

COSMOPOLITAN PRESUMPTIONS ?

On Martha Nussbaum and her Commentators

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Abstract: The paper presents a framework for analysis of discourses on ethical cosmopolitanism, and applies it to Martha Nussbaum's *Frontiers of Justice* (2006), with comparisons to the views of other authors. After outlining the book's form of ethical cosmopolitanism, it considers the psychological, philosophical and sociological presumptions, the methodology of abstraction, the implicit audiences, and the programmatic targets and implied strategy of social change. It links and comments on sister papers by Giri, McCloskey, Murphy, Nederveen Pieterse and Truong.

Questions about cosmopolitanism

Cosmopolitanism—the idea that principles of human justice and ethics apply with global reach—has been a key theme in Martha Nussbaum's work. *For Love of Country* (Cohen & Nussbaum 1996) criticised unbalanced patriotism in America and, a contributory factor, ignorance about most of the world. *Cultivating Humanity* (1997) looked at one response: innovative education in US universities about global-, gender- and racial differences and diversity. Its Chapter 2 was entitled 'Citizens of the World'. Her new book *Frontiers of Justice*, based on the Tanner Lecture series *Beyond the Social Contract*, argues that there are basic weaknesses in a social contract approach, such as that of John Rawls, for it marginalizes or ignores the less-abled, the non-human, and the weak. Chapters 4 and 5 elaborate this last concern with reference to the poor around the world, building a cosmopolitan stand. Chapter 5 concludes:

If our world is to be a decent world in the future, we must acknowledge right now that we are citizens of one interdependent world, held together by mutual fellowship as well as the pursuit of mutual advantage, by compassion as well as self-interest, by a love of human dignity in all people, even when there is nothing we have to gain from cooperating with them. Or rather, even when what we have to gain is the biggest thing of all: participation in a just and morally decent world. (Nussbaum 2006: 324)

The papers in this 'Forum' collection consider key issues in and around this sort of ethical cosmopolitanism, from a variety of social science angles. They stem from a March 2006 workshop on 'Cosmopolitanism: Exploring The Frontiers Of Justice' held at the Institute of Social Studies in connection with award of an honorary doctorate to Nussbaum.

The papers take Nussbaum's work as a major point of reference, notably Chapters 4 and 5 of *Frontiers of Justice* (pp. 224-324) and the foundation chapter (pp. 9-95), but do not try to be reviews of the book. The papers' roles are these. First, Jan Nederveen Pieterse characterises and situates the historic tradition of Western cosmopolitanism. He calls for attention to traditions of cosmopolitanism other than those of Western elites. Second, Thanh-Dam Truong critically assesses Nussbaum's capabilities approach in

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general, viewed through East Asian and feminist thought.² She advises that ‘a project for global justice [must] gain universal acceptance through inter-paradigmatic dialogues and mutual transformation, and therefore a vertical form of persuasion that can potentially eliminate cultural diversity must be avoided’. Shorter pieces by Deirdre McCloskey and John Cameron also evaluate the capabilities approach. McCloskey advises that the approach must consciously express an adequately broad picture of central human virtues, which she implies are universal; and Cameron suggests how to use with cosmopolitan sensitivity multiple listings of priority capabilities. Ananta Giri then links and extends the themes in Nederveen Pieterse and Truong, in an examination of contemporary ‘cosmopolitanization’ and Nussbaum’s work. He calls for multiple transformations in Western cosmopolitan discourses to make them more genuinely cosmopolitan, less Western parochial, and more aware of their requirements for cultural- and self-development. Lastly, Craig Murphy looks at the record of ‘dialogues and transformation’ in the international system over the past century, notably through the UN system in recent decades, and considers Nussbaum’s programmatic proposals. Martha Nussbaum’s own paper replies to the discussion. Amrita Chhacchi’s piece adds some final reflections.³

The purpose of the set is not to repeat the sort of treatment in a philosophy colloquium that would elaborate or refine or replace at the level of detail within Western academic normative philosophy. The intention is instead to contextualize, test, and perhaps extend or amend Nussbaum’s ideas, viewed from a range of social science perspectives. We have paid attention to one more type of frontier, that between intellectual disciplines. As formulated by Klamer and McCloskey (1989), intellectual divisions of labour are essential but yield their benefits only if accompanied by intellectual trade. The paper writers and discussants are prominent figures from various disciplines, each with strength in more than one and with a shared interest in human values and global relations.

This overview paper investigates several of the key issues:

- The question of who are the actors who are being discussed and/or addressed, in what geographical, organisational and intellectual milieu.
- What are the sociological assumptions underlying discussions of ethics--whether cosmopolitan, contractualist or communitarian—the assumptions about the nature(s), contemporary and emergent, of personhood, identity, residence, and means of livelihood?
- The fear that cosmopolitanism represents an agenda of metropolitan domination; versus the counterview that relativist stances offer less protection against metropolitan interventions and no basis from which to criticise them.
- How well do academic debates connect to real institutions and movements beyond the academy? What are the assumptions or hypotheses about effective rhetorical strategies for influence and persuasion, for which audiences?
- And what are the political and organizational assumptions about institutional frameworks and mechanisms, power, and effective strategies for change?

² See Nussbaum (2003) for a general statement of her capabilities approach.

³ The short pieces by Cameron and Chhacchi grew out of discussants’ remarks made at the workshop but were not available until much later and are not in the set to which Martha Nussbaum responds.

I begin, as background, with conceptual questions; introduce Nussbaum's project in *Frontiers of Justice*; and then present the issues mentioned above.

