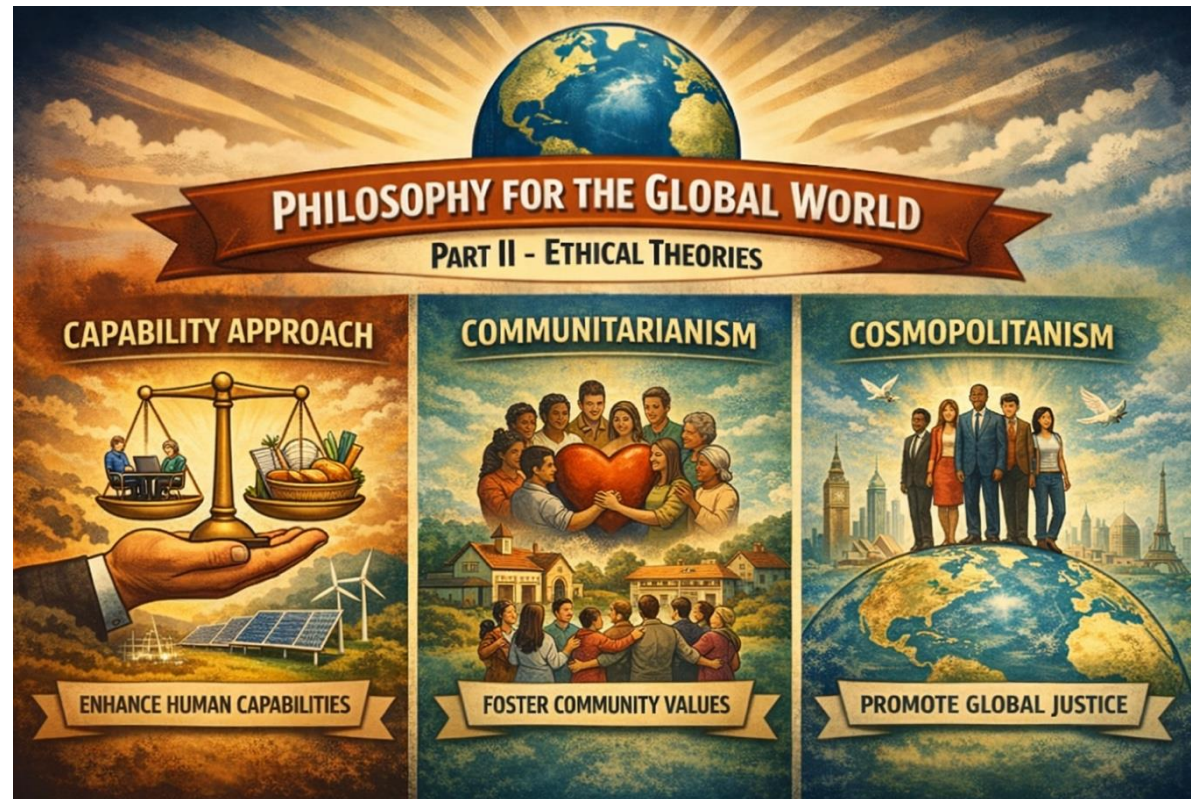


Global Justice

Part II B



Capability Approach

Amartya Sen

Born: 3 November 1933 — Santiniketan, India

🎓 🏆 Major Achievements

Nobel Prize in Economic Sciences (1998)

→ For contributions to welfare economics and social choice theory

Founder of the Capability Approach

Major influence on the UN Human Development Index (with Mahbub ul Haq)

📖 Key Contributions

Reframed development as freedom

Advanced theories of:

Poverty and famine (famines as failures of entitlement, not food shortage)

Justice and equality

Gender inequality and “missing women”

Bridged economics and philosophy in a unique way

🌍 Intellectual Legacy

Sen reshaped debates on:

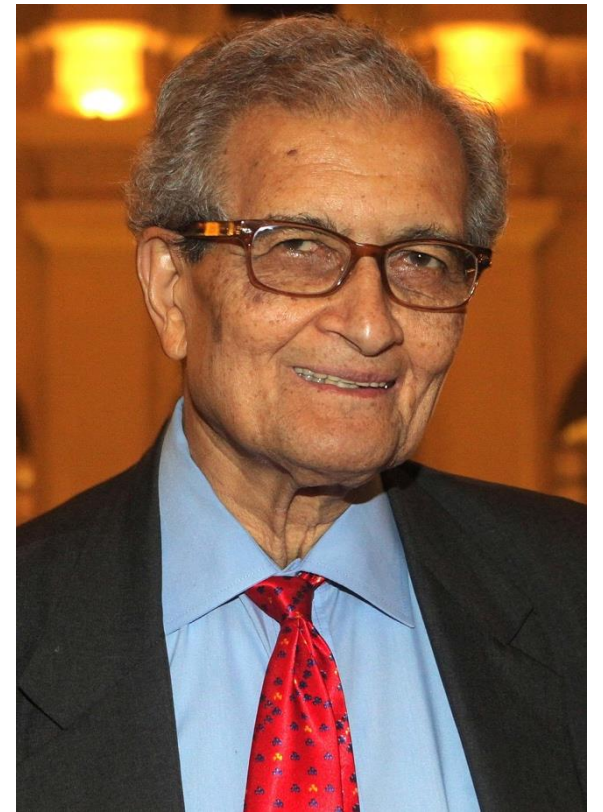
Global justice

Human rights

Development policy

Democratic reasoning

He remains one of the most influential thinkers in political philosophy and development economics of the 20th and 21st centuries.



Amartya Sen's Capability Approach

Re-thinking Justice

- Justice is not about maximizing utility, or equality of resources
- Justice is about real freedoms — what people are actually able to do and be

Central question:

 ***What lives do people have genuine opportunities to live?***

Intellectual Roots

Influenced by:

- Aristotle — eudaimonia (human flourishing as activity)
- Adam Smith — social norms shape “necessities”
- Karl Marx — overcoming structural constraint

Core Insight

Equal resources ≠ Equal freedom

People differ in their ability to convert resources into meaningful lives
(disability, gender norms, health, social context)

Justice must account for human diversity

Key Concepts & Theoretical Shift

1 Capabilities

- The real opportunities a person has
- Two people with the same income → different in their capacity: resources → freedoms

2 Adaptive Preferences

- People internalize deprivation
- “Sour grapes” effect
- Happiness data can hide injustice

3 Freedom

- Justice evaluates:
 - Achieved outcomes (functionings)
 - The range of valuable options available

Sen's Critique

- Against utilitarianism → too focused on subjective happiness
- Against John Rawls → primary goods are too resource-centered

Sen shifts justice from means → freedoms

Transition to Nussbaum

- Martha Nussbaum develops a more normative version
- Proposes a list of central human capabilities
- Key debate:
 - Sen → democratic, open-ended, context-sensitive
 - Nussbaum → substantive threshold needed for rights & constitutional guarantees

The Structure of Utilitarianism

Sen's **Critique of Utilitarianism**

In "*Utilitarianism and Welfarism*" (1979), Sen argues that utilitarianism rests on two core commitments:

1 **Welfarism**

- All social evaluation must rely only on individual utilities
- Utilities = happiness, pleasure, or desire-satisfaction

2 **Sum-Ranking**

- Society should maximize the total (or average) utility

Sen's Structural Objection

This framework:

- Ignores rights violations
- Ignores exploitation and inequality
- Ignores unfreedom and vulnerability
- Recognizes injustice only if it reduces reported happiness

But:

- 👉 The deprived often **adapt their expectations**
- 👉 Reported utility may look "fine" — while capabilities are devastated

Utilitarianism may work psychologically —
but it fails as a **public philosophy of justice**.

Happiness is not enough

Aristotle's influence on Sen

🎯 Happiness vs. Functionings

Utilitarianism:

Well-being = **pleasure** or **happiness**

Sen:

- Well-being = **functionings**
- Being healthy
- Being educated
- Participating in society
- Exercising practical reason

Human flourishing (eudaimonia) is activity, not sensation.

Pleasure matters —

but it cannot define justice.

📖 **Democracy Has Intrinsic Value**

Utilitarianism treats political rights as instruments.

Sen argues:

- Democracy is intrinsically valuable
- It enables public reasoning, accountability, information flow

Famous thesis:

No functioning democracy with a free press has ever experienced famine.

Democracy prevents catastrophe not by maximizing happiness —
but by institutionalizing responsibility.

Adaptive Preferences

People adjust to deprivation.

- The poor may report satisfaction.
- The oppressed may lower expectations.
- “Sour grapes” psychology.

Utilitarianism risks rewarding injustice because suffering is under-reported.

Objective Evaluation of Well-Being

Sen rejects pure preference satisfaction:

- “Sadistic” preferences
- “Expensive tastes”
- Internalized oppression

Concepts like:

- Exploitation
- Deprivation
- Urgency
- Vulnerability

cannot be captured by utility alone.

From Primary Goods to Capabilities

Amartya Sen on John Rawls

Rawls marked a decisive break from utilitarianism by shifting the metric of justice from utility → primary goods:

- Rights
- Liberties
- Opportunities
- Income & wealth
- Social bases of self-respect

✅ Major advancement beyond utilitarianism

But Sen's critique:

Primary goods are resources, not freedoms.

They measure what people have, not what they can actually do.

The Core Problem: Informational Basis

Equal resources ≠ Equal advantage

Example:

- A person using a wheelchair may need:
- More transportation resources
- Additional social support

Protection from discrimination

Rawls's Difference Principle does not account for conversion differences.

Justice must evaluate:

👉 **Real opportunities**, not formal entitlements.

