Ambiguous Debts

Yuna Blajer de la Garza

We have atoned enough for the savage conquest
Of our unhappy fathers. . . .
Glutted with Spanish blood,
the ghosts of Moctezuma and Atahualpa now sleep.

—Andrés Bello, "Ode to Tropical Agriculture," 1826[1]

When is a wrong righted? This question has long occupied legal theorists, theologians, and moral philosophers. One way of approaching it, an approach privileged by retributivist scholars,[2] is to think of the wrongful act as a debt that must be repaid to restore the delicate equilibrium previously broken—"an eye for an eye, and we are even" goes its logic. Some philosophers, nonetheless, have pointed out that wrongs can never be truly undone since it is impossible to return to whatever state existed before the wrongful act happened.[3] While I may be able to give back something I stole from you, I cannot undo all the harm I caused: you may have your belonging back, but the distress my theft provoked cannot be unfelt. It may thus be difficult to determine when, *if ever*, a debt is fully settled. Whether the harm caused by wrongdoing can be offset or not, wrongdoing typically demands some form of contrition or atonement—at a minimum, an expression of remorse; ideally, an effort to remedy the harm. The philosopher Linda Radzik wrote about atonement that the "core moral idea under consideration, put most simply, is this: one who has morally wronged another person must do something about it."[4] Accordingly, discussions of atonement address the need that individuals have to make amends and repent for their unethical thoughts and actions. Atonement holds a prominent

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place in many religious faiths, which ask for repentance and expiation through reflection, confession, cleaning, fasting, or even self-flagellation. Most people believe that individuals must "do something about" the harms they caused. But do such practices scale up? Can countries or groups similarly atone for their wrongdoing? Should they? And, if so, when are they done atoning?

In this essay, I engage with the idea of atonement applied to international politics, drawing from the discussion in Shmuel Nili's *Beyond the Law's Reach?* In the book, Nili examines the moral responsibilities of the world's affluent democracies toward poorer countries to whose misfortune they contributed. These poorer countries ail from what he dubs "the shadow of violence," defined as a "pervasive, society-wide threat of severe violence,"[5] where individual disturbances and assaults are more often omens of growing threats than isolated instances promptly quashed by the state's judicial and police apparatuses. Central to Nili's arguments is the observation that far from purely a domestic product, the shadow of violence is partly the result of wealthy democracies' (in)actions. In some cases, such as the sale of arms to autocrats, the wealthy democracies' role in kindling violence in poorer countries is blatant.[6] Other times, though, affluent democracies contribute to violence in other states in less overt ways, leading Nili to prefer the more encompassing term "democratic entanglement" over the narrow idea of culpable and malicious complicity.[7]

The entanglement of these affluent democracies, Nili argues, generates a set of relational duties toward the states they wronged—what he dubs a "relational priority principle."[8] The principle holds that "entangled parties' relational duties towards those whom they have harmed normally take precedence over their general moral reasons to make the world a better place."[9] Otherwise put, wealthy democracies owe a debt to poorer countries harmed by the former's ambition and disregard of the latter's citizens, and so these affluent countries ought to make amends for their past wrongs by refraining from pursuing the policies that most clearly align with their stated moral commitments when other policies would be more beneficial to the citizens of the country they wronged. More specifically, Nili argues that affluent democracies have a duty to do things they would not otherwise do, such as accepting ousted dictators' requests for exile when the people from the weakened states ask them to, even at the cost of undermining their ability to deter future dictatorial temptations; "defer[ring] to the wishes of weakened states"[10] regarding the prosecution of their tainted officials; and returning gains from

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kleptocratic loot to the country of origin at a financial loss. In a nutshell, affluent democracies are "morally barred"[11] from pursuing certain policies more obviously aligned with *their moral preferences* because they owe a moral debt to weaker countries.

