Abstract. In this paper, I argue that Louis Pojman fails to justify his conception of a moderate cosmopolitan world government. I illustrate this by highlighting the fact that Pojman fails to articulate adequate justifications for his Principle of Humanity (POH) and Principle of Equality (POE). This is problematic because the POH and POE ground his conception of human rights, which, in turn, grounds his conception of a moderate cosmopolitan world government. Hence, since he fails to justify the POH and the POE, I conclude that his conception of a cosmopolitan world government ultimately fails. But, before I launch this attack on Pojman, I offer substantial philosophical analyses of Hobbes’s arguments for the state of nature, human rights, and the establishment of the commonwealth. I do so because Hobbes provides the philosophical basis for Pojman’s philosophy of world government. I show that by understanding the philosophical problems inherent in Hobbes we gain better understanding of the philosophical problems at the basis of Pojman.

I. Introduction.

Osama bin Laden and his followers are not an isolated cult…. [Rather] they come out of a culture that reinforces their hostility, distrust, and hatred of the West--and America in particular…. Just read the Arab press in the aftermath of the [9/11] attacks and you will detect a not-so-hidden admiration for bin Laden. [For example,] one Pakistani newspaper [wrote:] ‘September 11th was not mindless terrorism for terrorism’s sake. [Rather,] it was reaction and revenge, even retribution.’ [The problem here] is not that Osama bin Laden believes that this is a religious war… but that millions of people agree with him.¹

I suspect that Fareed Zakaria’s report about the beliefs of millions of people in the Islamic world is accurate, at least, in part; but, he would have done much better to also point out that many people across the Western world readily share their leaders’ suspicions and distrust of those in the Middle East. As a result, they unquestionably acquiesce with their leaders’ international policies regarding the Middle East, even when those policies entail going to war. For example, in the 2002 State of the Union Address, President George W. Bush described Iraq as an immediate threat to the interests and security of the United States.² Later, in the National Security Strategy for the United State of America, the Bush Administration reported that there was “irrefutable proof” that Iraq was developing “nuclear weapons.”³ The President reiterated this in several of his speeches after the publication of the report. He then announced that Iraq was far too great a threat to the U.S. for the U.S. to allow Iraq to strike first, and
therefore, America would pursue a strategy of preemptive war. Since many in Congress unquestionably accepted the Administration’s suspicions about Iraq they readily acquiesced with its doctrine of preemptive war. They therefore authorized the use of military force prior to determining whether or not Iraq was in fact a threat to the United States.5

Of course, this problem is not unique to the United States. All too often those in power describe their enemies as threats to the interests and/or security of the state and then argue that their enemies need to be dealt with immediately. The result is almost always violence, bloodshed, terrorism, human rights violations, and war. Add to this, the fact that there has always been suspicion, distrust, terrorism, human rights violations, and war between competing nation-states and it becomes clear that we have always existed in a Hobbesian state of nature. Or, at least, this is what Louis Pojman would have us believe in *Terrorism, Human Rights, and the Case for World Government*.6

Fortunately, Pojman’s dire conception of contemporary international relations does not entail that all is lost. In fact, in *Terrorism, Human Rights, and the Case for World Government*, he offers us a way out of the chaos of the state of nature. First, he argues that, in order to end human rights abuses, we must use the mechanisms of government to punish those responsible for the abuses.7 Secondly, he argues that we must use the mechanisms of government to bring an end to the regimes and organizations that sponsor terrorism and harbor terrorists.8 Third, he argues that any adequate solution to the chaos of the state of nature will require us to construct a world government that has the power and jurisdiction to defend human rights globally.9 Lastly, according to Pojman, such a government must be moderate, cosmopolitan, and ultimately grounded in human rights.

While I think cosmopolitanism is philosophically defensible, here, I argue that Louis Pojman fails to adequately defend his conception of it. I illustrate this by highlighting the fact that Pojman fails to articulate adequate philosophical justifications for his *Principle of Humanity* (POH) and *Principle of Equality* (POE). This is problematic because the POH and POE ground his conception of human rights, which, in turn, grounds his conception of a moderate cosmopolitan world government. Hence, given that Pojman fails to articulate adequate philosophical justifications for the POH and the POE, his conception of a moderate cosmopolitan world government fails. This is one reason why I reject it. But, before I launch this attack on Pojman, I offer substantial philosophical analyses of Hobbes’s arguments for the state of nature, human rights, and the establishment of the commonwealth. I do so because Hobbes’s political philosophy provides the basis for Pojman’s cosmopolitan world government. Here, my contention is that by understanding the philosophical problems inherent in Hobbes’s political philosophy we gain a better understanding of the philosophical problems inherent in Pojman’s theory of world government.10 In the end, this understanding of the problems inherent in Pojman serves as my basis for rejecting the philosophical grounding for his conception of world government, and, it serves as my basis for suggesting alternative ways he might seek to ground his conception of a moderate cosmopolitan world government.

II. Thomas Hobbes and the Philosophy of Human Rights.11

In *Leviathan*, Thomas Hobbes argues that humans are naturally rational, self-regarding beings who continually seek to fulfill their desires.12 As Hobbes explains it, in the state of nature, humans exist under conditions in which there are limited resources and no central authority to keep the peace or
to direct the wills of each to the common good of all. Therefore, humans naturally desire more and more power because they cannot “assure the power and means to live well… without the acquisition of more.” Consequently, if two or more humans desire some thing that they cannot all have then they become enemies, each wanting to destroy the other in order to obtain his/her end and thereby increase his/her chances of surviving in the state of nature. Of course, for Hobbes, such conflicts inevitably lead to the war of each against all in which nothing is off limits, and everything is useful for the purpose of self-preservation. For these reasons, Hobbes argues that life in the state of nature is “solitary, poor, nasty, brutish, and short.” Under such conditions, he tells us that all have the “liberty to use their power according to their wills for the purpose of self-preservation and of doing anything that they judge to be the aptest means thereunto.” This is the most fundamental human right in Hobbes’s state of nature. However, in order to fully understand what it entails, we must explicate some of Hobbes’s terminology, particularly his terms power, will, and liberty.

By power, Hobbes means one’s abilities to obtain one’s ends. One’s abilities to obtain one’s ends consist in one’s natural and instrumental powers. More specifically, one’s natural powers consist in the faculties of one’s mind and body. Here, Hobbes has a two-fold conception of natural powers. In part, natural powers consist in the faculties of the mind, such as the intellect, and, in part, natural powers consist in the faculties of the body, such as strength. Hobbes’s basic idea is that humans use the faculties of their minds and bodies, or natural powers, in order to obtain their ends. For example, one might use one’s intellect and/or strength in order to convince others to accept one’s position. Either way, such a use of one’s intellect and/or strength constitutes a use of the natural powers of one’s body.

