

## ***THE SIGNIFICANCE OF LEGITIMACY FOR THE FUTURE OF THE INTERNATIONAL SYSTEM***

### **Abstract**

Bernard Williams framed the legitimacy of a state in terms of a Basic Legitimation Demand that confronts any solution to the First Political Question of establishing order. With the aid of David Hume, this can address institutional legitimacy more generally. The framework is extended to international relations among states and to international regimes and organisations, and then applied to the 21<sup>st</sup> century's geopolitical contest. Four scenarios, short of hostile conflict, are identified. The outputs are an account of international relations in terms of concentric legitimation circles, and three maxims for superpower strategy and conduct.

**Keywords:** David Hume, Bernard Williams, legitimacy, legitimation, international relations, geopolitics, order, cooperation, norms, values, English School, international regimes, international organizations.

An account of the current geopolitical predicament, and its implications for the system of international regimes and organizations, needs to be posed in terms of both order and legitimacy. That apparent platitude is more demanding than it seems, at least in the West given its intellectual inheritance. On the one hand, the tradition taking inspiration from Thomas Hobbes is liable to fall into a cynical realism that neglects the way people and states can be motivated by values. On the other hand, accounts drawing on Immanuel Kant and his modern followers are likely to be too idealistic, neglecting power and brutal conflict. Crudely, the former put the emphasis on order, the latter on legitimacy, whereas we need both.<sup>1</sup>

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<sup>1</sup> The distinction is related to the statism versus cosmopolitanism debate discussed in Beitz (2018), which is striking for not placing 21<sup>st</sup> century debates about global justice in the context of incipient superpower conflict.

Help comes from the British philosophers David Hume and Bernard Williams. Towards the end of his life, Williams framed a state's legitimacy in terms of what he called the *First Political Question* (FPQ): the Hobbesian question of how order, protection, safety, trust, and conditions of cooperation are to be provided and maintained. "It is "first" because solving it is the condition of solving, indeed posing, any others. It is not (unhappily) first in the sense that once solved, it never has to be solved again" (Williams 2005, 3). Since solutions to the FPQ almost invariably involve a political hierarchy --- in modernity manifest as the state and its monopoly rights over coercive power --- any answer to the First Question generates what Williams termed the *Basic Legitimation Demand* (BLD): a demand that those wielding monopoly coercive powers justify their rule to those they rule over as members of a political community (Williams 2005, 1-17, "Realism and Moralism"). This makes the non-Hobbesian point that legitimacy depends on *how* the FPQ is solved; order, protection and so on are necessary but, in themselves, not sufficient because they might be delivered with oppression and fear. Meeting the BLD is necessary, he says, for a state to avoid being part of the very problem it supposedly exists to help solve. Although the grounds for this need not detain us here, legitimation norms cannot be based on a pre-political morality but must somehow emerge from within politics, in all its glory and ugliness. Williams termed this political realism (Rossi and Sleat 2014).

I want to argue that the simple structure of Williams's account carries across, with only a few adjustments, to the international realm, and hence to relations among states and to their cooperative ventures (Tucker 2022). To use this to say something useful, however, the account needs to be combined with a general theory of institutions that is sensitive to the fact that, in Williams's words, "the problem is always how a given set of people are to cooperate" (1995, 111-22, "Formal Structures and Social Reality"). He seems to have thought that was not possible, but David Hume had bequeathed to us a general theory that very much allows for path-dependency, and so local contingencies, without jettisoning ethics. Even while Williams was writing, the economics of mechanism design was resurrecting Hume in formal clothing.<sup>2</sup> In a nutshell, given coordination problems have many convention-based

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<sup>2</sup> The word "convention" does not appear in Williams 1995 (originally published in 1988).

solutions, salient focal points help groups select among multiple equilibria, as Thomas Schelling taught us (Myerson 2007, 2009; Binmore 2011).

The essay is structured as follows. After sketching an account of legitimacy that draws on Williams and Hume, it describes how there is an analogue International First Political Question, and hence an International Basic Legitimation Demand. That ground having been cleared, I turn to today's fraught geopolitics and geoeconomics, using four scenarios to frame analytical and policy thinking about the next half century or so. Finally, deploying the account of legitimacy, principles for a world of concentric legitimation circles are outlined and applied to today's world.<sup>3</sup>

Before continuing, for any readers wishing to locate my position within the literature, I would say it combines Hume with Williams to underpin an approach to international relations that, within International Relations scholarship, combines the English School of Hedley Bull with the international institutionalism of Robert Keohane.<sup>4</sup>

### Legitimate authority and cooperation

Living together without authority, without even the authority of conventions and norms governing basic conduct, is risky. Marauding gangs may make it dangerous. Having fought each other to a standstill (or anticipating they will do so), they might agree some conventions for a fraught peace: which gang dominates which patch, which incursions are so serious the deal is off, and so on. This is no more than a *modus vivendi* borne of narrow mutual advantage given the ugly alternative, but they must each be able to go along with it, and in that sense it is legitimate for them. Of course, their arrangement might have to adapt as bigger gangs turn up from outside, and so on. But once peace is secure, there is a chance for something better

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<sup>3</sup> The text draws on parts of and develops Tucker 2022, with permission from Princeton University Press.

**TO BE CONFIRMED:**

<sup>4</sup> See Bull 2012 and Keohane 2005.

We can, indeed, achieve more together than acting alone. That is the import of the French philosopher Jean-Jacques Rousseau's story of the stag hunt. Each hunter in a locality can go it alone and return with just a hare, or work together and take home a stag, feeding more mouths for more days. But to hunt stag, which involves effort and risk beyond the capacity of any one of them, they each need to trust the others to turn up. If anyone --- among some critical mass --- is expected to drop out, there is no point in the others turning up (Skyrms 2008).

That assurance game, as it is now known, is one type of public collective-action problem. Another is the infamous prisoner's dilemma, where in simple terms trust never suffices because in a single encounter (a so-called one-shot game), each person can rationally always do better by not cooperating (so long as questions of conscience are irrelevant). Trust and cooperation are, therefore, intimately linked, and a certain style of narrow rationalism predicts a world of pretty thin gruel.

Hume's response was that social conventions and norms develop to help communities, small and large, survive. The institutions they underpin sometimes also help communities to thrive by effecting, in Hume's words, "an alteration in [the] direction" of self-interest (1978, III.ii.ii, 492; Ullmann-Margalit 2015). Crucially, he goes on, the members of a political community become attached to those institutions, almost for their own sake, through habits of practice and, as we shall see, of justification (1978, III.ii.iii, 503):

Such is the effect of custom, that it not only reconciles us to anything we have long enjoy'd, but it even gives us an affection for it, and makes us prefer it to other objects, which may be more valuable, but are less well known to us.

