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ABSTRACT
Most significant policy issues facing humanity reach across national borders. Consequential political decisions with cross-national effects are frequently made by states, non-state organisations, and corporations. Under these circumstances, it is widely acknowledged that it is important to conduct deliberation at the global level. Below this shallow agreement, however, lies deep disagreement about a crucial question: how, if at all, is it morally permissible for deliberation to result in a set of international laws and rules that are imposed on a world population which is deeply pluralistic in its moral and political attitudes? When the equivalent question is asked within the confines of a political community, one prominent answer is by reference to a standard of public reason. While there is a large literature about public reason at the domestic level, the literature on global public reason is comparatively under-developed. The paper addresses this lacuna in two ways. First, it motivates the global public reason project, and conceptualises the nature of the challenge that accounts of global public reason face. Second, it demonstrates that, by their own evaluative standards, existing accounts of global public reason are unable to satisfy both desiderata simultaneously, being either too 'thick' or too 'thin'.

Most significant policy issues facing humanity reach across national borders. Consequential political decisions with cross-national effects are frequently made by states, non-state organisations, and corporations. Under these circumstances, it is widely acknowledged, and seems axiomatic, that it is important to conduct deliberation at the global level. Below this shallow agreement, however, lies deep disagreement about a crucial question: how, if at all, is it morally permissible for deliberation to result in a set of international laws and rules that are imposed on a world population which is deeply pluralistic in its moral and political attitudes? Without an answer to this question, meaningful global deliberation will prove elusive.

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When the equivalent question is asked within the confines of a political community, one prominent answer – at least within the liberal tradition – is by reference to a standard of public reason. While there is a large and mature literature about public reason at the domestic level, the literature on global public reason is comparatively underdeveloped. This paper addresses this lacuna in two ways. First, it motivates the global public reason project, and conceptualises the nature of the challenge that accounts of global public reason face. On the one hand, they seek to be expansive and rich enough to allow for the generation of globally applicable solutions to shared problems (the 'globality desideratum').[1] On the other hand, they seek to avoid imposing on diverse individuals and societies policies which they could reasonably reject (the 'diversity desideratum'). While responsiveness to diversity is of course also a concern for domestic public reason, the article identifies why the challenge posed by the diversity desideratum to global public reason is importantly distinctive. Second, it demonstrates that, by their own evaluative standards, existing accounts of global public reason are unable to satisfy both desiderata simultaneously, being either too 'thick' or too 'thin'.

The argument proceeds in four stages. Section 1 motivates the global public reason project. Section 2 lays out three evaluative standards which public reason liberals themselves endorse for judging between theories of public reason. Section 3 then examines cosmopolitan accounts of global public reason, arguing that they are parochial and therefore fail to satisfy the second desideratum, rendering them too thick. Section 4 turns to nationalist accounts of global public reason, which – in large part to circumvent the problem of parochialism – posit a much thinner set of principles to govern global political justification. I argue, however, that such theories fail to satisfy the first desideratum, and are thus too thin. Section 5 concludes.

Section 1: motivating global public reason

Theories of public reason specify norms to govern public discourse in such a way that the political decisions which result from public deliberation are acceptable to all reasonable individuals. That is, public reason tells us what kinds of reasons and justifications may be legitimately advanced in public deliberation, and what forms of reasoning may permissibly be used to defend arguments in the public sphere. Theories of public reason differ in how they draw the justificatory constituency of agents to whom rules must be acceptable, and over the standards by which justifications for policy are to be judged. But their essential feature is that, to be legitimate, laws and coercively-enforced rules must accord with some principle of public justification.

Introduced into contemporary analytical political philosophical debates by John Rawls, public reason is a key component of his answer to the question of how, in societies characterised by widespread disagreement on almost all

matters of social life, the state can legitimately impose a single set of laws and institutions on a diverse citizenry. In societies characterised by widespread disagreement on all matters of the good, public reason requires that arguments offered in public deliberation be justified by reference to metaphysically uncontroversial 'political' values, not by appeal to the tenets of a 'comprehensive doctrine'. According to Rawlsian public reason, then, (within a liberal society) while it is acceptable to argue for a particular policy on the basis that it realises, say, the value of moral equality between persons, it is not acceptable to justify policy by reference to religious doctrines or personal dreams. Accounts of global public reason extend this kind of reasoning to the supranational level, specifying a set of principles that must be used when justifications for laws and policies are offered at the supranational level (Smith, 2011, p. 188). One issue that accounts of global public reason will have to clarify is who, or what, count as the relevant agents or users of public reason. As an initial formulation, we can understand global public reason as a set of publicly justifiable principles that individuals, peoples, states, and civil society groups must use when offering justifications for the design of supranational laws, and the decisions of international institutions and practices.[2]

Global public reason has explicit proponents – as I will note below, authors such as Blain Neufeld, and Rawls himself defend versions of it. Importantly, though, many public reason liberals, even if they do not explicitly defend global public reason, hold the position implicitly, as an extension of their other beliefs. Let me explain, with reference to both of the most prominent grounds offered in the literature for why public reason is important, and the conditions under which it applies.

First, there is the view, associated with among others Gerald Gaus, that public reason is required to justify any instance of coercion. According to this view, coercing someone is only justified if they can be given reasons for the coercion that they can, in some sense, accept. If one subscribes to this view, then the necessity of some form of global public reason is apparent. The point of many international agreements, rules and institutions is to enact coercively binding rules to govern international life.[3] So insofar as theories of global deliberation purport to be about rules which will coerce individuals from across the world, justification is owed to them in terms they can accept. Gaus recognises that the requirements of public justification stretch across political borders when he notes: 'that a political society has boundaries and its own system of authority does not give it permission to coerce nonmembers without justification' (Gaus, 2011, p. 479).

Second, there is the view, held by among others Jonathan Quong, that public reason should apply even to non-coercive state actions. In Quong's formulation, for example, the requirement to use public reason drops out of a conception of society as a fair system of social cooperation among free and equal persons. The story runs like this: in a society of free and equal persons

marked by reasonable pluralism, a shared basis for settling fundamental political questions is only possible by bracketing metaphysically controversial values, and appealing to political values which are accessible to everyone, regardless of their comprehensive doctrine. To deny the importance of finding such a shared basis, and to insist that principles of justice be grounded in one's own comprehensive doctrine is to commit one of two wrongs. Either it is to deny the fact of reasonable pluralism, or it is to deny the moral equality of persons, by assuming that one's own moral beliefs should carry greater weight than the claims of others (Quong, 2013, pp. 274–277).