Instrumental powers, however, consist of means that are external to the body, such as riches, money, reputation, and friends. Not surprisingly, Hobbes also has a two-fold conception of instrumental powers. In part, instrumental powers consist of assets such as riches, and, in part, instrumental powers consist of associations such as friendships. Such assets and associations are obtained through the faculties of one’s mind, body, and/or, although Hobbes does not say this explicitly, good fortune. For example, one might use one’s intellect and/or strength in order to acquire money. Alternatively, one might acquire instrumental power through good fortune, luck, or, to use Hobbes’s terminology, “the secret working of God.” Either way, here, Hobbes’s basic idea is that humans use their instrumental powers to achieve their ends.

By will, Hobbes means the last appetite and/or aversion in deliberating immediately before seeking to obtain an end, to avoid an end, or to refrain from acting. He writes:

the definition of the will, given commonly by the Schools, that it is a rational appetite, is not good. For if it were, then could there be no voluntary act against reason. For a voluntary act is that, which proceedeth from the will, and no other. But if instead of a rational appetite, we say an appetite resulting from a precedent deliberation, the definition is the same that I have given it here, [namely,] …the last appetite in deliberating.

Of course, by deliberating, he means reasoning between competing ways of acting. Deliberation,
he tells us, encompasses “the whole sum of [competing] desires, aversions, hopes, and fears.”

He writes: “though we say in common discourse that a man had a will once to do a thing that nevertheless he forbore to do; yet that is properly but an inclination… because the action [or inaction] depends not of it, but of the last inclination.” Consequently, for Hobbes, while we yet deliberate between alternative ways of acting we simply have inclinations to act in this or that way. However, once we settle the matter we express our wills to act in one or another way. Hence, for Hobbes, willing brings our deliberations to a close.

Reasoning, according to Hobbes, consists in “adding or subtracting… the consequences of general names.” He writes: “geometricians teach [the addition and subtraction of] in lines, figures, solids, and superficial angles;” “logicians teach the same in the consequence of words;” politicians “add [and subtract] pactions to find men’s duties;” and, lawyers add and subtract “the law and facts to find what is right and wrong in the actions of private men.” Hence, reasoning permeates the whole of human endeavors. What’s important to note, however, is that in practical matters we reason strategically between competing appetites and aversions so as to achieve our own ends.

Appetites and aversions, Hobbes tells us, are motions towards and/or away from ends. By motions, he means movements within or of bodies; or, in this case, he means movements within or of the human body. When the movements are within the human body Hobbes calls them endeavors. He writes:

although unstudied men do not conceive any motion at all to be there, where the thing moved is invisible; or the space it is moved in is, for the shortness of it, insensible; yet that doth not hinder, but that such motions are. For let a space be never so little, that which is moved over a greater space, whereof that little one is part, must first be moved over that. These small beginnings of motion, within the body of man, before they appear in walking, speaking, striking, and other visible actions, are commonly called ENDEAVOUR.

“This endeavour, when it is towards something which causes it, is called APPETITE,” but when it “is fromward something, it is generally called AVERSION.” Therefore, both appetites and aversions “signify… motions, one of approaching, the other of retiring.”

Although Hobbes does not say this explicitly, there are five kinds of human bodily motions, namely: (1) internal, vital involuntary motions, (2) internal, animal voluntary motions, (3) internal, animal voluntary motions, (4) external, animal voluntary motions, and (5) various combinations of internal and external, vital and animal, involuntary and voluntary motions. Movements within the body such as the beating of the heart, the expanding and contracting of the lungs, and the circulation of the blood are internal, vital involuntary motions. Alternatively, movements within the body such as appetites and aversions are internal, animal voluntary motions. Similarly, movements within the body such as thinking, judging, deliberating, reasoning, and so on, are internal, animal voluntary motions. And, of course, movements such as walking, running, speaking, and so on, are external, animal voluntary motions.
The primary difference between *internal, vital involuntary motions* and *internal, animal voluntary motions* is that *internal, vital involuntary motions* are involuntary and they never direct one towards ends or away from unwanted consequences. By contrast, *internal, animal voluntary motions* are voluntary and they always direct one towards one’s ends or away from unwanted consequences. Nevertheless, there is another important difference to consider, namely that between *internal, animal voluntary motions* and *internal, animal voluntary motions*. The difference is simply this: whereas *internal, animal voluntary motions* represent one’s appetites and aversions, *internal, animal voluntary motions* represent one’s thoughts, deliberations, judgments, and so on, about one’s appetites and aversions.

Here, Hobbes has a two-tier ordering of *internal, animal voluntary motions*: on the first level, humans have appetites towards ends and/or aversions away from unwanted consequences; and, on the second level, humans deliberate and make judgments about their appetites and aversions. Together, *internal, animal voluntary motions* and *internal, animal voluntary motions* provide the ground for *external, animal voluntary motions* such as speaking, walking, running, and so on. Or, as Hobbes explains it, “when in the mind of man, appetites and aversion… arise alternatively… the whole sum of desires… continues till the thing be either… thought” possible or impossible. He continues: “because going, speaking, and the like voluntary motions, depends always upon a precedent thought… it is evident, that the imagination is the first internal beginning of all voluntary actions.” What Hobbes fails to mention here is that *internal, animal voluntary motions* and *internal, animal voluntary motions* always depend on *internal, vital involuntary motions* simply because if one’s *internal, vital involuntary motions* fail then one would not be able to desire, think, or act, at least, not for very long.

Hobbes also fails to mention that all external motions consist of a combination of *internal* and *external, vital and animal, involuntary and voluntary motions*. For example, walking consist of *internal, vital involuntary motions* because one’s heart must be functioning in order for one to walk; *internal, animal voluntary motions* because one must have had appetites towards walking and aversions away from walking; *internal, animal voluntary motions* because one must make the decision to walk; and, *external, animal voluntary motions* because one must be able to physically move in order to walk. Hence, although Hobbes often distinguishes between *internal* and *external* motions, particularly with respect to power and liberty, there is a continuum of movement from *internal, animal voluntary motions* to *internal, animal voluntary motions* to *external, animal voluntary motions*, all of which depend on *internal, vital involuntary motions*. This is illustrated, in part, by his contention that the imagination is the beginning of all voluntary motions.

