Koray Tütüncü

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Civitas Hominibus : rocznik filozoficzno-społeczny 8, 9-22

2013

Artykuł został opracowany do udostępnienia w internecie przez Muzeum Historii Polski w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej bazhum.muzhp.pl, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

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Is it possible to establish equality, liberty and justice in a society composed of individuals whose good life conceptions are characterized by an enormous diversity, a diversity arising from philosophical, moral and religious disputes on character and content of human good? Theoretically speaking, political philosopher John Rawls's *magnum opus A Theory of Justice* has become a groundbreaking answer to this question in delineating the procedures and achieved principles in order to establish a just and plural society of individuals enjoying equal liberties. Thanks to *A Theory of Justice*, John Rawls's contribution to political thought tradition in general and to contemporary liberal political theory in particular has been spectacular for attracting unceasing attention, provoking various ideas and engaging in many fruitful theoretical dialogues in the academic world[1]. It also has been subjected to harsh criticisms upon which Rawls has revisited and reconsidered his basic arguments. While he has never left his essential arguments, he made clarifications on certain dimensions of his theory of justice. One of the most significant dimensions to be clarified is the possibility of extending the procedures and principles of justice to the global level. In *A Theory of Justice*, Rawls underlined the possibility of extending "the interpretation of the original position and think of the parties as representatives of different nations who must choose together the fundamental principles to adjudicate conflicting claims among states"[2]. This possibility has become concrete in his *The Law of Peoples*.

This article analyzes Rawls's arguments on justice at the international level as elaborated in *The Law of Peoples*. Scholars who were supportive to his Kantian, secular and

[1] *A Theory of Justice* is critically examined by various theorists including Brian Barry (1973) and Kukathas (1990).

[2] J. Rawls, *A Theory of Justice*, Harvard University Press, Cambridge, [1971], 1999, p. 378.

constructivist perspectives in previous works have brought some strong counter arguments against *The Law of Peoples*, while other scholars have maintained their support for the global interpretation of Rawlsian just society understanding. Among others, Seyla Benhabib argues that `Rawls's Law of Peoples betrays the Kantian heritage of liberal cosmopolitanism and courts liberal nationalism`[3]. She questions the concept of peoples as the representative figures for the international justice, which disregards moral individuals as the representative in *A Theory of Justice*. Accordingly, Luis Cabrera argues that in *The Law of Peoples*, Rawls makes an inconsistent analogy between individuals and peoples, which would eventually lead to tolerate `tyranny and oppressive exclusions within states`[4]. Buchanan underlines the objections concerning basic human rights. He states that for some *The Law of Peoples*, while betraying liberalism, also gives `legitimacy to very inegalitarian regimes, including those that deprive women of important rights such as the right to education and to equal opportunity in employment`[5].

On the other hand, some religious scholars have interpreted *The Law of Peoples* within the boundary of Christian realism particularly endorsed by the theologian Reinhold Niebuhr[6]. It is argued that Rawlsian tolerance at the international level such as in the case of inclusion of an imagined Kazanistan, a religiously oriented and yet decent society is nothing but an extension of Christian idea of tolerance[7]. Given the various criticisms directed against Rawls as well as attempts to incorporate his arguments in *The Law of Peoples* into anti-universalist, nationalist and even religious discourse, this article is based upon the idea that Rawlsian political theory in the international context is a promise of global justice without compromising diversity. In delineating main arguments of Rawls, this article will also focus on Jean Bethke Elshtain, who also deals with the similar issues yet from very different perspective. Elshtain combines political theory with international relations, brings back an Augustinian just war tradition into global justice theories, while doing this, she offers an American nationalist interventionism and Christian theology for the world order. Given this framework, this article first delineates Rawlsian theory of justice at domestic as well as global settings. Second, it focuses on Elshtain's scholarship in general and her religiously oriented political arguments on the world order in particular and finally it concludes by arguing that the Rawlsian wisdom and conscience still offers one of the best insights into global justice within the boundaries of liberal democratic