That attachment to institutions, partly via internalizing their value, becomes more important as the political community expands and as time passes, he says, because the origins (and, in some sense, arbitrariness) of the underlying conventions are lost to memory. This helps explain the emergence of government as a solution to coordination problems, and also a political

community exhibiting, in Hume's own terms, "allegiance" to government (1978, III.ii.viii-x, 539-567).<sup>5</sup>

In other words, the community has moved beyond a mere Order (see below) held together by the most basic mutual advantage, to being a political society held together by internalised values. Rather than the thin relations of some arbitrary problem-solving convention, we have the somewhat thicker and deeper relations of a shared way of life through which a particular set of conventions and institutions evolved, informing how a political community thinks (normatively) of itself. Once evolved and embedded in a community's way of life, the values integral to such a community's core institutions act as enablers of, constraints on, and guides to collective action.

That story, as I have chosen to tell it, slips a bit too easily from small to large groups. Small groups might manage to coordinate among themselves as equals, but large groups need some form of leadership to coordinate a response to many collective-action problems. Introducing such hierarchies of authority solves one problem only to pose another, however: whether the asymmetric power associated with authority is accepted. This marks a distinction between mere authority (where some coordination is better than nothing) and legitimate authority (people think the coordinating mechanism is ok relative to alternatives).

But where authority is not broadly accepted as legitimate, it risks resistance. Hence Williams's First Political Question invites a Basic Legitimation Demand: security becomes insecure without acceptance. The harder question, which Williams himself did not address, is why rulers (and others holding authority) should bother to supply legitimating justifications. In fact, faced with the prospect of resistance, it is easy to find non-moral reasons why rulers (or, more generally, authority holders) would try to meet a *Legitimation Demand* even when it is latent rather than openly posed. The starting point is that rulers need incentives to rule given it involves effort, opportunity costs, and

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<sup>5</sup> Along with fidelity to promises and respecting property rights, allegiance to government is what Hume calls an artificial virtue. This can be thought of as the quality attributed to people that corresponds to the counterpart social norms and institutions (promising, justice, legitimate governance, and so on).

hazards. Framed thus, meaningful resistance is resistance that materially reduces the (risk-adjusted) returns from ruling. Rulers have incentives to meet the BLD from those who can mount meaningful resistance (as defined). That drives what I term *Basic-Legitimation Supply* (BLS).<sup>6</sup>

On this account, legitimacy's significance lies in its generating an equilibrating social norm to the effect that members of a political community should desist from trying to bring down its system of government (as a system for maintaining order and enabling degrees of cooperation).<sup>7</sup> The norm entails, among other things, accepting its methods of adjudication, not illegally resisting a system's authority to enforce its laws, and complying with those conventions that are integral to maintaining the system's core institutions.

Williams (as adapted here) accordingly helps us see that legitimacy is a defining feature of political relations. Manifest in a sense responsibility not to undermine the whole show, legitimacy provides glue in the face of adversity. Justifications must, therefore, make sense alongside the opinions and values of enough people in the relevant community. Any specific political community's legitimation norms will, therefore, be historically contingent — in the sense of being path dependent. They have normative (moral) grip but, in the language of social science, are not exogenous but, rather, endogenous to politics.<sup>8</sup> The political realism articulated by Williams late in his life accordingly posits effective legitimation as having moral force while discarding morality-first foundational approaches to political obligation.

Even when buttressed by Williams, however, Hume's naturalistic approach to authority might still seem merely expedient, lacking normative (moral) force that rises above ingrained habit. After all, some internalised norms carrying intrinsic value might be horrendous, including when viewed from the perspective of a people's own history. Williams' answer is that legitimation

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<sup>6</sup> Argued more fully in Tucker (forthcoming). This sets up a big issue about who is part of a legitimation audience, but in the current context that is not explored because internationally the first question concerns order among superpower states.

<sup>7</sup> The social science here is not dissimilar to that of North et al 2009 but cast in terms of legitimation rather than raw power and egoistic interests.

<sup>8</sup> Using that distinction helps, I suggest, to cut through debates about whether Williams' account is moralist when he insists his account does not depend on pre-political morality. See Hall 2015.

norms will have deeper normative force to the extent that, beyond being internalized, they survive critical reflection.<sup>9</sup> This criterion, drawing on Habermas and others (Williams 2002, 219-232; 2005, 6-7), amounts in practice to whether enough members of a community — alive to the risks of cultural conditioning, and free to think aloud (with the ideas available to them) — hold the opinion that the core norms integral to their core institutions provide a standard for legitimacy in a people's particular political and material circumstances. They become values, not just tools and so are not epiphenomenal, not merely a veil for egotistical interests. Hume's natural history of collective problem solving meets a people's reflective history of ideas and values.

We have, then, an account of sustainable institutions in terms of *incentives-values compatibility*. At the highest level, institutions need to be self-enforcing, so they must be legitimate as otherwise they would wilt under pressure. The gap between the normative and the sociological that characterises a lot of theory is closed, with the normative cast as a special subset of the sociological.<sup>10</sup> Legitimation operates, with another partial nod to Habermas, between facts and norms (Williams 2005, 10).

Two parts of this account matter enormously to an understanding of international order and cooperation. First, because a state's core institutions and legitimation norms are path dependent, they might vary across states, and not only in their details. Second, because those core institutions and norms are the foundation of order and conditions of cooperation at home, they cannot lightly be undermined, whether by casual internal innovations, or via international delegation, pooling or subordination. That opens a door to international considerations, but they arise anyway because questions of order very obviously present themselves there too.

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<sup>9</sup> He should have added that such reflection needs to be tempered by prudence given the costs of disorder; the FPQ still comes first.

<sup>10</sup> For a different quest to bridge that space, see Coicaud 2019.

## Taking the framework to the international realm

In taking Williams' framework to the international realm, I develop the account of the English School of International Relations. When Hedley Bull famously argued that international society was possible without a world government --- so, in what is misleadingly termed "anarchy" --- he distinguished between order and society. While maintaining the idea that a society is in some sense constituted by its shared norms, I shall introduce a third term so as to distinguish between, on the one hand, organic relations among states that preserve order (an Order) and, on the other, designed policy regimes that are more ambitiously cooperative (System). Williams' set up will help bring out the difference.

### *Williams' First Political Question goes International*

Each of the components of the First Political Question --- order, protection, safety, trust, and conditions of cooperation --- plainly makes sense in an international setting and, separately, each can be shown to be necessary, in different degrees, to meeting what might be termed the First *International* Political Question. Most obviously, *order* equates to peace prevailing across much of the world. If there are no wars among powers, and if most states enjoy external (including border) stability, the world is not full of chaos and fear.