More importantly, however, according to Hobbes, humans are at *liberty*, that is, free, whenever their *external, animal voluntary motions* are not impeded. He writes: “LIBERTY, or FREEDOM, signifieth, properly, the absence of opposition.” Of course, by *opposition* to motion, he means any physical barrier to one’s *external, animal voluntary motions*. This means, of course, that whenever one’s *external, animal voluntary motions* are impeded one is not *free* or at *liberty* to achieve one’s ends. Hobbes writes:

> whatsoever is so tied, or environed, as it cannot move but within a certain space, which space is determined by the opposition of some external body, we say it hath not liberty
to go further. And so of all living creatures, whilst they are imprisoned, or restrained, with walls or chains; and of the water whilst it is kept in by banks, or vessels, that otherwise would spread itself into a larger space, we use to say, they are not at liberty to move in such manner as without those external impediments they would. 49

What is equally important to notice here is that whenever one’s internal, vital or voluntary motions 1 and 2 are not impeded one has power. Hence, one might be imprisoned, restrained, chained, or, in short, without liberty, but nevertheless have power, that is, unobstructed internal, vital or voluntary motions 1 and 2. 50 Conversely, whenever one’s internal, vital or voluntary motions 1 and 2 are impeded one lacks power. Hobbes writes: “when the impediment of motion, is in the constitution of the thing itself, we use not to say; it wants the liberty; but the power to move as when a stone lieth still, or a man is fastened to his bed by sickness.” 51 Here, by impediment of motion, he means any internal obstruction to one’s internal, vital or voluntary motions 1 and 2.

At this juncture, it is necessary to address a philosophical problem that may have gone unnoticed. In chapter ten of Leviathan, Hobbes defines powers as one’s natural abilities and instrumental means to obtain one’s ends. 52 His examples of natural powers include strength and intelligence, and his examples of instrumental powers include friendship and associations. Simply put, the problem is that the conception of powers that Hobbes articulates in chapter ten of Leviathan is inconsistent with the internal power/external liberty distinction that he articulates in the twenty-first chapter of Leviathan. For example, in chapter ten of Leviathan, Hobbes tells us that the ability to use one’s friends in order to obtain one’s ends constitutes an instrumental power. 53 However, since one’s friends are external to one’s body the ability to use one’s friends represents an external instrumental power. But, in chapter twenty-one of Leviathan, Hobbes articulates his internal power/external liberty distinction. According to this distinction, powers are internal and liberties are external. Hence, Hobbes’s concept of external instrumental power is inconsistent with his internal power/external liberty distinction because it entails that some powers are external.

Even worse, in chapter twenty-one of Leviathan, Hobbes defines power as the absence of internal impediments to one’s internal motions. 54 This introduces an altogether new conception of power. For, whereas power in chapter ten of Leviathan refers to one’s natural abilities and instrumental means to obtain one’s ends, power in chapter twenty-one of Leviathan refers to the absence of internal impediments to internal motions. The former conception of power is positive while the latter conception of power is negative. Hence, here, Hobbes is oscillating between fundamentally different conceptions of power.

As a way of reconciling Hobbes’s inconsistent conceptions of power, we might think of Hobbesian power as the absence of internal impediments to internal motions. But, of course, this attempt at reconciliation fails because it does not encompass the external instrumental power that Hobbes discusses in chapter ten of Leviathan. Moreover, it is negative, and therefore, it fails to encompass the positive conception of power that Hobbes articulates in chapter ten of Leviathan. Alternatively, we might think of Hobbesian power as the absence of internal and/or external impediments to one’s natural abilities and/or instrumental means to obtain one’s ends. Although this alternative conception of power encompasses internal natural power and external instrumental power it nevertheless fails because it violates the internal power/external liberty distinction that Hobbes
articulates in chapter twenty-one of *Leviathan*. In addition, it fails because it does not encompass the positive conception of power that he articulates in chapter ten of *Leviathan*.

Nevertheless, there might still be a way to reconcile Hobbes’s inconsistent conceptions of power. In order to do so, we will have to alter his conception of power in chapter ten of *Leviathan*. This alteration requires us to remove Hobbes’s external instrumental conception of power from the category of powers and place it into the category of liberties. In this way, we can interpret Hobbesian power in terms that parallel Hobbesian liberty, that is, as the absence of internal impediments to internal motions, without violating his internal power/external liberty distinction. In addition, we will have to add a positive conception of liberty in order to make liberty consistent with this new conception of power. In this way, we can interpret Hobbesian liberty in terms that parallel Hobbesian power. Now, Hobbesian liberty refers to the absence of external impediments to one’s external motions and Hobbesian power refers to the absence of internal impediments to one’s internal motions. On a prima facie level, this way of thinking about Hobbes’s conceptions of liberty and power works.

Unfortunately, however, there is a problem with this new conception of Hobbesian liberty; namely, it does not fit neatly into Hobbes’s conception of *external, animal voluntary motions*. For, external instrumental liberty consists of *means* that are external to the body, such as friends and associates, while *external, animal voluntary motions* consist in one’s abilities to act externally, such as walking. The former refers to liberty that is external to or separate from the body while the later refers to bodily motion that is expressed externally. Here, it is not altogether clear that external instrumental liberty could be made to fit neatly into Hobbes’s conception of *external, animal voluntary motions*. At this point, there seems to be no way to completely reconcile Hobbes’s conceptions of liberty and power. For this reason, I conclude that they are irreconcilably inconsistent. Notwithstanding this problem, however, my reformulations of Hobbes’s conceptions of power and liberty seem to be the most charitable reading of Hobbes. Therefore, I shall henceforth rely on them in order to interpret Hobbes’s conception of the fundamental nature of human rights.

We are now in a position to determine what Hobbes’s conception of the fundamental nature of human rights entails. Since Hobbes defines a human right as one’s liberty to use one’s power as one wills for the preservation of one’s life, and since I have reformulated Hobbes’s conceptions of liberty and power in terms that parallel one another, to say that one has Hobbesian human rights means that one is not constrained to such a degree that one lacks sufficient liberty and power to act according to one’s will for the purpose of preserving one’s life. Or, to put it in a manner that is consonant with my above discussion of Hobbesian motions, to say that one has human rights means that one’s internal, vital involuntary motions, internal, animal voluntary motions and external, animal voluntary motions are not obstructed in such a way that prevents one from achieving one’s ends.