Human Diversity & Conversion Factors

Sen's central objection:

People convert resources into functionings with very different efficiency.

Differences vary with:

- Disability
- Gender norms
- Climate
- Health
- Social discrimination
- Cultural constraints

If humans were similar, primary goods might work.

But they are not.

Equality of Resources ≠ Equality of Freedom

- A woman in a patriarchal society may have legal rights but no practical agency.
- A stigmatized minority may possess formal equality but lack social dignity.
- A disabled person may need far more goods to achieve mobility.

Justice must shift from:

Goods → Capabilities

Means → Real freedoms

Sen does not reject Rawls —
he expands him.

T

The Capability Approach is “Rawls in motion.”

Two Systematic Consequences

(i) Pluralism of Capabilities

Rawls: single index of primary goods

Sen: human flourishing is multi-dimensional

No single metric can capture:

- Health
- Education
- Political participation
- Bodily integrity
- Social respect

Justice is plural, not monistic.

(ii) Contextual & Comparative Evaluation

Capabilities depend on:

- Social norms
- Technology
- Institutions
- Gender roles
- Global structures

Justice becomes:

Empirical

Context-sensitive

Comparative

The Broader Philosophical Shift

Sen reconnects justice to:

- Aristotle — human flourishing
- Karl Marx — overcoming structural domination
- Adam Smith — material bases of social respect

And extends Rawls beyond the nation-state:

Justice is not only domestic.

Capabilities are shaped by global institutions.

Global justice = reforming transnational structures that determine real freedoms.

Functionings vs. Capabilities

Amartya Sen's Core Distinction

Sen shifts the evaluative focus of justice:

- ✗ Not resources
- ✗ Not utility
- ✗ Not primary goods

✓ But what people are actually able to be and do

🚲 The Bicycle Example

A bicycle is a resource.

But whether it produces mobility depends on:

- Physical ability
- Road safety
- Social norms

Possession ≠ Real opportunity.

◆ Functionings

Functionings = achieved states of being and doing

Examples:

- Being well-nourished
- Being literate
- Participating politically
- Appearing with dignity in public

Some are basic (survival).

Some are socially complex (cultural participation, self-respect).

◆ Capabilities

Capabilities = real freedoms to achieve different functioning combinations

Not what a person does

—but what they are genuinely free to do

Example:

Fasting person vs. starving person

Same functioning (not eating)

Different capability sets

This distinction makes the approach normatively richer than utilitarianism and more precise than resource-based theories.

Capabilities in Social Context

The capability perspective highlights:

What counts as a “necessary” good depends on social context.

Adam Smith already noted:

Leather shoes and linen shirts were “necessities” for social respect in 18th-century England.

Sen generalizes this insight.

In modern societies, functioning may require:

- Broadband access
- Transport infrastructure
- Education
- Digital tools

Poverty: Relative vs. Absolute

- Poverty in commodities is relative.
- Poverty in capabilities is absolute.

Because capabilities concern:

👉 What human beings can actually do and become within their given society.

The Core Reframing of Justice

Justice should measure:



Happiness



Resource possession



Substantive freedoms to live lives one has reason to value

The Capability Approach is:

- Aristotelian
- Anti-welfarist
- Anti-resource-fetishist

Advantage = the real space of human possibility.

Conversion Factors: Why Resources Aren't Enough

1 Personal Heterogeneities

- Disability
- Chronic illness
- Body size
- Age

Equal resources $\neq$ Equal functioning

Different bodies require different inputs.

2 Environmental Diversities

- **Climate**
- **Pollution**

Disease environments

Same goods generate different opportunities in different locations.

3 Social Conditions & Public Goods

- Schools
- Roads
- Legal protection
- Digital infrastructure

A laptop without broadband $\neq$ educational capability

A right to vote without security $\neq$ political functioning

4 Relational Norms & Social Expectations

Dignity depends on socially embedded standards.

Exclusion and humiliation can exist even without starvation.

Capability disadvantage is partly relational.

5 Intra-Household Distribution

Resources within households are not equally shared.

Gender bias

Adult-child disparities

Justice must be evaluated person-by-person, not household-by-household.

The Conclusion

The move from resources $\rightarrow$ capabilities is not philosophical luxury.

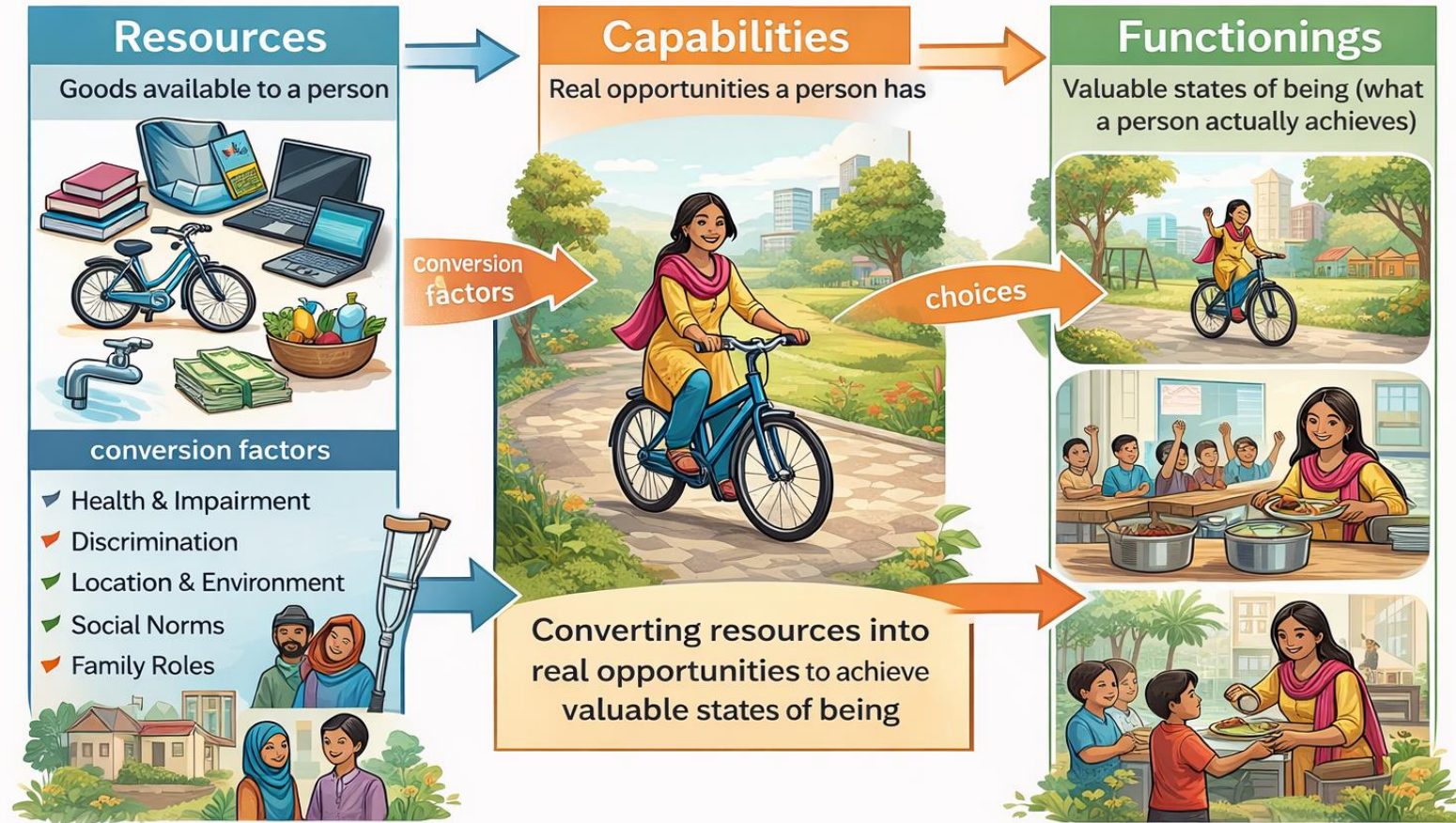
It reflects how the world actually works.

Two people with identical goods can lead radically unequal lives.

Justice must ask:

- Not what people have.
- Not what they feel.
- But what they can, in fact, do and become.

Amartya Sen's Capability Approach



Well-Being vs. Agency

Amartya Sen introduces a crucial distinction:

◆ Well-Being

- Being healthy, nourished, secure
- Receiving welfare or utility
- Improving life conditions

◆ Agency

- Pursuing goals
- Acting on values
- Making choices
- Taking responsibility
- Participating in shaping institutions

The Utilitarian Frame

Classical utilitarianism — and even humanitarian ethics like Peter Singer's global beneficence — tend to see persons as:

👉 Patients

Recipients of welfare whose utility should be maximized.

Central question:

How do we increase their well-being?

Sen's Objection

This is an ethical reduction.

Human beings are not merely recipients of benefit.

They are fundamentally agents.

Agency = the capacity to act on reasons and values
—not merely to experience improved welfare.

Agency as Constitutive of Justice

Sen does not deny well-being matters.

But:

The most effective way to improve well-being is often to expand agency.

In contexts like:

- Development policy
- Poverty reduction
- Women's empowerment
- Education reform

Sustainable improvement comes from:

- Voice
- Participation
- Political empowerment
- Claim-making power

Agency is not an “add-on.”

It is part of human flourishing itself.

The Break with Benefactor Morality

Even demanding utilitarianism (e.g. Singer) still treats the poor as:

👉 Objects of aid.

Sen shifts the focus:

Not maximizing welfare of passive recipients
—but enabling capable agents to shape their own futures.