3 S. Benhabib, *The Law of Peoples, Distributive Justice, and Migrations*, "Fordham Law Review", 2004, 72(5), p. 1761.

4 L. Cabrera, *Toleration and Tyranny in Rawls's "Law of Peoples"*, "Polity", 2001, 34(2), p. 163.

5 A. Buchanan, *Rawls's Law of Peoples: Rules for a Vanished Westphalian World*, "Ethics", 2000, 110 (4), p. 697.

6 Eric Gregory finds similarities in Rawls and Niebuhr and argues that `Protestant theologian Reinhold Niebuhr died in 1971. In that same year, philosopher John Rawls published his groundbreaking work, A Theory of Justice. These two events symbolically express transformations in American intellectual and political culture that remain significant today… Niebuhr and Rawls were realist defenders of a liberal tradition that is wary of perfectionism in politics, yet tries to sustain hope in the face of injustice. Both chastened metaphysical pretension and religious enthusiasm. Both sought to avoid historicist and relativist conceptions of justice`. E. Gregory, *Before the Original Position: The Neo-Orthodox Theology of the Young John Rawls*, "Journal of Religious Ethics", 2007, 35(2), p. 179.

7 E.N. Santurri, *Global Justice After the Fall: Christian Realism and the "Law of Peoples"*, "Journal of Religious Ethics", 33(4), 2005, p. 783–814; Gregory E., *Before the Original Position*..., op.cit., p. 179–206.

tradition. Rather than collapsing into a nationalist liberalism and anti-cosmopolitanism, Rawls realistically acknowledges the diversity of peoples; and peacefully seeks a common justice for all.

The Rawlsian Justice

In 1971 when John Rawls published his *magnum opus A Theory of Justice*, in a sense he gave a new cause to liberal political theory at a time when liberalism was about to lose its allure. In addition to invigorating theoretical discussions on a just society, equal liberties, contract theory, Rawls also has brought back normative theory into political debates and thus saved the politics from the behavioralist and positivist track. Among others, Jurgen Habermas appreciated Rawls's *A Theory of Justice* for making a pivotal turn in practical philosophy by bringing moral questions back into philosophical investigation and argued that:

> Immanuel Kant posed the fundamental question of morality in such a way that it admitted a rational answer: we ought to do what is equally good for all persons. Without espousing Kant's transcendental philosophical background assumptions, Rawls renewed this theoretical approach with particular reference to the issue of the organization of a just society. In opposition to utilitarianism and value scepticism he proposed an intersubjectivist version of Kant's principle of autonomy: we act autonomously when we obey those laws which could be accepted by all concerned on the basis of a public use of their reason[8].

Rawls's *A Theory of Justice* starts from the premise that justice is the primary virtue of a society[9]. For Rawls, only a well-ordered society can guarantee inviolable right to justice for its members. In this sense, in a truly just and well-ordered society, 'the liberties of equal citizens' are established. A well-ordered society then is based upon two basic ideas:

> 1. everyone accepts and knows that the others accept the same principles of justice;
> 2. the basic social institutions generally satisfy and are generally known to satisfy these principles[10].

Yet Rawls is well aware of that existing societies are rarely well-ordered because of the disagreements over the principles of social justice. That is why, Rawls follows the social contract tradition of Locke, Rousseau and Kant to achieve the principles of justice as the product of an original agreement. And these principles are called as justice as fairness[11]. In a similar vein to traditional contract theories, `in justice as fairness the original position of equality corresponds to the state of nature`[12]. This abstraction indicates that the prin-

[8] J. Habermas, *Reconciliation through the Public Use of Reason: Remarks on John Rawls's Political Liberalism*, "The Journal of Philosophy", 1995, 92(3), p. 109.
[9] J. Rawls, *A Theory of Justice*, op.cit. , p. 3.
[10] Ibidem, p. 4.
[11] Ibidem, p.10.
[12] Ibidem, p. 11.

ciples of justice `are agreed to in an initial situation that is fair`[13]. In the Kantian spirit, Rawls underlines that in such a society that establishes undisputable principles of justice, member individuals are `autonomous and obligations they recognize self-imposed.`[14]. Rawls argues that in the original position, under the veil of ignorance autonomous and rational individuals are ended up with the following principles:

> First: each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others.
> Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, and (b) attached to positions and offices open to all[15].