Conversely, to say that one lacks Hobbesian human rights means that one is restrained in such a way that one does not have a sufficient amount of liberty and/or power to act according to one’s will for the purpose of preserving one’s life. Or, to put it in a manner that is consonant with my above discussion of Hobbesian motions, to say that one lacks Hobbesian human rights means that one’s internal, vital involuntary motions, internal, animal voluntary motions and/or external, animal voluntary motions are constrained in such a way that prevents one from achieving one’s
ends. This is the case with Hobbes’s infirm.\textsuperscript{56}

\textbf{III. From Chaos to Contractarianism: Constructing the Commonwealth.}

The fact that Hobbesian human rights exist independently of civil society does not entail that they are unrelated to civil society. On the contrary, Hobbes tells us that the transfer of human rights to a sovereign who has a monopoly on the coercive use of force marks the transition from the state of nature into civil society.\textsuperscript{57} Whenever this transfer results in a contractual agreement between those who will be subject to it, it establishes government by institution.\textsuperscript{58} More importantly, however, whenever humans contract to be governed by a central authority that has a monopoly on the coercive use of force they incur duties to that authority, and to one another.\textsuperscript{59} In order to see this clearly, it is necessary for us to examine Hobbes’s argument for the establishment of the commonwealth.

As Hobbes would have it, a \textit{contract} is a mutual exchange of rights, or, in this case, it is a mutual exchange of human rights.\textsuperscript{60} More importantly, however, according to Hobbes, whenever humans transfer their human rights they “intendeth the benefit thereof to some certain person” or persons.\textsuperscript{61} In which case, they divest themselves of the rights “of hindering [others] to the benefit of [their] rights to the same.”\textsuperscript{62} Consequently, they incur obligations to refrain from interfering with the rights of those who will benefit from the exchange. Otherwise, they commit an injustice. That is, they contradict their initial intentions in transferring their human rights. Hobbes writes:

\begin{quote}
when a man hath… abandoned, or granted away his right; then he is said to be obliged, or bound, not to hinder those, to whom such a right is granted, or abandoned, from the benefit of it: and that he ought, and it is his DUTY, not to make void that voluntary act of his own: and that such hindrance is INJUSTICE, and INJURY, as being sine jure; the right being renounced, or transferred.\textsuperscript{63}
\end{quote}

But, of course, for Hobbes, the transfer of human rights alone is not sufficient to establish civil society. For, on one hand, he tells us that “the laws… [of] justice… without the terror of some power to cause them to be observed are contrary to [the] passions that carry us to partiality, pride, revenge, and the like.”\textsuperscript{64} This, on the other hand, is compounded by the facts that, in the state of nature, humans reason strategically, self-interestedly, and they have rights to everything.\textsuperscript{65} Hence, “every man will, and may lawfully rely on his own strength and art… against all other men.”\textsuperscript{66} Hence, under the conditions of the state of nature, “there can be no security to any man, how strong or wise soever he be.”\textsuperscript{67} For, the scarcity of resources and absence of a central coercive authority “inclineth [humans] to contention, enmity, and war, [simply] because the way of one competitor to the attaining of his desire is to kill, subdue, supplant, or repel the other.”\textsuperscript{68} And, of course, the victor “is in the like danger of succumbing to another.”\textsuperscript{69}

For Hobbes, the only way out of this misery is for each to agree with all to transfer their human rights to a sovereign who possess enough force to direct their individual wills to the will of all.\textsuperscript{70} This, Hobbes tells us,

\begin{quote}
is more than consent, or concord; it is real unity of them all, in one and the same person,
\end{quote}
made by covenant of every man with every man, in such a manner, as if every man should say to every man, I authorize and give up my right of governing myself, to this man, or to this assembly of man on this condition, that thou give up thy right to him, and authorize all his actions in like manner.\textsuperscript{71}

In this way, humans move from chaos to commonwealth.

\section*{IV. Practical and Philosophical Problems in Thomas Hobbes.}

In addition to the aforementioned philosophical problem in Hobbes\textsuperscript{72} there are practical problems that deserve attention, particularly those inherent in his argument for the establishment of the commonwealth. The first of which is this: since there are no shared human rights practices in the state of nature through which humans transfer human rights and incur duties Hobbesian human rights are meaningless in the state of nature, which, in turn, makes the transfer of human rights for the establishment of the commonwealth practically impossible.\textsuperscript{73} Here, notice that I have said that the transfer of human rights for the establishment of the commonwealth is \textit{practically} impossible. I say this because the denial of the claim that humans can transfer their human rights for the establishment of the commonwealth does not result in a contradiction. Hence, it is logically possible for humans to transfer their human rights. So, while I admit that it is logically or philosophically possible for humans to transfer their human rights in the state of nature in order to establish a commonwealth, as we shall see below, it is nevertheless practically impossible for them to do so, on a Hobbesian model.

We can imagine a scenario between humans in the state of nature in order to illustrate this. But, before I do so, recall that, according to Hobbes, in the state of nature, “there is no place for industry… no culture of the earth; no navigation, no use of the commodities that may be imported by sea; no commodious building, no instruments of moving and removing… no knowledge of the earth… no arts; no letters; no society;” but only that “to be every man’s that he can get: and for so long, as he can keep it.”\textsuperscript{74} Now, imagine that a multitude of Hobbesians have gathered together in the state of nature and that one of them utters the words: \textit{I hereby transfer my right of governing myself to this man insofar as each of you are willing to do likewise}. Notice that, since there are no shared practices in the state of nature through which humans transfer human rights and incur duties, the speaker’s utterances would be completely meaningless to those who hear them.\textsuperscript{75} Even worse, given that the conditions of the state of nature require each to act in hostile ways towards all--otherwise, according to Hobbes, they would make themselves prey for others\textsuperscript{76}--those who hear the speaker’s utterances would simply respond in the hostile ways required by the conditions of the state of nature.

So, even if we assume that the listeners can understand the speaker’s utterances, since the conditions of the state of nature require them to act with hostility towards one another, and, even more, since “force and fraud are the two cardinal virtues” in the state of nature,\textsuperscript{22} the listeners would have no reason to trust the speaker.\textsuperscript{78} In fact, they would be extremely skeptical of him, thinking that he intends to trick them into surrendering their human rights so that he can subdue, conquer, and use them as he sees fit. Hence, even if we assume that the listeners can understand the speaker’s utterances, the conditions of Hobbes’s state of nature are such that they make the transfer of rights for the establishment of the commonwealth practically impossible.
Hobbes might attempt to avoid this objection by arguing that humans simply perform certain actions that result in the transfer of their human rights. In which case, no shared human rights practices are necessary in order for humans to transfer human rights and incur duties. But, of course, this response fails because it is susceptible to an objection that is similar to the one that I have already articulated above. For example, again, imagine that a multitude of Hobbesians have gathered together and that one of them performs certain actions through which he/she intends to transfer his/her human rights. Since there are no shared human rights practices, or, rather, performances, in the state of nature through which humans transfer human rights and incur duties, the actor’s performance would be completely meaningless to those who witness it. Even worse, given that the conditions of the state of nature require each to act in hostile ways towards all, and, even more, given that “force and fraud are the two cardinal virtues” in the state of nature, those who witness the actor’s performance would simply respond in the hostile ways required by the conditions of the state of nature. Otherwise, they would make themselves prey for others.