Ethical Anthropology of the Capability Approach

The person is:

- A doer
- A chooser
- A participant
- A co-author of the social world

Justice is measured not by:

❌ How much welfare flows into lives

But by:

✅ Whether people possess the substantive freedoms to determine their own lives

Human dignity lies not in being well treated —
but in having the power to take part in shaping one's own life.

Development as Freedom

Amartya Sen, *Development as Freedom* (1999)

Core Thesis:

Development is the expansion of **human freedom** —
not merely growth in income, GDP, or industrial output.

Rethinking Progress

A society is more developed when its people have:

- ✓ More substantive opportunities
- ✓ More real choices
- ✓ More capacity to live lives they have reason to value

Development ≠ Commodities

Development ≠ Utility

Development = **Capability Expansion**

Capabilities are freedoms —
not merely formal rights,
but **effective opportunities**.

Formal liberty without support ≠ real capability.

Freedom as Means and End

Freedom plays a dual role:

◆ End of Development

Expanding substantive freedoms is itself the goal.

◆ Means of Development

Freedom also generates material progress.

Examples:

- Political participation
- Women's literacy & property rights
- Minority voice and protection
- Labor independence from elites

Famously:

No functioning democracy has experienced famine.

Freedom creates:

- Accountability
- Public scrutiny
- Information flows
- Pressure for action

Development is not something delivered from outside —
it grows from empowered agency.

Institutions and Capability Expansion

Institutions must be evaluated by:

👉 Their impact on expanding capabilities

Not by aggregate income alone.

Markets

Markets can enhance capabilities —
but only if:

- Basic health and education are secured
- Public goods are provided
- Structural exclusion is addressed

A market that raises average income
while deepening gender or caste deprivation
is not successful in Sen's terms.

Poverty Reframed

Poverty ≠ low income

Poverty = unfreedom

Injustice = capability deprivation.

Development = removing those unfreedoms.

The central question shifts:

Not “How much do people have?”

But “What can people actually do?”

Sen enters the Rawls–cosmopolitan debate from a new angle.

John Rawls

- Justice primarily within states
- Global domain = duties of assistance between “peoples”

Sen disagrees:

Capability deprivation is experienced by persons, not “peoples.”

Global institutions shape individual freedoms.

Therefore, global justice cannot be state-centered alone.

Between Rawls and the Cosmopolitans

Thomas Pogge

- Global order actively harms the poor

Charles Beitz

- Distributive justice extends globally

Sen’s position:

Freedom (not utility) is the metric

No sharp domestic/global divide

Justice evaluates comparative capability deprivation wherever it occurs

Martha Nussbaum

Born: 6 May 1947 — New York City, USA

🎓 Education & Academic Career
Studied Classics and Philosophy at New York University and Harvard University
Longtime Professor at the University of Chicago
Works across philosophy, law, political theory, classics, and feminist thought

📖 Major Contributions
Developed a normative, Aristotelian version of the Capability Approach
Proposed a list of central human capabilities as thresholds of justice
Major works include:
Women and Human Development (2000)
Frontiers of Justice (2006)
Creating Capabilities (2011)

🌍 Intellectual Impact
One of the leading voices in global justice theory
Integrates:
Aristotelian flourishing
Cosmopolitanism
Feminist political philosophy
Argues that justice is owed to each person, across borders

🏆 Recognition
Recipient of numerous international awards and honorary degrees
Widely regarded as one of the most influential contemporary political philosophers



Cosmopolitan Capabilities & Global Justice

Martha Nussbaum enters global justice through cosmopolitanism:

The primary unit of moral concern is the individual person, not the nation.

Inspired by the Stoics and Cicero:

“I am a citizen of the world.”

Borders do not limit moral duties.

Against Rawls’s “Law of Peoples”

John Rawls → justice among “peoples”

Nussbaum → justice owed to each person

This shift leads her to the Capability Approach.

From Sen to a Threshold Theory

Like Amartya Sen, she argues:

Justice concerns what people are able to do and to be.

But unlike Sen:

- She proposes a determinate list of central capabilities
- Human dignity requires minimum thresholds

If persons fall below these thresholds

(bodily security, health, practical reason, political participation, etc.)

→ the order is not just imperfect — it is unjust

Cosmopolitan Capabilities & Global Justice

The Cosmopolitan Capability Synthesis

- Cosmopolitanism → Unit: the individual
- Aristotelian dignity → Foundation: human flourishing
- Capabilities → Metric: substantive opportunity thresholds

Global institutions are legitimate only if they secure core capabilities for every person — everywhere.

Justice is owed across borders.

The measure of global justice:

👉 Whether every human being can genuinely develop the capabilities necessary for a life worthy of dignity.

Cosmopolitan Capabilities & Global Justice

Martha Nussbaum transforms the Capability Approach.

Like Amartya Sen, she rejects utility and resource-based metrics.

But she argues:
Sen leaves the capability space too open.

Nussbaum insists:

👉 Justice requires a substantive, universal account of human dignity.

Philosophical Foundations

- Stoicism
- Enlightenment universalism
- Feminist theory
- Aristotelian flourishing

Human dignity is not culturally relative.

It reflects what we are:

- Vulnerable
- Embodied
- Reasoning
- Social
- Dependent on care

Justice must therefore secure non-negotiable entitlements.

The Shift

Sen → Capabilities as evaluative framework

Nussbaum → Capabilities as normative thresholds

Her list defines the minimum conditions of a life worthy of dignity.

Cosmopolitan Capabilities & Global Justice

Nussbaum's "central capabilities" (threshold conditions of justice):

- 1 **Life** – Normal lifespan; no premature death
- 2 **Bodily Health** – Nutrition, shelter, reproductive health
- 3 **Bodily Integrity** – Mobility; security from violence; sexual autonomy
- 4 **Senses, Imagination, Thought** – Education; free expression; arts
- 5 **Emotions** – Attachment without fear, trauma, humiliation

6 **Practical Reason** – Conception of the good; freedom of conscience

7 **Affiliation**

A: Living with respect and non-humiliation

B: Social bases of self-respect; non-discrimination

8 **Other Species** – Concern for animals and nature

9 **Play** – Recreation and enjoyment

10 **Control over One's Environment**

A: Political participation

B: Property and equal work opportunities

Two Core Commitments (from Creating Capabilities)

- 1 Justice is person-by-person
Not GNP, not averages — each individual matters.
- 2 Justice secures a moral floor, not maximization.
First guarantee the threshold.
Only then allow social and cultural variation.

The Cosmopolitan Conclusion

The subject of justice is the human person, everywhere.

Nussbaum turns Sen's evaluative space into a global, rights-like architecture of dignity.

Why the List Matters: A Threshold of Justice

Martha Nussbaum, *Creating Capabilities* (2011)

Nussbaum's ten capabilities are not:

- A philosophical thought experiment
- A policy checklist
- A flexible guideline

They represent the minimum conditions of social justice.

Justice as a Moral Floor

If a society fails to secure these capabilities for all:
→ It is not merely imperfect

The list functions like a constitutional bill of rights
The list functions like a constitutional bill of rights
but grounded in human dignity, not tradition or
nationality.

Plurality & Non-Fungibility

Each capability protects a distinct dimension of human life.

They are **non-fungible**:

- Loss of bodily integrity
cannot be compensated by more education
 - Political exclusion
cannot be offset by higher income
- This rejects utilitarian trade-offs.

Three Defining Features of the List

1 Universal — But Not Culturally Imperialist

- Sets a threshold, not a full life-plan
- Does not impose Western individualism
- Requires freedom to choose, not forced functionings

Muslim, Buddhist, Christian, secular, Indigenous traditions

can interpret flourishing differently —
but none may fall below the threshold.

2 Grounded in Dignity — Not Utility or Resources

Against:

- Utilitarian pleasure metrics
- Resource-based accounts
- Purely formal rights

Human beings are ends in themselves.

Dignity attaches to persons —
not to their purchasing power or reported happiness.

3 Suitable for Constitutional & Policy Use

The list defines:

- A normative baseline of justice
- A framework for evaluating governments
- A foundation for positive entitlements

Capabilities can be written into constitutions
as enforceable guarantees.

Four Core Theses in Creating Capabilities

1 Development = Freedom & Dignity (Not GDP)

Economic growth matters only instrumentally.

A richer country may still restrict women, exclude the disabled, or destroy ecosystems.

GDP cannot measure dignity.

Capabilities can.

2 Justice Requires Real Opportunities

Formal rights ≠ Real capability

- Voting right without mobility = no political capability
- Right to work without access = no employment capability

Justice concerns effective freedom, not paper freedom.

3 Capabilities — Not Resources — Are the Metric

Equal goods can produce unequal lives.

The key question is not:

“What do you have?”

But:

“What can you do with what you have?”

4 The Claims Are Global

Capability thresholds apply everywhere.

The unit of concern is:

👉 The human person
—not the citizen, not the nation.

The Big Picture

Nussbaum completes the shift:

- Human dignity = ultimate currency
- Capabilities = metric
- The world = scope

A fully cosmopolitan theory of global justice.

How Nussbaum Characterizes the Capability List

1 Universal — But Not Culturally Imperialist

- Sets a minimum threshold, not a complete way of life
 - Does not impose Western individualism or a single model of flourishing
 - Requires the freedom to choose certain functionings — not to perform them
- Different traditions (Muslim, Buddhist, Indigenous, Christian, secular)
can interpret flourishing differently —
but none may fall below the capability floor.

2 Grounded in Human Dignity

Not based on pleasure (utilitarianism)
Not based on commodities (resourcism)
Not based solely on primary goods
Human beings are ends in themselves.
What matters is what a person can be and do.

