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Is Rawls' Theory of Justice Biased by Methodological Nationalism?

Speranta Dumitru

Methodological nationalism assumes that, to understand a phenomenon, nation-states are the relevant units of analysis. This assumption has been recognized as a source of bias in most of the social sciences. Does it bias Rawls' understanding of justice, too? This paper argues that it does for at least two reasons. Firstly, what Rawls thinks justice requires on a global scale falls short of what states and international organisations actually do. Secondly, framing the difference principle in national terms, as Rawls did, is a way to increase the "citizenship rent", or the revenue a person receives just by being citizen of a rich country. The paper argues that methodological nationalism biases Rawls' understanding of justice by affecting both the plausibility and the coherence of his theory.

Keywords: Justice, Nationalism, State-centrism, Groupism, Territorialism, International Aid, Citizenship, Rent, Equal Opportunity.

This paper evaluates the impact of methodological nationalism on Rawls' theory of justice. Methodological nationalism assumes that, to understand a phenomenon, nation-states are the relevant units of analysis. But since the 1970s, when it was first identified in sociology, methodological nationalism has been recognised as a source of bias in most of the social sciences.

To grasp how methodological nationalism can bias our understanding, imagine you have discovered a large collection of correspondence in an old attic. You want to understand what the huge pile of envelopes is all about. But you might be inclined to first categorise the letters by the country of their postage stamps and then read them in some country-based order. Can such a method help you to understand what the correspondence pertains to? The letters may conceal any type of relationship (personal, commercial, political, or professional) between any kind of senders and receivers (people, families, groups, firms, institutions). It seems that, except for a few cases, the categorisation of letters by nation will make it difficult, if not impossible, to even grasp the meaning of correspondence.

What if our understanding of social justice is biased in the same way? Martin Shaw, who inspired the above analogy, thought that a large part of knowledge in the social sciences proceeds much in the manner of a young philatelist who likes to collect distinct national forms – Italian industry, German unemployment, French inequalities – rather than to understand the underlying social phenomena. If methodological nationalism affects knowledge production in the social sciences, can theories of social justice remain unaffected? Can Rawls’ understanding of justice be affected, or even biased, by methodological nationalism?

This article argues that Rawls’ theory of justice is, indeed, biased by methodological nationalism? It first identifies three assumptions of methodological nationalism: state-centrism, groupism and territorialism. Rawls’ theory of justice endorses all of them. However, this is not only a matter of normative choice: framing distributive justice in exclusively national terms, as Rawls did, is a source of implicit bias for at least two reasons. Firstly, what Rawls thinks justice requires on a global scale falls short of what states and international organisations actually do. Secondly, framing the difference principle in national terms, as Rawls did, is a way to increase the “citizenship rent”, or the revenue a person receives just by being citizen of a rich country? These unexpected consequences of Rawls’ methodological nationalism affect the plausibility and the coherence of his theory.

This paper is divided in three sections. The first clarifies the notion of “methodological nationalism” and distinguishes between three assumptions. The second section shows that Rawls’ theory of justice endorses all of them. The final section illustrates how methodological nationalism is a source of bias for Rawls’ understanding of justice. The conclusion briefly illustrates how understanding methodological nationalism is a tool to make finer-grained distinctions among theories of justice.

1 M. Shaw, *Theory of the Global State: Globality as an Unfinished Revolution*, Cambridge, Cambridge University Press, 2000, p. 68.

2 J. Rawls, *A theory of justice*, Harvard, The Belknap Press, 1971.

3 B. Milanovic, *Global Inequality: A New Approach for the Age of Globalization*, Harvard, Harvard University Press, 2016.

1. Three assumptions of methodological nationalism

The debate on methodological nationalism deals with an epistemological question: do nationalist assumptions affect the methods and the validity of knowledge in the social sciences? As the debate originates in sociology, the first nationalist assumption identified was the researchers' tendency to equate 'society' with a nation–state's population. Other nationalist assumptions concern the spatial boundaries of social phenomena, as well as their state-centred description.