Of course, here, I do not deny that mentally and physically healthy humans would, in fact, possess Hobbesian internal, vital involuntary motions, internal, animal voluntary motions and external, animal voluntary motions. Rather, I deny that, in the absence of shared human rights practices, they could understand their bodily motions as human rights or know what it is to possess human rights, transfer human rights, and incur duties. After all, such notions only make sense against the backdrop of shared human rights practices. I readily admit that such practices may be legal, moral, religious, and/or social. I also readily admit that such practices tell us what human rights are, under what conditions one may transfer one’s human rights, how one transfers one’s human rights, and what one’s duties are. Notice, however, that after granting all of this, it follows a fortiori that, in the absence of shared human rights practices, humans could no more transfer human rights and incur duties than could, to use Hobbes’s terminology, lions, bears, and wolves. For this reason, I conclude that Hobbes’s conception of the state of nature makes the transfer of human rights for the establishment of the commonwealth practically impossible.

What is worse is that Hobbes’s argument for the transfer of rights presupposes that shared human rights practices exist in the state of nature. Here, I say that Hobbes’s presupposition is worse than the above problem because it entails that his argument for the transfer of human rights is straightforwardly inconsistent with his conception of the state of nature. On one hand, he argues that culture, society, and the like “relate to men in society, not in solitude.” Yet, on the other hand, his argument for the transfer of human rights relies upon shared cultural and social practices. For example, Hobbes tells us that “a right is laid aside, either by simply renouncing it; or by transferring it to another.” He continues: “the way by which a man… transferreth his rights, is a declaration, or signification, by some voluntary and sufficient sign, or signs… And these signs are either words only or actions only; or as it happeneth most often, both words, and actions.” Moreover, “when a man hath in either manner abandon, or granted away his right; then he is… obliged or bound not to make void that voluntary act of his own.” That is, he becomes obligated “to standeth out of [the way of others], that [they] may enjoy [their] original rights, without hindrance from him.” “For,” he continues, “it is an absurdity to contradict” or to “undo that, which from the beginning he had voluntarily done.”
Here, one ought to wonder how Hobbes reaches the conclusions that one transfers human rights through declarations or significations and that whenever one transfers human rights one incurs duties to refrain from interfering with the human rights of those who will benefit from the transfer, if the state of nature is, in fact, without culture and society. After all, transferring human rights through declarations and significations and incurring duties as a result of such transfers are cultural/social conventions or practices. Even more, all cultural/social conventions and practices are shared by at least two people. This, of course, illuminates the fact that Hobbes’s argument for the transfer of human rights presupposes that human rights practices exist in the state of nature even though he argues that the state of nature is without culture and society. For this reason, I conclude that Hobbes’s argument for the transfer of rights is straightforwardly inconsistent with his conception of the state of nature. I shall return to this point later when I offer a final analysis of Pojman’s position. For now, suffice it to say that Hobbes’s arguments for the transfer of human rights and the establishment of the commonwealth are philosophically and practically problematic.

V. From Chaos to Contractarianism: Pojman’s Cosmopolitan World Government.

Notwithstanding the aforementioned philosophical and practical problems, many contemporary theorists argue that Thomas Hobbes is the one political philosopher who correctly identified the proper international relations between nation-states. Louis Pojman is one such theorist. To be sure, in Terrorism, Human Rights, and the Case for World Government, he argues that contemporary nation-states exist in a Hobbesian state of nature. To illustrate this, he points to the fact there has always been violence between competing nation-states and that such violence has accounted for billions of deaths, injuries, and displacements.

What is worse is that some of those responsible for the deaths, injuries, and displacements have been praised by the international community. For example, Yasser Arafat received a Nobel Peace Prize, numerous speaking invitations from several of the world’s most prestigious colleges and universities, and was buried a hero. Moreover, many “terrorist leaders have frankly admitted that they owe their… success to terrorism.” For example, George Habash, a recognized leader of a notorious terrorist organization, boasted that “‘when [his group] hijacks a plane it has [a greater] effect than it would [had they] killed a hundred Israelis in battle.’”

Add to this, the fact that, in many ways, global systems of transportation make it easier for terrorists to travel and transport materials and it becomes clear that we should expect further terrorist attacks. Think about it in this way: Pojman tells us that “there are about 175 million immigrants in the world and another 150 million migrants” traveling between various nations everyday. New, efficient, and inexpensive means of transportation makes inter-continental travel easier, and therefore, they serve as convenient ways of bringing people closer together. Unfortunately, however, one effect of making transportation easier and bringing people closer together is that we also make it easier for terrorists to travel and transport dangerous materials. This became apparent to Homeland Security after they learned that the nineteen 9/11 hijackers entered the United States through conventional means.

Not to worry, however, Pojman promises us a solution to the problems of the state of nature. First, he argues that, in order to end the human rights abuses described above, it is imperative that we
make no concessions and seek to punish those responsible for terrorism in our judicial systems. This, he tells us, is no more than justice requires. Secondly, he argues that we must actively seek to bring an end to the “regimes and organizations that sponsor and promote terrorism.” Here, he has in mind organizations like “the Taliban, al Qaeda, Hamas, and Islamic Jihad.” He continues: bringing an end to such organizations will require us to create an international executive responsible for enforcing international law. Third, he argues that we must build an international government that is strong enough to promote and defend human rights globally. This will require us to develop a world government grounded in human rights. Such a government, Pojman tells us, must be moderate and cosmopolitan.

Notice how Hobbesian Pojman’s solutions to the chaos of the state of nature are. In short, he argues for a social contract that establishes a world government that is strong enough to stabilize the international community but that is not so brazen it would arbitrarily infringe upon the liberty of existing nations. Pojman invites us to think of such a government in terms that parallels our own. For example, the federal government of the United States has the power and jurisdiction to enforce federal laws universally, but, it nevertheless grants the local governments of the fifty states enough liberty to determine what happens within their borders as long as they do not violate federal laws.