According to Rawls, these principles of justice are basically a special case of a general understanding of justice, which can be summarized as 'All social values – liberty, opportunity, income and wealth, and the social bases of self-respect – are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone's advantage'[16].

While Rawls understands that all societies in the world are not liberal democratic ones having similar values and equal liberties, he still searches for a just order at the international level by extending the principles he procedurally established in *A Theory of Justice*. In *The Law of Peoples* Rawls goes beyond his search for justice in a single society, but he does not aim to find out 'the laws of all peoples have in common'[17]. Rather he wants to clarify the 'particular political principles for regulating the mutual political relations between peoples'[18]. Rawls does not expect from all peoples of the world to be liberal democratic, that is why, he includes the concept 'decent' peoples apart from liberal democratic ones that constitute the Society of Peoples sharing common principles in their mutual political relations. Here Rawls's aims appear clearly; he expects that the Law of Peoples is to be developed out of a liberal idea of justice in a similar vein to his concept of justice as fairness as defined in *A Theory of Justice.*

Rawls finds out eight basic principles that sustain a Society of Peoples having bounded by the Law of Peoples, which are 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.

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13 Ibidem.
14 Ibidem, p. 12
15 Ibidem, p. 53.
16 Ibidem, p. 54.
17 J. Rawls, *The Law of Peoples*, 4th edition, Harvard University Press, Cambridge 2002, p. 3.
18 Ibidem.

> 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[19].

It should be noted that Rawls defines the *Law of Peoples* as a realistic utopia, which is very significant methodological issue. As Chris Brown underlines `one of the most important impacts of Rawls on international relations and the study of international ethics might be to relegitimate the construction of utopias – always assuming that they are "realistic utopias," and that the mistake of taking "what might be" as a description of "what currently is" is not repeated.`[20]. While bringing back utopist contemplation into political theory-oriented international ethics, Rawls does not reflect the socio-political as well as economic arrangements as they exist. Rather as the eight principles above indicate, *The Law of Peoples* obliges certain normative duties and principles to peoples who are not identical in a political sense and who are not embracing those values at once. Although liberal cosmopolitans such as Seyla Benhabib and Martha Nussbaum do not appreciate what Rawls attempts to do in his search for international justice particularly because of neglecting individual autonomy, it is obvious that Rawls aims to bring together the realities of global diversity with what Macedo defines as the `moral significance of collective self-governance[21].` Instead of referring to individual or to the state, Rawls prefers to use 'peoples' as the actors at the international level.

Knowing and appreciating diversity of peoples, Rawls mentions five groups of peoples. Among others, liberal democratic peoples seem taken for granted; what is more significant however is the moral side of them. Reidy explains this perfectly as follows:

> Rawls regards liberal democratic peoples not just as corporate agents, but as corporate moral agents, as persons in the moral sense of the term. When liberal democratic peoples confront one another on the global stage with their conflicting claims they do so not simply as rational corporate agents but as corporate persons or moral agents. And thus they ought always to be ready to resolve their conflicting claims as demanded by justice[22].

Here is the question: Would non-democratic peoples take up seriously the principles of justice at the international level? Rawls argues that in addition to liberal democratic peoples, `decent` peoples are also part of the Society of Peoples that convey peace in the world. In Rawls's definition, decent peoples do not have to be liberal, egalitarian or secular. But they are accepted as `well-ordered` because they are able to embrace principles of justice at the international level and they are able to provide their members with political effect at the domestic level. There are also other groups that cannot be categorized as peoples in the sense of being moral corporate agents. These groups are not considered

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[19] Idem, *The Law of Peoples*, op.cit., p. 37.

[20] Ch. Brown, *John Rawls, „The Law of Peoples," and International Political Theory*, „Ethics and International Affairs", 2000, 14(1), p. 132.

[21] S. Macedo, *What Self-Governing Peoples Owe to One Another: Universalism, Diversity, and the Law of Peoples*, "Fordham Law Review", 2004, 72(5), p. 1723.