3 Suitable for Constitutional & Policy Use

- Defines the normative baseline of justice
- Can ground positive entitlements in constitutions
- Provides a criterion for evaluating governments

The list is not merely philosophical —
it is institutionally actionable.

Four Core Theses in Creating Capabilities

Martha Nussbaum defends four central claims — framed for global public reason:

1 Development = Freedom & Dignity (Not GDP)

Economic growth is only instrumentally valuable. What matters is whether it expands substantive opportunities.

GDP cannot measure whether people can live lives they have reason to value — capabilities can.

2 Justice Requires Real Opportunities

Formal rights without actual capability are often fictitious.

Justice demands effective freedom, not paper-freedom.

3 Capabilities — Not Resources — Are the Metric

Equal goods can produce radically unequal freedoms.

The moral question is not: What do you have?

But: What can you do with what you have?

4 Justice Is Global

Capability thresholds apply everywhere.

If dignity is universal, political obligation cannot stop at borders.

The moral unit is the person, not the citizen.

→ This completes the shift from Sen's evaluative framework to a fully cosmopolitan theory of global justice:

Human dignity = currency | Capabilities = metric | The world = scope.

From Theory to Policy — The Capability Approach in Practice

Amartya Sen's Capability Approach reshaped global development policy.

The Human Development Paradigm

Institutional translation:

United Nations Development Programme (UNDP), 1990

Human Development Reports redefine progress:



Not “How much output?”



But “How much real opportunity to live worthwhile lives?”



The Human Development Index (HDI)

Measures three core capability domains:

- Life expectancy → capability to live long
- Education → capability to become literate & communicate
- GDP per capita → command over resources

These are functioning-based proxies for freedom, not pleasure.

Result:

High GDP ≠ High human development.

Public health and education matter.

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From Theory to Policy — The Capability Approach in Practice



Sen & Nussbaum in Policy

Martha Nussbaum extends the framework:

- Ten central capabilities as **dignity thresholds**
- Influences gender policy, disability policy (OECD), and constitutional debates

In practice:

HDI = Sen-inspired measurement

Threshold-capability constitutionalism = Nussbaum-inspired institutionalisation



The Normative Break

Capability-based policy asks:

Not “How much income?”

Not “How satisfied?”

But:



What can a person actually be and do?

The state is responsible for enabling conditions:

- Education
- Healthcare
- Gender equality
- Bodily integrity
- Democratic voice

Global justice, on this view, concerns the real freedoms people possess — wherever they live.

ARISTOTELIANISM

Aristotle: Teleology and the Structure of Justice

Justice Is Teleological

Every practice has a telos (purpose or defining function).
Just distribution depends on understanding that purpose.
Criteria of desert follow from the nature of the good.

Examples:

- Musical instruments → best musicians
- Medical care → those in need
- Political office → those capable of deliberation

Different spheres require different principles:

- Desert
- Need
- Exchange

These cannot be substituted without distorting justice.

The Anti-Neutralist Commitment

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Moral Virtues (Ethical Virtues)

These shape our character and regulate emotions and actions.

They are acquired through habit (ethos).

Each moral virtue is a mean between extremes (the “doctrine of the mean”).

Examples:

- **Courage** – mean between cowardice and recklessness
- **Temperance** – moderation in bodily pleasures
- **Generosity (Liberality)** – right use of wealth
- **Magnanimity** – proper sense of one’s worth
- **Patience (Mildness)** – proper control of anger
- **Truthfulness** – honesty about oneself
- **Friendliness** – proper conduct in social interaction
- **Justice** – giving each their due

Justice is special: it concerns our relations with others and the structure of political life.

Moral Virtues (Ethical Virtues)

The Structure of Virtue

For Aristotle:

- Virtue is not rule-following.
- It is not mere intention.
- It is a cultivated disposition guided by reason.

A virtuous person:

- Takes pleasure in acting well.
- Chooses the noble (kalon) for its own sake.
- Integrates emotion and reason harmoniously.

Virtue and Flourishing

Virtues are not optional moral decorations.

They are constitutive of eudaimonia.

Human flourishing consists in:

Activity of the soul in accordance with virtue.

Thus, ethics and politics are inseparable:

A good political order must cultivate the virtues that make flourishing possible.

The Anti-Neutralist Commitment

Aristotle stands in contrast to John Rawls and liberal proceduralism.

Liberal Neutrality (Rawls)

Justice must be independent of conceptions of the good.

Principles derived abstractly (e.g., original position).

Brackets questions of virtue and excellence.

Aristotle's Objection

Justice debates are always debates about purposes.

Neutrality is conceptually incoherent.

Allocation presupposes judgments about excellence.

Justice necessarily links:

The good distributed

The person receiving it

The purpose of the institution Justice Is Teleological

Politics as a Formative Practice

For Aristotle, the polis exists:

- Not merely for protection or exchange
- But to cultivate virtue and promote eudaimonia (flourishing)

Political association aims at:

- Shared deliberation about the common good
- Development of rational and moral capacities

He rejects:

- Oligarchy (wealth as ruling principle)
- Pure majoritarianism (preference aggregation)

Politics is formative:

It shapes citizens rather than merely coordinating interests

Contemporary Resonances and Legacy

Aristotle's framework illuminates modern debates.

Example: Affirmative action

- If a university's telos is academic excellence → merit dominates.
- If its telos includes democratic inclusion → diversity becomes relevant.

Two major contemporary traditions inherit Aristotle:

1. Communitarianism

(Taylor, Sandel, Walzer)

→ Justice embedded in social meanings.

2. Capability Approach

(Martha Nussbaum, Amartya Sen)

→ Justice as human flourishing and capability development.

Enduring Thesis

Justice is:

- Evaluative, not neutral
- Grounded in human flourishing
- Dependent on institutional purposes

Misidentify the telos → injustice follows.

COMMUNITARIANISM

What Is Communitarianism? A Critique of Liberalism

Communitarianism is not a single unified doctrine. Thinkers such as **Charles Taylor**, **Michael Sandel**, and **Michael Walzer** are grouped together because of a shared critique of liberalism — not because of a common system.

Modern communitarianism emerged as a reaction to John Rawls and his book *A Theory of Justice*.

Core Liberal Assumption (Rawls):

- The self is a free, rational chooser.
- Government's main task: secure rights and distribute resources fairly.
- Individuals then pursue their own "life plans."

Communitarian Response:

The self is not prior to society.

Our identities and values are formed within social relations.

Political theory must begin from real communities, not abstract individuals.

The Core Communitarian Critique

Communitarianism challenges liberalism along three main lines:

1. Traditions Matter

- Liberal individualism underestimates the moral importance of social contexts and traditions.

2. The Self Is Not “Unencumbered”

- Individuals are not abstract choosers detached from history.
- Identity is shaped by family, culture, language, and shared practices.

3. Community Is Constitutive, Not Optional

- Communal membership is not an external attachment.
- It is constitutive of agency and value.

Rawls’s method — especially the “original position” — assumes principles of justice can be derived abstractly.

Communitarians reject this. Justice must arise from the lived practices and interpretive traditions of actual communities.

Cultural Particularism and the East Asian Challenge

After the Cold War, many believed liberal democracy had triumphed — famously argued by **Francis Fukuyama** in **The End of History and the Last Man**.

However, the rise of East Asia — especially China — has challenged liberal universalism.

Communitarian arguments take a cultural form, especially in Confucian political thought:

1. Prioritization of Rights

- Western societies often prioritize political liberty.
- Confucian cultures may prioritize social harmony and economic welfare.

2. Justification of Rights

- In Singapore, democratic rights may be justified for strengthening community, not individual autonomy.

3. Institutional Design

- Confucian ethics emphasize filial piety.
- Proposals include legal duties to care for parents or even a “House of Exemplary Persons.”

The claim: there may not be one single model of just political order.

Communitarianism and Global Justice

Communitarianism has major implications for global justice.

Cosmopolitan theorists like **Charles Beitz** and **Thomas Pogge** argue that justice can be defined universally for all humanity.

Communitarianism denies this assumption.

According to **Michael Walzer**:

- Only “thin” universal norms (e.g., prohibitions of genocide or slavery) are possible globally.
- “Thick” justice requires shared cultural meanings.
- Such meanings exist only within particular political communities.

Conclusion:

Communitarianism shifts the debate:

- From universalism → to pluralism
- From abstract principles → to culturally embedded moral worlds
- From one global model → to multiple legitimate pathways

Justice, for communitarians, must grow from concrete forms of life — not from detached rational construction.

Charles Taylor (b. 1931)

Nationality: Canadian

Field: Political philosophy, moral philosophy, philosophy of social science

Academic Home: McGill University

Intellectual Profile

One of the most influential contemporary critics of liberal individualism.

Combines analytic philosophy, continental thought, and hermeneutics.

Deeply influenced by Aristotle, G. W. F. Hegel, and modern debates on recognition and identity.

Engaged public intellectual in Canadian constitutional and multicultural debates.