Realist scholars might promptly object that countries' actions are always driven by a desire to "maximize [their] share of world power,"[12] and that whatever their moral commitments (if any), they have at best an ancillary role to play. In response, Nili offers a compelling argument that echoes Joseph Nye's views: Much of the power of any democracy comes in the form of soft power, in its ability to influence others' behavior based on the attractiveness of "the values [it] expresses in its culture, in the examples it sets by its internal practices and policies, and in the way it handles its relations with others."[13] And thus, how a country is seen by other members of the international arena should matter even for those focused on accruing power. Nili goes further, arguing that countries should be sincere in their normative commitments—and not only instrumentally appeal to them—in line with an argument offered in his previous work, where he contended that "there is a distinctive normative value to thinking about a liberal democracy as an agent with integrity that can be threatened, paralleling the integrity of an individual person."[14] The moral integrity of a liberal democracy ought to be taken seriously. Driven perhaps by such a concern with integrity or soft power, some wealthy democracies have indeed been open to recognizing their past wrongdoing and debts: Germany, for example, issued formal apologies and offered financial compensation to Namibia and Tanzania for colonial-era killings, and France acknowledged part of its responsibility in the Rwanda genocide.[15] In fact, the number of "public apologies made by state representatives for human rights violations to individuals and groups"[16] increased between the 1990s and the early twenty-first century. The temporary surge in such apologies notwithstanding, "transnational . . . apologies for anything other than participation in the Holocaust remain rare," Ąžuolas Bagdonas remarks in his discussion of state apologies.[17] The United States government, for instance, has been reluctant to recognize past wrongdoing to other countries.[18] And while democratic states have occasionally acknowledged and apologized for heinous acts (such as mass killings), they have rarely taken responsibility for other crimes or the sort of entanglements that Nili believes ought to trigger the relational priority principle.

I am persuaded by the normative argument that affluent democracies *should* atone for their moral debts. But I want to think about how to calculate that

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atonement. Since moral harms are not easily quantifiable, can moral debts be liquidated and paid? I will argue that, because of their ambiguous nature, moral debts cannot be precisely calculated and thus cannot be fully settled. The difficulty of calculating moral debts is not specific to states—it applies to individuals as well.[19] But settling moral debts between states is further complicated by the challenges of thinking about the state as a moral agent: Can a state representative make amends for the collectivity it represents? Can its counterpart accept a gesture of remorse in the name of the collectivity?

Despite those concerns, I will close the essay by embracing the implications of Nili's arguments and not resisting them. Given that the entanglement he describes has shaped international relations for centuries, and given that moral debts cannot be precisely calculated, I suggest we embrace the normative upshot of deeply entangled relationships. In his discussion of the history of debt, David Graeber wrote that "the difference between owing someone a favor and owing someone a [pecuniary] debt is that the amount of a debt can be precisely calculated."[20] The statement may be read as lauding the cleanliness and precision of monetary debts. But I read it as a critique of their transactional nature. Acknowledging past misdeeds and embracing the moral implications of deep entanglement has the potential to foster greater reciprocity and solidarity in the international realm, giving credence to claims that countries are "bound together" by ties that cannot be quantified, but ought to be respected. I will thus argue that moral debts cannot ever be fully repaid, but that such impossibility does not undermine the moral requirement to *try* to repay them and, further, that the inability to fully settle a moral debt is not a shortcoming to lament, but closer to a blessing in disguise.

"We Don't See Eye to Eye"

In a poem written in 1826, the Caracas-born humanist Andrés Bello wrote the verses that open this essay, stating, "We have atoned enough for the savage conquest of our unhappy fathers," before going on to describe the ghosts of Moctezuma (the last Aztec emperor) and Atahualpa (the last Inca emperor) sleeping in a deep slumber, satiated with "Spanish blood." Now that scholars understand better the long-lasting harms of colonialism,[21] it seems that if Bello sincerely believed that whatever atonement had happened by 1826 sufficed, he was either blissfully naïve or awfully mistaken. Bello's miscalculation captures a

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simple point: most debtors (perhaps with the exception of those overwhelmed by guilt) have an incentive to underestimate how much they owe those they harmed; and, conversely, those owed restitution have an incentive to overestimate the debt.