The reason why this type of public reason liberal should endorse the need for global public reason is more complex. The first question to ask is why they believe we should adopt this conception of society as a fundamental organising idea, and the commitments – to moral equality and reasonable pluralism – that are said to flow from it. Quong's own answer, as I explain in more detail in Section 3, is that they are justified by the fact they withstand scrutiny in reflective equilibrium. Since Quong's use of the method of using reflective equilibrium is not culturally or nationally bound, then this method of justifying public reason provides no grounds for denying that public reason applies globally. Quong recognises this when he suggests that his version of political liberalism is not meant to apply only to societies that are currently liberal:

> We are very lucky to live in a time and a place where many people do accept society as a fair system of social cooperation between free and equal citizens under conditions of reasonable pluralism. This does not mean that liberal justice does not apply to those who are not as lucky as us, only that it will be more difficult for them to achieve (Quong, 2011, p. 157).

Another possible answer draws on how Rawls links the idea of society as a fair system of social cooperation to the public political culture of the West, such as the following:

> we look to the public political culture of a democratic society, and to the traditions of interpretation of its constitution and basic laws, for certain familiar ideas that can be worked up into a conception of political justice ... The most fundamental in this conception of justice is the idea of society as a fair system of social cooperation over time from one generation to the next (Rawls, 2001a, p. 5).

It is important to note that most public reason literature does not ground the view in its emergence from the constitutional history of the West. In part this is because of Quong's arguments, but also because Rawls himself suggests that ideas from the public political culture must ultimately be assessed for their validity in the process of coming to reflective equilibrium.[4] However, even if one does justify the public reason project in this latter way, it is still possible to motivate its global extension. The first point to note in this regard is that there is now a constitutional tradition of viewing international politics as governed by the same normative ideal of a 'fair system of social cooperation' that underpins public reason

liberalism. Consider, in this regard, United Nations Charter, whose first article lists the United Nations' purposes as 'to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace . . . To develop friendly relations among nations . . . To achieve international co-operation in solving international problems . . . [and] to be a centre for harmonizing the actions of nations in the attainment of these common ends' (United Nations, 1985, Article 1).

Crucially, we can further note that the nature of cooperation does not have to be identical at the domestic and international levels. Even if theorists believe that the nature of cooperation is different at the two levels, there is still general agreement that *some* form of cooperation is required. Rawls himself, for example, is not a cosmopolitan egalitarian, but still generates his account of the 'law of peoples' in recognition of the fact that there will be shared, ongoing political challenges at the global level which cannot be regulated solely by individual, localised agreements for mutual advantage.[5] So while a political liberal might well say that the nature of cooperation at the global level is distinctive, and thus requires a distinctive type of public reason, the burden of proof is on the opponent of global public reason to specify why it does not apply at all in the international realm. And if one simply defines the nature of 'social cooperation' such that it only matches the kind found within constitutional democracies, this becomes a tautology – the burden of proof is on the proponent of this view to provide a positive justification for this move.

A significant number of public reason theorists, then, are committed to some version of its use at the global level, whether this is an explicit commitment they hold, or an implicit extension of other beliefs about the nature of public reason and the conditions under which it applies. With these motivations for the global public reason project in place, we can now turn to the criteria by which to judge its various incarnations.

Section 2: judging theories of public reason

The aim in this paper is to use only principles internal to theories of public reason to critique them. Below I sketch three criteria liberals themselves offer: completeness, plausibility in reflective equilibrium, and non-sectarianism.[6]

Completeness

The first criterion, which responds to the demands of the globality desideratum, is *completeness*. To be complete, a theory of public reason's political conceptions must – in Rawls' words - 'give a reasonable answer to all, or to nearly all, questions involving constitutional essentials and matters of basic justice'. He goes on to highlight the importance of this criterion: 'the significance of completeness lies in

the fact that unless a political conception is complete, it is not an adequate framework of thought in the light of which the discussion of fundamental political questions can be carried out' (Rawls, 1997, p. 777, 2005, p. 225). It is easiest to get a handle on completeness by describing its absence. Following Gaus, theorists generally distinguish between two forms of incompleteness: inconclusiveness and indeterminacy. Public reason is *inconclusive* when it fails to generate agreement on a given political issue.[7] Public reason is *indeterminate* when it cannot provide a member of the justificatory constituency with sufficient reason(s) to come to any reasoned conclusion on a particular issue. As Micah Schwartzman argues, inconclusiveness does not seem to be a problem for Rawlsian public reason (Schwartzman, 2004, pp. 191–220). Nowhere does Rawls claim that public reason should generate a single best conclusion on any given political question. Indeed, he strongly suggests that this will not be the case, recognising that there will be a *plurality* of reasonable political conceptions (of which his preferred conception, justice as fairness, is one). Public reason, then sets limits to public discussions, ruling out appeal to certain considerations, rather than specifying a method for converging on a single conception of justice. Indeterminacy, by contrast, does constitute a serious threat to the public reason architectonic. I will explain why in laying out the case against liberal nationalist public reason in Section 4.

Plausibility in reflective equilibrium

The second criterion, reflective equilibrium, is one of Rawls' most influential legacies in contemporary analytical philosophy, the idea being that we work backwards and forwards between general principles and considered judgments about particular cases, until we arrive at a stable equilibrium.

Non-sectarianism

Theories of public reason hold that laws must be justifiable to all 'reasonable' citizens. This raises a question – how does one discriminate between candidate definitions of the 'reasonable'? Public reason theorists disagree about how to draw the boundaries of this justificatory constituency of 'reasonable' people, with some preferring little to no idealisation, and others preferring strong idealisation. One criterion – the third that this paper draws on – to help discriminate between candidate definitions of the 'reasonable' is *non-sectarianism*. Within the domestic literature, this criterion measures how widely or narrowly an account of public reason draws the justificatory constituency, relative to the number of actual people who will be bound by those rules. It is thus a measure of how inclusive a justificatory constituency is. The criterion is necessary to retain faithfulness to the underlying motivation for public reason: to provide a method for justifying laws that are acceptable to

more than a narrow segment of those bound by them. As Kevin Vallier puts it, 'political liberals generally acknowledge that one point of public reason is to avoid the sectarianism of alternative approaches to political legitimacy' (Vallier, 2017, p. 185). Given the point of political liberalism is to avoid the sectarianism of rival theories, it is important that it is itself non-sectarian. Otherwise, the justificatory constituency for public reason views becomes what Gaus calls a 'liberal sect', one that excludes many 'good-willed' and 'sensible' people (Gaus, 2012, p. 10).