The phrase "methodological nationalism" was coined in 1974 by the sociologist Herminio Martins⁴. While discussing the role of biological metaphors in describing social change as "immanent" or "endogenous", Martins came to question the scope of the "social" in the notion of "social change". He observed that what sociologists assumed to be changing was determined by "a general presumption supported by a great variety of scholars across the entire spectrum of sociological opinion that the 'total' or 'inclusive' society in effect, the nation-state be deemed the standard, optimal, or even maximal 'isolate' for sociological analysis"⁵.

Martins suggested that by this assumption, sociology "has submitted to the national predefinition of social realities". He considered methodological nationalism to be a kind of implicit bias because it "does not necessarily go together with political nationalism on the part of the researcher", but "imposes itself in practice with national community as the terminal unit and boundary condition for the demarcation of problems and phenomena for social science"⁶. The assumption that the boundaries of a social phenomenon coincide with the national community can lead to misunderstanding the phenomenon, or to under/overestimating it. When a presumption unsupported by evidence becomes "general", the validity of knowledge can be severely affected.

As suggested, methodological nationalism raises epistemological questions about the validity of knowledge. Since the 1970s, when it was discussed firstly in sociology, methodological nationalism has been recognised as a source of bias in other social sciences. For instance, the critique of methodological nationalism has proved

4 H. Martins, Time and theory in sociology, in *Approaches to sociology*, ed. by I. Rex, London, Routledge & Kegan Paul, 1974, pp. 246-294.

5 *Ibidem*, p. 27

6. *Ibidem*.

fruitful in disciplines such as management studies⁷, international relations⁸, development studies⁹, history¹⁰, and linguistics¹¹. This paper illustrates, using an example from economics¹², how analysing inequalities without methodological nationalism can prove fruitful. A literature survey shows that there are at least three distinct assumptions of methodological nationalism: let us call them 'state-centrism', 'groupism', and 'territorialism'¹³. Failing to distinguish them from each other is a way to endorse the nation-state perspective because the nation-state is usually defined by three elements held to be indissociable: an organisation of powers exercised over a population and across a territory. The three assumptions of methodological nationalism each correspond to one of these elements, and are logically distinct from one another. Let us describe them separately.

1.1. State-centrism

State-centrism is the inclination to assign an unjustified pre-eminence to the Nation State. The critiques of methodological nationalism have shown that the state became not only the 'cornerstone' of social analysis¹⁴, but also the predominant mode of modern political organisation". This pre-eminence obscures the existence of other forms of political organisation and limits our ability to imagine further variations.

State-centrism is difficult to avoid. On one hand, this is because dictionaries nowadays define the adjective 'political' as "relative to the state", or "which concerns the exercise of the power of the state". On the other hand, it is also because normative political theory

7 A. Ishikawa, A survey of Studies in the Japanese Style of Management, *Economic and industrial democracy*, 3 (1982), 1, pp. 1-15.

8 J. Agnew, The Territorial Trap: The Geographical Assumptions of International Relations Theory, *Review of International Political Economy*, 1 (1994), 1, pp. 53-80.

9 C. Gore, Methodological Nationalism and the Misunderstanding of East Asian Industrialization, *The European Journal of Development Research*, 8 (1996), 1, pp. 77-122.