We can define an Order as a set of relationships and expectations that achieves order among distinct political communities (today, territorial states). An Order is self-enforcing since it cannot depend upon anything else. An Order comprising a world of states must, therefore, incorporate conventions for what counts as a state, for recognizing individual political units as states, for what is a state's territory, and for what counts as off-limits incursions into another's jurisdiction. It will also include norms around making and keeping formal promises of various kinds. Such conventions and norms can develop incrementally as rulers and peoples meet problems and opportunities.

History suggests an Order of states is maintained by one or other of two



mechanisms. One is a balance of power among a handful of very powerful states. As is apparent from the histories of ancient Greece, ancient China and Westphalian Europe, to avoid breakdown this will entail dynamic rebalancing when the power of one or more states increases significantly relative to the rest. The other order-maintaining mechanism is a hegemony, where one state is regionally or globally much more powerful than others, even acting together.

The notion of some states being a lot more powerful than others beckons the idea of some states possibly *protecting* others against invasions and harassment, even conceivably of protecting other peoples against oppressive rulers. But any state, powerful or not, will somehow want to be able to protect, or procure protection for, its own people when abroad. Historically, that has been met by a customary convention-cum-norm of a “minimum standard of protection” for diplomats, merchants, and so on.

What counts as *safety* depends, I suggest, not only on some elemental things about humans but also on what people think it is reasonable to expect or demand in their political circumstances. Away from security from attack, today it might mean something like ensuring that a state’s people are not unduly exposed to lethal and highly contagious pathogens or to environmental toxins flowing from other states and regions, or to severe degradation in the fabric of the earth on which all rely for life itself.

*Trust* among states clearly makes sense if limited to only those matters integral to maintaining order, protection, and basic safety. This would cover trusting that other states and peoples were not threatening; that a protector would provide protection; that states would comply with a social norm of good faith around any (formal) promises (trustworthiness); and that they would go along with the decisions of any machinery that they had accepted for resolving disputes affecting order, safety, and protection (separating disagreement from conflict).

An Order delivering order, protection and safety, and trust in the parties’ mutual interest in the Order, subsists on the basis on mutual advantage alone, and so may be termed a *modus vivendi* (in that it has only instrumental value

for those concerned). But, of course, trust can also be a feature of more ambitious collective undertakings, potentially fostering deeper degrees of commitment.

Finally, then, the concept of *conditions of cooperation* makes sense in an international setting because order and trustworthiness can facilitate experiments cooperation. Widely appreciated success might broaden the scope of feasible cooperation by deepening or extending the scope of trust.

If, as argued, the FPQ's components --- order, protection and so on --- all make sense in the international realm, do they, taken together, also come *first* in the sense of being, as in the domestic sphere, a necessary precondition for everything else? Yes. There are no sustainable cooperative pursuits between states at war. Even combined efforts to address shared existential threats become very hard. Once there is an Order, more becomes possible, even if it is cooperation within almost hermetically sealed blocs as during the old Cold War.

So, the First International Political Question stands --- or, analytically, should stand --- at the beginning of any account of international relations that aims to explain the world or to make prescriptions for it. But that does not mean that there is topographical equivalence in domestic and international Orders.

#### *International Order prior to any designed International System*

Whereas, locally, the state providing order, protection and so on simply *is* also, via government and laws, the direct or indirect enabler of local cooperation, achieving order and even strong trust among states does not of itself deliver machinery—organizational capability—for more ambitious international endeavors. Internationally, groups of states can get beyond elementary coordination only by creating new types of organizational capacity for agreeing, effecting, policing, and adjudicating policy.

It is a raw fact that we live in a world of such international regimes and

organizations, many of them multilateral, some worldwide others regional in their scope and reach. These regimes and organizations were designed. I shall call such an assemblage a System. A System of regimes cannot exist without an Order. But by providing the raw materials for cooperative endeavors, Order prevails at the threshold of System, however thin any System turns out to be.

It is important that the terms of any System --- its overall design, and the design of its specific parts --- depend heavily upon the nature of the Order under which it shelters. Nineteenth century regimes and organizations, such as they were, reflected a balance of power among the main European states gathered in the Concert of Europe after the Napoleonic wars. By contrast, the post-World War II regimes and organizations reflect the influence of US hegemony, at first in the non-Soviet world and then, after the fall of communism, everywhere. We can go further. They are cast in the image of the US and its closest allies: broadly speaking, they have been liberal.

The import of this --- and the utility of distinguishing between Order and System --- is that if an Order is unquestioned and unchallengeable, its leaders are likely to deepen and broaden the international System to suit their interests, values, and conception of the world. Conversely, if an Order comes under pressure, the authority of an international System's regimes and organizations is likely to be questioned too.

An important inference can be drawn. Where an Order is long-lasting and expected to remain so, and where international cooperation becomes more ambitious, the commitment to the elemental conventions and norms integral to the umbrella Order are likely to acquire moral force because, for its leading states and for many of their friends, the Order *must* hold and comes to have intrinsic value to a greater or lesser extent. The international community (or a part of it) moves, in effect, from thinking some basic provisions of customary international law are useful to believing that they must, morally, be followed, as is evident in alarmed cries about upholding "the rules-based international system". It is a Humean story of how, even among princes, as he would have put it, the core of international law can accrue moral weight. But the argument assumes an Order's stability, and that in turn assumes it is legitimate, bringing

us to the vital matter of whether there is an international counterpart to Williams's Basic Legitimation Demand.

### *An International Basic Legitimation Demand*

If, whether via a spontaneous Order alone or in tandem with some element of designed System, a plurality of states does seek to resolve the First International Political Question, the next step is to ask whether a basic legitimation demand arises here too. In the most elemental sense, it obviously does because order, safety, and so on among states might be achieved only with excessive coercion or oppression so that, analogously with the domestic case, the purported institutional answer to the First International Political Question becomes part of the problem. So, following our general account above, the significance of legitimacy for any international Order is that its participants should not try to pull it down (which does not preclude orderly reform).

While the analogy with the domestic state obviously does not extend to those at the pinnacle of global power-seeking legitimation by justifying an international Order and their own powers to global subject-citizens, the possibility of resistance to international authority — the authority of leading states, the authority of international organizations and tribunals — does exist. So, legitimacy makes sense conceived as acquiescence in a distribution of international (and transnational) power and authority, characterized partly by the political relations of diplomacy rather than solely by the power relations of war, coercion, and fear. Likewise, the practice of legitimation continues, conceived as those exercising international power and authority seeking to justify themselves to each other, and to multiple affected states, peoples and communities.

All that becomes more complex and challenging when an international Order has spawned a rich System of regimes and organizations. As a rule, legitimation is likely to be more demanding, the more ambitious a System's purposes, the

more it incorporates pooling and delegation in international organizations, the more that adjudication in international tribunals claims to be binding, and the more some regimes reach “beyond the border” into the domestic rights and obligations of each state’s citizen-subjects. On the one hand, in the language of the Basic Legitimation Demand, there is more to be justified because there are more claims to normative authority needing presumptive acceptance or toleration. On the other hand, the greater the scope for disagreement among states and peoples, the broader the need for mechanisms that avoid hostile escalation.