Importantly, this is not to claim that less sectarianism is always better. It may be that after some sufficient threshold of non-sectarianism has been met, trying to include more and more of the actual views of citizens is, at best, of no value, or worse, ruins a theory by making it hostage to, say, racist or sexist views which have no place in the justificatory constituency. However, even if we adopt a threshold conception of non-sectarianism, the criterion reminds us that the distribution of views among real people forms an ordinary language understanding of the term 'reasonable disagreement'. Technical conceptions of 'reasonableness' might depart from this in idealising the justificatory constituency of 'reasonable' people, but cannot go so far as to bear no relation to the folk understanding without becoming unfaithful to the point of public reason.[8]

Non-sectarianism presents a distinctive challenge for theories of global public reason. Not only must they reckon with the demands of non-sectarianism in terms of the proportion of individuals included in the justificatory constituency, they must also operate without an assumption available to theories of domestic public reason: that there exists a developed, single background political culture. Rawls describes the public culture as 'the shared fund of implicitly recognized basic ideas and principles' which form 'provisional fixed points' from which theorising about a political concept of justice can begin (Rawls, 2005, p. 8). A liberal public political culture may be said to emerge, for example, when principles of liberal political morality, such as the harm principle, and a commitment to (some version of) state neutrality, over time become codified in constitutional documents, embedded in popular consciousness, expressed in legal precedent, and come to form part of the historical self-perception of the political community. At the global level, it is widely recognized that the public culture – if one exists – is much thinner than (most) domestic counterparts. Further, it is understood that at the global level there are a *multiplicity* of political cultures interacting.

As I will discuss in Section 3, theorists of public reason disagree about why exactly public political culture matters, but there is general agreement that it exists, and is morally significant.[9] It is for this reason that many theories of global public reason recognise that the boundaries of the justificatory constituency should be drawn in such a way that they permit the inclusion of representatives from a variety of

political cultures. Consider, for example, Rawls' insistence that certain non-liberal peoples be considered as full members of the 'Society of Peoples':

> ... if liberal peoples require that all societies be liberal ... then decent nonliberal peoples – if there are such -will be denied a due measure of respect by liberal peoples. This lack of respect may wound the self-respect of decent nonliberal peoples as peoples, as well as their individual members ... Denying respect to other peoples and their members requires strong reasons to be justified. (Rawls, 2001b, p. 61).[10]

Some might point to specific societies that are highly polarised domestically and deny that a shared political culture obtains in these cases as well. Here I do not take a stand on the fundamentally empirical question of whether a particular political community does or does not possess a common political culture. Instead, I merely note that the existence of a public political culture within a political community is a contingent matter, one which depends on particular facts about that community. At the global level, by contrast, it is widely recognised that a distinctively global public culture is much less developed, and that deliberation must account for not only this global-level culture, but also a *plurality* of domestic public cultures. This challenge is what differentiates global and domestic public reason, requiring new analysis over and above existing discussions of how (domestic) public reason responds to diversity.

With these criteria in hand, we can now test two forms of global public reason against them.

Section 3: cosmopolitan public reason

A first, cosmopolitan, formulation of global public reason holds that we should deploy domestic public reason liberalism in the same form at the global level. Blain Neufeld defends this position, arguing that arguments in the global public sphere must pass the same test of public justification as that used by domestic political liberals (Neufeld, 2005, pp. 275–299). The justificatory constituency is idealised to exclude people with views incompatible with political liberalism, but is not so narrow that it only includes comprehensive liberals. Does this cosmopolitan formulation of the public reason position succeed?

My central contention in this section is that – even if political liberalism can be justified in this form at the domestic level – such an account of *global* public reason defines the justificatory constituency in a way that violates the non-sectarian desideratum.[11]

To press this argument, we must distinguish between two versions of political liberalism. The first is easier to critique. This version draws attention

to Rawls' description of the project of domestic political liberalism as working up certain norms and ideas – especially those that pertain to freedom and equality – implicit in the public culture of liberal democratic societies into a coherent political theory. The presence of these ideas in the public political culture, according to this view, is one reason why it is permissible to impose political liberalism on an individual who does not accept liberalism: it is part of the background framework of the society in which they live. But this defence of political liberalism, of course, is not available at the global level. The world as a whole contains a variety of public political cultures, each with distinct understandings of the nature of the moral personhood, the proper relationship between individuals and social structures, and even such fundamental matters as the nature of moral reasoning. For those who ground public reason liberalism in the public political culture of Western societies, then, applying their theory to the global level in unmodified form would, by their own lights, violate the non-sectarian desideratum.

There is, however, as I note above, a second strand of thought within contemporary liberalism which does not ascribe moral significance to political culture in the same way. Quong's internal conception of political liberalism is emblematic of this view. Quong draws a distinction between an external conception of political liberalism, for which the justificatory constituency is made up of the individuals in diverse modern societies, and an internal conception, under which the justificatory constituency are individuals in an idealised liberal society marked by reasonable pluralism, for whom disagreement on all aspects of the good is an inevitable consequence of human rationality exercised in good faith under liberal institutions (Quong, 2011, p. 139). The analogous distinction at the supranational level would be between an 'external conception' which holds the justificatory constituency to be the world's diverse population, and an 'internal conception' in which reasonable individuals are defined in such a way that they accept the basic premises of freedom and equality, and the family of liberal principles which are derived from them. For the internal conception, it seems, legitimacy is not conditional on acceptability to a particular public political culture, nor on alignment with the views of real individuals; all that is required for policy to be justified is for it to accord with a liberal conception of legitimacy. The challenge, then, is to demonstrate how this 'internal' conception of global public reason liberalism runs afoul of the non-sectarian desideratum.

To do so, we can first note that Quong does not jettison political culture entirely. He accepts that 'we cannot construct our theory of political liberal justice out of thin air. As Rawls readily admits, "not everything, then, is constructed; we must have some material, as it were, from which to begin"' (Quong, 2011, p. 154). This material, Quong accepts, comes from the public political culture. But where Quong differs from external conception liberals is in why the public culture matters.[12] Rather than understanding political

liberalism as an interpretive exercise, trying to work out the best version of ideas implicit in the public culture, Quong advocates looking to public culture as part of the process of coming to reflective equilibrium:

> 'Drawing on the ideas implicit in our public culture is therefore not a radical departure from the methodology employed in *A Theory of Justice*, but rather a continuation of Rawls's commitment to the method of reflective equilibrium. On this view we begin with certain ideas in our public culture because they represent our most strongly held convictions about justice. We take these convictions as provisional 'fixed points' in our political theorizing because we are most confident about their validity. We then see if we can construct a coherent normative framework that can make sense of these convictions' (Quong, 2011, p. 155).

It is true, then, that Quong's internal conception uses public culture in a distinctive way. However, we should note that there is still significant theoretical weight being placed on what public cultures say. Applying domestic political liberalism globally would likely create tensions with the majority of public cultures in the world. If a Quongian global public reason theorist bites the bullet and says so much the worse for those political cultures, then it seems they are not in fact placing significant weight on those cultures after all.