[22] D.A. Reidy *Rawls on International Justice: A Defense*, "Political Theory", 2004, 32(3), p. 294.

as `well-ordered` by Rawls, such as aggressive outlaw states, burdened societies as well as benevolent absolutisms[23].

Rawls believes that well ordered societies including the non-liberal decent societies sincerely establish an idea of justice and accept to be subjected to *The Law of Peoples*. All in all, at the international level Rawls maintains the conventional idea of nation-states as autonomous and sovereign units over defined national borders. However, he aims to transform the existing system of international order through certain qualified norms that allow Rawls to be called both realistic and utopian at once. These new qualifications include the elimination of the idea of war at the international scene except for the condition of self-defense. In fact, Rawls starts from the premise of peace amongst peoples; particularly he sees no reason to wage war amongst liberal democratic peoples. In addition, it is reasonable to include non-liberal decent societies to the idea of peace for they also have commitment to the idea of justice, human rights as well as the political responsibility and legitimacy at the domestic level. Another significant qualification of Rawlsian understanding is that the idea of human rights is taken for granted, because Rawls justifies international intervention in case of heavy violations of human rights. It is true that Rawls does not fully extend the idea of distributive justice, or his difference principle that favors disadvantaged individuals in a just liberal democratic order to the international level, he obliges wealthy peoples of the *Law of Peoples* to aid `burdened` societies[24]. This normative requirement is associated with the idea that people in the burdened societies are not allowed to enjoy basic rights and opportunities in their territory.

As a matter of fact, when Rawls understands justice as the first virtue of society, he also underlines the importance of social cooperation. However, critical scholars maintain that Rawlsian understanding as articulated in the Law of Peoples is controversial on the ground that the so-called "peoples become windowless monads who have no interest in mixing, mingling and interacting with others"[25]. Furthermore, Rawls is seen as a political philosopher of `order and stability` rather than an utopist searching for a better, more just and egalitarian world. As underlined by Benhabib, Rawlsian international utopia is "certainly a vision of an ordered world, but it is also the vision of a static, dull world of self-satisfied peoples, who are indifferent not only to each others' plight but to each others' charms as well"[26]. In fact, this argument does not comprehend what Rawls is up to in his the *Law of Peoples*. Rawls appreciates the uniqueness and diversity of human beings both as autonomous rational individuals and as collective groups, or as moral corporate agents. Here human beings' capacity as individuals and as collective agents unfolds when they act reasonably. Reasonableness as seen by Rawls is the power to act and choose various good life conceptions rationally without disregarding the care for others particularly for the most disadvantaged ones, who live in the domestic or at the international settings. Rawls imagines a global justice which is realistically effective

[23] S. Macedo, *What Self-Governing Peoples Owe to One Another: Universalism, Diversity, and the Law of Peoples*, "Fordham Law Review", 2004, 72(5), p. 1725.

[24] R. Martin, D. Reidy, (eds), *Rawls's Law of Peoples: A Realistic Utopia?*, Blackwell Publishing, Oxford 2006, p. 6.

[25] S. Benhabib, *The Law of Peoples*..., op.cit., p. 1773.

[26] Ibidem.

amongst peoples whose main characteristics is diversity and yet they still act reasonably to achieve just principles for all and live peacefully.

Elshtain on International Justice

The contribution of Elshtain to contemporary political theory is undeniable yet locating her legacy is not easy. She has been an erudite and productive author by publishing countless articles and many books intersecting politics, philosophy and theology. Starting her political theory career as a response to the restricted world of positivist and behavioralist domination in the political science field, which requires political studies to be `cleansed from the smudginess, messiness and taint of `values`[27], Elshtain explains that `Political theory became a refuge for me precisely because I could take up the "big" questions – the nature of political order, justice, freedom, liberty, community – in the historic texts"[28]. Recently she has enlarged her interest in political theory at the international level and developed religiously oriented political solutions for national and international problems.