Major Works

Sources of the Self

The Ethics of Authenticity

A Secular Age

These works explore:

The formation of modern identity

The moral sources of Western culture

Secularization and religion in modern societies

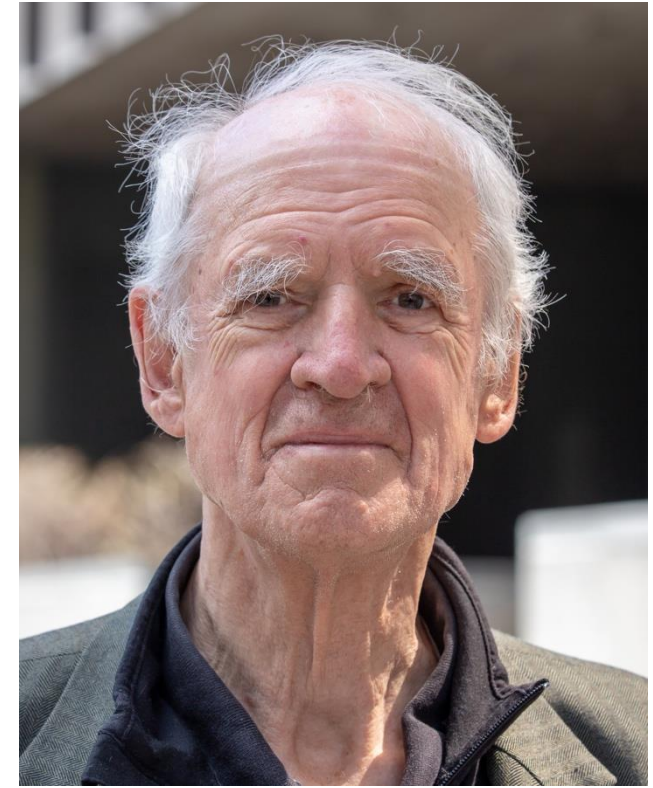
Recognition

Awarded the Templeton Prize (2007).

Considered a central figure in debates on communitarianism, multiculturalism, and recognition.

Core Contribution:

Taylor redefined the modern debate about the self by arguing that identity, freedom, and rights are inseparable from shared moral horizons and social belonging.



Charles Taylor and the Making of the Modern Self

Charles Taylor is a central figure in contemporary debates about identity and community.

In **Sources of the Self**, he reconstructs the genealogy of the modern Western self.

He identifies multiple historical strands shaping modern identity:

- Individual freedom
- Personal authenticity
- Moral significance of ordinary life
- Benevolence and solidarity
- Nature as a source of meaning

Taylor's Method: Hermeneutics

Social life must be understood through the self-interpretations of agents.

Example:

- Voting is not merely strategic behaviour.
- It expresses civic identity and belonging.

Taylor rejects the reduction of politics to interest-maximising models.

Human agency is always embedded in shared meanings.

The Critique of Atomism

The Critique of Atomism

Taylor's main target is atomism.

Atomism (found in **Thomas Hobbes**, **John Locke**, and later libertarians like **Robert Nozick**) assumes:

- Individuals exist prior to society.
- Rights are primary.
- Social order is merely instrumental.

Neo-liberalism is the modern political expression of this view.

Taylor's Counter-Claim

Drawing on Aristotle, Taylor affirms:

Human beings are “political animals.”

This means:

- Individuals develop rational and moral capacities only within society.
- Social membership is constitutive, not accidental.

Atomism reverses this order:

It treats society as optional and the individual as self-sufficient.

The Principle of Belonging

Taylor's deepest argument concerns the **foundation of rights**.

When we grant rights:

- We affirm that certain beings possess capacities worthy of respect.
- Rights presuppose a moral picture of what counts as valuable human flourishing.

But:

- Human capacities (language, moral reasoning, responsibility)
- Develop only within social contexts.
- Require recognition, education, and shared moral horizons.

Therefore:

If rights matter because human capacities matter,
and those capacities require social formation,
then **belonging** is conceptually inseparable from rights.
Rights cannot be anthropologically neutral.

Core Conclusion

The liberal self — imagined as unencumbered and pre-social —
could not exist without the social conditions that form it.

Belonging is not an optional supplement to liberalism.
It is a necessary condition of the very rights liberalism defends.

This opens the path to parallel critiques — most notably by Michael Sandel, who challenges Rawls more directly.

Sandel's Challenge to Liberal Neutrality

Michael Sandel

In *Liberalism and the Limits of Justice*, Sandel directly challenges John Rawls and A Theory of Justice. Rawls claims:

- Liberalism can be justified in a value-neutral way.
- The priority of the right over the good.
- Principles of justice can be defined independently of any moral or religious worldview.

Sandel's Core Objection

Moral neutrality is:

- Not only impractical
- But conceptually incoherent

Political controversies (abortion, same-sex marriage, free speech, slavery) cannot be resolved through neutral rights-language alone.

They require:

- Substantive moral argument
- Judgments about which goods deserve respect

Democratic deliberation cannot avoid ethical reasoning.

The Limits of the Unencumbered Self

Sandel's deeper critique concerns Rawls's theory of the self.

Rawls's "original position" assumes:

- An abstract, pre-social chooser
- A self capable of stepping outside all attachments
- A morally neutral standpoint

Sandel argues:

This **unencumbered self** is a fiction.

In reality:

- Identity is constituted by communal ties.
- We do not choose our deepest commitments.
- They shape who we are prior to choice.

Justice Depends on the Good

Sandel rejects the claim that justice is independent of moral visions.

He argues justice depends on the good in two ways:

- It reflects shared values of particular communities.
- Rights presuppose the moral importance of the purposes they serve.

Like **Aristotle**, Sandel insists:

Before defining rights, we must ask:

What is the most desirable form of life?

Without a moral horizon, justice remains empty.

Sandel therefore converges with communitarianism:

The liberal image of a detached, autonomous chooser cannot ground political morality.

Michael Sandel (b. 1953)

Nationality: American

Field: Political philosophy, ethics, democratic theory

Academic Position: Professor of Government at Harvard University

Intellectual Profile

One of the most prominent contemporary critics of liberal neutrality.

Associated with civic republicanism and communitarian thought (though he resists rigid labels).

Known for bringing political philosophy into public debate.

Major Works

Liberalism and the Limits of Justice

Justice: What's the Right Thing to Do?

What Money Can't Buy

Core Contribution

Sandel argues that:

Justice cannot be separated from moral conceptions of the good.

The “unencumbered self” of liberal theory is a fiction.

Democratic politics must engage substantive moral questions, not merely procedural rights.



The Skokie Controversy (1977)

A neo-Nazi group proposed marching in **Skokie**, a town with many Holocaust survivors.

Liberal Position (Neutrality):

- The state may regulate time, place, and manner.
- But it must remain neutral toward content.
- Even hateful speech must be protected.

Following **John Stuart Mill**:

Free discussion promotes truth.

- Censorship imposes one group's values on others.
- The autonomous individual must decide what to believe.

Liberal dilemma:

If Skokie can ban Nazis,
why couldn't segregationist towns ban civil-rights marches led by **Martin Luther King Jr.**?

For strict neutralism:

There is no morally relevant difference.

Sandel's Response: The Moral Meaning of Speech

Sandel rejects both:

- Strict liberal neutrality
- Crude communitarian relativism

He argues:

The difference lies in the content of the speech.

- Nazi ideology defends hatred and genocide.
- Civil-rights marches defended equal citizenship and justice.

These are not morally equivalent.

Likewise:

- The identity of Holocaust survivors
- Is not morally equivalent to racist solidarity.

Core Insight

The state cannot be morally neutral.

Free speech is not an absolute procedural right detached from moral substance.

Its legitimacy depends on:

- The ethical ends it serves
- Whether it sustains or undermines the moral foundations of civic life

For Sandel, rights cannot be separated from judgments about the good.

Free speech, therefore, must be understood within a shared moral horizon — not as a purely neutral procedural guarantee.

The Liberal View

Why protect freedom of religion?

For liberal theory:

- Religious liberty is protected because liberty in general matters.
- Religion is treated as one preference among others.
- What deserves protection is the autonomous choice, not the content.

This reflects the Rawlsian idea of the priority of the right over the good:
Rights are justified independently of any particular moral or religious vision.

Sandel's Objection

According to **Michael Sandel**:

This account is **too thin**.

For many citizens:

- Religion is not a consumer preference.
- It constitutes identity and moral self-understanding.
- Religious duties define what counts as a good life.

Religion cannot be reduced to neutral choice.

Religious Liberty and the Substantive Good

Sandel argues:

The meaning of religious liberty depends on the substantive goods at stake.

What makes a practice worthy of protection is:

- The virtues it cultivates
- The role it plays in a life as a whole
- Its place within a community's moral tradition
- If religion is treated as just another preference, moral distinctions collapse.

Example Distinctions

Allowing an Orthodox Jewish soldier to wear a yarmulke

≠ Allowing soldiers to wear any hat they like

Granting Native American communities sacramental peyote use

≠ Legalizing recreational drug use

The equivalence breaks down because the moral meaning differs.

Core Conclusion

The state cannot remain fully neutral.

Some practices:

- Express deep ethical traditions
- Form citizens

Sustain civic virtue

Religious liberty, therefore, cannot be justified independently of the good.

As in the free speech case, rights presuppose moral judgments about what is worthy of respect.

Sandel's Core Claim

According to Michael Sandel, rights cannot be justified without reference to substantive conceptions of the good.

If this is true, then:

Social policy cannot be morally neutral.

Implications for Domestic Policy

- **Education policy**
Cannot be indifferent between civic virtue and market skills.
- **Family policy**
Cannot ignore the moral value of caregiving, solidarity, reciprocity.
- **Free speech regulation**
Cannot avoid evaluating the moral worth of what is protected.

Politics therefore shifts:

From **procedural neutrality**

→ **To substantive debate about purposes and goods**

Public Institutions and Civic Goods

If meaningful agency depends on “thick” communal goods, then institutions must sometimes promote those goods.

This does not imply authoritarianism.

But it does imply:

- Public schools are not neutral spaces.
- Civic participation is a public good.
- Collective memory and shared rituals matter.

Public institutions may legitimately:

- Cultivate democratic character
- Support public service
- Sustain civic identity

In contrast to John Rawls, Sandel argues neutrality is unsustainable.