The broader point is this. An important question which arises for anyone who adopts an internal conception of political liberalism is: why adopt one internal conception rather than another? What determines the bounds of the reasonable? For an external conception the answer is clear: it is set by a conception of society as a fair scheme of cooperation between free and equal persons, that is *embedded in the public political culture*. But the internal conception's answer is different – it says that we should adopt the Rawlsian organising conception of society because it generates an elegant, attractive view which coheres with our considered convictions about justice. It is, in other words, the most plausible conception available in *reflective equilibrium*.

Given this premise, it makes sense to ask the question: is domestic public reason liberalism writ global the conception of public reason that most coheres with our considered convictions? In answering this question, it is important to note that a Quongian is giving us both a *method* for answering this question ('use reflective equilibrium'), and an answer ('the right conception of global public reason is identical to domestic public reason').

I submit that – even if we use reflective equilibrium as our method – we have good reason to dissent from the Quongian answer. To begin, there is no principled basis for political liberals to assume that, at the global level, the only equilibrium that matters is one they reach from within their own perspective. Recall why Quong argues internal-conception political liberals use ideas from liberal public cultures: because 'they represent *our* most strongly held convictions about justice' (Quong, 2011, p. 155). But the 'our' is different at the global level – it does not only comprise those who share

a liberal political culture. For a Neufeldian global political liberalism to go through, the process of reflective equilibrium has to generate the same answers at the global and domestic levels, even if the individuals involved in generating the equilibrium are different. This is, as I will attempt to show below, unlikely to be the case: if the group engaged in the process of reflective equilibrium differs, then different conclusions are bound to reached.

A Neufeldian might object that this conclusion should not be reached so hastily. After all, the mere holding of non-liberal values by individuals from non-liberal political cultures does not invalidate global public reason – perhaps such people are simply unreasonable. The Neufeldian must then give an account of what is different about the foundational liberal premises of freedom and equality, as compared with, say, the communal conception of moral personhood associated with Ifeanyi Menkiti, or a conception of value theory which ascribes intrinsic moral value to nature, or a form of moderate perfectionism grounded in Confucianism (Chan, 2013; Menkiti, 2006, pp. 324–31). Such a distinction might reside, runs the argument, in the ecumenicism built into the values of liberty and equality. These values can, in other words, be endorsed from within a much wider range of worldviews than, say, the Confucian value of 'li' (礼,'ritual propriety'). As a result, liberty and equality are not the subject of reasonable controversy in the way 'li' is, rendering the latter unsuitable as a basis for public reason. The challenge laid down, then, is to provide an example of a value or principle which should be included within the fundamental terms of global public justification, which domestic political liberalism does not already contain.

To meet this challenge, and put the argumentative ball back in the political liberal's court, let us work through an example of a value which is not included within cosmopolitan public reason, but which, I suggest, would be considered an admissible principle at the bar of public justification if the process of coming to reflective equilibrium was properly globalised.

This is the value of 'oneness'.[13] Oneness as a moral or political value is prominent within many non-liberal traditions of thought, both secular and religious. Like any fundamental moral or political concept, there is unlikely to be an uncontested, exhaustive and perfectly precise way to specify the value. But an ecumenical, bare-bones statement of the principle is this: 'there is a fundamental interconnectedness and identity between different components of human society, or reality more broadly, that implies the good of a particular individual, or segment of society, is inseparable from the good of the whole. This structure to reality places normative obligations on human beings'. To give only a few examples of particular specifications of the principle, neo-Confucian philosophy outlines what Philip Ivanhoe terms the 'Oneness Hypothesis', whose 'core assertion' is the 'claim that we – and in particular our personal welfare or happiness – are inextricably intertwined

with other people, creatures or things' (Ivanhoe, 2017, p. 1); Mahayana Buddhism's concept of Bodhisattva holds that the salvation of the self requires 'saving' part or all of the external world (Unno, 2018, pp. 142–168); Neoplatonic thought in Christianity describes a 'Great Chain of Being' in which every part of the natural world is part of an order designed by God, and in which flourishing consists in fulfilling one's function in this wider order (Ivanhoe et al., 2018, p. 4); indigenous traditions describe 'cosmologies expressing webs of mutual responsibilities shared across human and non-human beings, entities, and collectives' (Whyte, 2016, p. 564); the South African concept of *ubuntu* emphasizes that 'every human being is integrated into a comprehensive network of mutual dependencies and that ... these relationships are what constitutes the human self (Graness, 2018 see also Ngcoya, 2015, pp. 248–262).

Importantly, oneness as it is invoked in political and philosophical discourse is not simply an empirical claim about causality and interconnectedness. It is simultaneously a claim about the structure of reality, and a claim about the normative implications of this structure. One might perceive interconnections in the natural or social world that are morally regrettable, such as the connection between a human body and a cancerous tumour within it (Ivanhoe et al., 2018, p. 1). But the case of a malignant tumour would not, for an advocate of oneness, constitute one the relevant connections. Equally, one might hold that interdependence is a morally neutral feature of social life, recognising, say, that economic firms produce negative environmental externalities which affect third parties, but denying this places obligations on them, beyond their fiduciary duties to shareholders. A proponent of oneness would (depending on their understanding of the principle) reject this claim. 'Oneness' as a political value, then, makes a specific claim: that there are certain forms of interdependence built into the structure of reality which, when human actions harmonise with this reality, conduce to the well-being or flourishing of the human and non-human world.

Appealing to the value of oneness in global deliberation to justify and appraise laws or policies may imply, among other things, that the legitimacy of domestic policies be judged by reference to their global impacts, and that self-interested bargaining by a participant in global deliberation would be both morally unacceptable and a fundamental misunderstanding of the participant's own interests. Consider, for example, an argument supported by the principle of oneness in the realm of economics. The United States Federal Reserve's legal terms of reference are purely domestic, directing it to promote 'the goals of maximum employment, stable prices, and moderate long-term interest rates' within the United States (United States Federal Reserve, n.d.). It is widely acknowledged, however, that US monetary policy has significant effects on economic output in other countries (Iacoviello & Navarro, 2019). The value of oneness could be invoked in public deliberation

on this issue to argue that the legitimacy of US monetary policy be judged by reference to its global impacts, not solely by reference to its domestic effects, or its effects in service of the US national interest (as is currently the case).

One might respond by questioning whether the argument outlined above is only available by invoking the conceptual apparatus of oneness. Why not, runs the question, analyse the issue of monetary policy externalities through the lens of an already endorsed democratic principle, such as the 'all-affected interests principle', which holds that those affected by a decision have a right to have their interests or preferences taken into account in the process of making that decision (Goodin, 2007, pp. 40–68)? There are at least two responses we can give to this question. First and foremost, there are important differences between appealing to oneness and 'all-affected interests' in the case of US monetary policy. Most notably, a oneness lens implies that the US itself suffers from failing to take account of the international effects of its monetary policy decisions, since, according to the principle of oneness, it is axiomatic that the well-being of the part is constitutively tied up with the well-being of the whole. The 'all-affected interests' principle does not generate this conclusion, highlighting only that excluding affected interests causes unjust harm to the excluded interests themselves. Second, even if in a case like this, the policy outcomes implied by each principle would overlap, it seems normatively superior to permit in public justification a concept like oneness that is native to non-Anglophone political cultures and philosophical traditions, even if it is not the only concept able to give conceptual traction on a particular policy issue.