While Rawls starts from the idea of peace, justice and lawfulness, Elshtain starts from the idea of war going back to Christian theology of Augustine. As a matter of fact, Elshtain divides the whole political scene into Athenian and Christian one. While underlining the central importance of Athens for political theorists, she favors religiously and practically Christian values in order to establish an order and justice in the world. The most important problem of Athens is tied to the difference between the citizen in the Athenian polis and the foreigner. Justice lies at the heart of the Ancient Greek political tradition; however justice is applied exclusively to the citizens. For the outside of the polis, it is force rather than justice is at works. Elshtain astonishingly explores different treatments and norms applied to citizens and foreigners:

> Perhaps the most shocking example of how this distinction was applied in practice is the so-called Melian dialogue, familiar to readers of Thucydides' The Peloponnesian War. After the hapless citizens of the island of Melos refused to give up their seven-hundred-year-old tradition of civic liberty, the Athenian generals proclaimed that the strong do what they will and the weak suffer what they must; the Athenians attacked the island, slew its men, and sold its women and children into slavery. To be sure, among the ancient Greeks diplomacy and arbitration might be called upon to mediate the rule of force in relations with external others. But acts of generosity toward the foreigner were an exception, and in general the Greeks maintained a sharp presumptive divide between justice as an internal norm, and force as an external rule[29].

Given this remark on the justice versus force division in the imagination of Ancient Greece, Elshtain does not argue that only alternative to the citizen/foreigner difference is Christianity; however, she believes, Christianity is one of the significant alternatives within the Western civilization that transcends the `sharp "us" (citizens) versus "them"

[27] J. B. Elshtain, *Sovereignty: God, State, and Self*, Basic Books, New York 2008a, p. xi.
[28] Ibidem.
[29] Idem, *The Responsibility of Nations: A Moral Case for Coercive Justice*, Daedalus, 2003a, 132(1), p. 65

(foreigners) rule`[30]. In her explanation, Christianity extends its understanding of `hospitality` to everyone without regarding peoples' original clan or political community. Elshtain refers to the story of the Good Samaritan in order to show the way "us" versus "them" division is eliminated in Christianity:

> If a Samaritan, with whom the Jews of Jesus' day had only hostile relations, could treat a beaten and robbed Jew with tenderness and mercy, was it not possible for a Samaritan to be good and for the normative presumptions to be reversed? Hospitality – *caritas* – obliged believers, whether the one to whom aid was proffered or from whom aid was received was a family or tribal member or a stranger (2003b: 65).

According to Elshtain, it is quite humanly, rather than divinely, to divide people into "us" and "them" because demanding the elimination of such difference seems morally counter-intuitive. Most people care more for their family members, close friends, fellow citizens and group members; whereas foreigners are easily, if not totally neglected. In addition, most people feel "an injustice meted out against one of our own pains us more keenly than does injustice perpetrated against those far removed from us by language, custom, and belief and separated from us by borders and geographic distance"[31]. Thanks to Christian theology she argues that human beings transcend humanly judgments and accept the idea that all human beings deserve consideration and should not be arbitrarily abused.

In accordance with that for Elshtain it is not surprising to observe that human rights have emerged first in the West because the idea of human dignity nurturing human rights arises from Christianity. Elshtain aims to highlight the importance of religions in political life and contemporary societies, she frequently underlines that all religious beliefs and commitments do not contribute the idea of human rights as Christianity does. Christianity's contribution to the idea of human rights is explained by its connection with Catholic social teachings. Particularly Elshtain refers to *Dignitatis Humanae* (Second Vatican Council's Declaration on Religious Freedom) and argues that Dignitatis starts from declaring the dignity of the human person. Here dignity is explained as a responsible freedom, which is `not driven by coercion but motivated by a sense of duty`[32]. As opposed to this, Elshtain complains about the rootless character of contemporary `right` arguments, where the idea of duty is totally eliminated, any normative and substantive sense of human person is disregarded from the perspectives of rights. Elshtain connects the origin of contemporary right talks to the seventeenth-century social contract theories which, she believes, conceive the `self as given prior to any social order'[33]. She further criticizes the contemporary self as "`an autonomous` and sovereign chooser" is so deep-rooted in contemporary culture that reciprocal obligation and mutual interdependence amongst human beings could hardly be imagined. As opposed to expansion of such

[30] Idem, *International Justice as Equal Regard and the Use of Force*, "Ethics and International Affairs", 2003b, 17(2), p. 65.
[31] Ibidem.
[32] Idem, *The Dignity of the Human Person and the Idea of Human Rights: Four Inquiries*, "Journal of Law and Religion", 1999–2000, 14(1), p. 53.
[33] Ibidem, p. 54.

an understanding of greedy and rootless self, Elshtain favors the language of Dignitatis, which speaks

> throughout of ”responsible“ freedom compelled by a sense of duty to the common good. Our dignity, that with which we begin, is God-given and cannot be repealed, negated, or watered-down by governments or any other institution. The rights of such dignified persons are inviolable[34].