Legitimacy cannot be detached from moral anthropology.

Global Policy and Moral Pluralism

Sandel's view also transforms global politics.

A global order cannot:

- Export one liberal model as universally valid.
- Assume neutrality equals legitimacy.

Political communities are shaped by:

- Confucian traditions
- Hindu traditions
- Muslim traditions
- Indigenous traditions
- Western liberal traditions

Global ethics must therefore be:

- A dialogue about contested goods
- Not merely a technical distribution of rights

Transition to Walzer

If Sandel rejects the **morally unencumbered self**,

Michael Walzer goes further:

He argues there is no single universal vocabulary of justice — only “thick” moral meanings within communities and a much “thinner” morality shared across them. The moral world, in this view, is plural — not unified.

Michael Walzer (b. 1935)

Nationality: American

Field: Political theory, social justice, ethics of war

Academic Affiliation: Long associated with the Institute for Advanced Study

Intellectual Profile

One of the leading figures in contemporary communitarian thought.

Known for developing a theory of moral pluralism.

Combines political philosophy with historical and interpretive analysis.

Influential in debates on distributive justice, nationalism, and international ethics.

Major Works

Spheres of Justice – Theory of complex equality

Just and Unjust Wars – Modern just war theory

Thick and Thin: Moral Argument at Home and Abroad – Moral pluralism and minimalism

Core Contribution

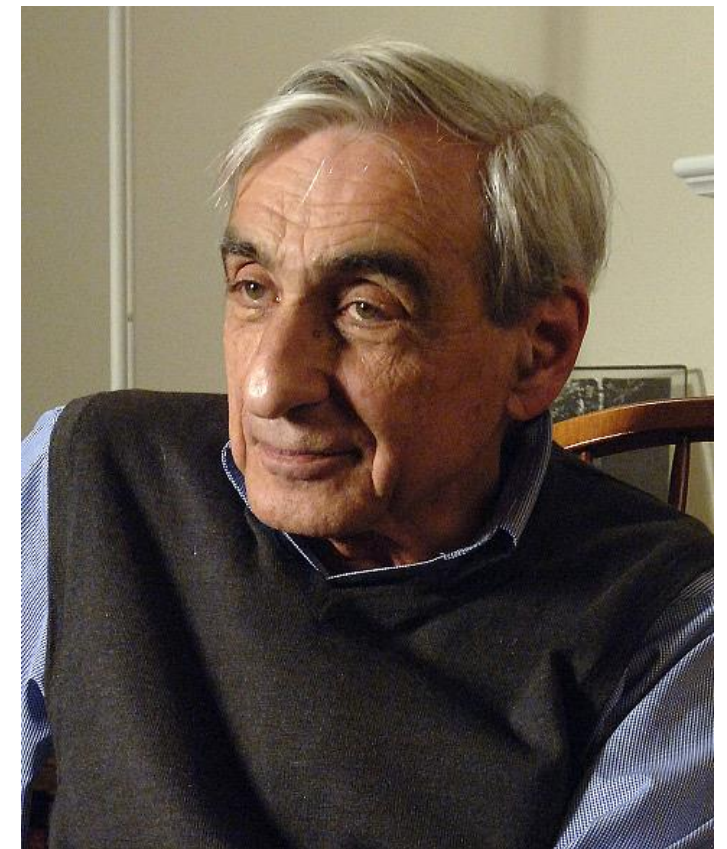
Walzer argues that:

Justice is interpretive and culturally embedded.

Social goods have distinct meanings and distributive logics.

Equality requires preventing the domination of one sphere by another.

His work bridges domestic justice and global ethics, defending pluralism without collapsing into relativism.



Walzer's Spheres of Justice and Complex Equality

Michael Walzer (b. 1935)

In *Spheres of Justice*, Walzer develops the theory of complex equality.

Core Idea: Justice Is Plural

- There is no single universal metric of justice.
- Each social good must be distributed according to its social meaning.
- No good (e.g. money or political power) should dominate other spheres.

Examples:

- Political office should not be bought.
- Healthcare should not depend purely on wealth.
- Honor should not automatically translate into economic privilege.

Justice is therefore:

- Interpretive
- Historically situated
- Rooted in particular communities

Thick and Thin Morality

In *Thick and Thin: Moral Argument at Home and Abroad*, Walzer develops a theory of moral pluralism.

Two Levels of Morality

1. Thin Morality (Minimalism)

- Abstract, negative, universal norms
- “Do not massacre”
- “Do not torture”
- “Do not enslave”
- Basis for condemning atrocities globally

2. Thick Morality (Maximalism)

- Dense network of shared meanings
- Local traditions, symbols, memories
- Guides distributive justice within communities

Minimal morality sets boundaries.

Maximal morality defines how to live well.

Pluralism, Critique, and Global Justice

Internal Social Criticism

For Walzer:

- The critic is not an external universal judge.
- Moral criticism is internal.
- We appeal to our community's own deepest commitments.

Justice emerges from within traditions.

Implications for Global Politics

- Thin morality justifies intervention against genocide.
- But beyond stopping atrocities, the world is not one single moral community.
- A universal distributive scheme risks cultural imperialism.

Justice among strangers must remain minimal.

Final Position

Walzer rejects:

- Rawlsian universalism
- Radical relativism

He defends pluralism:

- Some thin universal prohibitions hold everywhere.
- Thick moral worlds remain irreducibly particular.

Justice is therefore:

Minimal in the world — maximal at home.

From “Thick and Thin” to Spheres of Justice

In *Spheres of Justice*, Michael Walzer develops his most systematic theory of distributive justice.

Building on *Thick and Thin*, Walzer argues:

- Justice is local and interpretive.
- There is no universal master-principle.
- Different goods belong to different spheres.

Core Idea: Complex Equality

Justice requires:

- Each good to be distributed according to its social meaning.
- No single good (money, power, religion, status) to dominate all others.

Justice is not one formula —
it is the protection of plurality.

The Pluralism of Social Goods

Different goods express different social purposes:

- **Medical care** → alleviating suffering → distributed by need
- **Political office** → public trust → distributed by democratic procedures
- **Education** → cultivation of capacities → distributed by merit and civic standards
- **Religious authority** → spiritual meaning → governed by religious criteria

Key Insight

Each good belongs to a distinct sphere with its own internal logic of justice.

There is no single metric (money, utility, liberty) that can rank all goods universally.

Justice is therefore plural and historically situated.

Domination and the Problem of Conversion

In reality, spheres are often violated.

Some goods become dominant goods:

- Religion in medieval Europe
- Land in agrarian societies
- Money in capitalist societies
- Technology in modern societies

The problem:

One good becomes convertible into all others.

Examples:

- Wealth buys political office.
- Political power secures economic privilege.
- Religious authority grants legal advantage.

Walzer calls this **tyranny** —
the tyranny of dominance across spheres.

Complex Equality

Walzer's solution: **complex equality**.

A society is **just** when:

- No single good dominates all others.
- Each sphere protects its own boundaries.
- Inequalities within spheres do not convert into universal power.

Complex equality does **not** mean:

- Perfect levelling
- Absence of all inequality

It means:

- A great artist cannot buy political office.
- A wealthy entrepreneur cannot purchase legal exemption.
- A priest cannot claim economic privilege.

Final Insight

Equality is not about making everyone identical.

It is about preventing domination.

Justice exists when:

- Social goods circulate within their own moral logics.
- The plurality of meanings is preserved.
- No good becomes the “master key” to all others.

Blocked Exchange: Protecting Moral Boundaries

Core Idea

If goods have different social meanings,
they cannot all be freely exchanged.

Some goods are corrupted when bought or sold.

Examples:

- Money may buy consumer goods.
- But it should not buy:
 - Political office
 - Judicial verdicts
 - School grades
 - Marital love

When money crosses into these spheres,
it becomes **domination**.

Why Some Exchanges Must Be Blocked

Each good has a specific meaning:

- Political power → democratic authorization
- Justice → impartiality
- Love → affection and commitment

If these become purchasable:

- Democracy turns into oligarchy.
- Law becomes a commodity.
- Intimacy becomes market calculation.

Blocked exchange is not anti-market.

It is:

- A defence of moral plurality.
- A barrier against the imperialism of money.
- A safeguard of complex equality.

Justice requires boundaries between spheres. Core Idea

The Community as a Good

For Walzer, the **political community** itself is a social good.

It is:

- A shared space of meaning.
- A site of language, memory, and identity.
- The background that gives goods their significance.

Therefore, **membership** is something to be distributed.

Membership includes:

- Admission (immigration policy)
- Citizenship
- Political recognition

Key Point

Only a community can decide its own membership.

Belonging must be determined internally —
because only insiders share the “thick” meanings that make justice possible.

Thus, distributive justice includes:
Not only goods within a society —
but the distribution of belonging itself.

Membership as the Primary Social Good

In Spheres of Justice, Michael Walzer argues:

Distributive justice always presupposes a bounded political community.

Before we distribute:

- Money
- Healthcare
- Education
- Welfare

We must ask:

Who counts as a member?

Membership as the Fundamental Good

- Membership defines the circle of sharing.
- It determines who receives public protections.
- It includes citizenship, residence, and political recognition.

Those without membership — the stateless — remain radically vulnerable:

- Outside public welfare systems
- Without political representation
- Dependent on markets or charity

Membership is the gate to justice itself.

Members, Strangers, and Global Limits

When strangers meet, thick communal bonds disappear.

What remains is thin morality:

- The Good Samaritan principle
- Help others when the cost is low
- Minimal obligation to aid

But a world based only on thin morality would mean:

- No shared institutions
- No enforceable solidarity
- Justice reduced to charity

Why Communities Regulate Membership

Immigration rules and admission policies:

- Are not merely administrative.
- They distribute the good of belonging.