Let us now apply the internal conception's tests for public justifiability to this concept. The first test, of course, is whether the principle is attractive in reflective equilibrium; as the number of traditions cited above suggest, many at the global level will think it is. The next test is whether the value of oneness can be specified in a way that falls on the 'public' side of the public/non-public distinction, according to the criteria public reason theorists themselves use to draw the distinction. There are two primary criteria that distinguish publicly justifiable political conceptions from non-public comprehensive doctrines. First, the former apply only to the structure and conduct of major social institutions rather than the domain of personal morality, and second, they can be presented as 'freestanding' from any particular conception of the good life (Rawls, 2005, pp. 11–15).[14]

The concept of oneness can be specified in a way that passes both tests. The above description of oneness as a political value is deliberately ecumenical; it seeks to bring out a recognisable core associated with the term 'oneness' without defending a specific conception of it. The individual traditions of thought cited above – and different voices within those traditions – then specify the ideal in more detail. These particular conceptions of oneness will, in many cases, draw from metaphysically controversial conceptions of

the good life, and make moral claims that reach beyond the basic structure of society. Crucially, though, it is possible to abstract from these specific conceptions to the freestanding notion of oneness described above, which can be plugged in like a module to specific traditions of thought. Indeed, contemporary philosophical literature on the concept of oneness seeks to do exactly this, grounding the concept of oneness in empirically verifiable scientific claims, but retaining the concept's moral upshots.[15] This mirrors public reason liberalism's approach to its foundational value of freedom, which draws a distinction between freedom as a comprehensive value – whether Mill's, Kant's, Hayek's, and so on – and freedom as a political value, which is specified in more abstract terms, and does not presuppose adherence to any of these particular comprehensive conceptions.

To exclude oneness as a permissible basis for justifying policy at the international level, then, appears sectarian: it excludes a value native to the political frameworks of a majority of the world's population, without providing grounds internal to public reason liberalism for doing so. The aim of the foregoing analysis, of course, is not to engage in detailed conceptual analysis of the concept of oneness, but to use it as an exemplar value to set up the claim that globalising domestic political liberalism narrows the bounds of reasonableness too much. Extant accounts of cosmopolitan public reason thus violate the non-sectarian desideratum.

Section 4: liberal nationalist public reason

Non-cosmopolitan public reason theorists agree that cosmopolitan public reason is unduly exclusionary, and propose alternatives that, they believe, avoid the problem of sectarianism. The most influential of these are liberal nationalist theories of public reason, according to which the nation-state should be the principal site for collective governance and decision-making.[16] There may be a role for international coordination and cooperation, but this must not interfere with the autonomy and self-determination of individual societies. The most prominent application of this general position to the issue of global public reason is Rawls' *The Law of Peoples*. More recent authors, such as Joshua Cohen, have updated and revised Rawls' position, while remaining within its broad contours.[17] For Rawls, Cohen and others, treating non-liberal peoples as standing in relations of equality with their liberal peers requires that a much thinner set of liberal principles be used as the basis for global public reason. In this section I argue, however, that existing liberal nationalist accounts of global public reason, including Rawls', can only purchase a defence against the sectarian objection at the cost of either completeness or plausibility in reflective equilibrium.

The 'law of peoples' extends Rawls' idea of domestic public reason to the global level. Here, the justificatory constituency comprises not the individual

citizens of a liberal society, but the 'peoples' that make up the international community. The principles of the 'law of peoples' are generated in a global original position, in which representatives of liberal peoples are denied knowledge of their own societies (such as size, relative strength, and population). These representatives agree on terms of cooperation which are both acceptable to them, and which, they believe, other (non-liberal) peoples have good reason to endorse, provided they accept that each people should be considered free and equal, and are thus 'reasonable' or 'decent'. Rawls lists the principles of the 'law of peoples' as follows:

(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.*
(5) *Peoples have the right of self-defense but no right to instigate war for reasons other than self-defense.*
(6) *Peoples are to honor human rights.*
(7) *Peoples are to observe certain specified restrictions in the conduct of war.*
(8) *Peoples have a duty to assist other peoples living under unfavorable conditions that prevent their having a just or decent political and social regime* (Rawls, 2001b, p. 37).

These principles generate a store of reasons to which representatives of states can appeal in making arguments to justify their foreign policy in the community of nations. Rawls notes that the terms of 'the law of peoples' permit of several possible interpretations. As a result, his theory of global public reason is best understood as 'a family of reasonable' interpretations of 'the law of peoples' (Rawls, 2001b, p. 4 n4).[18]

To assess the Rawlsian theory of global public reason, we must turn to two criteria Rawls himself offers by which to judge his theory of public reason: plausibility in reflective equilibrium, and completeness.

As noted in Section 2, theorists distinguish between two forms of incompleteness: inconclusiveness and indeterminacy; inconclusiveness is not a problem for theories of public reason, but indeterminacy is. There are different forms of indeterminacy identified in the public reason literature, but it is one in particular which is of interest here: the charge that public reason is silent on certain important questions of political life.[19] In addressing this challenge, Rawls asserts that this question 'cannot be decided in the abstract independent of actual cases', since establishing this conclusion would require refuting every single determinate justification offered for a particular policy (Rawls, 2005, p. liii). The burden of proof, runs the argument, falls on those who wish to assert that public

reason is silent on a given political issue. Schwartzman thus endorses Gaus' conclusion that we should adopt the methodological assumption that public reasons will 'rarely run out', and that indeterminacy is rare.[20]

However, I believe it is possible to show that Rawls' theory of global public reason does indeed run out of reasons on key international political issues.[21] The principles of the 'law of peoples' only allow justifications for policy that involve violating the political autonomy of a particular people on three grounds: to prevent international aggression, violations of human rights, or in response to humanitarian catastrophe. This means that Rawlsian global public reason does not have the conceptual resources to deal with a whole swathe of international political problems that are intrinsically global, but which cannot straightforwardly be described as issues of aggression, human rights, or humanitarian catastrophe.

It might be objected, before I go further in making this argument, that even if the above statement is true, it proves not that Rawlsian global public reason is *indeterminate*, but that it is simply *permissive*. That is, Rawlsian global public reason affirms that individual peoples should have the autonomy to set their own policies, unless and until their policies involve international aggression, entail a danger to human rights, or cause humanitarian catastrophe. As I will demonstrate in discussing the examples of climate change and economic externalities below, this permissiveness would still be a problem for Rawlsian public reason, because it would run afoul of the criterion that public reason views be plausible in reflective equilibrium.