For Elshtain *The Universal Declaration of Human Rights* is nothing but an affirmation of such a Christian interpretation of human dignity. That is why this dignity should not be considered as free-floating or arbitrary; on the contrary, it is God-given. And yet since the world is fallen and human beings are imperfect, it is impossible to establish a perfect world order where human rights are fully enjoyed. Elshtain in this sense follows an Augustinian theology.

As is understood by Elshtain, Augustinian theology allows the use of force for the establishment of justice and at the same time it can limit the use of force. What she argues is the `just war` approach of Saint Augustine. Elshtain explains that:

> Perfecting our natures is beyond our reach. So is `perpetual peace.` In the realm of force, a drive to achieve perfect justice, to create a world of neo-Kantian republics, may also erode limits to the justifiable use of force; limits, therefore, to what we are permitted to do even in the name of justice[35].

In addition to underlining the importance of the theological origins of human rights and dignity arguments in terms of international order, Elshtain brings politics back as opposed to the distributive and redistributive justice claims dominating the academic debates. Rather than economical and poverty problems, she demands to bring about a minimum peace condition to be established in the world. It is important to remember that Elshtain objects to the Kantian ideal of `perpetual peace,` which requires the elimination of all hostilities. For Kant even the idea of just war is not acceptable since it does not offer an absolute justice, instead it promises a comparative justice and peace. That is why, the Kantian spirit seems to be based upon a `dualistic contrast between `perpetual peace` and `perpetual war`[36]. However, there is a path in-between. Embracing the Augustinian idea of fallen world, Elshtain finds it impossible to achieve an eternal and perpetual peace. However, she has faith in a relatively stable order. She believes that a minimum level of political stability at the international level should be provided in order to enjoy and protect basic rights and freedoms, arising from Godly given nature of human beings[37].

While putting politics and political stability first at the international level, Elshtain complains about the strict separation of politics from theology. What Christian theology provides international politics with is hope. In her argument, hope is `one of the great theological virtues.` However modern separation of politics and theology disempower

[34] Ibidem, p. 58.
[35] Idem, *Against the New Utopianism*, “Studies in Christian Ethics”, 2007, 20(1), p. 53.
[36] Ibidem, p. 49.
[37] Idem, *International Justice*..., op.cit., p. 63.

the idea of hope. The exclusion of the theological can best be witnessed in international life. In her words:

> Political philosophers who deploy hope are deeply indebted to this theological tradition, for hope is clearly contrasted to optimism and utopianism. Even as it is a sin in Christianity to despair and to fall into pessimism and nihilism, so it is vital to hope[38].

Elshtain's critical assessment of American left and liberals for their turn to a sort of isolationism as opposed to American role at the international level is another indication of hopelessness. Without the guidance of religion, worldly politics turns either into a groundless optimism of perpetual peace or to the darkness of nihilism. Elshtian further criticizes the American left and liberals because they left their universal aspirations for bringing about justice and decency for all[39]. Underlying all these arguments there is her continuing attacks on individualist claims and rights-based discourses that dominate public and private lives of Americans. The emergent self seems to be sovereign for being the sum total of choice he/she makes[40]. Contemporary liberalism as well as its sovereign self understanding is nothing but an impoverishment because human beings are `reduced to wants and preferences without any necessary reference to goods, ends, and purposes and how one might distinguish the more from the less worthy` This new liberalism which locates `the self as autonomous and sovereign chooser` at the center of American culture distorts `the ties of reciprocal obligation and mutual interdependence`[41]. What is to be recognized is that the freedoms and rights the human beings seem to enjoy as sovereign selves have religious background. As she specifies, `Dignitatis proclaims religious freedom a "civil right" that is in accordance with the dignity of persons`[42]. Accordingly having capacity of reason and freewill brings human beings responsibility and moral obligation to seek the truth, especially religious truth[43].