Walzer rejects cosmopolitan world-state proposals:

- A global contract would require centralized global power.
- That would undermine plural communities.
- It risks uniform “simple equality” imposed from above.

Final Insight

Without political membership:

- There is no shared moral horizon.
- And without shared meanings,
distributive justice cannot exist.

Membership is therefore not peripheral — it is the foundation of justice itself.

Countries as Clubs: The Logic of Bounded Membership

In *Spheres of Justice*, Michael Walzer compares political communities to clubs, neighbourhoods, and even families.

Core Idea

States:

- Develop shared identities.
- Create principles of inclusion.
- Regulate admission.

Like clubs, they ask:

With whom do we wish to share our social goods?

Membership is not random.

It is an act of **collective self-determination**.

Limits of Cosmopolitan Openness

Walzer builds on concerns already noted by **Henry Sidgwick**:

A completely open world might:

- Undermine civic attachment.
- Depress wages of vulnerable citizens.
- Weaken shared traditions.

If borders vanish:

- We may not get one global neighbourhood.
- We may get fragmentation and hostility.

Thus:

Regulating membership preserves the possibility of common life.

Immigration is not merely individual mobility —
it is a collective decision about moral identity.

Walzer distinguishes refugees from ordinary migrants.

Obligations to Refugees

- Sometimes we owe them solidarity equal to nationals.
- Especially when we caused their displacement
(e.g., U.S. reception of Vietnamese refugees after the Vietnam War).

Even without shared identity:

- Thin morality requires protection of the persecuted.
- This duty predates modern asylum conventions.

Admission is not mere charity —
it can be a matter of justice.

Guest worker programs reveal another injustice.

Many states:

- Admit migrant labour temporarily.
- Integrate workers economically.
- Exclude them politically.

They:

- Pay taxes.
- Contribute to wealth.
- Yet lack full political voice.

For Walzer, this is unjust.

Key Principle

If people:

- Live within a territory
- Contribute to its economy

They must eventually be placed
on the road to citizenship.

A permanent caste of non-citizen labourers violates political equality.

Final Insight

Walzer rejects:

- Pure humanitarian charity (which treats admission as optional generosity)
- Pure economic instrumentalism (which treats migrants as disposable labour)

Membership is a **social good** — and those who share in common life must ultimately share in political belonging.

Walzer contra John Rawls

Justice as Interpretation

For Michael Walzer, justice is not a universal formula.

- Different societies attach different meanings to goods.
- Distribution must reflect those historically formed meanings.
- Justice is interpretive, not purely procedural.

To decide who should receive:

- Education
- Health care
- Political office
- Land or religious authority

We must first ask:

What do these goods mean in this community?

Walzer contra John Rawls

In *A Theory of Justice*, Rawls proposes universal “primary goods.”

Walzer objects:

- Goods do not have trans-cultural meanings.
- We live in thick, culturally embedded worlds.
- A universal distributive formula risks domination, not neutrality.

Implications

- Markets cannot decide access to health care or office.
- Political finance must be regulated.
- Welfare arises from membership, not universal entitlement.
- Redistribution is a civic practice.

Walzer and Rawls both defend equality —

but Rawls grounds it in universal right,

while Walzer grounds it in shared social meanings.

Justice, for Walzer, is plural because cultures — and goods — are plural.

The Communitarian Challenge

Charles Taylor, Michael Sandel, and Michael Walzer reject the liberal “view from nowhere.”

They argue:

- Identity is formed through language and recognition (Taylor).
- Justice cannot be separated from moral substance (Sandel).
- Distribution depends on thick social meanings and membership (Walzer).

Persons are not abstract choosers —
they are socially embedded agents.

Implications for Global Justice

Communitarianism:

- Does not deny rights.
- Does not defend authoritarianism.
- But rejects purely procedural universalism.

A just global order cannot be imposed through abstract principles alone.

Global justice must be:

- Dialogical rather than technocratic
- Rooted in recognition and membership
- Sensitive to plural moral vocabularies

Universalism is not abandoned —

it must become **interpretive and negotiated** among communities.

Justice, therefore, begins not above traditions, but within and between them.

Institutional Cosmopolitanism

From Rawls to Institutional Cosmopolitanism

Global Justice Beyond Borders

- Contemporary global justice challenges the territorial limits of classical liberal theory
- Charles Beitz and Thomas Pogge argue that justice must reflect global interdependence
- Global trade, finance, debt regimes, supply chains, and security alliances shape life chances worldwide
- If justice applies to a structured “basic structure” domestically (Rawls), then today such structures exist globally

Problem with John Rawls’ The Law of Peoples

- Restricts distributive justice to the domestic sphere
- At global level: only a minimal “duty of assistance”
- Treats peoples (not individuals) as primary moral units
- Accepts large inequalities once minimal thresholds are met
- Denies that the global economy constitutes a morally relevant basic structure

Beitz and Pogge: Justice as Global Institutional Responsibility

Beitz: Global Interdependence → Distributive Justice

- In Political Theory and International Relations, Beitz argues:
- International realm now functions as a system of cooperation
- Therefore subject to principles of distributive justice

Pogge: Global Poverty as Institutional Harm

- Radicalizes Beitz's claim through an institutional focus
- Global poverty is not merely unfortunate — it is systematically produced
- The global order is foreseeably structured in ways that perpetuate deprivation

Institutional Cosmopolitanism

- Shift from peoples → persons as moral units
- Shift from domestic jurisdiction → global institutional design
- Shift from charity → obligations grounded in shared responsibility

Sources of Global Injustice

- Trade rules and tariffs
- Patent regimes
- Policies of the World Bank and IMF
- Weak global labor standards
- Resource extraction by multinational corporations
- Environmental and pollution asymmetries

→ Justice must be global because our institutions already are.

Charles R. Beitz

(b. 1949)

- American political theorist and leading figure in global justice theory
- Student of John Rawls at Harvard
- Among the founders of contemporary institutional cosmopolitanism
- Professor of Politics and International Affairs at Princeton University

Major Works

- Political Theory and International Relations (1979) – foundational text of global justice
- The Idea of Human Rights – influential account of human rights in international practice

Intellectual Contribution

- Extended Rawlsian justice beyond the state
- Reframed global inequality as a matter of distributive justice
- Helped establish cosmopolitanism as a central paradigm in political philosophy



The Realist Background

Before Beitz: Dominance of Realism

- Influenced by:
 - Thucydides
 - Thomas Hobbes
 - Niccolò Machiavelli

Realist Assumptions

- States = primary actors
- International system = anarchic
- No world sovereign
- Politics driven by power, security, survival
- Normative distributive justice largely absent

→ International inequality seen as politically inevitable, not morally problematic.

Beitz's Break: Global InterdependenceThe Realist Background

Beitz argues: the world has changed.

We now live in:

- A single, interdependent global economic structure
- Dense trade relations
- Capital flows
- Intellectual property regimes
- Treaty-based institutions

Famine, inequality, environmental destruction
→ shaped by global institutional rules

Conclusion:

Moral obligations cannot stop at borders.

Extending Rawls Beyond the State

Rawls: Society = “fair system of cooperation”

Justice regulates:

- Benefits
- Burdens
- Life chances

But Rawls restricts this to the domestic basic structure.

Beitz’s central claim:

- If the international system shows:
- Interdependence
- Institutional structure
- Cooperation

→ Then the same principles of justice must apply globally.

The Global Original Position & Natural Resources

In Even if states were fully autarkic, Beitz notes, the moral problem would not disappear: the natural distribution of resources itself generates moral conflict.

First, he images a **global original position** in a world of isolated states:

- Parties know natural resources are unevenly distributed
- Oil, minerals, fertile land = morally arbitrary

Parallel to Rawls on natural talents:

- Individuals do not deserve their talents
- States do not deserve geographic luck

Therefore:

Resource advantages are candidates for redistribution.

Beitz proposes a global analogue to the difference principle:

Resource inequalities must benefit the globally least advantaged.

Beyond Autarky

The real world is not a system of isolated states.

We inhabit a dense web of:

- Trade relations
- Capital flows
- Intellectual property regimes
- Multinational corporate activity
- Treaty-based international institutions

Globalization produces positive-sum gains:

- Economic growth
- Productivity increases
- Technological diffusion

But:

- Benefits are distributed unevenly
- States occupy unequal structural positions
- Trade rules, property regimes, and debt systems shape who gains and who loses

→ Interdependence creates structured patterns of benefits and burdens.

The Global Difference Principle

Global interdependence creates:

- Shared benefits
- Shared burdens
- Structural inequalities

This mirrors **Rawls's domestic cooperative** scheme.

Then:

- Justice cannot be restricted to the state

Re-running the original position globally:

- No knowledge of citizenship
- No privilege from resource endowment
- Principles chosen for all persons

If the difference principle regulates morally arbitrary talents domestically, consistency requires a global difference principle.

Radical implication:

A tax transferring resources from resource-rich states to resource-poor states is not charity — it is distributive justice.

For Beitz:

National borders have no intrinsic moral weight.

The structure of the global economy — not the political map — determines the scope of justice.

Thomas Pogge (1953)

- Student of John Rawls at Harvard
- Central figure in institutional cosmopolitanism

Core Thesis

Justice must evaluate institutions, not merely individual conduct.

- Global institutions structure life chances
- They determine who is protected and who suffers avoidable harm
- Moral theory must assess how institutions affect the least advantaged

Radical Claim

If Rawls's principles apply domestically,
they must apply globally —

because the global order already functions as a basic institutional structure.

Global poverty is not accidental.