The most obvious analogue to domestic legitimation — justification offered by rulers to the ruled, whose opinion (Hume’s term) is what underpins or undoes rulers — is whether an Order is found oppressive by states that are not powers and do not sit at the top table of the core international organizations. If destabilizing or passive resistance is to be avoided, the leading states need to be able to justify to other states the extent and modalities of any coercion they or those organizations use to maintain order between and among states, any arrangements for protection and safety, any asymmetries of benefits and costs in international regimes, and any hierarchical decision making in international organizations.

For that test to be adequately met, an Order’s modalities cannot leave some states dominating many others, or actively deprive normal states and peoples from being partial commanders of their own destiny. While that does not preclude consensual defense pacts that create hierarchical, quasi-contractual security relationships, it might limit the way that such an Order-System is enforced. For example, if an urge to resist is to be kept at bay, there could not be a free-for-all in using geoeconomic instruments against states that had merely irritated or inconvenienced a power.

So far, the analogy with domestic rulers and subjects is not wildly off. Things change when we turn to relations among the powers themselves, where the situation is arguably more like very early medieval Europe, to give one possible Western example. For basic order to hold, the powers (if plural) of the day need first to find order, and then accept its modalities, including mechanisms

for containing the escalation of disagreements among them. Otherwise, order persists under siege, on the brink of conflict. Jumping more than a millennium, this is the legitimacy of the eighteenth-century balance of power, the 19<sup>th</sup> century Concert of Europe, and the Cold War's period of *détente*. It was the beginning and end of legitimacy for Henry Kissinger (1957, 1 and 145):

“Stability” has commonly resulted not from a quest for peace but from a generally accepted legitimacy . . . [which] means no more than an international agreement about the nature of workable arrangements and about the permissible aims and methods of foreign policy. . . . An order whose structure is accepted by all major powers is “legitimate.”

Although such an Order demands no more than legitimacy as instrumental mutual advantage (bearing in mind the alternative of disorder), even that has interesting implications. Any broadly accepted or tolerated international Order, with or without a System of designed regimes, gives leaders and their peoples reason to care about legitimacy *in* other states, especially those that are crucial to maintaining international order (and any conditions of cooperation, etc.). For starters, under a legitimate hegemonic Order, states will sensibly care about stability *within* the hegemon, and in those allied second tier states vital to its role. Today, this gives America's allies and friends reason not to dismiss its social-political tensions as its problem. Rather, since dislocations within a hegemon affect where the burdens of international leadership—on the public finances, military recruitment, and so on—would become too much to bear, they sensibly concern anyone who regards the prevailing Order-System as legitimate (bearing in mind plausible alternatives). Similarly, in a balance-of-power Order, the Powers will be interested in each other's stability, since internal instability in any of them could spill over into the international arena; this was part of Edmund Burke's concern about revolutionary France.

But concern for order elsewhere is not confined to the Powers themselves being orderly. States generally have a local basic-order interest in other states' treatment of their citizen-subjects not being so grim as to trigger disorderly flows of escapee-migrants that would overwhelm the capacity, and hence

potentially the local legitimacy, of destination and transit states. Thus, something like the UN's Responsibility to Protect (or, more accurately, parts of it) can be cast as an equilibrium responsibility of states to each other, emerging not from deontic moral duties to individuals everywhere but, functionally, from the utility of states not being so badly or oppressively governed as to damage the orderly lives of other states and their peoples. The background thought is that locally legitimate order is a precious achievement that warrants insulating from jeopardy.

*The potential tug-of-war between vertical and horizontal legitimation conventions and norms*

Pulling the strands together, this account brings to light a potential tension in any international Order-System. We have seen that a necessary precondition for any political society is some kind of basic order that maintains legitimacy, and that this is so both locally for individual states and internationally among states. Further, states and their peoples need not only local but also external order (peace), existential safety, and some inter-state trust (e.g., in promises not to attack others) in order to enjoy the fruits of their *internal* cooperative endeavors. Finally, the legitimation norms underpinning and binding any specific state's internal system of hierarchical authority will be path-dependent, bearing the marks of its distinctive history and way(s) of life. For example, some argue China's internal order continues to rely on what historically was called the Mandate of Heaven, essentially a form of performance legitimacy (Zhao 2009).

Meanwhile, the institutions of any international Order and System of regimes will not be accepted by the powers of the day, or easily tolerated by weaker states, if their terms or effects undermine local order or local legitimacy. One could term such effects basic-order externalities and *legitimacy spillovers*.<sup>11</sup>

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<sup>11</sup> On the distinct but related idea of justice externalities, see Kumm 2016 (starting, very differently, from moral imperatives given by Reason). I claim, accepting that the FPQ comes first, that basic-order and legitimacy externalities are more basic.

But, any international Order-System needs legitimacy too, and its legitimation norms will be endogenous to the circumstances of *its* emergence, including most of all how peaceful existence and conditions for basic cooperation were achieved and have been maintained.

Abstractly, therefore, there is latently a potential tug-of-war between domestic legitimacy and legitimation for international institutions: between vertical legitimacy and horizontal legitimacy. The tension can bite in different ways. Perhaps most obviously, a *modus vivendi* that maintains peaceful coexistence among states but undermines domestic legitimate order in some of them is not itself going to enjoy legitimacy among those internally destabilised states. Separately, latent legitimation tensions are likely to rise whenever a state with very different conceptions of legitimate domestic rule — and so, by extension, of inter-national order and legitimacy — rises to be a power alongside the established states that form the core of the prevailing Order and in whose image any extant international System was constructed. In Williams's terms, in such situations there can be no relativism of distance because all the choices are real (2005, 14; 2006, 178–80). Those two general examples capture something important about today's geopolitics.

### The new geopolitics as a contest over Order and System

That the People's Republic of China is at odds with the West and with eastern constitutional democracies over legitimation norms was put beyond doubt when in 2013, a short two years after leader Xi Jinping came to power, there entered into circulation a document of the Central Committee's known as "Document 9." It exhorts cadres to "conscientiously strengthen management of the ideological battlefield" on the basis of what have become known as the "seven No's." No to promoting constitutional democracy, universal values, civil society (individual rights, challenging the Party's social foundation and its leadership of the masses), neoliberalism (total marketization), the Western idea of freedom of the press (contrary to Party discipline), historical nihilism against the history of the Party and New China, and No to any questioning of the socialist nature of socialism with Chinese characteristics (ChinaFile 2013). It



is a familiar anti-liberal creed, not dissimilar sentiments having been proselytized by Pope Pius IX and German Bismarckians during the 1860s and 1870s (Rosenblatt 2018, chapter 5). But it is no less significant for that.