According to Pojman, a similar relationship can be developed between an international government and the governments of existing nations-states. He refers to this kind of relationship as a moderate cosmopolitan world government. As Pojman describes it, such a world government would be moderate because it would maintain respect for the liberty of existing nations-states, and, it would be cosmopolitan because it would elevate the citizens of all nations-states to the status of world citizens, thereby granting them human rights that supersede the laws of their homelands.

VI. The Political and Practical Appeals of Pojman’s Cosmopolitan World Government.

Pojman’s proposal is appealing in three respects. First, it is politically appealing because it has the potential to move us further towards satisfying many of our hitherto unfulfilled humanitarian commitments. For example, some international human rights covenants commit us to providing international human rights protections for all. Unfortunately, however, as Pojman rightly points out, we have utterly failed to live up to those commitments. One reason for this is that international human rights laws lack teeth. In fact, this explains why the leaders of so many nations have violated international human rights laws with impunity. This is both morally and legally unacceptable. In this, Pojman and I agree.

Secondly, Pojman’s proposal is politically appealing because it has the potential to rein in and place humanitarian and environmental limitations on our multi-national corporations, thereby introducing a higher level of corporate responsibility and accountability onto our international markets. For example, consider the case of the American oil company Unocal. In short, the Unocal Corporation, Total S.A., a French oil company, and the Burmese government agreed to enter into a joint venture to construct an oil pipeline. In the course of constructing the pipeline the Burmese government used its military to gather workers and provide protection for the pipeline. Unfortunately, the Burmese military achieved these goals by forcing hundreds of its citizens to work on the pipeline project
without compensation, by forcefully relocating those who lived on the land where the pipeline was being constructed, and by raping, torturing, assaulting, and murdering those who attempted to resist.\textsuperscript{107} Not only did Unocal and Total S.A. have ample information that suggested such abuses would occur, but, when they found out that human rights abuses were in fact occurring they continued to conduct business with the Burmese government. Furthermore, when they were pressed to disclose what they knew about the abuses they attempted to conceal their knowledge of it. By conducting business with the Burmese government and attempting to conceal information about the abuses Unocal and Total S.A. violated numerous U.S. laws, French laws, and international laws. What is worrisome, however, is that no one has ever been criminally prosecuted for the abuses. Unfortunately, there are many companies like Unocal and Total S.A. operating on our international markets. This is morally and legally unacceptable. In this, Pojman and I are also in agreement.

Third, Pojman’s proposal is practically appealing because it is nuanced in such a way that it avoids, on one hand, the extreme of idealistic cosmopolitanism, and, on the other hand, the extreme of staunch nationalism. In fact, I refrain from giving undue attention to the standard practical objections to cosmopolitanism precisely because Pojman can avoid them. For example, in \textit{For Love of Country}, Sissela Bok argues that cosmopolitanism fails to take seriously the conflicts that we often experience as a result of our close kinship ties to our kinsmen. She continues: many of these relations give rise to kinship commitments that we hold above our commitments to our fellow cosmopolitans.\textsuperscript{108} Notice, however, that Bok’s close knit ties objection no more undermines Pojman’s moderate cosmopolitanism than it would undermine nationalism if she had argued that humans sometimes have conflicting commitments between, say, their kinsmen and their country. Here, Pojman could easily admit that humans sometimes have conflicting commitments that require adjudication. Nevertheless, as long as human rights violations are not at issue, choosing one’s kinsmen over one’s cosmopolitan commitments, or vice versa, is not a problem. After all, a moderate conception of cosmopolitan world government like Pojman’s allows people to have both familial (domestic) and cosmopolitan (international) commitments. Hence, while Bok’s objection might show that idealistic cosmopolitanism and staunch nationalism are practically problematic, it fails to show that Pojman’s moderate cosmopolitanism is practically problematic.

Similarly, in \textit{For Love of Country}, Benjamin Barber argues that cosmopolitanism misses the humanizing function of national political and legal institutions. He concludes that it therefore ignores the humanizing function of national institutions.\textsuperscript{109} However, again, as long as human rights violations are not at issue, a moderate conception of cosmopolitan world government like Pojman’s allows nation-states to maintain their internal sovereignty. Therefore, national institutions will continue to exist and function as they always have. Hence, Pojman can easily avoid Barber’s objection by simply admitting that national institutions will continue to humanize people. Of course, Barber’s objection is not problematic for Pojman because his conception of cosmopolitanism is moderate and therefore not exclusive of nationalism.

By now, it should be evident that such objections are designed to undermine a staunch conception of cosmopolitan world government, which, of course, is exclusive of nationalism. Martha Nussbaum articulates such a conception of cosmopolitan world government in \textit{For Love of Country}. By contrast, Louis Pojman articulates a moderate conception of cosmopolitan world government that is compatible with kinship and national commitments. So, suffice it to say that the standard objections such as those articulated by Bok and Barber fail to undermine Pojman’s moderate
cosmopolitan world government. For this reason, it is best that I move on to consider some philosophical problems with Pojman’s justification for his conception of a moderate cosmopolitan world government.

**VII. Philosophical Problems with Pojman’s Cosmopolitan World Government.**

What I find philosophically objectionable about Pojman’s arguments is that they are woefully underdeveloped, which, in turn, leaves his conception of a cosmopolitan world government unjustified. For example, Pojman grounds his conception of world government on two principles: the *Principle of Humanity* (POH) and the *Principle of Equality* (POE). But, in the course of arguing for the *Principle of Humanity* (POH), he fails to articulate an adequate philosophical justification for his principle. Rather, he simply asserts that the POH is justified by our common human nature, and that justice requires us to act in accordance with it. He writes: “the philosophical justification for the *Principle of Humanity* is rooted in our common human nature. We are all roughly similar in native abilities to reason, [to] suffer,” and therefore, “we can interact rationally with one another.”110 Of course, these strong metaphysical claims cannot be accepted without philosophical justifications, particularly since they are supposed to ground Pojman’s conception of human rights and philosophers like Richard Rorty and Michael Ignatieff have argued against similar attempts to ground human rights by others.111 Hence, short of articulating adequate philosophical justifications for his claims, Pojman leaves the POH ungrounded. This is problematic because, in part, the POH grounds his conception of human rights, which, in turn, grounds his conception of world government.