However, Elshtain becomes very controversial when she seeks religious truth in American foreign policy, namely in the war on terror. In the context of international politics and justice, Elshtain misinterprets just war tradition in the name of justifying American war on terror idea. As Adrian Pabst argues, `The inception of the crusade against the `axis of evil` was cast in terms of the friend-foe imagery (You are either with us or against us`) and the logic of the `state of exception (`America is a nation at war against global terrorism until we achieve victory`[44]. Similar remarks are made by Kevin Schillbrack when he underlines the way Elshtain's arguments divide the world into as ' "we" are moral and concerned for the innocent; "they" are simply irrational and hateful'[45]. What is religiously problematical here is that Elshtain incessantly claims to be an Augustinian, she seems to fail because, `Augustinians usually focus attention on

[38] Idem, *On Never Reaching the Coast of Utopia*, "International Relations", 2008c, 22(2), p. 165.
[39] Idem, *Against the New Utopianism*, op.cit., p. 54.
[40] Idem, *The Dignity of the Human*..., op.cit., p. 58.
[41] Ibidem.
[42] Ibidem, p. 61.
[43] Ibidem, p. 62.
[44] A. Pabst, *Unholy War and Just Peace: Religious Alternatives to Secular Warfare*, "The Politics and Religion Journal", 2009, 2, 220.
[45] K. Schilbrack, *Just War on Terror*, "The Journal of American Academy of Religion", 2006, 74(2), p. 542.

the sinfulness and self-deception in all people.` Elshtain does not see any problem with American international politics; on the contrary she defends any deed of the Bush administration for being `just` rather than revengeful.[46] Apparently Elshtain quickly embraces American hegemony by arguing that as a superpower Americans have the (religious) responsibility to protect the innocent in and out of America. This is what Elshtain called as an Augustinian `ethic of responsibility` declining to accomplish this responsibility has both politic and religious consequences[47]. What is lacking here is a `hermeneutics of suspicion`. As explained by O'Driscoll, `a hermeneutics of suspicion requires any discourse of ethics to be suspicious about those who are in power for `their professions of ideals, whether sincerely meant or not, frequently conceal more limited, selfish interests, and their claim to justice often mask a ruthless exercise of power`[48]. Without a critical examination of waging war in the name of justice, Elshtain seems to favor and voice the American national cause. The basic problem of Elshtain's aims to combine religion and politics appears here, she rather combines national interests with politics, and abuses theology for that aim. The result is justification of `a form of imperialism` through Augustinian arguments.[49] That is why, O'Driscoll rightly resembles Elshtain's passion for her nation not to *the City of God* underlined by Augustine but to Winthrop's `city upon a hill`, which symbolizes America as the `beacon of virtue and moral leadership for all`[50]. This understanding may bring justice to some Christian American nationalists, but cannot satisfy most in the global world, which is characterized by diversity.

Conclusion

Despite the fact that Elshtain systematically brings forth her religious convictions in her politics and philosophy, Rawls's political thoughts are secular. Accordingly James Sterba observes that because of the diverse and pluralistic character of liberal democratic societies, it is reasonable to understand that all citizens do not share the same religious values and belief systems. Given this, the Rawlsian `public reason` mostly `rules out any role for religious considerations in public debate over fundamental issues`[51]. However, one should not think that Rawls is irreligious; rather, as Joshua Cohen and Thomas

[46] Elshtain refers to the words of Bush as a voice of justice. She claims that in announcing war on terror, in Bush's discourse there `was no a word, a phrase, or a paragraph that could be reasonably characterized as a call for revenge.` For Bush, she believes carefully distinguishes between Islam and terrorism. Elshtain agrees with Bush that `we (Americans) are hated because of our freedoms and our rights.` J. B. Elshtain, *Just War Against Terror: The Burden of American Power in A Violent World*, Basic Books, New York 2004, p. 59, 23–24.