10 S. Conrad, *What is global history?* Princeton, Princeton University Press, 2016.

11 B. Schneider, Methodological nationalism in Linguistics, *Language Sciences*, 76 (2019), p. 101169.

12 B. Milanovic, *Global Inequality*.

13 S. Dumitru, Qu'est-ce que le nationalisme méthodologique ? Essai de typologie, *Raisons politiques*, 54 (2014), 2, pp. 9-22. doi: 10.3917/rai.054.0009

14 U. Beck, *Power in the Global Age*, Cambridge, Polity Press, 2005.

15 D. Chernillo, The Critique of Methodological Nationalism: Theory and History, *Thesis Eleven*, 106 (2011), pp. 98-117.

tend, to various degrees, to legitimise state-centred views. Even libertarian theories, which criticise the state, can only advocate a “minimal state”¹⁶. The majority of political values and social ideals are nowadays seen as dependent on the state: liberty, equality, justice, democracy, order, rule of law. The law is defined as the set of norms produced and hierarchised by the state a vision of the law that John Griffith has described as “legal centralism”, which he contrasted to “legal pluralism” – that is, the presence in a sole society, or across a sole territory, of several systems of norms¹⁷. The state-centred position is a presupposition that places the Nation State at the heart of numerous approaches without envisaging the existence of alternative modes of organisation.

1.2. Groupism

Groupism has been defined by Roger Brubaker as “the tendency to take discrete, sharply differentiated, internally homogeneous and externally bounded groups as basic constituents of social life, chief protagonists of social conflicts, and fundamental units of social analysis”. The most salient examples are those groups that are construed along ethnic, racial, or national lines, and are often considered as “substantial entities to which interests and agency can be attributed”¹⁸.

Groupism, like state-centrism, deeply affects our understanding. On one hand, it is frequently expressed in public debate using formulas such as “The French believe this...” or “The People chose that”. On the other hand, the groupist assumption that underlies the notion of ‘a People’ is overloaded and ambiguous. Andreas Wimmer and Glick Schiller have shown that modern nationalism fuses four meanings of the word ‘People’ into a single concept: 1) the People defined as a sovereign entity; 2) the People taken as the set of the citizens of a state who are considered to be equal before the law; 3) the People seen as a group bound by obligatory solidarity, a kind of extended family held together by obligations of reciprocal

16 See e.g. R. Nozick, *Anarchy, State, and Utopia*, London, Blackwell, 1974.

17 I. Griffith, What is Legal Pluralism? *Journal of Legal Pluralism and Unofficial Law*, 24 (1986), pp. 1-55.

18 R. Brubaker, Ethnicity without Groups, *European Journal of Sociology/Archives Européennes de Sociologie*, 43 (2002), 2, pp. 163-189.

assistance; 4) the People conceived of as an ethnic community united by a common destiny and a shared culture ¹⁹.

1.3. Territorialism

Territorialism is the tendency to conceive of the world as a set of distinct, juxtaposed national 'containers', to use John Agnew's term²⁰. Ian Aart Scholte has coined the expression "methodological territorialism" to criticise the way we are "formulating concepts, asking questions, constructing hypotheses, gathering and interpreting data, and drawing conclusions in a spatial framework that is wholly territorial"²¹. The territorial method represents space as a homogenous expanse, bordered by frontiers. In this, the method adopts the perspective of a state that contemplates the domain of its jurisdiction and grants equal consideration to the set of points within its frontiers.

Territorialism is a widely shared assumption. On the one hand, it is deeply anchored in everyday language, where the deictics 'here/ elsewhere' or 'home/abroad', whose meaning normally depends on their context of utterance, often designate national territories²². On the other hand, the social sciences endorse and reinforce the polarisation between 'interior' versus 'exterior' and between 'national' versus 'international' by construing distinct epistemological representations of the 'containers' and their relations. This representation is projected onto social or cultural practices that thus acquire a spatial extension that is usually national (Japanese literature, French theory) or sometimes regional (Asiatic cuisine, African song). However, construing phenomena as if they took place in national or regional 'containers' provides biased information concerning their spatial dimension.

To sum up, why do social scientists tend to look at phenomena in the way the state represents them? Or, to use James Scott's famous

19 A. Wimmer and N. Glick Schiller, Methodological Nationalism, the Social Sciences, and the Study of Migration: An Essay in Historical Epistemology, *International Migration Review*, 37 (2003), 3, pp. 576-610.