Pojman makes a similar mistake when he attempts to justify the POE. Instead of articulating an adequate philosophical justification for the POE, he simply asserts that “we generally believe that it is unjust for someone to have fewer opportunities to develop their lives,” and therefore, “justice requires [that we] attempt to provide each person with equal opportunity to live a worthwhile life.”112 Again, here, Pojman’s claims require adequate philosophical justifications, particularly since they are straightforwardly contradicted by his examples of dictators who violated the human rights of others. Clearly, Adolf Hitler, Edi Amin, Kim Jong-il, and others guilty of violating human rights did not believe that they were acting unjustly by denying their victims an opportunity to “live a worthwhile life.” Hence, short of articulating adequate philosophical justifications for his claims, Pojman leaves the POE ungrounded. Again, this is problematic because, in part, the POE grounds his conception of human rights, which, in turn, grounds his conception of world government.

Pojman might attempt to sidestep my objections by arguing that Hobbes’s arguments for the state of nature, human rights, and the establishment of the commonwealth provides enough philosophical justification for grounding his world government. In this way, he could accept my objections but nevertheless argue that, since he is a Hobbesian, his conception of world government is grounded by Hobbes’s arguments for the state of nature, human rights, and the transfer of human rights for the establishment of government. But, of course, such an attempt to sidestep my objections would fail, particularly since I have already illustrated that there are serious philosophical and practical problems inherent in Hobbes. To be sure, I have illustrated above that Hobbes’s arguments for his conception of human rights is irreconcilably inconsistent;113 that since there are no shared human rights practices in Hobbes’s state of nature through which humans transfer human rights and incur duties his conception of the state of nature makes the transfer of human rights for the establishment
of the commonwealth practically impossible;\textsuperscript{114} and that Hobbes’s argument for the transfer of rights presupposes that shared human rights practices exist in the state of nature and therefore it is straightforwardly inconsistent with his conception of the state of nature.\textsuperscript{115} These objections preclude the possibility that Pojman could appeal to Hobbes’s arguments in order to find the philosophical justifications necessary for grounding his conception of world government.

Unfortunately, at this juncture, it seems that Pojman is out of options for avoiding my objections. First, I have illustrated that his arguments fail to ground his conception of world government because his principles are ultimately unjustified. Secondly, I have illustrated that he cannot appeal to Hobbes’s arguments for the state of nature, human rights, and the establishment of the commonwealth as a way of providing grounding for his conception of world government because Hobbes’s arguments are philosophically and practically problematic. Hence, Pojman’s endeavor to ground a moderate conception of cosmopolitan world government ultimately fails.

VIII. The Final Analysis.

Pojman seems to notice that there are some problems with his arguments but he wrongly calculates the strength of them. For example, in \textit{Terrorism, Human Rights, and the Case for World Government}, he writes: “these arguments need improvement and refinement, but they are sufficiently substantive to provide” grounding and guidance for a moderate cosmopolitan world government.\textsuperscript{116} For the reasons articulated above, I disagree with Pojman’s claim that his arguments can provide grounding for his conception of a moderate cosmopolitan world government. However, I think that, in outline, his book can serve as a guide for how to structure the relations between a moderate cosmopolitan world government and existing nation-states. For example, I like Pojman’s suggestion that we structure the relations between a moderate cosmopolitan world government and existing nation-states in the way that the U.S. has structured its relations between its federal government and the governments of its fifty states. I like this suggestion because it could solve the problem of impunity while maintaining respect for the sovereignty of existing nation-states. But, first, I would add the proviso that Pojman’s moderate cosmopolitan world government also be complimentary. That is, it ought to have the power to intercede to prosecute accusations of human rights violations only when the governments of nation-states are unwilling or unable to do so. In this way, we could provide international law with the teeth it so desperately needs, give nation-states the first opportunity to prosecute the human rights violations that occur within their jurisdictions, thereby reserving intervention from the world government as a last option, and we would maintain respect for the sovereignty of existing nation-states.

Nevertheless, such a world government would still require an adequate philosophical justification. Otherwise, we would have no reason for changing existing international relations between nation-states to relations that are unjustified. So, while Pojman’s proposal provides us with a good outline for constructing the relations between a world government and the governments of existing nation-states, it fails to provide adequate philosophical justifications for his conception of world government. For this reason, I have rejected it.

Pojman might seek to develop a philosophically adequate justification for his conception of a moderate cosmopolitan world government by first switching from a Hobbesian conception of international relations to, say, a Lockean conception of international relations. This would allow
him to avoid the objection that it is practically impossible for humans to transfer human rights for the establishment of the commonwealth, or, in this case, a cosmopolitan world government. To be sure, unlike Hobbes, Locke argued that there are shared social and cultural practices among people in the state of nature, one of which is a share human rights practice. For example, Locke tells us that the state of nature is governed by an obligatory law of reason and that the law grants all rational human beings human rights to life, liberty, and property, and, correlative, it obliges all rational human beings to refrain from interfering with the life, liberty, and property of others. In this way, on a Lockean model, humans have both negative and positive duties. In light of this, it is possible for rational humans to transfer human rights for the establishment of the commonwealth in Locke’s state of nature. To be sure, Locke straightforwardly tells us that bargains struck in the state of nature are obligatory. More importantly, however, this would allow Pojman to avoid the objection that it is practically impossible for humans to transfer human rights for the establishment of a cosmopolitan world government.

Finally, in order to develop a philosophically adequate justification for his conception of a moderate cosmopolitan world government, Pojman would also have to adequately justify his Principle of Humanity (POH) and Principle of Equality (POE). He might, for example, attempt to justify the POH by arguing that insofar as all humans require certain fundamental necessities in order to continue their existence, i.e. food, water, shelter, and so on, consistency requires that they refrain from interfering with the fundamental necessities of others. Otherwise, by consistency, others would be able to interfere with their fundamental necessities, which, of course, no rational human would accept. Hence, consistency with respect to interference with the necessities of human life, that is, the Principle of Humanity, requires that each refrain from interfering with the fundamental necessities of all.

Lastly, with regard to the Principle of Equality, he might attempt to argue that consistency requires that we treat like, or sufficiently equal, entities alike, unless, of course, we have a sufficient reason for doing otherwise. Hence, insofar as all humans require certain fundamental necessities in order to continue their existence they are sufficiently equal. Therefore, consistency with respect to human needs, that is, the Principle of Equality, requires that we treat all humans equally. From this, Pojman might be able to generate a conception of human rights that could be used to ground his conception of a moderate cosmopolitan world government. Of course, the only way to be certain that this approach would work would be for Pojman, or someone following his lead, to sufficiently develop and articulate those arguments. My analysis of both the potential and deficiencies inherent in Pojman’s project may serve to point the way for that work to develop.