It is possible, though, to go further and assert that the problem for the 'law of peoples' is not merely one of implausibility in reflective equilibrium, but that its permissiveness collapses into indeterminacy. Imagine a theory of criminal law which contains a single principle: life imprisonment for murder. The theory could rightly be accused of being too permissive, of failing to mandate legal punishment in a whole range of other paradigm cases of serious crime: robbery, sexual assault, manslaughter, and so on. But, crucially, we would also want to describe the theory as *indeterminate*, because it is silent on a whole range of cases about which we expect it to have an answer. The purpose of such a theory is to tell us how to identify when a crime has been committed, how it should be punished in a way that balances the claims of offenders, victims and society as a whole, how the severity of different crimes can be compared, and so on. The problem with the theory, then, is not that it is simply too lenient on robbers. Rather, it is that it is too thin to achieve its purpose.

I submit that the same problem affects the 'law of peoples'. The purpose of the theory is to provide a set of rules and principles by which global political problems can be addressed. Yet, by working through two paradigm examples of policy issues about which we would expect global public reason to permit

an answer, we will see that the theory does not have the conceptual resources to achieve this purpose.

Consider, first, the issue of environmental protection. It is unclear which of the principles of 'the law of peoples' could be used to ground, say, a global, coercively-backed framework regulating carbon emissions. The principle that peoples are free and independent suggests that peoples should be allowed to choose for themselves an environmental policy, not have one imposed on them by a global order. The principle of treaty observation amounts to the claim that peoples should honour their word, but is silent on the commitments that they should make. Principles 5 and 7 speak to the specific question of how to conduct a just war, so are irrelevant to the question of ecological preservation unless and until climate catastrophe becomes a cause of war. The duty of assistance towards burdened societies is essentially a reactive principle, mandating humanitarian assistance in cases of severe need, rather than providing a framework for *preventing* environmental catastrophe.

The principle that looks most likely to be of help is the duty to respect human rights. However, precisely to avoid appealing to controversial doctrines that are unlikely to command cross-cultural support, Rawls specifies human rights in a much more minimal way. Rawls deliberately limits the definition of human rights to a class of 'particularly urgent' rights, such as the right to freedom of conscience or association, a class much smaller than the full range of rights to citizens in liberal societies are entitled. While drastic and complete environmental degradation, with social consequences so intense that basic human rights to life and liberty are violated, may be one possible outcome of current environmental protection rules, it is surely intuitively unacceptable for a theory of global public reason to only permit constraints on individual state action when such extreme consequences are at stake. After all, many of the dangers associated with climate change – such as loss of biodiversity, and rising food prices due to an increase in adverse weather events – are widely seen as morally important, even though they cannot easily be criticised on human rights grounds specifically. There exists, in other words, a moral category *between* basic human rights violations, and cross-national effects that are benign enough that they can plausibly be left to the discretion of individual peoples. It is this 'in-between' category that Rawlsian global public reason is unable to address.

A liberal nationalist might suggest, at this point, that a thickened conception of human rights, which departs from Rawls' own account, could do the requisite amount of normative work. Such an argument could draw on Joshua Cohen's contention that the content of human rights can be substantial, even if one wishes to adhere to what he calls 'justificatory minimalism'. That is to say, it is possible to specify an account of human rights which goes beyond a minimalist collection of negative rights

concerned with bodily integrity, but does not rely on adherence to a particular comprehensive doctrine, and indeed can be made compatible with various influential traditions, such as Confucianism and Islam (Cohen, 2004, pp. 190–213).

The challenge for such a move is to mitigate the problem of incompleteness which faces Rawls, without taking liberal nationalist public reason beyond its recognisable core. If the list of human rights is expanded to be coterminous with the full set of liberal rights guaranteed by domestic political liberalism, then the position simply collapses into liberal cosmopolitanism, whose problems I outline above. It is this challenge which leads Cohen to accept that even if the correct conception of human rights is not Rawls' own fairly minimalist version, Rawls is right to identify human rights as a *subset* of the full rights associated with liberal democratic citizenship (Cohen, 2004, p. 210). A similar tension arises if one attempts to create a specifically environmental human right. For such a principle to have any force, it must be permissibly enforced using coercion. If this is the case, then by public reason liberalism's own lights, this requires justification. What is to be said to political cultures and traditions of thought which conceptualise the relationships between human and non-human entities in non-liberal ways?[22] What is to be said to, for example, someone who accepts the list of human rights outlined in the Universal Declaration on Human Rights, but also holds to the *Anishinaabe* conception of non-human entities (such as bodies of water) as moral agents in their own right, and thus for whom a human rights framework – which is, by definition, anthropocentric – is unlikely to be satisfactory as a sole reference point for deliberation on environmental protection? If the answer is that conceptions of the environment and non-human agency that are incompatible with a human rights framework are unreasonable, and that the constituency of the reasonable is to be defined by the terms of political liberalism, then liberal cosmopolitanism has re-entered by the backdoor.[23]

This is before we note that, while human rights may well have particular moral and strategic value as a conceptual apparatus for addressing certain questions of ecology, they are unlikely to be suitable for all environmental problems. It is unintuitive to speak of a human right to a certain level of biodiversity, for example, especially in cases where biodiversity loss has little or no impact on human beings. Should global public discourse be silent on this issue? Even if one can identify a harm to humans associated with the loss of a particular species' habitat, it seems that using the language of human rights generates the right policy, but for the wrong reasons.

Cohen's attempt to 'thicken' human rights, then, does not rescue the liberal nationalist public reason position. What if, taking our cue from Cohen, we attempted to thicken not human rights, but the other Rawlsian grounds for allowing international oversight of individual peoples and their

decisions? The problem with this response, however, is that human rights are the grounds for international intervention most amenable to 'thickening', without collapsing the position into cosmopolitan public reason. Consider the principle of non-aggression. This is an international version of the harm principle, proposing that states are free to act as they please unless they harm other peoples. But this is a foundational difference between liberal cosmopolitanism and nationalism – the latter treats peoples as collective agents subject to the harm principle, whereas the former does not. Similarly for the duty of assistance to burdened societies: a definitional difference between the positions concerns the existence of obligations of justice across borders. To 'thicken' nationalist public reason to incorporate a principle of distributive justice across borders is to abandon the nationalism underlying it.

One further potential objection runs that we should simply create new principles of the 'law of peoples' to deal with environmental protection – an animal rights, or sustainability principle, say. Again, however, this would require a significant alteration to the character of the 'law of peoples'. Unlike Rawls' domestic principles of justice, the principles of the 'law of peoples' are set up to be exhaustive. The first principle gives a people a *pro tanto* right to autonomous decision-making, and the other principles act as riders on this prevailing presumption of societal autonomy. Thus, the 'law of peoples' is set up such that no binding law or rule can be enforced against a political people's decision, except on the grounds specified by principles 2–8. It is these principles which set the fundamental framework that structures (the Rawlsian view of) global public reason, within which publicly justifiable arguments for political action must be offered.