20 I. Agnew, The Territorial Trap: The Geographical Assumptions of International Relations Theory.

21 J.A. Scholte, *Globalisation : A critical introduction*, London, Palgrave Macmillan, 2000, p. 66.

22 S. Dumitru, De quelle origine êtes-vous ? Banalisation du nationalisme méthodologique, *Terrains/Théories*, 3 (2015), doi: 10.4000/teth.567.

formula, why are they “seeing like a State”²³?

Critics of methodological nationalism explain this tendency by how the field of sociology came to be born: at the end of the 19th century, it accompanied the emergence of a new political mode of organisation, the nation-state. The object of sociology thus conforms to the society proper to the Nation State. The other social sciences emerged within an already established national framework. The social scientists’ material dependence on the state oriented their research questions and design. The statistical data they employ are most often produced by national institutes and conceived of to respond to the government's needs. As the definition of the variables measured varies from one country to another, it makes the results difficult to compare. In the area of inequalities, however, progress towards harmonisation has been made, as we will show in the last section.

2. Rawls’ methodological nationalism

Rawls published *A Theory of Justice* in 1971, before the debate on methodological nationalism emerged in the social sciences. However, it is useful to examine whether he explicitly develops one or more assumptions identified above as characteristic of methodological nationalism. Before assessing whether they constitute a source of implicit bias for Rawls’ understanding of justice, let us examine whether they are explicitly chosen and justified. In what follows, we explore the extent to which state-centrism, groupism or territorialism are endorsed in his *Theory of justice*.

2.1. State-centred justice

There is little doubt that Rawls’ theory is state-centred. Although Rawls rarely mentions the state, he places it at the core of his understanding of justice. From the onset, he maintains that “the primary subject of justice” is the “basic structure of society”. While the “basic structure” is meant to be “of society”, the newly created concept does not refer to how social relations or social actions are structured. Rather, ‘society’ is seen from the state's point of view, as

23 J.C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, Yale, Yale University Press, 1998.

Rawls clarifies: “the basic structure of society, or more exactly, the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation”²⁴.

To define the “primary subject of justice”, Rawls does not proceed by enquiring which institutions affect the distribution of advantages or whose social cooperation yields advantages and burdens. Instead, he chooses to equate the “basic structure of society” with “the political constitution and the principal socioeconomic structures” of a country. He justifies his choice by maintaining that the basic structure's “effects are so profound and pervasive, and present from birth”²⁵. However, if “the primary subject of justice” was indeed concerned with those institutions which profoundly affect people from birth, then Rawls would have chosen a less state-centred theory, as we will show in the next section.

In addition, Rawls’ theory of justice assumes what has been called “legal centralism”, the view that “law is and should be the law of the state, uniform for all persons, exclusive of all other law, and administered by a single set of state institutions”²⁶. Legal centralism is characterised by a “unified hierarchical ordering of norms”. Rawls theorises such a hierarchy through what he calls “the four-stage sequence” which “clarifies how the principles for institutions are to be applied”²⁷. Thus, after the choice of the principles of justice governing the “basic structure of society”, Rawls’ citizens chose a constitution which conforms to the principles. Then, they move to the “stage of the legislature” which “dictates the social and economic policies” as required by the second principle of justice. They are assumed to choose, at the last stage, “the application of rules to particular cases by judges and administrators, and the following of rules by citizens generally”²⁸. Such a theory of justice seems highly averse to “legal pluralism”, that is, the coexistence, in a social field, of more than one legal order.

