *Foreign Affairs*, Volume 79, Number 3 (2000): 141-144

De Waal, A. "Darfur and the failure of the responsibility to protect," *International Affairs* Volume 83, Number 6 (2007): 1039-1054

Gourevitch, P. *We wish to inform you that tomorrow we will be killed with our families: Stories from Rwanda* (1998)

Kuperman, A. 'Rwanda in Retrospect' *Foreign Affairs* Volume 79, Number 1 (2000): 94-118

Kuperman, A. *The Limits of Humanitarian Intervention: Genocide in Rwanda* (2001)

Melvern, L. *A People Betrayed: The Role of the West in Rwanda's Genocide* (2000)

Melvern, L. *Conspiracy to Murder: Planning the Rwanda Genocide* (2004)

Moore, J. (ed) *Hard Choices: Moral Dilemmas in Humanitarian Intervention* (1998)

Prunier, G. *The Rwanda Crisis 1959-94: History of a Genocide* (1995)

Prunier, G. *Darfur: The Ambiguous Genocide* (2005)

Slim, H. *Killing Civilians* (2008)

Williams, P. D. and A. J. Bellamy, "The Responsibility to Protect and the Crisis in Darfur," *Security Dialogue*, Volume 36, Number 1 (2005): 27-47.

7. Just Wars?

We have already examined the ways in which violence that violate state sovereignty can be justified by the protection of individual rights or the enforcement of international law but this raises the question of whether there is a more systematic and less ad hoc way to address these questions. In this session we will look at the just war tradition to consider not only who is authorized to use violence and for what reasons, but also what kinds of limits should be placed on violence in "just wars".

Questions:

1. Are "Just War" criteria useful for thinking about justifying war?
2. What are the dangers of "just war"?
3. What is the role of state interest in just wars?

Readings:

American Journal of International Law, "Editorial Comments: Nato's Kosovo Intervention," Volume 93, Number, 4 (1999): 824-863

Bellamy, A. J. "Is the War on Terror Just?" *International Relations*, Volume 19, Number 3 (2005): 275-296.

Blair, T. "Doctrine of International Community," Speech to *The Chicago Council on Global Affairs* (22 April 1999)

Brooks, T. *The Global Justice Reader* (2008), Section VIII

Daalder I. and M. O'Hanlon, *Winning Ugly: Nato's War to save Kosovo* (2000)

Hendrickson, D. "In Defense of Realism: A Commentary on Just and Unjust Wars," *Ethics and International Affairs*, Volume 11, Number 1 (1997): 19-53.

Ignatieff, M. *Virtual War: Kosovo and Beyond* (2000)

Ignatieff, M. *Empire Lite: Nation Building in Bosnia, Kosovo and Afghanistan* (2003)

Roberts, A. "Nato's 'Humanitarian War' over Kosovo," *Survival*, Volume 41, Number 3 (1999): 102-123.

Smith, M. "Growing Up With Just and Unjust Wars," *Ethics and International Affairs*, Volume 11, Number 1 (1997): 3-18.

Walzer, M. *Just and Unjust Wars* (2000)

Walzer, M. *Arguing about War* (2004)

8. Justice and the evolution of international law

As we have seen with both the development of human rights law and laws on the use of force there has been a progressive moralisation of international law. This progress, however, raises a number of questions, including whether the law is able to constrain state power, how the law itself exerts power and whether the development of international law actually helps victims of violence and oppression rather than serving the interests of the powerful.

Questions:

1. What is the role of international law in international society?
2. How has international law changed since 1945?
3. What challenges has the war on terror posed for international law?

Readings:

American Journal of International Law, "Developments in International Criminal Law," Volume 93, Number 1 (1999): 1-123

Brown C. *Understanding International Relations* (2005), Chapter 11

Koskenniemi, M. "The Politics of International Law," *European Journal of International Law*, Volume 1, Number 1 (1990): 4-32

Rabkin, J. "International Law vs. the American Constitution," *National Interest* (Spring 1999)

- Rabkin, J. “After Guantanamo: The War Over the Geneva Convention” *National Interest* (Summer 2002)
- Rabkin, J. “Global Criminal Justice: An Idea Whose Time Has Passed,” *Cornell International Law Review*, Volume 38, Number 3 (2005): 753-778
- Ralph, J. “International Society, the International Criminal Court and American Foreign Policy,” *Review of International Studies*, Volume 31, Number 1 (2005): 27-44
- Reus-Smit, “International Law” in Baylis and Smith, *The Globalization of World Politics* (2005), Chapter 15
- Sands, P. *Lawless World: American and the Making and Breaking of Global Rules* (2005)
- Schabas, W. *An Introduction to the International Criminal Court* (2001)
- Spiro P. J. “The New Sovereignists,” *Foreign Affairs*, Volume 79, Number 6 (November/ December 2000): 9-15

9. International distributive justice: Can we ‘Make Poverty History’? (Part 1)

We live in a world of shocking inequality, where the richest 300 people have more wealth than the poorest 3 billion. And we live in a world with huge numbers of people living in absolute poverty – over a billion people live on little more than 1 USD per day. What does such widespread poverty mean for global ethics? Do we have duties to those beyond our borders? Can we “make poverty history”? The final two sessions of the course will look at accounts of why we do not and why we do have duties to distant others suffering in poverty. We will also consider why this issue is so easily framed in terms of what “we” can do for “them”.

Questions:

1. Do individuals have duties beyond boundaries?
2. Should we think of international society as a “cooperative scheme for mutual advantage”?
3. Can we make poverty history – should we even try?

Readings:

Brooks, T. *The Global Justice Reader* (2008), Sections IV and VII

Brown, C. "Theories of International Justice," *British Journal of Political Science*, Volume 27, Number 2 (1997): 273-297

Brown, C. *Sovereignty, Rights and Justice* (2002), Chapter 9

Brown, C. "The Construction of a Realistic Utopia: John Rawls and International Political Theory," *Review of International Studies*, Volume 28, Number 1 (January 2002): 5-21

Rawls, J. *The Law of Peoples* (2001)

10. International distributive justice: Can we 'Make Poverty History'? (Part 2)

Barry, B. *Justice as Impartiality* (1994)

Beitz, C.R. *Political Theory and International Relations* (1979/2000), Part III

Brown, C. "International Social Justice," in D. Boucher & D. Kelly *Social Justice* (1998)

Brown, C. "From International To Global Justice," *Oxford Handbook of Political Theory Ethics & International Affairs* (2005)

International Affairs, "Special Anniversary Issue," Volume 75, Number 3 (1999)

Miller, D. "Against Global Egalitarianism," *Journal of Ethics*, Volume 9, Number 1-2 (2005): 55-79.

Pogge, T. *World Poverty and Human Rights* (2002)

Pogge, T. "Real World Justice," *Journal of Ethics*, Volume 9, Number 1-2 (2005): 29-53

Review of International Studies, "Special Section Charles Beitz's *Political Theory and International Relations* after 25 years," Volume 31, Number 2 (2005): 361-423

Risse, M. "What We Owe to the Global Poor," *Journal of Ethics*, Volume 9, Number 1-2 (2005): 81-117

Singer, P. "Famine, Affluence and Morality," in Beitz *International Ethics* (1985)