The Party's guidance is not confined to the relative merits of socio-economic models or systems of government but extends, significantly, to substantive doctrines of political morality. The promotion of so-called universal values—in the communiqué's words, defying time and space, transcending nation and class, and applying to all humanity—is condemned as, among other things, a threat to the Party's leadership and socialism.<sup>12</sup> As Xi put it shortly after becoming leader, “If [a regime's] ideological defences are breached, other defences become very difficult to hold.”<sup>13</sup> On this essay's account, a more scholarly way of making the point is that a state allows its legitimation norms to be undermined at its own peril.

In that spirit, my book *Global Discord* argues that the contest between the People's Republic and the western and east Asian democracies will persist for many decades. It will be --- and is already --- in everything as well as everywhere. Neither side is currently or foreseeably capable of knocking out the other, and their rivalry is deeply ideological. That combination of characteristics is so unusual that I find few of the commonly used analogies useful.

In particular, the current contest is not like the old Cold War because, while everywhere, evenly matched and ideological, that was manifestly not in everything. Soon after WWII, Stalin walked his Soviet bloc out of the highways of international commerce, leaving the field open to the US. Washington and the key European capitals were able to craft the new system of international regimes and organisations---- the General Agreement on Tariffs and Trade and the International Monetary Fund (IMF), and much more ---- in their own image, which meant according to their deep values.

A more instructive comparator, I suggest, is the long-18th century contest --- from roughly 1689 to 1815 --- between London and Paris. That too was

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<sup>12</sup> Pils, “Human Rights” argues that the idea of basic rights, perhaps in particular free speech, cannot be separated from Western political traditions.

<sup>13</sup> Xi Jinping, August 2013, quoted in *Economy* 2018, 42.

everywhere, evenly matched, and deeply ideological --- with Britain resisting successive variants of French universalism --- but it was also in everything. If it is any guide, the current contest could last a century or more, with hostility and conflict interspersed with periods of relative calm and rapprochement (Pincus 2009, chap. 11; Simms 2016, chaps. 2–5).

As now, the French-British struggle was also a contest for markets and market dominance. Britons feared that universal monarchy would herald captive markets for France (Hont 2015, 23–24, 59). The commercial contest accordingly exhibited what Hume, writing during the mid-eighteenth-century Seven Years' War, disapprovingly called the "jealousy of trade" (Hume 1994, "Jealousy of Trade"). Reason-of-state strategic thinking about national interests absorbed the economic realm: the glory of a state could be commercial as well as martial, and so it was worth fighting for.

Contemporaries fretted over whether the structures of domestic power would affect the contestants' relative capabilities. Notably, Hume and others worried that absolutist France would be better able to survive escalating public debt than republican (mixed-government) Britain, since London was constrained by its need to respect the interests and property rights of its citizens in order to preserve its system of government: "Either the nation must destroy public credit, or public credit will destroy the nation" (Hume 1994, 174, "Of Public Credit").<sup>14</sup> This is uncannily similar to the parade of modern public intellectuals, Asian and Western, proclaiming or fretting that the PRC's absolutism will give it a clear edge in policy agility, ambition, and execution, especially if, departing from the pattern of two and a half centuries, the new technology and authoritarian government prove mutually reinforcing (Beraja et al 2023; Tucker 2024).

Britain's and France's commercial ambitions helped take the contest to every corner of earth, including North America and the West Indies, the Levant,

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<sup>14</sup> Hume worried absolutist France could survive reneging on its debt by simply putting down any insurrection (Hont 2015, 86). Over the course of the struggle, Britain's public debt rose from zero to around twice GDP but it did not default. Its prevailing against France, despite a smaller population, is sometimes attributed to innovations in public finance. See Slater 2018, fig. 4, 46, and chap. 4.

North Africa, coastal India, and the East Indies. Similarly, the United States and China face off against each in every imaginable way, in every conceivable field: in trade, finance, cyber, technology, education, propaganda, polar exploration, outer space, and arenas hardly yet conceived.

*Strains evident for a while: a story*

One episode usefully reveals the strains already imposed on the prevailing System of international regimes and organisations. It concerns the World Trade Organization (WTO), and in particular a case that went through the WTO's trade dispute system around a decade ago.

The People's Republic of China was using its State-Owned Enterprises to subsidize other businesses' exports. After a while Washington stated Beijing could not do that because subsidies were against international law, so that unless Beijing stopped, it would be entitled to impose countervailing measures (essentially, legal import tariffs offsetting illegal subsidies). Beijing maintained the subsidies were not illegal under the treaty, leading to a formal dispute at the WTO. It eventually reached the regime's Appellate Board, which concluded in favour of China on the intriguing ground that State-Owned Enterprises (SOEs) were not "public bodies" within the meaning of the treaty. Given that in China's Party state, the Party is in charge, this was perhaps surprising (Tucker 2022, chapter 17).<sup>15</sup> But whatever one thinks of the judges' decision, it matters to everyone that the US responded by in effect withdrawing from the Dispute System, including withholding approval for new justices (starting under President Obama).

Prior the WTO, capitals would have responded by seeing whether they could find a bargain, tolerable to both sides, for amending the regime going forward. But that kind of old-fashioned commercial diplomacy has next to no chance in the WTO regime since the treaty gives every one of its many members a veto

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<sup>15</sup> For a technical account, Mavroidis and Sapir, 2021.

over proposed amendments. In consequence, for practical purposes the treaty is unamendable.

Two inferences can be drawn from the story. The first is that the officials drafting and negotiating the WTO treaty must effectively have thought they were producing the perfect treaty, because they inserted clauses making it almost impossible to change. They must also have thought that the Appellate Board's interpretations of the treaty could never be contentious to the point of poisoning international relations. So, we can conclude they had not thought carefully.

The second and more profound point, possibly explaining the first, is that there was, in effect, an implicit assumption that the Appellate Board would be operating in a (from one perspective) benign world where no future Power would kick against the liberal values supposedly inscribed into the trade system --- inscribed there, that is to say, in the minds of its Western architects and stewards. This, I suggest, reveals that there really was an *End of History* moment in Washington and other Western capitals, meaning that the WTO treaty negotiators did not try to cater for the possibility that one or more future rising powers might hold to quite different visions of international commerce. More broadly, no allowance was made for the possibility that states with different conceptions of political rule and legitimacy might one day emerge as Powers.

### *Ideological but not civilizational*

The WTO's parlous predicament illustrates as well as any other international organization the dependence of System upon the terms, including crucially the legitimation principles, of the Order under which it shelters. But it is important to stress that although the current contest is ideological, despite appearances it is not deeply civilizational. It is not, ultimately, about Confucian respectful

hierarchy and duty versus European individualism and natural rights, or whatever.