Let me examine that claim through an example from the U.S. War on Drugs, the focus of Nili's fourth chapter. The "destructive and foolhardy nature of the US 'War on Drugs,'"[22] he writes, has not only failed to protect the American public from growing substance addiction, but has emboldened "murderous kingpins and lethal criminal organizations" in Mexico, lured by the hefty gains of an industry made more profitable by its criminalization.[23] Because the United States' actions have kindled Mexico's growing violence, the United States needs to somehow make up for the harm caused to Mexico. One way to repay that debt, Nili argues, would be to defer to the Mexican government's desires when it comes to the prosecution of high-level Mexican governmental officials accused of colluding with drug cartels when (or if) they are arrested in the United States. The case is not out of the realm of possibility. A few years ago, Mexico's former minister of defense, the general Salvador Cienfuegos, was arrested in Los Angeles on drug and money-laundering charges,[24] and the Mexican president requested his extradition to Mexico, a request with which the United States government complied. To do so, the United States government agreed to drop its own charges against Cienfuegos, arguing that while it had a "strong case" against him, "maintaining cooperation between US and Mexican law enforcement authorities was more important than prosecuting" the former minister.[25] This deferral to the wishes of the Mexican government, Nili argues, was the right thing to do from the perspective of the "relational priority principle" that he defends. There may be some exceptional cases when the costs of deferring to the weakened country's wishes are too high and "the (future) good of the world [must have] moral priority over past (relational) sins,"[26] but this was not one of them. Except when those rare cases obtain, the United States has a duty to defer to Mexico's wishes. But how many times? Could Mexico and the United States agree on the number of deferrals needed to settle the moral debt? How do we even calculate the extent of the moral debt when the drug-related violence in Mexico continues to grow?

From the perspective of the United States, deferring to Mexico's wishes is costly (and thus an apt form of atonement) because it undermines the United States' ability to deter other high-level officials flirting with collusion with criminal organizations whose operations are likely to infringe upon U.S. law. These

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high-level officials might be even more tempted to follow suit, knowing that the United States is willing to forego prosecution for the sake of paying its many moral debts to weakened states. But deferring to Mexico's wishes is also costly in other ways for the United States. For example, American voters, even those philosophically inclined and who may be well aware of the United States' entanglements, might struggle to see the merits of letting guilty criminals go unpunished, especially when the actions of those people have also harmed the American public and when the shadow of violence cast over the country where the tainted officials are being sent increases their chances of escaping punishment. Because deferring to Mexico's wishes is costly, American officials have incentives to *underestimate* the atonement needed: the sooner they are done atoning, the sooner they can privilege whatever moral positions benefit them most at home and abroad.

Note also that although Nili uses the extradition of Salvador Cienfuegos to illustrate the kind of action that would uphold his relational priority principle, the United States' government did not publicly speak of its decision to acquiesce to Mexico's request of extradition as a form of atonement, stating instead that the decision would benefit the United States by strengthening collaboration and trust with Mexican law enforcement agents. It is indeed possible, though, that behind closed doors the United States government decided to drop the charges against Cienfuegos and extradite him in recognition of the United States' role in kindling drug-related violence in Mexico. That the United States opted *not* to speak publicly of this decision through the language of atonement may be read as indicative of the cost of acknowledging wrongdoing (if acknowledging wrongdoing were not costly, countries would do it more often). More cynically, it could be read as evidence of the gap between the theoretical desirability of a world where affluent democracies attend to the relational priority principle and the empirical reality of a world in which powerful countries are driven by a pursuit of power. There is a version of this second and more cynical reading in which expecting an acknowledgement of wrongdoing from a state is hopelessly naïve. But a reader of Nili (or Joseph Nye, as I mentioned above) might reply that even self-interested countries have good reasons to curate the ways they are perceived in the international realm: it is thus possible, I think, to imagine a scenario where they would acknowledge the harm caused and speak in the language of atonement. This is a larger and long-standing debate beyond the scope of this essay, though. My point, however, is simple: affluent democracies have reasons to underestimate the harm they caused and the atonement they owe to the weakened countries they harmed, because atonement is costly.

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Conversely, a weakened state such as Mexico has good reasons to demand as much compensation from the wealthy democracy as it can. Being able to prosecute and judge its own high-level officials at home affirms the country's sovereignty and its right to adjudicate on matters that concern its own citizens. Moreover, concessions from the wealthy democracy can help bolster the legitimacy of a weakened country's government. Its officials can argue that the concessions granted by the affluent democracy demonstrate that the weakened state is well respected in the international arena, suggesting that, contrary to what citizens might experience on the ground, the country is in fact stable and reliable—at least stable and reliable enough that wealthy democracies are willing to defer to its wishes. Additionally, the larger the moral debt it is owed, the easier it is for the weakened state to ascribe its problems to external actors and causes, hence buffering criticisms of its government. Being able to blame an external actor for one's problems is a useful political tool: It boosts morale, fosters a sense of unity around a shared dislike for the external actor, and assuages distrust. And, in turn, an improvement in morale could help address the challenges cast by the shadow of violence by cultivating trust in the government's abilities and reliability. Hence, weakened states such as Mexico have good reasons to overestimate the debt they are owed, even, I think, when they are acting sincerely.