We can illustrate the implications of this position using an example. Federico Zuolo proposes a theory of public justification which widens the scope of reasonable disagreement about the status of animals to permit biocentric views, stipulating that epistemic reasonableness is achieved when a position is a) non-inconsistent and non-discriminatory and b) compatible with the findings of science (Zuolo, 2020, pp. 85–90). He suggests that this position can treat as reasonable views as varied as 'animal subjectivism' (the view that animals are fully autonomous moral agents) to humanism (which holds that animals are only owed duties of humanity or benevolence, not justice) (Zuolo, 2020, pp. 129–152). Zuolo notes that this position departs from Rawlsian (domestic) public reason, describing it as a hybrid consensus (a la Rawls) and convergentist (a la Gaus) view.[24] But the key point at the supranational level is that, whatever the scope of disagreement domestically, liberal nationalism deliberately limits the scope of reasonable arguments internationally to the core grounds of human rights, humanitarian assistance and non-aggression. Regardless of whether one's domestic public justification view permits, say, animal subjectivism as a reasonable doctrine or not, liberal nationalism's desire to respect *peoples* places strict constraints on what

counts as a reasonable argument in the realm of international decision-making.

The problem would not dissolve if one were to defend Rawlsian global public reason's approach to environmental protection by recourse to the *internal* reasons that states have to combat the problem. First, not all states will have the same type and strength of reason to act on, say, rising sea levels; low-lying island and coastal states will have much stronger reasons to prefer costly mitigation and adaptation measures to landlocked countries, for example. Second, as noted in Section 1, the users of public reason (on both Rawlsian and cosmopolitan accounts) are not only states, but any agents justifying policy at the global level, such as international organisations. International and non-state actors would not have recourse to the 'domestic' theories of public reason on which this argument relies.

Lest it be responded that environmental protection is a unique case, which we should not use to judge the whole liberal nationalist architectonic, we can equally consider another type of supranational political issue: cross-border economic externalities. It is widely accepted that the effects of a state's economic and financial policies – from currency management, to taxation and trade policy – rarely end at that state's borders. One effect of cross-national affectedness is that individuals – particularly in smaller, poorer states – are vulnerable to the influence of other states. The question for Rawlsian global public reason is what it can and cannot say about the political implications of this fact.

Clearly, the 'law of peoples' will be able to morally appraise *some* policies with cross-national effects. Let us return to the three possible grounds for violating a people's autonomy: to prevent human rights violations, international aggression, or humanitarian catastrophe. If a country imposes an economic blockade on another in an act of aggression, or with consequences so severe that basic human rights are violated, then liberal nationalist public reason has grounds for condemnation. But on a whole range of other important cases, Rawlsian global public reason will again be silent.

Consider the case of a country that devalues its currency for domestic reasons, say in response to deflationary pressure. The domestic justification for the policy avoids the charge that this policy amounts to an indirect form international aggression. While the effects of a devaluation are complex, and to some extent unpredictable, they alter the terms of trade between countries, generally making exports from the devaluing country cheaper, and by extension, equivalent exports from other countries more expensive. Of course, the inverse would be true for imports, but for the purposes of this illustrative example, let us focus on a case in which, all things considered, currency devaluation privileges the devaluing country's economic competitiveness at the expense of other countries. This clearly amounts to a case of cross-national affectedness which may have significant consequences for

economic activity and employment levels on other countries, yet Rawlsian public reason includes no grounds for international oversight or intervention in this case. This is only one of a number of examples of cross-border economic externalities that could be cited; the cross-national effects of lowering corporate and personal taxation rates, for example, could be subjected to equivalent analysis.

Thus we run into the tension within liberal nationalist public reason that this paper is highlighting: make one's conception of public reason too rich or thick, and it collapses into liberal cosmopolitanism; make it too thin and it becomes an insufficient framework to deal with a range of paradigm international political problems. In their desire to satisfy the diversity desideratum, liberal nationalist accounts of public reason – both existing and close counterfactual accounts reconstructed using their premises – fail across a range of central political issues to satisfy the globality desideratum. One might argue that this problem is symptomatic of a more general flaw in liberal nationalism's fundamental commitments; whether or not this is the case, my aim here has been to demonstrate that existing attempts to apply the logic of liberal nationalism to the terrain of public reason are inconsistent with evaluative criteria internal to public reason liberalism itself.

Section 5: conclusion

There may well be other penetrating lines of critique against global public reason liberalism, in both cosmopolitan and nationalist form. For example, while I have consciously stayed within the liberal tradition as an argumentative strategy, postcolonial theorists, Marxists, non-Western philosophers, and others may all have other lines of criticism grounded in their own conceptual frameworks.

However, I have not rested my case on such arguments for the purposes of emphasising the single point I wish to make: whatever other problems liberal theories of global public reason have (or do not have), they face an important, fundamental problem: either they are too thick, or they are too thin. Liberal cosmopolitanism satisfies the globality desideratum, but not the diversity desideratum, and thus is too thick. Liberal nationalism, by contrast, seeks to satisfy the demands of diversity at the expense of globality, and thus is too thin. One might read into this conclusion a pessimism about the prospects for any theory of global deliberation satisfying both desiderata simultaneously. However, at this stage such pessimism would not be warranted. All I have attempted to show is that one family of attempts to satisfy both desiderata, emerging from the public reason debates of the past few decades, have not yet succeeded. It remains possible that an updated account of global public reason, or another approach to global deliberation and public justification,

could reconcile the demands of globality and diversity. Given this pro-spect, and the stakes involved, this seems at the very least to be a question worth pursuing.