24 J. Rawls, *A Theory of justice*, p. 7

25 *Ibidem*, pp. 7 and 82

26 J. Griffith, What is legal pluralism?

27 J. Rawls, *A Theory of justice*, p. 195

28 J. Rawls, *A Theory of justice*, pp. 195-199.

2.2. A bound society

Does Rawls' theory endorse the groupist view of methodological nationalism? As in groupism, Rawls' 'society' appears to be a closed and internally homogenous group, clearly distinct from other human groups. However, its distinctiveness is not based on national character or ethnicity. Ethnicity does not seem to play any role in Rawls' theory, and ethnic and racial inequalities are rarely mentioned²⁹. Yet, Rawls' 'society' is homogenous in so far it is assumed to be exclusively composed of 'citizens': there is no mention of migrants or foreigners living in Rawls' society. Rather, Rawls explicitly assumes that society is a "more or less self-sufficient association"³⁰. Within it, citizens share similar interests and moral traits (a sense of justice, two moral powers of practical reason, compliance with the principles of justice etc.).

What is more, both citizens and all their descendants are committed together *sub speciae aeternitatis*³¹. The "strains of commitment" between citizens are intended to be as strong as if they were the result of a contractual obligation. As is well known, Rawls' theory of justice has contractual foundations, but only the content of the contract is a matter of choice, not the fact of entering into the social contract. As Rawls explains, "no society can, of course, be a scheme of cooperation which men enter voluntarily in a literal sense; each person finds himself placed at birth in some particular position in some particular society"³². Sometimes, Rawls assumes that the contracting parties in the original position are 'heads of families' to suggest that the principles agreed on have a binding power over successive future generations.

Society's stability over time is a question of concern for Rawls. He coins the notion of a "well-ordered society" to describe a society "effectively regulated by a shared conception of justice"³³. In a well-ordered society, there is also "a public understanding as to what is just and unjust" which means that "its members have a strong and normally effective desire to act as the principles of justice require"³⁴.

²⁹ *Ibidem*, p. 99

³⁰ *Ibidem* p. 4

³¹ *Ibidem* p. 587

³² *Ibidem* p. 13

³³ *Ibidem* p. 53

³⁴ *Ibidem*, p. 454

Such a “well-ordered” group is meant to endure over time, according to Rawls.

2.3. Rawls’ territorialism

The third assumption, territorialism, is present in Rawls’ theory of justice, but only in passing. Coexistence “on a definite geographical territory” of many individuals is assumed to be an “objective circumstance of justice”³⁵. In Rawls’ terms, “circumstances of justice” are what make human cooperation, and hence justice, both possible and necessary. While it is true that human cooperation always has a spatial dimension, “territory” designates an area controlled by a kind of power, usually the state. Rawls’ argumentation thus slips from the spatial dimension to state—organised cooperation.

Sometimes, Rawls implicitly acknowledges that the spatial dimension of actions is not reducible to a territory. When he discusses how minorities’ rights are unjustly denied, he describes the right to move as being “from place to place”³⁶ and not within a “definite territory”, but the remark is not further developed³⁷.

Other times, Rawls simply assumes the fixity of a territory by implying that state jurisdiction “affects permanently [one’s] prospects in life”. He thus suggests that “if the state is to exercise a final and coercive authority over a certain territory, and if it is in this way to affect permanently men’s prospects in life, then the constitutional process should preserve the equal representation of the original position”³⁸. When territories are assumed to be permanent, both collective rights to territorial secession and individual rights to move from place to place are not discussed.

To sum up, Rawls elaborates on his theory of justice for a citizens-only society conceived of as being “more or less self-sufficient”. The “primary subject of justice” is a state-centred mode of organisation, exercising “a final and coercive authority over a certain territory”. Thus, the three assumptions of methodological nationalism—state-centrism,

³⁵ *Ibidem*, p. 126.

³⁶ J. Rawls, *A Theory of justice*, p. 372.

³⁷ In subsequent work, Rawls would incorporate “freedom of movement”, along with “free choice of occupation” amongst the primary goods, useful to realise the principle of fair equality of opportunity. See eg. J. Rawls, *Justice as Fairness: A Restatement*, Harvard, Harvard University Press, 2001, p. 58.

³⁸ J. Rawls, *A Theory of justice*, p. 222.

groupism, territorialism are indeed present in Rawls' theory. Do they bias his understanding of justice?