Because their incentives pull in opposite directions, debtor and creditor are unlikely to agree on how much atonement is needed to settle a moral debt, rendering moral debts, in general, difficult if not impossible to pay. But let me home in and examine three more concrete ways in which the ambiguities of moral debts between states can prove challenging, potentially further undermining the possibilities of respectful and good-faith relations between debtors and creditors. The three concerns that follow illustrate some of the challenges of scaling up discourses of moral agency and responsibility, from the individual level to the state level.

First, there might be *disagreement over what counts* as part of the "payment plan" meant to settle a moral debt. An action that the United States considers a display of contrition and goodwill may not be seen by Mexico as such. The answer will, probably, depend on whom you ask within each state: the executive, a member of the legislative branch, an ordinary citizen, or whomever else. Perhaps when the United States acquiesces to Mexico's request for the extradition of a tainted official, some in Mexico interpret it as the result of Mexico's smooth diplomatic skills and resolute messaging, not tallying it as part of the payment for past relational sins.

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Even if such miscommunication could be clarified by having the United States and Mexico formally agree on whether something counts or not, because states are not unitary, rational actors, there is the more difficult question of who should stand in as the legitimate representative of each country, and, hence, who gets to decide what can count as valid payment. The case of General Salvador Cienfuegos is telling. Nili argues that the request of then-president Andrés Manuel López Obrador that Cienfuegos be extradited to Mexico should count as a request from Mexico as a country.[27] But Mexican citizens would have probably disagreed, seeing the extradition of Cienfuegos as a personal concession to López Obrador and not an expression of atonement toward Mexico as a state. While López Obrador claimed that Cienfuegos was innocent, 77 percent of Mexican citizens believed that he was guilty and 69 percent thought he would walk free if sent back to Mexico (which he did).[28] Thus, even if officials of both countries agree that a particular action should count as offsetting a pending moral debt, the citizens of the receiving country might not see said action as an apt form of reprieve. If the extradition is seen by most citizens as mainly benefitting an elected official, should it be considered an appropriate form of atonement? This question gets at the core of the difficulty of speaking of states as agents with moral responsibilities who can atone for their past wrongdoing.[29]

On one hand, López Obrador was democratically elected and was thus a legitimate representative of the country—there are thus normative bases to interpret his actions and desires as the actions and desires of the population as a whole.[30] But on the other hand, and *especially* in the case of countries marred by the shadow of violence as described by Nili, taking the desires of the executive of a country as legitimate proxies for the wishes of the country as a whole strikes me as a normatively thin proposition. So, beyond the likely disagreement between parties on the extent of a moral debt, figuring out which actions are part of the "payment plan" requires addressing the thorny problem of who stands in as the legitimate representative of a country, especially one where the rule of law totters.

Second, not being able to establish precisely when the debt is settled *risks further undermining the legitimacy of the weakened state's government*, potentially darkening the shadow of violence. Imagine, for example, that Mexico, under the impression that it is still owed moral repairs, requests that another tainted high-level official—accused of crimes comparable to Cienfuegos's—also be extradited from the United States after being arrested there. To Mexico's surprise, the United States now refuses, claiming it has atoned enough and that Mexico is now trying to