That finds living proof in South Korea and Japan, which share parts of a civilizational history with mainland China but are rule-of-law constitutional democracies. They have managed that without losing their sense of themselves or their history.

### Four Scenarios

Where, then, are we headed? Predictions would be foolish but scenarios for the next half century or so might be useful. Beginning around a decade ago (Tucker 2016), I have set out four. They set aside three others: either or both superpowers succumbing to domestic political crisis; the U.S. withdrawing from international alliances to the point of effectively leaving the world to Beijing; and a conclusive superpower war. That leaves a Lingering Status Quo, Superpower Struggle, a New Cold War, and a New World Order. They are defined below before using our account of legitimacy to suggest how they might be navigated in the interests of order.

#### *Scenario 1: Lingering Status Quo*

The first scenario, a lingering status quo, is a world in which the United States would remain the greatest of great powers, but with the potency of its leadership checked somewhat by the rise of new powers of a different ideological cast. The US would remain a power in the western Pacific, and its navy would continue to keep the sea-lanes open around the world. The dollar would still be the world's predominant reserve currency, and US banks would remain preeminent. As for international regimes and organizations, there would be only incremental change in policy and governance.

Something like this scenario is feasible only if the United States somehow heals its internal strife, rebuilding broad-based support for its core institutions and so the soft norms that sustain its domestic guardrails. Its economy would also need to perform well, meaning that it would remain the world's engine for technical innovations that drive productivity improvements, avoid another home-grown financial crisis, and achieve long-run fiscal and external sustainability, so that the country can absorb the costs of the Pax Americana without harsh domestic adjustments that further dislocated its internal politics.

Even if all that were achieved, successive administrations would also need to exercise power prudently. So, for example, Washington would quit flirting with divide-and-rule toward Europe, since that is Beijing's script. Reciprocally, Europe would bear more of the burden of its defence without displacing US leadership.

And even then, something like the status quo might survive only if the PRC stumbled, whether through internal economic imbalances, fractured relations with Belt and Road Strategy (BRS) recipients, tensions within the Party, or all that and more.

### *Scenario 2: Superpower Struggle*

The second scenario is a world of vigorously competing superpowers, but with peaceful coexistence maintained. As with Paris and London in the eighteenth century, there would be occasional attempts to cooperate as well as some decoupling.

As the struggle played out, trade—with its attendant jealousies—would continue only in those goods and services that did not compromise security. Jealousy of credit would be intense. Sooner or later, there would be rival reserve currencies and overlapping zones of dominant financial influence, with each main currency issuer actively encouraging wide use of its currency.

Every step, however arcane, in trade, energy, macroeconomic and regulatory policy would be germane to security policy. Trade routes and access to rare minerals would be highly salient. Domestic regulation and sovereign wealth funds would become overt policy instruments. Some commercial supply chains would fracture, but well short of fully fledged deglobalization. Multinationals themselves would be subject to intensified cyber espionage and attacks. They might well be required to firewall data sets in certain foreign operations, and to follow a stipulated set of technical standards (to give their “side” network-economy opportunities and protections).<sup>16</sup> Beijing’s BRS would face serious, but perhaps only sporadic, competition from joint private-public initiatives sponsored by free-world capitals

The PRC would seek regional hegemony by some combination of harassment, dependency, and a claim to inevitability. The East Asian seas, and perhaps the Indian Ocean, would be tense. International Society would become ever thinner. The UN Security Council would be hobbled by vetoes. As has already become evident, G20 meetings would struggle to rise above platitudes. Stretched between rival principals, the main international economic organizations would flounder, or retreat to the anodyne. Development banks would become even more obviously aligned to one or other protagonist. Universal-treaty initiatives would be rare.

Lesser powers would seek tactical advantage in the interests of local clout, or survival. India would carve its own course. Russia, so long as it remains stable, would depend on Beijing. There would be intense competition for relations with Gulf states, which would need to judge whether Beijing could realistically provide an alternative security blanket if they abandoned the dollar. Japan might plausibly rearm while remaining in alliance with Washington. Despite strains, the North Atlantic alliance would hold.

### *Scenario 3: New Cold War*

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<sup>16</sup> According to Leonard (2021), this has already been in train for some time in the PRC,

In the third scenario, the dynamics of superpower competition induce a retreat to bloc-based protectionism and spheres of influence. Some kind of fragile stability would, as during the old Cold War, depend on bloc membership reaching an equilibrium.

Military protection of key foreign facilities would be overt. Trade's jealousies would be overshadowed by a technology race. Credit's jealousies would become coercive in maintaining discipline within each bloc. Multinational corporations would be unlikely to thrive in both blocs, with many having to pick sides (where given a choice). There would eventually be divestment, asset seizures, write-offs, and dislocated supply chains. Sanctions policing would mushroom until inter-bloc commerce withered. Business leaders would become smaller figures except to the extent they contributed to the technology arms race. Compared with previous episodes of hostility or war, many so-called neutral states would find business conditions less congenial given the capacity of modern powers to track evasion and duplicity.

As part of all that, the public good of a shared financial infrastructure would unravel as each side sought to insulate itself from cyber infection, intrusion, and sanctions. There would be a single numeraire and common medium of exchange (the dollar) for natural-resource transactions only if the United States preserved close relations with nearly all the major energy producers.

The international System of regimes would partly bifurcate, as commercial autarky progressed. As part of that, the more humdrum international organizations would mainly be moribund unless they reinvented themselves for one of the blocs, perhaps alongside a set of doppelgängers in the other, each with its own intra-bloc hierarchies. The G20 could no longer operate as the informal pinnacle of System's hierarchy. Superpower pacts would not get beyond attempts to contain spiralling escalation and perhaps shared existential threats, but even then only where verification was feasible because, otherwise, the risk of asymmetric compliance would carry the risk of depleting scarce resources.



Proxy struggles and conflicts would abound. The UN building would, though, still provide a physical place where diplomats could meet or signal via others that they wished to meet.

#### *Scenario 4: A Reshaped World Order*

The fourth scenario is a new world in which other countries become successful enough to demand a seat at a recast top table. Its shape would turn partly on which other states with very large populations had grown rapidly for a couple of decades or so without crises. Economically, their rise could cause the world to revisit mercantilism's tensions. Diplomatically, it would risk something like the late nineteenth-century jostling among the then established, declining and rising powers.

Sooner or later, and perhaps as the defining moment of a new international order, the UN Security Council's permanent membership would change. So would the distribution of veto powers in the IMF and other international regimes. Leadership of international organizations would likely either rotate among the powers or, alternatively, move to a marzipan layer of countries that were not quite big enough to command a top-table seat and were tolerable to the Powers.