It is the foreseeable outcome of the rules we impose.

Major Works

- *Realizing Rawls* (1989)
- *World Poverty and Human Rights* (2002/2008)
- *Politics as Usual* (2010)

Key Ideas

- Negative duties not to uphold unjust global rules
- Global cooperation generates obligations of justice
- Affluent societies are often complicit in institutional harm
- Practical reform proposals (e.g., Health Impact Fund, Global Resources Dividend) operationalize this cosmopolitan framework.



From Assistance to Institutional Harm

Thomas Pogge does not reject John Rawls — he revises him.

- Accepts Rawls's core insight:
Justice concerns how institutions shape life chances
- Acknowledges Rawls's "duty of assistance"

But argues this misses the deeper injustice:

The problem is not that wealthy states help too little —
it is that they harm too much through the global rules they impose.

Central Claim

- The global order foreseeably and avoidably produces severe poverty
- Affluent societies are not neutral bystanders
- They are contributors to institutional structures that generate deprivation

→ Shift: from charity → to institutional responsibility.

Pogge's Critique of Rawls's International Theory

In *The Law of Peoples*, Rawls:

- Moves from moral individualism (domestic theory)
→ to representation by “peoples” internationally
- Weakens the veil of ignorance
- Restricts participation to “well-ordered” societies
- Avoids constructing global distributive principles

Result:

Justice applies domestically to individuals

But internationally protects collectivities

For Pogge:

This shift abandons Rawls's own universalism
and denies equal standing to those most in need.

Why Justice Must Be Global

Rawls argues:

- No global basic structure exists
- A world-state would risk tyranny
- Therefore no global distributive justice

Pogge replies:

- Justice evaluates institutions — it does not wait for ideal ones
- The world already exhibits deep structural interdependence (trade regimes, financial systems, global regulation)

If global institutions shape:

- Who flourishes
- Who remains in deprivation

Then justice must apply globally.

Final Charge

Rawls introduces a double standard:

- Domestically: equal individual citizenship
- Internationally: tolerance of hierarchical, non-liberal societies

For Pogge, this narrows justice precisely when global structures most decisively shape human life.

Pogge's Moral Cosmopolitanism

Core Cosmopolitan Intuition:

Every human person affected by an institutional order deserves equal moral consideration.

Three Essential Features

1. Individualism

Individuals — not states or peoples — are the ultimate units of moral concern

2. Universality

Equal moral regard for all persons

No exclusion based on race, class, gender, or citizenship

3. Generality

- Moral concern has global scope
- Borders have no intrinsic moral significance

→ Citizenship is morally arbitrary — like birthplace or social class.

Justice must evaluate the condition of the worst-off persons globally, not merely the worst-off within each state.

Negative Duties and Global Institutional Responsibility

Against John Rawls, Pogge argues:

- Rawls shifts from individuals (domestic theory)
→ to “peoples” (international theory)
- This retreat leaves vast global inequalities untouched

Pogge’s “Intermediate Cosmopolitanism”

- Rejects weak cosmopolitanism (minimal assistance only)
- Rejects strong cosmopolitanism (full global equality)

Distinguishes between:

Negative Duties (stringent & universal)

- Duty not to harm
- Prohibition against upholding unjust global institutions

Positive Duties (variable strength)

- Duties to assist may vary by relationship

Key claim:

Affluent societies are often not merely failing to help —
they are complicit in institutional arrangements that foreseeably produce severe poverty.

Global institutions (trade regimes, financial systems, corporations)
already function as a distributive structure.

→ Our participation in global institutions makes us responsible for the harms they produce.

Poverty as Institutional Harm

Central Thesis

Severe global poverty is:

- Avoidable
- Foreseeable
- Morally imputable

It is not merely the result of:

- Local corruption
- Bad governance
- Natural misfortune

Rather, it is sustained by unjust global institutional arrangements.

If global rules foreseeably contribute to deprivation,
then those who uphold them share responsibility.

→ The issue is not insufficient charity, but structural injustice.

Human Rights as the Minimum Standard of Justice

Normative foundation:

Universal Declaration of Human Rights (Article 28)

Everyone is entitled to a social and international order in which the rights set forth can be fully realized.

For Pogge:

- Human rights define the universal minimum of justice
- Institutions are unjust if they fail to secure them where this is reasonably possible

Human rights are:

- Pre-political moral claims
- Held by persons simply as persons
- Conditions of legitimate political authority

Justice requires **institutional redesign**, not humanitarian aid alone.

Historical development:

- Natural law → Natural rights → Human rights
- Shift from metaphysical grounding to political-moral vocabulary

But their force remains:

Human rights are:

- Weighty
- Universal
- Equal for all persons

Their authority rests not on metaphysics,
but on their universal normative significance.

Radical Implication

When global institutions predictably fail to secure basic rights:

- Poverty becomes a human rights violation
- The global order falls below the minimum threshold of justice
- Participants in that order are morally implicated

→ Global poverty is not a humanitarian tragedy alone —
it is a failure of justice.

Interactional vs. Institutional Human Rights

Two approaches to human rights:

1. Interactional Approach

- Rights as claims against individual agents
- Focus on personal wrongdoing

2. Institutional Approach (Pogge)

- Rights as standards for evaluating social institutions
- Assess the design and operation of coercive structures

For Pogge:

Human rights are primarily claims on coercive institutional orders, and secondarily on those who uphold them.

Individuals are responsible not merely when they directly harm, but when they cooperate in sustaining unjust institutional schemes.

→ We are implicated in global poverty through the institutions we maintain.

When Do Institutions Harm?

To say a person has a right to X means:

Any coercive institutional order affecting them must be designed so that all have secure access to X (at least above a reasonable threshold).

Human rights are officially violated when:

- Basic needs remain unfulfilled
- Deprivation is causally linked to institutional design
- Harm is foreseeable and avoidable
- Alternative institutional arrangements are possible

In such cases:

The duty to assist becomes **compensatory** — grounded in responsibility for institutional harm.

Global interdependence (trade regimes, financial systems, corporations) means responsibility extends beyond national borders.

Human Rights, Legitimacy, and Global Responsibility

Human rights need not depend on:

- Formal legal codification
- A specific institutional model

They require effective protection in practice.

Core protected interests include:

- Physical security
- Subsistence
- Basic education
- Political participation
- Freedom of movement
- Economic opportunity

Human rights serve as **minimum standards of legitimacy**.

A state that systematically fails to secure them:

- Loses moral authority
- Exercises mere force, not rightful rule

Because global institutions shape life chances worldwide:

The responsibility to secure human rights is likewise global.

→ Global poverty is not merely unfortunate —
it reflects institutional arrangements that fail the minimum standards of justice.

Is Freedom from Poverty a Human Right?

Freedom from severe poverty should be recognized as a human right.

Applies to:

- Those unable to afford minimally adequate nutrition
- Those lacking basic non-food essentials
- Those living just above subsistence but in constant insecurity

The Controversy

Libertarian Objection

Only universal duty: negative duty not to harm

No clear agent responsible for supplying necessities

Failure to assist ≠ rights violation

Utilitarian View

If we can help at little cost, we must

Criticism: overly demanding; ignores partial ties (family, nation)

Pogge seeks a middle path.

The Institutional Reframing of the Right

Pogge rejects the idea that:

A right must specify who directly supplies its object.

Rights are claims to certain **forms of conduct**, including duties of omission.

From an institutional perspective:

- The relevant duty is not to personally feed the poor
- It is the duty not to uphold unjust global institutions that foreseeably produce avoidable deprivation

Since current global rules contribute to persistent poverty:

- Those who participate in sustaining them share responsibility

This negative duty generates a positive obligation:

- Reform global institutions
- Ensure they no longer deprive persons of basic necessities

Conclusion

Freedom from poverty is a human right because no one may participate in institutional arrangements that perpetuate extreme deprivation.
The duty is structural — not charitable.

Charles Beitz and Thomas Pogge transform global justice theory.

Key Insight

The world already functions as a dense web of interdependent institutions:

- Trade regimes
- Financial systems
- Debt arrangements
- Resource governance
- Intellectual property rules

These structures:

- Shape life chances across borders
- Distribute benefits and burdens
- Determine access to human rights

If John Rawls identified the domestic “basic structure” as the subject of justice, institutional cosmopolitanism extends this logic globally.

→ Justice cannot stop at borders because institutions do not.

Beitz:

- Global economy = system of cooperation for mutual advantage
- Natural resources and global positions are morally arbitrary
- International redistribution = justice, not charity

Pogge:

- Global poverty = structural harm
- Focus on negative duties not to uphold unjust institutions
- WTO, IMF, debt regimes, IP rules are not morally neutral

Human rights become:

- Standards for evaluating the legitimacy of the global order
- Criteria for judging institutional design

This shift:

- Moves from charity → to institutional justice
- From individual generosity → to background rules
- From episodic aid → to systemic reform

Global poverty becomes a matter of systemic injustice, not tragic misfortune.

Open Questions

- What about harms not clearly traceable to global institutions?
- Do institutional duties neglect independent positive duties?
- Can large-scale reforms be politically feasible?

Proposals like:

- Global resource taxation
- Institutional redesign

require powerful actors to accept constraints.

Practical Challenge

- Citizens often feel disconnected from abstract global structures
- Causal responsibility is complex and opaque
- Cosmopolitan theory must link moral critique to political agency

Yet the achievement remains decisive:

Institutional cosmopolitanism reframes global justice as a question of how we design and sustain the global basic structure.

Our obligations are not exhausted by aid.

They are embedded in the rules under which we collectively live.

→ The task ahead: make cosmopolitan institutional reform politically concrete.