"Universal Duty and Global Justice" (Hand-out)

The world we live in is characterized by strong inequality. This inequality concerns individuals: there are riche and poor persons (some of them are drammatically poor indeed). Inequality, however, also concerns states: There are powerful and weak, wealthy and miserable states. Many of us think that there are not good reasons for such an inequality. In other words, this inequality is unjust.

After sharing this sense of injustice, our intellectual strategies are often divided. Some believe that we should treat inequality from the individuals' standpoint. Within this perspective that we will call "cosmopolitanism", Injustice concerns primarily the socio-economic relationships between the single persons that inhabit our planet. As a consequence of the cosmopolitan outlook, we must give our personal support against inequality and we must create as soon as possible institutions able to remedy or at least to reduce this kind of injustice. According to others, however, to reason globally in terms of relationships between persons is simply misleading and wrong. According to this second perspective, that we will call "statism", thee are peoples and states whose historical existence we cannot ignore. Following the statist position, a more just world is not –if not very indirectly- a world of persons equal among themselves, but rather a world of peoples and states able to realize a more just society within their borders.

Cosmopolitans, on the one side, are in favor of global distributive justice and socio-economic human rights. They believe in strong global justice. Statists, on the other side, don't think that global distributive justice is theoretically defensible and practically feasible. At the most, they accept the validity of some socio-economic human rights and support humanitarianism. My paper is dedicated to a criticism of both cosmopolitans and statists. According to my thesis, they are both mistaken and there is a third more promising to locate ourselves on these topics.

I also maintain that we do not distinguish enough between a theory of global distributive justice –more or less an extension of domestic distributive justice to the world system- and the validity and efficacy of socio-economic human rights. Usually, cosmopolitans starting from strong global justice take socio-economic human rights as a corollary of it. Statists fully reject the idea of global distributive justice and sometimes even the validity and efficacy of socio-economic human rights. My third option claims that now we are not yet ready to properly accept a full theory of global distributive justice. But insists on the fact that we should be more open (then statists) on this topic

and that an extensive interpretation of socio-economic rights could be a promising starting point to reduce world inequality. We can also say that I base my vision on weak global justice.

My proposal is supposed to be particularly attractive from a post-Rawlsian liberal point of view. As matter of fact, cosmopolitans tend to moralize international politics radically, considering political institutions simply as means to realize their preferred moral ideals; statists, on the contrary, tend to reduce, if not to eliminate, the space of morality in international politics. My conception, finally, is neither moralist nor skeptic on the relationship between ethics and politics, and for such a reason could be labeled a "liberal conception".

In the paper, I try to reach this target in the paper in four sections.

In section 1, I start from an article by Thomas Nagel entitled "The Problem of Global Justice" (PPA 2005). Nagel's main thesis, in the article, is that global distributive justice is theoretically indefensible.

Nagel's mentors are Hobbes ands Rawls. According to Hobbes there is no justice without sovereignty. According to Rawls, the ideal of global justice is no more than the ideal of a world inhabited by the highest number of near-just states.

In his conception, that he calls "political conception", Nagel offers two reasons for considering the extension of distributive justice theoretically impossible beyond the state. I will call the first one "institutional reason" and the second one "anti-monist reason".

The institutional reason aims to demonstrate that there is not a global basic structure similar to the domestic basic structure. The difference is qualitative, the main reason for it being that at the global level citizens are not the authors of the laws that can coerce them.

The anti-monist reason is based on the Rawlsian anti-perfectionist and pluralist attitude. According to anti-monism there cannot be continuity between personal or groups' conception of the good and a public vision of justice. As a consequence of anti-monism, international institutions are supposed to be freestanding, which means relatively independent from any conception of the good.

My claim is that this distinction between an institutional and an anti-monist reason –both used against the possibility of global justice- is significant and has not been made clear within the standard doctrine. Cosmopolitans usually attack statism using arguments directed against both of them simultaneously. Moreover, cosmopolitans prefer to insist on the

institutional side of the argument, whereas I believe the anti-monist reason is philosophically more relevant and less investigated.

Section 2 is dedicated to evaluate the cosmopolitan criticism of statism from the institutional side. I have to confess that I do not have a strong thesis on this point. Beyond commenting standard doctrine, I just admit that statism is probably right but too static. Now, in other words, there is not such a thing as a global basic structure: you cannot have a proper philosophical justification for it. But, and that's why statists are also static, there is a progressive and factual legitimation of a global basic structure.

In Section 3, I present my original proposal: there is an universal duty of justice. This universal duty has two necessary qualities:

(i)   it does not need any assumption of an already existing basic structure:
(ii)   it does not violate anti-monism

My universal duty of justice depends on the duty to protect human dignity wherever it is at risk, independently from the existence of a previous basic structure. The main example of this duty I the Holocaust, but the continuous genocide of peoples that cannot eat and be cured is also a credible case for this kind of argument.

The universal duty of justice presupposes the idea of human vulnerability. This is the reason why it can bypass anti-monist and pluralist principles. According to anti-monism and pluralism we must severely separate the good (personal) from the right (public). Just in case the human community is at risk –in my opinion- we are allowed to conceive an overlap of the good and the right. The exceptional nature of the case permits in such a way to overcome anti-monism. In other words, anti-monism is much more plausible when we are confronted with perfectionist super-goals. But much less when basic rights are at the stake.

In the final Section 4, I connect the argument of the previous Section with the tradition of human rights and present some conclusions

My liberal conception is based on weak global justice. Weak global justice is different both from cosmopolitanism and statism.

(i)   With statism, the liberal conception does not accept the existence of a global basic structure, being however more

open to the cosmopolitan thesis that sees it as a work in progress:

(ii) With cosmopolitanism the liberal conception accepts a strong version of socio-economic rights, but does not make it dependent on a global basic structure and a monist perspective.