That kind of new order is unrealistic until nascent powers ---- perhaps India first, and then maybe Indonesia ---- follow China's decisive rise. For the moment, we are in a curious world that combines elements of a Lingering Status Quo (most obviously, dollar incumbency) with a Superpower Struggle in many fields and many places, and the looming shadow of a New Cold War. We already have at least one proxy war, since Putin could hardly have sustained his war on Ukraine without Beijing's tacit support and material help (and, possibly, containment).

I suggest that, for either side, the only sane approach to such a discordant and risky environment is to adopt what social scientists call a "robust" policy.

Otherwise known as minimax, each actor would seek to minimize the costs from the maximum plausible bad outcomes (while trying to avoid unnecessarily making those disasters more likely).<sup>17</sup> This makes sense of what has become known, since I and others began advocating it, as friend-shoring those supply chains critical to each major actor being secure, and, at a more general level, of prioritizing meeting the First Political Question at home with legitimacy into the foreseeable future. It has major implications for international society and the system of policy regimes that flourished while American leadership was unchallenged.

An alternative way of thinking about the scenarios is to ask what each superpower wants. It is sensible for Beijing to think that Washington DC wants to remain top dog, and that the key European capitals want their liberal democracies to prosper unthreatened. What, then, might China want? That question has generated mountains of opinion, one view being that while Beijing might seek regional hegemony, nothing in its history implies more (e.g., Johnston 2019). The spirit of robust policy reminds us, however, to remember that even the Chinese themselves cannot know what they will want as their power grows—the United States was itself studiously backward in coming forward until after World War II. What is more, the history is ambiguous. The Qing dynasty’s rule expanded into lands beyond Ming China’s periphery, and perhaps as far as was feasible given the available technology.

Some maintain that China’s historical self-conception means it will want regional leadership that is heard, understood, and accepted beyond the region (Mearsheimer 2014). Going further, former Australian prime minister Kevin Rudd, a longtime observer, concluded an early-2020 catalog of China’s perceived priorities with, “Xi wants to reshape the global Order so that it is more accommodating of Chinese values and interests” (Rudd 2020).<sup>18</sup> Meanwhile, leading Chinese international relations theorist Yan Xuetong wants

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<sup>17</sup> This test would have exposed so-called “realist” calls to abolish NATO after the old Cold War ended, since Putinesque aggression was always plausible.

<sup>18</sup> According to Rudd’s essay, Xi’s first nine discerned priorities were preserving the Party’s unrivalled leadership; maintaining national unity; achieving economic growth; increasing environmental sustainability; building the military; securing compliant relationships with China’s neighbors; pushing the United States beyond the “second island chain”; securing the Eurasian landmass, including Western Europe, as a key market; and building China’s influence and connections elsewhere in the world.

Beijing to aspire to a world leadership role where, in contrast to a hegemony rooted in might and strategic credibility (his take on US practice), it exercises a humane authority through stewardship of universal but hierarchical norms (Yan 2011, 104–6 and, on Mencius’s distinctions among styles of rule, 208–12; and Yan 2019, 48–51). This might be a kind of global tribute system.

The suggestion is not that any of those takes should be regarded as the central expectation but, rather, that they should each occupy meaningful probability mass in capitals’ subjective distributions of future outcomes. Everything here, moreover, is symmetric. Beijing will sensibly harbor worries about Washington.

### Concentric legitimation circles

The burden of this essay is that when thinking about the prospects for international cooperation, it is important to view the range of scenarios through the lens of legitimacy: legitimacy in and among the powers, and in and with lesser states.

Of the various schools of thought within the discipline of International Relations, the English School has probably given most weight to the legitimacy of an international society that maintains order without world government.<sup>19</sup> It has usefully framed this in terms of criteria for membership and for proper conduct within Society (Clark 2005, 12–30). Despite its sophistication, that obscures the possibility of there being gradations of participatory cooperation—of thin, thick and even deep Society. That such gradations can exist is plain from the distinction drawn above between Order (answering the First International Political Question) and System (the set of regimes that lever off the conditions of cooperation provided by an Order). A great power cannot avoid a choice between peaceful coexistence and conflict with other great powers, but opting for peaceful coexistence does not entail entering into

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<sup>19</sup> While mid-20<sup>th</sup> century “classical realists” (Raymond Aron, E. H. Carr, Hans Morgenthau and, as we saw, Henry Kissinger) addressed legitimacy, later International Relations realists lost interest. Other schools of thought made legitimacy the centrepiece but in terms of idealist principles of justice, losing interest in power and security.

myriad cooperative schemes. As a description of the world, it seems incontestable that some powers might want to cooperate among themselves and with their less powerful friends and allies more than they do with rival powers, especially ideological rivals. That being so, it is hard to see how multilateral regimes could be accepted if they preclude states from choosing to cooperate more deeply with a selection of others.

It can be argued that follows from seeing the value of sovereignty as lying in constitutional independence, which (roughly) entails that, subject to constraints of orderliness, collective existential safety, and the most basic decency (below), states should view each other as free to decide where, how, and how far to constrain themselves (Malcolm 1991, but see also Tucker 2022, chapter 11). We can, however, get to the same place with Williams's much more basic thoughts. These were that we live in a world where order, protection, safety, degrees of trust and some conditions of cooperation are achieved locally by states, and can be sustained without excessive coercion only if they achieve legitimacy. What we respect when we minimally respect other states is no more than that they too have achieved legitimate order locally, and do not threaten order among or in other states, so that there is mutual advantage in not disturbing legitimate order elsewhere. That leaves states free to go further with some other states when they wish, subject to their doing so not undermining an international Order they want to maintain; and as ties deepen, subject to their endeavours not undermining a System of policy regimes they want to maintain. What I am painting is a world that can be conceived in terms of a series of legitimation circles. For each individual state, the circles are concentric (but obviously not so in totality).

The outermost circle comprises states seeking no more than to live in peaceful coexistence, if they can. In the words of Bernard Williams, they "merely have a shared requirement to live, not a requirement to share a life" (Williams 2006, 103).<sup>20</sup> It is, then, a *modus vivendi*, but a precious one. Given the coincident interest in peace, in line with the earlier discussion of order there would be some elemental conventions concerning things like territorial boundaries and protections and immunities for diplomats, and to underpin the credibility of

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<sup>20</sup> "Aspiration" would have been better than "requirement."

those conventions there would also be conventions on what counts as aggressive violation of them, warranting countermeasures that would not count as initiating bad conduct. There might well also be conventions (possibly codified) around illicit wartime conduct to reduce misunderstandings in the event of there being conflict. But the most basic rights that trump all others, known to international law as *jus cogens* norms, do not rein here.

States that had violated even those outermost-circle conventions would be treated by some powers as beyond the pale, and so a warranted target of sanctions. Other powerful states might disagree, calling even the most basic conventions into question. (This roughly captures the current position of Russia given the Ukraine war.)