3. A biased theory of justice?

Brian Barry was perhaps the first to criticise Rawls for “the fact that States are not the units within which the principles of justice should operate”³⁹. He argued that given the level of world inequality, “the question of distribution between societies dwarf into relative *insignificance* any question of distribution within societies” (our emphasis). The “insignificance” of Rawls' question of justice holds, according to Barry, regardless of the chosen principles of justice: “whether we replace maximin with equality, maximising the average level of well-being, or some ‘pluralistic’ cocktail of principles”, he argued, “there is no conceivable internal redistribution of income that would make a noticeable improvement to the nutrition of the worst—fed in India”.

Does methodological nationalism *bias* Rawls' understanding of justice? A bias is usually defined as a judgement which systematically deviates, often unconsciously, from the “correct” norm of thinking (for judgments)⁴⁰. Yet, theories of justice are normative theories and, as such, they claim to work out the “correct” norms of thinking, by explicating the arguments. Can a theory of justice ever be biased?

As a matter of fact, Rawls responded to such critiques by Barry and others⁴¹ by reinforcing his nationalist position. Leaving aside the systematic character expressed in this reinforcement, there are at least two reasons to support the thesis of bias.

3.1. International justice

The first reason why methodological nationalism is a source of bias for Rawls' theory is that at the international level, justice seems to require less in theory than what states practically do.

30 B. Barry, *The Liberal Theory of Justice: A Critical Examination of the Principal Doctrines in a Theory of Justice by John Rawls*, Oxford, Clarendon Press, 1973, p. 129.

40 R.F. Pohl, *Cognitive Illusions: A Handbook on Fallacies and Biases in Thinking, Judgment and Memory*, New York, Psychology Press, 2004, p. 2.

41 See e.g. C. Beitz, *Political Theory and International Relations*, Princeton, Princeton University Press, 1979; T. Pogge, *Realizing Rawls*, Ithaca, Cornell University Press, 1989; D. Moellendorf, *Cosmopolitan justice*, Boulder/Co, Westview Press, 2002.

Indeed, while Rawls agreed in later work that “well-ordered peoples” have a “duty to assist burdened societies”, he denied that this duty is derived from a principle of distributive justice. Rather, he believed that its “aim is [...] not simply to increase, much less to maximise indefinitely, the average level of wealth, or the wealth of any society or any particular class in society”⁴². According to Rawls, the scope of the duty of assistance is temporary and meant “to realise and preserve just (or decent) institutions” in the “burdened societies”.

In the real world, states have long agreed that justice requires more than that. Rawls’ own country has a long history of international aid. In 1812, the Congress of the United States voted for an *Act for the relief of the Citizens of Venezuela* to provide help in the wake of an earthquake, and by the end of the 19th century, it introduced systematic food relief, notably to Latin American countries. After the Second World War, President Harry Truman justified the duty of aid in a famous address and enjoined the rich countries to help other peoples “realise their aspirations for a better life”⁴³. For Truman, international aid was not aimed to “realise just (or decent) institutions” as for Rawls. Rather, recognising that “more than half the people of the world [were] living in conditions approaching misery”, Truman maintained that “our aim should be to help the free peoples of the world, through their own efforts, to produce more food, more clothing.

Truman's vocabulary resonates with Rawls': “Only by helping *the least fortunate of its members* to help themselves can the human family achieve the decent, satisfying life that is the right of all people”. But Rawls reserved the phrase “the least fortunate” for his compatriots, and referred neither to “human family”, nor to any economic “rights of all people”. Still, at the time when Rawls published his theory of justice, the United States Agency for International Development (USAID) had been in place for a decade. In a multilateral context, official development aid was adopted in the 1960s, and from 1970, the target fixed, on the recommendation of the United Nations General Assembly, was to make an annual contribution equal to 0.7% of GDP towards such aid. At the time when Rawls was publishing his *Law of Peoples*, in 1999, the UN member states were agreeing to halve the number of people in extreme poverty, defined as people living on \$1.90 per day.