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take advantage of the United States' goodwill. Or perhaps, the United States begins to argue with suspicious frequency that, in this particular instance, the conditions are extraordinary and that the United States cannot bear the costs of undermining its own ability to deter would-be corrupt officials worldwide. Such a refusal could threaten Mexico's stability. It could make Mexico's government appear incompetent or naïve, both domestically and internationally. Moreover, if the tainted official is then prosecuted and incarcerated in the United States, the swiftness of the prosecution in the courts of an affluent democracy might contrast sharply with the muddled judicial process of the weakened country, plausibly further spotlighting Mexico's levels of impunity and, most importantly, suggesting that Mexico has nobody left to blame but itself for its incompetence. It seems likely that, at the very least, the disagreement over the extent of the moral debt might lead to resentment: Mexico might argue that the debt was not yet settled and that the United States' supposed atonement was mostly virtue signaling and a charade. The change of tune —from a willingness to defer to Mexico's preferences to a refusal to do so—can even be humiliating in the international realm for weakened states. To be sure, the United States will have its own reasons to want to prosecute tainted officials in its own jurisdiction, but Nili's argument is precisely that a country such as the United States ought to sacrifice that preference—and its commitment to deter wrongdoing in the world—as a way to atone for its involvement in the conditions that emboldened such tainted officials.

Third, *the consolidated democracy might believe it is being taken advantage of* by the weakened state that demands further payment than what the affluent democracy deems fair. The United States' officials and citizens may grow resentful of Mexico's demands, believing that Mexico is abusing their goodwill and genuine moral contrition. Just like Bello, they may imagine Mexico as akin to Moctezuma in a deep and satisfied slumber. As recent polls have shown, the American electorate tends to believe that other countries are taking advantage of their political goodwill, whether true or not.[31] Feeling taken advantage of usually provokes a strong emotional reaction that psychologists have called the "sucker effect": "the perception that oneself (the sucker) is working hard while others free-ride and get the benefits of one's efforts."[32] The problem with such resentment is not only the resentment itself, but the reactions and dispositions it enables: it undermines trust between parties; it hinders the likelihood of future cooperation; and, in the cases that occupy us, it may rouse xenophobic nationalisms.

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One may offer several replies to the points I have raised, of which I will mention three. A first response could be that the relational duties generated by democratic entanglement do not require the affluent democracy to disclose its decision to atone. Not privy to the reasons behind the affluent democracy's actions, the weakened state might simply consider itself lucky or grateful for the occasional deference to its preferences or for the return of misappropriated funds, without being resentful when it no longer happens. That is, the weakened state could simply be made to interpret the affluent democracy's actions as supererogatory. This response is in line with a point made by Nili when he writes that "serious wrongdoers who are genuinely committed to self-reform have a duty to *themselves*, as a matter of their own integrity, to disgorge the proceeds of their wrongdoings."[33] This is a fair response. Still, it is difficult for me to conceptualize a robust form of contrition and self-reform that does not include an acknowledgement of the harm caused and an apology to the party wronged. This underscores the magnitude of Nili's request: not only must a country like the United States change its behavior toward countries whose misfortunes it has contributed to (like it appears to have done in the case of Salvador Cienfuegos), but it must *also* acknowledge its wrongdoing. Without that public acknowledgement, its actions are difficult to interpret as a meaningful form of atonement.

A second response is that moral debts are only ambiguous until the parties sit down and agree on what would constitute fair repayment. The weakened state might then agree that as long as the affluent democracy, say, defers to its wishes regarding tainted officials for a year and returns the funds from kleptocratic loot stored in its banks, it will consider the moral debt paid off. Abstract terms can be reified through deliberation, and a contract can be drawn. The problem with this response is that the affluent democracy and the poorer state do not have equal negotiating power in the international arena. In "Fairness in Sovereign Debt," Christian Barry and Lydia Tomitova ask, "When can we say that a debt crisis has been resolved fairly?"[34] They then articulate several ways in which a debt is unfair, even when legally valid, such as sharp power differentials or very onerous terms. In a similar vein, one may imagine that a weakened democracy might be willing to agree on terms it deems less than favorable because it is at a power disadvantage. Nili might here add that the relational duties he examines in his book require the affluent democracy to "undertake a genuine commitment to self-reform,"[35] which would probably reduce the likelihood that the affluent democracy takes advantage of the poorer state. But the affluent democracy might actually *believe* it is offering

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fair terms to the weakened country, while the latter does not dare clarify that the terms are insufficient. As such, the good-faith effort of the affluent democracy to self-reform does not suffice to guarantee a fair agreement if the moral debt were concretized.