The general circumstances of the outermost circle would not of themselves preclude collective action against shared existential threats (such as, perhaps, climate change), nor thin multilateral regimes for commerce so long as they did not oblige the parties to expose themselves to overdependence in anything material to security or that counts at home as socially essential. But, as in the third scenario, the contributions of the powers to any such ventures would need to be verifiable given the risks – to external stability, and to internal prosperity --- of the balance of power being tilted by asymmetric compliance.

That outermost circle is conceived as an Order of (largely) self-enforcing conventions. Moving inwards, any description is perspectival. I describe it from the perspective of liberal democratic states. China would live in a different set of concentric circles.

So, moving inward a single but significant notch, for liberal states the next legitimation circle comprises states that *do* grant individuals and groups basic rights intended to protect them from fear (the *jus cogens* norms). Multilateralism can operate among participants in this circle, but only to establish minimum standards, with states remaining cautious about indiscriminate overdependence on other states signing up to shared notions of basic rights.

Taken together, those first two circles comprise the outer circles. They are different in kind from what lies inside, where legitimation principles gradually thicken and deepen, and states cooperate more and more closely (or even agglomerate). The third circle --- I repeat, from a liberal state's perspective --- would incorporate some basic *liberal* rights, somewhat closer commercial ties, and more ambitious collective ventures involving pooling or delegating in international organizations, accepting or seeking greater interdependence, and codifying more extensive catalogues of human rights.<sup>21</sup>

Going still further inwards, the term "member" would become more apt than "participant," and questions of distributional justice across a community of such states might gain traction. Compared with the IMF or the WTO, for example, the EU demands much more of its members.<sup>22</sup>

Summarizing, each circle is held together by shared material interests (order and safety for the outer rings, and various cooperative purposes in inner rings) but also by common legitimation principles (thin through thick and on to deep). The circles are the normative manifestation of threadbare, thin, thickening, thick, and ultimately deep Society among different groups of states.

### Summing up: Three Musts given the First Political Question and Legitimacy

Today's world can be summed up in three sentences. The US (with its closest allies) and Beijing are in a contest for relative power and influence. Their domestic legitimation principles are very different, so the contest is partly ideological, whatever they might say or think. They (or at least their peoples) have a shared interest in peaceful coexistence.

Every single one of the world's major problems needs to be seen in that light --

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<sup>21</sup> This might roughly approximate to Rawls's "Society of Peoples" (Rawls 1999). For liberal states, criteria for legitimation are suggested in Buchanan and Keohane (2006) and Tucker (2022, chapter 14).

<sup>22</sup> Applications are restricted to European states that, among other things, respect the values of "human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities" (Articles 2 and 49, Treaty on EU).

from the current proxy war in Ukraine through the Middle East to the technology race that might well create an AI-industrial revolution. This has major implications for those states that have shaped the world for three quarters of a century. If the constitutional democracies are to subsist in a moderately orderly world, they need to revert to a somewhat more pluralistic liberalism. This entails no longer creating the impression of prosecuting an absolutist liberalism that issues a stream of categorical imperatives for other peoples, but without liberal states surrendering their conviction that individuals everywhere should be free from fear of tyranny. Convergence in ways of life can only be organic, not imposed by schoolmen or by international officials legislating an answer. We Westerners are free to hold on to our heritage, and to engage in diffusion and persuasion, but without the declarative baggage (or insolence) of universal right reason. An account of legitimacy that draws on Hume and Williams --- realistic without being amoral -- helps us see that.

Vitaly, those considerations are symmetric, applying as much to Beijing as to Washington D.C., Brussels and Tokyo. That drove the articulation of concentric legitimization circles: each state cooperating more with those other states and peoples with whom they share the most and fear the least. The framework leaves general international law, especially general customary law, operating where relations are thin. But it also makes sense of seeking thicker relations with other states and peoples, and of simply having, via history, deeper relations with yet others. International law conceived as a project—for a thick society of universal morality—finds itself at odds with international law as thin normative glue evolved via problem-solving utility.

In short, there is in principle space for a diverse society of civilizational states, connected by thin institutions, as opposed to the civilizational societies pursued by late imperial Europe, and perhaps by the United States after the Cold War, or regionally by the Qing in their prime.

Against that modest but not necessarily bleak background, I want, finally, to suggest some policy maxims for governments that adopt a minimax objective for the geopolitical contest. They can be grouped under three

headings, which in a rhetorical style familiar from Beijing we might call The Three Musts. They are to avoid dangerous overdependence; to make and keep friends and allies around the world; and to avoid costly self-inflicted mistakes.

The first is to avoid dangerous over-dependence on rivals that are potential enemies. Economists complaining about the welfare costs of derisking supply chains (friendshoring) might bear in mind that their models' objective functions rarely include order's (lexical) value as a necessary precondition for production and exchange. But prudence cuts both ways, as a protectionist spiral could land everyone in cold-war autarky. This is a geo-economic variant of the familiar security dilemma, which British diplomats famously identified in the run up to World War I (Kissinger 2012, 518–20).

The second of The Three Musts is to make friends and keep them; and, where judged appropriate, cement and develop formal alliances. In its spell as hegemon, Washington seemed at times to lose interest in parts of Central Asia, the Middle East, their own backyard in Latin America, and even partners in Europe. While that created openings for Beijing, its own so-called Wolf Warrior diplomacy could hardly be described as a master class in how to make and keep friends. Whatever the best description of the past, it matters that whereas the First Must pulls the superpowers away from each other, the Second can push them to compete for some relationships.

That segues into the third of the Three Musts, which is that for each superpower to hold on to its way of life, they cannot afford to make unforced mistakes at home or abroad. Given this essay's argument, almost the definition of a big mistake is one that chips away (or worse) at domestic legitimacy, or which in material terms makes it harder for government to continue providing the services that either are essential to local order or are demanded by the public given what they have become used to. Thus, unfamiliar fields like financial stability (and others) become germane to national security. Few policymakers seem to have grasped how the landscape has changed.



If the great powers were to stick to those maxims in the interests of minimising the maximum costs from the contest --- the costs for either side of losing its way of life --- it will take decades to play out. That is a dangerous prospect, but one that leaves room for a modicum of long-range optimism so long as wishful thinking is avoided. It requires resolute patience, and recognition that endemic policy silos were endogenous to a stable Order.

For 18<sup>th</sup> century Britain and France, facing each other at the dawn of commercial society as today's superpowers face each other on the brink of a new economic and technological revolution, their contest was punctuated by efforts to separate economic competition from existential struggle, only for jealousies of trade to regain traction before the revolutionary denouement (Shovlin 2021). Relations began to regularise only well into the nineteenth century. There are many lessons in that: lessons for statecraft shaped by the imperative of maintaining order with legitimacy at home and among nations.

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