Notes

1. What counts as a 'shared' or 'global' problem will likely itself be contested. I take it as uncontroversial, though, that there are some issues which are clearly global in the relevant way, such as climate change. Clearly, criteria are needed for determining when a problem is sufficiently international that global public reason applies. What these criteria should be, and what should be done in cases where the criteria are ambiguous, is something that could be the subject of deliberation on the terrain of global public reason.
2. See Smith (2011, p. 118). Kevin Vallier argues that public reason need only be used by those who have 'direct, obvious and substantial control over the levers of power' such as public officials, rather than ordinary citizens. This might inspire the view that public reason theories are meant to provide criteria only for the permissible imposition of rules, rather than to regulate discourse as well. While I speak of public reason as a theory for regulating deliberation in this paper, the argument is in principle compatible with Vallier's position if one reads 'public justification' in place of 'public deliberation'. See Vallier (2015, p. 140).
3. For empirical and theoretical work which shows this see, for example, Cavallero (2010, pp. 16–31).
4. See Rawls (2005, p. 8); Rawls (2001a, p. 5 n5).
5. Certain liberal nationalists and statists, such as Thomas Nagel, believe that there are no obligations of *distributive* justice across borders, but this is quite a different claim to the view that there is no such thing as (any form of) *political* justice across borders. See Nagel (2005, pp. 113–147).
6. Note, these criteria are not the only ones discussed in the public reason literature, they are simply the selection that I draw on in this paper.
7. To use Gaus' terminology, a public reason argument is inconclusive if it is 'undefeated' but not 'victorious'. See Gaus (1996) especially secs. 9.3–9.4, pp. -144–158.
8. It is for this reason that Collis Tahzib argues that when Quong says that 'the justification of liberal principles at no point depends on the beliefs of real people', he puts the point too strongly. For more detail on non-sectarianism see Tahzib (2021, p. 234).
9. By way of a very brief summary, one version of public reason liberalism is grounded in the fact it works up ideas implicit in liberal public political culture into a coherent theory, while most recent versions – notably Jonathan Quong's – use public culture as a key source of normative intuitions, and thus a significant component of the process of coming to reflective equilibrium. I articulate this distinction in more detail in Section 3.
10. Note the language in Rawls' statement above, which draws a clear distinction between the harm of cultural imposition to individuals within a given society, *and* to the 'people' or society itself.
11. A similar conclusion is reached by Samuel Director, who asserts that accounts of global public reason face a dilemma: either they ground themselves in the

consent of actual people from across the world, in which case consent will not be obtained, or they ground themselves in hypothetical consent from an idealised category of people, in which case one has to idealise so far away from the views and characteristics of real people, that the hypothetical agents bear little or no relation to the actual individuals they purport to represent. However, his arguments do not succeed, for several reasons. First and foremost, Director does not specify why exactly global diversity is greater than, or qualitatively different from, domestic diversity, so does not establish a problem for global public reason specifically. Second, it should be noted that many political liberals would not take actual consent as a basis for liberalism's legitimacy. Quong's influential view, for example, explicitly rejects explicit or tacit consent as the basis for legitimacy, grounding it instead in a natural duty to support reasonably just institutions. See Quong (2011, p. 147). Third, Director's arguments regarding hypothetical consent do not offer a precise specification of how different these agents have to be before hypothetical consent loses its normative force. Political liberals deliberately idealise away from real people so that their theory is not held hostage by, say, the inclusion of sexists and racists in the justificatory constituency. Pointing out that hypothetical parties are different to real people is insufficient, and asserting that they are 'too different' is ambiguous and vague – a more precise argument is required. See Director (2019, pp. 31–57).

12. Note, Quong suggests Rawls himself is best interpreted as using the public political culture in this way. See Quong (2011, p. 155).

13. In this paper I use oneness in a specific way, as a publicly justifiable value to be invoked in public deliberation. It would also be possible to invoke oneness at a more fundamental level, as a value informing the conception of society underlying a theory of public justification. Public reason liberalism, for example, is derived from the Rawlsian conception of society as a fair scheme of cooperation between free and equal persons. Constructing an alternative conception of society informed by the value of oneness is a line of inquiry to be pursued in further research. For the purpose of demonstrating here the limits of cosmopolitan public reason, however, I treat oneness as a value to be used in justifying particular political arguments.

14. Rawls offers a third criterion – that political conceptions be based on ideas drawn from the public political culture of the society in question. But as I have noted, this is a) not a sufficient ground for public justifiability according to *internal* conceptions of public reason liberalism and b) not an option for any theory of *global* deliberation, liberal or otherwise.

15. See, for example, Ivanhoe et al. (2018).

16. An example of a non-cosmopolitan, non-nationalist, attempt to extend public reason to the international realm might be inferred from brief comments by Gaus in *The Order of Public Reason*. His motivations are statist rather than nationalist, asking how, in a world in which 'many of our moral rules are articulated through the authority of the state', but not all states 'treat their citizens as free and equal moral agents', moral obligations between political societies can be settled in way that overcomes the 'severe' threat of 'moral incompleteness' raised by instances of cross-societal affectedness. However, Gaus' short discussion is oriented towards identifying the complexities involved in such cases rather than providing a worked-out theory, and he ends up endorsing a Rawlsian position, stating: 'given these complexities, we

can better appreciate the force of Rawls' proposal that liberal states may admit into the 'society of people's' [sic] some regimes that do not fully respect the fundamental rights of all as free and equal persons'. See Gaus (2011, pp. 470–479).

17. Rawls uses the term 'public reason of the Society of Peoples', rather than 'global public reason'. See Rawls (2001b, p. 55). The latter term is used by Joshua Cohen to describe Rawls' view of international deliberation in Cohen (2004, pp. 190–213).

18. On this, see also Smith (2011, p. 124).

19. Micah Schwartzman identifies four different forms of indeterminacy in Schwartzman (2004, pp. 191–220).

20. Gaus, quoted in Schwartzman (2004, p. 207).

21. Jeremy Williams makes the case that the 'law of peoples' is indeterminate on at least two crucial matters in the conduct of war – the moral status of decisions made by individuals during the conduct of war, and on the question of whether a given warring action is proportional and thus legitimate. My argument in this section is that the problem of indeterminacy is not limited to questions associated with just war theory. Instead, the gaps Williams identifies are symptomatic of a much more general problem of indeterminacy in 'the law of peoples'. Williams (2017, pp. -398–422).

22. On this, see, for example, Whyte (2016, pp. 563–580); Godrej (2016, pp. 39–57); Duara (2017, pp. 65–83).

23. Morton Ebbe Juul Nielsen and Asbjørn HaugeHelgestad attempt to render domestic political liberalism compatible with arguments for environmental protection policies that go beyond protecting basic rights (such as measures to protect biodiversity) on the grounds that they could be defended using non-public reasons, since such policies do not concern 'constitutional essentials' or matters of 'basic justice'. It should be noted, though, that Rawls' restriction on the use of public reason to only constitutional essentials is controversial in the literature; more recent political liberals such as Jonathan Quong question why, if public reason is deemed important for constitutional essentials, it should not cover the full range of state action. More importantly, even if we side with Rawls on the 'constitutional essentials restriction', Nielsen's argument does not resolve the problem for *global* public reason. Rawls does not include the restriction in his theory of the 'law of peoples', for the simple reason that liberal nationalist public reason only seeks to regulate 'essential' questions of international politics. For Rawls, in other words, anything that is not a 'constitutional essential' should simply be left to the discretion of individual peoples. Whatever the merits of Nielsen's argument domestically, it does not rescue Rawlsian global public reason. See Nielsen and Hauge-Helgestad (2022, pp. 17–32).

24. On why this is a hybrid view, see Zuolo (2020, pp. 90–103).

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