Third, one could respond that, unlike pecuniary debts, ambiguous moral debts are not suddenly paid but progressively settled. As the debt dissolves, the affluent democracy might progressively phase out the role that atonement plays in its foreign policy. Although the phasing out might still be considered premature by the weakened state, the gradual nature of the scheme can assuage worries of resentment generated by an abrupt change of tune. What is significant about this answer is that it carves out space to embrace the ambiguities of moral debts while acknowledging that some debts can be larger than others—a position that I lean into in the next section.

In sum, moral debts are by definition ambiguous. But we ought not to despair. In fact, I will close by arguing that the answer to the challenge of ambiguity is not to try to figure out a better and more precise way to calculate moral debts so as to then determine the precise amount needed to call it quits, but to relax the assumption that fully settling moral debts is always a good thing.

Retaining Our Tangles

By arguing that moral debts are ambiguous, I do not merely suggest that moral debts are *hard* to pay; I suggest that they *cannot* be ever fully paid. It is possible to lower a debt, perhaps through the kind of actions proffered by Nili. But just like mathematical limits approach a number without ever reaching it, atoning for moral wrongdoing can reduce a debt but will never settle it. And yet, I think that the impossibility of settling moral debts is a good thing, a blessing in disguise.

But first, let us imagine that I am mistaken and that moral debts can in fact be fully paid off. Would that be a good thing? A clever experiment published in the journal *Science* showed that people have an urge to (literally) wash their hands after being in (or even describing) morally compromised situations. Most people have an urge to cleanse themselves—both their consciences and bodies—after wrongdoing. But the experiment also showed that literal "physical cleansing significantly reduced volunteerism. . . ." That is, those who had been given a chance to wash their hands were less likely to agree to volunteer to help in another study. "The direct compensatory behavior (i.e., volunteering) dropped by almost 50% when participants

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had a chance to physically cleanse after recalling unethical behavior,"[36] the researchers found. Otherwise put, once people have had a chance to make amends or cleanse their hands or consciences, they are less likely to pursue additional morally good behavior, arguably out of an unconscious belief that they have done enough and are now freed of further duties. The *Science* experiment echoed another well-known observation in the psychology literature, termed moral licensing or self-licensing, that has also been repeatedly picked up by philosophers and "which describes how people who perform one good action often compensate by doing fewer good actions in the future."[37] That is, people who, for instance, round up their total at a grocery store, agreeing to donate some extra cents to a charity, are less likely to help someone asking for change outside the grocery store where they just donated a few cents.

Thus, it seems reasonable to argue that the very possibility of paying off a debt not only may fall short in preventing additional wrongdoings but also could unwittingly authorize the committing of further ones. These experiments and observations pertained to individuals, but I think the point scales up. After all, if a wealthy democracy has finished paying its moral debt, it no longer owes the weakened country much consideration. To be sure, Nili is very clear in his requirement that affluent democracies express sincere remorse and commit to self-reform; however, what is interesting about the psychological insights I described above is that none of the scholars portray their subjects as cunning or malicious. The point appeared to be that even those of us most sincerely committed to our individual integrity feel relieved from some relational duties and considerations toward others once we know we can pay off our debts and cleanse ourselves of past wrongdoings.

Thus, if international relations are held together not only by tense power differentials—as realist scholars would have it—but also by norms and institutions, then we might be better off if we cannot so easily cleanse our hands or settle our moral debts. In his classic book *The Gift*, Marcel Mauss studied gift giving in preindustrial societies. Mauss praised the ways in which back-and-forth gift giving braided tight social relationships. Unlike monetary debts, gift giving could not be precisely calculated. If I gave you a freshly baked loaf of bread and you gifted me three apples the next time you saw me, it would not be obvious whether we were "even," whether my gift had been the larger of the two, or if you had been more generous. What would be clear is that we are two people bound by some sort of reciprocity and mutual respect. Mauss's point is that tightly knit social bonds are

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generated not despite the incommensurable nature of gifts and favors, but because of it.[38]

In this essay, I have argued that moral debts cannot be truly settled because they are, by definition, ambiguous and impossible to calculate precisely. That is not a call for better measures of moral harms and good deeds. Instead, mine is an argument for embracing some of the implications of the democratic entanglement captured by Nili. The recognition that countries owe one another debts they can neither quantify nor fully settle has the potential of fostering goodwill—particularly when those indebted are, for once, affluent democracies more usually accustomed to being the creditors of the world. When officials and citizens see themselves as bound to other countries by a shared history or ties of friendship—the kind of language that peppers declarations from heads of state about other countries they respect—they are more willing to cooperate with those countries, treat them as peers, respect their sovereignty, and even protect their citizens if their government turns against them: tangles hold things together. Acknowledging that we are irremediably bound to others may thus not be a bad thing for international politics after all.