[47] J. B. Elshtain, *Just War Against Terror: The Burden of American Power in A Violent World*, Basic Books, New York, 2004, p. 59.

[48] C. O'Driscoll, *Jean Bethke Elshtain's Just War Against Terror: A Tale of Two Cities*, International Relations, 2007, 21(4) p. 488.

[49] Schilbrack puts the irony of Elshtain's theory as follows: `It portrays itself Augustinian while it struggles to identify the Christian path with the spread of earthly city – as a form of good imperialism.' J. B. Elshtain, *Against the New Utopianism*, Studies in Christian Ethics, 20(1), 2007, p. 542.

[50] C. O'Driscoll, *Jean Bethke Elshtain's* ..., op.cit. p. 489.

[51] J.B. Sterba, *Rawls and Religion*, [in:] V. Davion, C. Wolf (eds), *The Idea of a Political Liberalism: Essays on Rawls*, Rowman and Littlefield, Oxford, 2000, p. 34.

Nagel[52] explain, in Rawls's writings and in his life one could easily notice `a deeply religious temperament.` And they continue as follows:

> He says, for example, that political philosophy aims at a defense of reasonable faith, in particular reasonable faith in the possibility of a just constitutional democracy; he says the recognition of this possibility shapes our attitude "toward the world as a whole"; he suggests that if a reasonably just society is not possible, one might appropriately wonder whether "it is worthwhile for human beings to live on earth"; and he concludes *A Theory of Justice* with powerfully moving remarks about how the original position enables us to see the social world and our place in it *sub specie aeternitatis*[53].

Accordingly, Rawls's emphasis on eternity in particular and his general political philosophy in general is interpreted by Eric Gregory in terms of its religious connotations. As, a scholar of religion, Gregory underlines the idea of eternity in *A Theory of Justice*, which maintains that "the perspective of eternity is not a perspective from a certain place beyond the world, nor the point of view of a transcendent being." To be clearer in Rawls's argument, eternity is a sort of "thought and feeling that rational persons can adopt within the world"[54]. Gregory interprets this elegant and sophisticated argument as a kind of piety, or a Rawlsian piety, which is `religious but not theistic`[55].

If a genuine religiosity is based upon the idea that `violence begets violence`, as Adrian Pabst underlines[56], then it is Rawls rather than Elshtain that aims to bring back unconditional peace at the international level by forbidding waging war. Rawls's realistic utopia gives us a devotional belief in an eternal justice, which is possible in the world. But this understanding does not imperialistically dominate all peoples, whose diversities are acknowledged and respected. The idea of war is excluded from the Rawlsian imagination of the world. Though Rawls mentions briefly the idea of just war, this of course would be the last resort. From a Rawlsian perspective, Elshtain aims to universalize her own Christian and national cause. In other words, without referring to any hermeneutic suspicion, Elshtain tries to dominate her own `comprehensive` doctrine for the establishment of a just and stable world order. On the other hand, Rawls acknowledges and respects the existence of various comprehensive worldviews, religious beliefs, and philosophical perspectives that nurture the diversity of good life conceptions at the international level. For making this diversity possible, he offers a common political law of peoples in a similar vein to his political liberalism, which is not metaphysical in the sense of monopolizing truth claims all over the world. Still embracing the Enlightenment humanism which trusts human moral capacity and reason, Rawls invites us a realistic utopia where without homogenizing us, we as autonomous individuals and collective moral agents can be free, equal and cooperatively enjoy justice without compromising our diversity. It is significant to note that Rawls acknowledges the diversity of our under-

[52] J. Cohen, T. Nagel, *Introduction`* [in:] T. Nagel, (ed.), *A Brief Inquiry into the Meaning of Sin and Faith*, Harvard University Press, Cambridge, 2009.
[53] Ibidem, s. 5
[54] J. Rawls, *A Theory of Justice*, op.cit., p. 587.
[55] E. Gregory, *Before the Original Position...*, op.cit., p. 203.
[56] A. Pabst, *Unholy War...*, op.cit., p. 228.

standing on justice and yet he still believes that we can constitute a common `political` justice for all.

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