42 J. Rawls, *The Law of Peoples*, Cambridge/Mass., The Belknap Press, p. 107.

43 H. Truman, *Inaugural Address*, January 20, 1949.

Nowadays, the sustainable development program includes both the eradication of extreme poverty and the reduction of inequality within and between countries.

To sum up, international politics seems to be at odds with Rawls' idea that the best way "to carry out the duty of assistance" is not "by following a principle of distributive justice to regulate economic and social inequalities among societies"⁴⁴. Yet, Rawls does not discuss whether actual international politics are supererogatory or whether they are unjust in the light of his principles. Methodological nationalism must have biased his theory and the result was a neglect of contemporary institutions.

3.2. Citizenship rents

The second reason why methodological nationalism is a source of bias for Rawls' theory is the increase of what the economist Branko Milanovic has called "citizenship rents": the revenue one reaps just from being born in a rich country⁴⁵. Using data on household revenues from 118 countries, Milanovic found that three quarters of global inequality is explained by the country where one lives.

Milanovic expressed his findings in Rawls' language: "a lot of our income depends on the accident of birth"⁴⁶. But he reminded us how Rawls justified the difference principle at a national level: "undeserved inequalities call for redress, and since inequalities of birth and natural endowments are undeserved, these inequalities are to be compensated for"⁴⁷. There is an asymmetry, Milanovic observed, between how Rawls believed "inequalities of birth are undeserved" at a national level, but not at a global level.

Milanovic undertook to calculate the luck of being born in a country, for various levels of revenues. This kind of information can affect the choice made by "the representatives of nations" in the original position – a reason why Rawls, in his first book, restricted it with a veil of ignorance: "while they know that they represent different nations [...], they know nothing about the *particular circumstances of their own society*, its power and strength in comparison with other nations, nor do they know *their place in their own society*"

44 J. Rawls, *The Law of Peoples*, p. 106

45 B. Milanovic, *Global inequality*, p. 131.

46 *Ibidem*, p. 139

47 J. Rawls, *A Theory of justice*, p. 100.

elaborate on this reason, but the argument cannot be based on the level of inequality.

4. Conclusion

This paper has attempted to show that Rawls' theory of justice is biased by three assumptions of methodological nationalism: state- centrism, groupism, territorialism. As a result, not only do his criteria of what a just world is fall short of what states do in practice to obtain a juster world, but his arguments from justice at a domestic level are undermined by the differentiated treatment of inequalities.

Understanding methodological nationalism allows us to make a first important distinction: some theories are theories of justice, while others are theories about the state's role in matters of justice. To illustrate the first category, let us remember Peter Singer' utilitarian theory, which seems unbiased by methodological nationalism. At the time Rawls published his book, Singer was motivated by the famine that broke out in Bangladesh killing millions of people. In a now famous article, Singer acknowledged that "People can hold all sorts of eccentric positions, and perhaps from some of them it would not follow that death by starvation is in itself bad"⁵¹. But Singer advocated a different principle of justice: "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it". Unlike Rawls' theory, his view is concerned mainly with the injustice, not with states. For Singer, responsibility in matters of justice lies with every actor, whether they be individuals, networks or organisations (states, NGOS, international agencies).

Methodological nationalism also helps us to avoid some confusion. Firstly, a theory of global justice is not necessarily divorced from methodological nationalism: certain theories which lay claim to global justice are simply internationalist, while others envisage a global state. Secondly, a theory of justice without methodological nationalism does not need to exclude states: they are among the organisational means to combat injustice. A theory that is concerned with justice assesses the full range of means - organisations, markets, social practices, individuals – in order to choose the most appropriate to solve a problem of justice.

51 P. Singer, *Famine, Affluence, and Morality*, *Philosophy 8: Public Affairs*, 1 (1972), 3, p. 231.