Notes

[1] I modified the translation slightly. Andrés Bello, "Ode to Tropical Agriculture," in *Selected Writings of Andrés Bello*, Library of Latin America, ed. Iván Jaksić, trans. Frances M. López-Morillas (1826; New York: Oxford University Press, 1998), pp. 29–39, at p. 35.

[2] Jeffrie G. Murphy, "Legal Moralism and Retribution Revisited," *Criminal Law and Philosophy* 1, no. 1 (2007), pp. 5–20, at p. 18.

[3] Agnes Callard, *On Anger* (La Vergne, Tenn.: Haymarket Books, 2023).

[4] Linda Radzik, *Making Amends: Atonement in Morality, Law, and Politics* (Oxford: Oxford University Press, 2009), p. 5.

[5] Shmuel Nili, *Beyond the Law's Reach? Powerful Criminals, Foreign Entanglement, and Justice in the Shadow of Violence* (Oxford: Oxford University Press, 2024), p. 22.

[6] Ibid., p. 10.

[7] Ibid., p. 10.

[8] Ibid., p. 18.

[9] Ibid.; this quote comes from p. 109, but the definition appears repeatedly in the book.

[10] Ibid., p. 114.

[11] Ibid., p. 70.

[12] John J. Mearsheimer, *The Tragedy of Great Power Politics* (New York: Norton, 2003), p. 2.

[13] Joseph S. Nye, *Soft Power: The Means to Success in World Politics* (New York: Public Affairs, 2004), p. 8.

[14] Shmuel Nili, *The People's Duty: Collective Agency and the Morality of Public Policy* (Cambridge, U.K.: Cambridge University Press, 2019), p. 22.

[15] Eyder Peralta, "Germany Formally Acknowledges Colonial Genocide in Namibia, Will Pay Reparations," interview by Audie Cornish, *All Things Considered*, NPR, May 28, 2021. The United States has been reluctant to recognize wrongdoing toward other countries. It has, on limited occasions, though, apologized to groups who are now part of its own population for the violence and oppression it subjected them to.

[16] Ąžuolas Bagdonas, "Historical State Apologies," in Berber Bevernage and Nico Wouters, eds., *The Palgrave Handbook of State-Sponsored History after 1945* (London: Palgrave Macmillan, 2018), pp. 775–800, at p. 775.

[17] Ibid., p. 790.

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[18] An exception: in 2010, Secretary of State Hillary Clinton and Health and Human Services secretary Kathleen Sebelius apologized for a "U.S.-funded study that led to the deliberate infection of hundreds of Guatemalans with syphilis from 1946 to 1948." Scott Hensley, "U.S. Apologizes for Syphilis Experiments in Guatemala," NPR, October 1, 2010.

[19] For example, it is not obvious how much atonement is owed by, say, Ms. *X* to Mr. *Z* if, over the course of a decade, the former repeatedly treated the latter with disrespect. The experience of being repeatedly disrespected ripples into other spaces; it is not a contained harm.

[20] David Graeber, *Debt: The First 5,000 Years* (Brooklyn: Melville House, 2012), p. 386.

[21] See Matthew Lange, James Mahoney, and Matthias vom Hau, "Colonialism and Development: A Comparative Analysis of Spanish and British Colonies," *American Journal of Sociology* 111, no. 5 (March 2006), pp. 1412–62; Daron Acemoglu, Simon Johnson, and James A. Robinson, "The Colonial Origins of Comparative Development: An Empirical Investigation," *American Economic Review* 91, no. 5 (December 2001), pp. 1369–1401; and Daron Acemoglu, Simon Johnson, and James A. Robinson, "Reversal of Fortune: Geography and Institutions in the Making of the Modern World Income Distribution," *Quarterly Journal of Economics* 117, no. 4 (November 2022), pp. 1231–94.

[22] Nili, *Beyond the Law's Reach?*, p. 116.

[23] Ibid., p. 116.