Eric Smaw
Rollins College

Notes


6. Although I do not have the luxury of pursuing my disagreement with Pojman, it is worth noting that his Hobbesian conception of contemporary international relations is inaccurate. I say this because there are many international institutions, like the World Trade Organization, the World Health Organization, and the World Bank, existing in the contemporary international arena. However, according to Hobbes, such institutions do not exist in the state of nature. Hobbes, *Leviathan*. New York: Touchstone, 1962. 100. Given this, Pojman’s conception of international relations is inaccurate.


8. Ibid., 19, 49-52.

9. Ibid., 49-52, and 55-63.

10. Of course, although I will analyze some of the connections between Hobbes and Pojman, I will not have time to analyze all of the connections that exist between them.

11. Throughout this article, I discuss Hobbesian natural rights using the phrase human rights. It should be noticed that Thomas Hobbes actually uses the term natural rights and not the term human rights. However, since both natural rights and human rights refer to the most fundamental rights that humans possess, here, I adopt the term human rights to cover both what the moderns call natural rights and what contemporaries call human rights. I understand that some philosophers, Charles Beitz, for example, challenge the idea that natural rights and human rights are one and the same. However, whatever the nuances between them, both natural rights and human rights refer to the most fundamental rights that humans possess.


13. Ibid., 100, chapter 13.

14. Ibid., 80, chapter 11.

15. Ibid., 98, chapter 13.

17. Ibid., 100, chapter 13.

18. Ibid., ital. mine.

19. Ibid., 72, chapter 10.

20. Ibid.

21. Ibid.

22. Ibid.

23. Ibid., 75, chapter 10.

24. Ibid., 54, chapter 6.

25. Ibid., ital. mine.


27. Ibid.


29. Ibid.

30. Ibid., 41, chapter 5.

31. Ibid.

32. Ibid.

33. Ibid., cf. 47, chapter 6, and 23, chapter 2.

34. Ibid., 47, chapter 6.

35. Ibid.

36. Ibid.

37. Ibid.

38. Ibid. Hobbes does not actually use this terminology. In fact, he only uses the phrases vital, involuntary motions, and animal, voluntary motions. Nevertheless, from what he argues in chapter six of Leviathan, it follows that there are, at least, five kinds of bodily motions. I have added the terms internal and external in order to clearly distinguish between internal vital motions such as the beating of one’s heart, internal animal motions such as one’s appetites or aversion, internal animal motions such as thinking, external animal motions such as running. These distinctions will be crucial to my interpretation of Hobbes’s conception of liberty and power.
39. Ibid., 47, chapter 6.

40. Ibid., 47-48, chapter 6.

41. Ibid., cf. 47, and 53-54, chapter 6.

42. Ibid., 47, chapter 6.

43. Ibid., 53, chapter 6.

44. Ibid.

45. Ibid., 47, chapter 6.

46. Ibid.

47. Ibid.

48. Ibid.

49. Ibid.

50. Ibid.

51. Ibid., 159, chapter 21. Ital. mine.

52. Ibid., 72, chapter 10.

53. Ibid.

54. Ibid., 159, chapter 21. Ital. mine.

55. Ibid. Ital. mine.

56. See my discussions above 12-13.


58. Ibid., 151, chapter 20. Of course, government by institution is not the only way humans enter into the commonwealth. Hobbes also has a conception of government by acquisition.

59. Ibid., chapter 18, chapter 21.

60. Ibid.

61. Ibid., 104, chapter 14.

62. Ibid.
63. Ibid. Ital. mine.

64. Ibid., 129, chapter 17.

65. Ibid., 103, chapter 14.

66. Ibid., 129, chapter 17.

67. Ibid., 103, chapter 14.

68. Ibid., 81, chapter 11.

69. Ibid., 99, chapter 13.

70. Ibid., 132, chapter 17. Of course, I mean the only contractual way out of the state of nature.

71. Ibid.

72. See my above discussion of Hobbes’s inconsistent use of the terms liberty and power, 10-13.


75. Ibid., 98, chapter 13.

76. Ibid., 104, chapter 14.

77. Ibid., 101, chapter 13.


79. Ibid., 101, chapter 13.

80. Ibid., 104, chapter 14.
81. Ibid., 33, chapter 4.


84. Ibid., 104, chapter 14.

85. Ibid., 105, chapter 14.

86. Ibid., 104-105, chapter 14.

87. Ibid., 104.

88. Ibid., 105.

89. Of course, we learned this from Ludwig Wittgenstein in the *Philosophical Investigations*, New York: SUNY Press, 1999. 243-264. Here, I am simply applying the conclusion of Wittgenstein’s private language argument more generally.


92. Of course, here, I do not mean that Yasser Arafat was praised for killing people. Rather, I mean he was never punished, was later recognized by the international community, and was buried a hero.


94. Ibid., 4.

95. Ibid., 44.

96. Ibid.

97. Ibid., 44.

98. Ibid., 49-52.

99. Ibid., 19.

100. Ibid., 19.

101. Ibid., 49-52.

102. Ibid.
103. Ibid., 55-63.

104. Ibid., 55.

105. Ibid.

106. For example, Joseph Stalin of the Soviet Union, John Demjanjuk of the Ukraine, General Augustine Pinochet of Chile, Edi Amin of Uganda, Mao Tse-tung of China, Poe Pot of Cambodian, Richard Nixon of the United States of America, Henry Kissinger of the United States of America, Yasser Arafat of Palestine, Kim Jong-il of North Korea, Robert Mugabe of Zimbabwe, Than Shwe of Burma, and Osama Bin Laden of Afghanistan have all violated human rights with impunity.

107. See Doe v. Unocal, UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, Case No.: CV 96-6959-RAP (BQRx).


109. Benjamin Barber, “Constitutional Faith,” in For Love of Country, Boston: Beacon Press, 2003. 30-33. Here, I’ll simply point out that while Barber criticizes Nussbaum using the humanizing function of political and legal structures, he nevertheless notices that Americanism wedds cosmopolitan ideals to patriotism. Hence, Barber realizes that cosmopolitanism and patriotism are not necessarily mutually exclusive. What is even better is that Pojman argues for a moderate form of cosmopolitanism which allows moderate patriotism. In fact, Pojman’s cosmopolitanism is modeled on America, which, Barber admits, wedds cosmopolitan ideals with patriotism. So, it seems that Barber and Pojman are in agreement.


113. See my discussion of Hobbes’s conceptions of liberty and power, 11-14.

114. See my discussion of Hobbes’s argument for the establishment of the commonwealth, 18-21.

115. See my discussion of Hobbes’s argument for the transfer of rights, 21-22.

116. Ibid., 59.


118. Ibid., 2.14.