[24] See Azam Ahmed and Alan Feuer, "Who Was 'El Padrino,' Godfather to Drug Cartel? Mexico's Defense Chief, U.S. Says," *New York Times*, updated October 21, 2020, www.nytimes.com/2020/10/16/world/americas/mexico-salvador-cienfuegos-arrested.html.

[25] "Salvador Cienfuegos: US Drops Charges against Mexican Ex-Minister," BBC, November 18, 2020, www.bbc.com/news/world-us-canada-54982305.

[26] Nili, *Beyond the Law's Reach?*, p. 109.

[27] Ibid., p. 120.

[28] Jorge G. Castañeda, "Cienfuegos: ¿A Quién le Cree la Gente?," Nexos, November 20, 2020, jorgegcastaneda.nexos.com.mx/cienfuegos-a-quien-le-cree-la-gente.

[29] On this topic, see Toni Erskine, ed., *Can Institutions Have Responsibilities? Collective Moral Agency and International Relations* (workshop proceedings, "Can Institutions Have Morals?," British International Studies Association/International Studies Association Joint Special Workshop, University of Cambridge, November 17–19, 2000) (New York: Palgrave Macmillan, 2003).

[30] Anna Stilz examines this question in "Are Citizens Culpable for State Action?," *Politics, Philosophy & Economics* 22, no. 4 (November 2023), pp. 381–406. David Runciman offers a very different view, suggesting that if states ought to be considered moral agents, it would only make sense for us to think of the state as a "corporate entity." See David Runciman, "Moral Responsibility and the Problem of Representing the State," in Erskine, *Can Institutions Have Responsibilities?*, pp. 41–50.

[31] Mark Hannah, Lucas Robinson, Eloise Cassier, and Ransom Miller, *Battlegrounds: How Trump and Harris Voters See America's Role in the World* (New York: Institute for Global Affairs, September 2024), p. 26, instituteforglobalaffairs.org/wp-content/uploads/2024/09/2024-Battlegrounds-IGA.pdf.

[32] Kathleen D. Vohs, Roy F. Baumeister, and Jason Chin, "Feeling Duped: Emotional, Motivational, and Cognitive Aspects of Being Exploited by Others," *Review of General Psychology* 11, no. 2 (June 2007), pp. 127–41, at p. 132.

[33] Nili, *Beyond the Law's Reach?*, p. 164.

[34] Christian Barry and Lydia Tomitova, "Fairness in Sovereign Debt," *Social Research* 73, no. 2 (Summer 2006), pp. 649–94, at p. 649.

[35] Nili, *Beyond the Law's Reach?*, p. 172.

[36] Chen-Bo Zhong and Katie Liljenquist, "Washing Away Your Sins: Threatened Morality and Physical Cleansing," *Science* 313, no. 5792 (September 8, 2006), pp. 1451–52, at p. 1452.

[37] William MacAskill, *Doing Good Better: How Effective Altruism Can Help You Make a Difference* (New York: Penguin Random House, 2015), p. 144. MacAskill is describing a set of experiments from psychology.

[38] Marcel Mauss, *The Gift*, trans. Jane I. Guyer (Chicago: HAU Books, 2016), p. 182.

Abstract: In *Beyond the Law's Reach?* Shmuel Nili examines the moral responsibilities of affluent democracies toward poorer countries to whose misfortunes they contributed. Because of their entanglement, Nili argues, affluent democracies are (often, but not always) morally barred from pursuing policies more obviously aligned with their moral preferences when another policy would benefit the weakened state more. In this essay, I discuss some of the challenges of trying to repay a moral debt between states. The affluent democracy has incentives to underestimate the extent of its

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moral debt, while the weakened state benefits from overestimating the harm it suffered. Moreover, since the state is not a unitary actor, different members of a state might disagree on which actions should count as proper forms of atonement. I argue that moral debts cannot ever be fully repaid, but that such impossibility does not undermine the moral requirement to try to pay them; and, further, that the inability to fully settle a moral debt is not a shortcoming to lament, but closer to a blessing in disguise, because acknowledging past misdeeds and embracing the moral implications of deep entanglement may foster greater reciprocity and solidarity in the international realm.

Keywords: moral responsibility, debts, atonement, international politics, inequalities of power

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