Concepts of cosmopolitanism

Others have remarked that we seem to lack as yet an adequate well-established vocabulary for the territory. Here we are discussing *ethical cosmopolitanism*, views that one should relate ethically to people (from) around the world as equal fellow humans. We must distinguish it from three other concepts. *Political cosmopolitanism* concerns systems of power and authority, 'a theory of world government and corresponding citizenship' (Brennan 2001: 76). *Cultural cosmopolitanism* involves 'an enthusiasm for customary differences, but as ethical or aesthetic material for a unified polychromatic culture' (ibid.). *Sociological cosmopolitanism* refers to high levels of mobility, cross-cultural exposure and borrowing. Nederveen Pieterse's paper gives a comparable breakdown of concepts, with more focus on practices than on ideas.

Nussbaum is one advocate of an ethical cosmopolitanism consisting of in many respects equal treatment of people worldwide (*universalist*) plus substantive ethical obligations across national boundaries (*solidarist*), but not of a world state. She is, contrary to some fears, not a political cosmopolitan but in Timothy Brennan's terms primarily an *internationalist*, 'who does not quarrel with the principle of *national* sovereignty, for there is no other way under modern conditions to secure respect for weaker societies or peoples' (Brennan 2001: 77). Her advocated ethical principles are advisory, with a few, unexceptional, exceptions (e.g. that genocide justifies international intervention).

Not all universalist views are solidarist. Similarly, in Nederveen Pieterse's terms, not all ethical cosmopolitanism is emancipatory. Lee Harris (*Policy Review*, no. 118, 2003) is one who suggests that Diogenes, creator of the term cosmopolitan, was a cynic with little concern for others. In Harris' view, Diogenes' famous phrase that he was a citizen of the world was a quip. Diogenes may have consistently held that he claimed no different rights for himself than for anyone else - only one, the right to be left alone. Marc Rich, the international speculator and market-fixer, claims only the same rights as he does for everyone: the right to buy whatever someone else agrees to sell and to sell whatever someone will buy (e.g., oil to apartheid South Africa, perhaps even a legal verdict, a human organ). He declares himself 'a citizen of the world' (cited in Gasper 2005, p.--). I argue elsewhere that: 'We must not assume that views which accord low normative importance to national boundaries correlate strongly with views which grant high weight to the normative claims of people beyond those boundaries. Many national elites and other upwardly mobile groups seem *de facto* to reject both national and international moral community, except insofar as other people's claims are heard through market signals. ... We should reserve [the term] "cosmopolitan" (or "universalist") for acceptance of the world as in important respects one moral domain, across which members have some obligations and rights; and use "solidaristic" for views in which such obligations and rights are relatively extensive...' (Gasper 2005). In this overview paper however I will respect the entrenched predominant usage of (ethical) 'cosmopolitan' as meaning both universalist and solidaristic.

Membership of a global moral community can thus be variously construed. Nussbaum adopts what Charles Beitz perhaps oddly calls 'liberal [ethical]

cosmopolitanism', where the members are individual persons, not societies as in 'social [ethical] cosmopolitanism'. Rawls was closer to the latter camp. Both positions stand in contrast with those which see international relations as beyond the realm of morality. Within 'liberal cosmopolitanism' itself, as we have seen not all strands are emancipatory; for example, arguably if the global moral principles are the laws of the free market. Brennan warns then that world government is not necessarily either egalitarian or solidaristic, and that neo-liberalism is the core of the most powerful present day global cosmopolitical community. Nederveen Pieterse's paper presents a similar picture of a Western mainstream, in a historical trajectory 'From Plato to NATO'. He contrasts that with other historical and contemporary strands, such as Islamic cosmopolitanisms and cosmopolitanisms of the poor.

Nussbaum's cosmopolitan project in *Frontiers of Justice*

Nussbaum's ethical cosmopolitanism itself is not new. What does *Frontiers of Justice (FoJ)* add for cosmopolitan theory?⁴ We can highlight four aspects.

First, the book's unifying theme is the inability of social contract theory to give justice to weaker groups, even in its most evolved, Kantian version: John Rawls's theory of justice. *Frontiers of Justice* is a bold critique of the work of perhaps the leading political philosopher of the late 20th century, the leader of its intellectual revival. Theoretical political philosophy and social ethics were depressed areas in mid-century, overwhelmed by the enormities of 20th century history, overshadowed by the achievements and norms of the natural sciences, and yet sheltered from pressure in affluent Western countries by their postwar socio-political settlements. At a time when the postwar settlements were beginning to fracture, Rawls's *A Theory of Justice* (1971) revived and transformed the intellectual terrain, in an extraordinary feat of sustained reflection that spanned numerous major issues in an integrated way. Its qualities, plus the fractures of opinion, fuelled an explosive revival of normative political philosophy.

Rawls reinvigorated the social contract theory of justice, framing it so that the presumed bargainers would think more broadly than self-interest and the contract may be deemed fair. In his posited 'original position', the context for establishing a fair social contract, the bargainers do not know what will be their own social identity. They are therefore assumed to show prudential concern for the position of the least and less advantaged in the society whose rules they now set.

Rawls's theory of justice operates with a series of frontiers. First, an intra-societal frontier that separates the public realm, the realm of social justice, from the private world of the family. The assumption was queried by feminist philosophers, led by Susan Moller Okin. Also excluded are, secondly, the mentally handicapped, and thirdly, non-human animals. Lastly, the theory remained intra-national. For Rawls, international justice was a matter of a fair contract between states, not a matter at the level of persons. He recognised a virtue of charity internationally to help destitute individuals, but did not accept it as a duty of justice, and instead developed a theory of the relations between states (or, in his term, 'peoples').

These last three frontiers are taken up by Nussbaum in *FoJ*. Thus her title refers both to purported frontiers to justice and to frontiers of theory and debate. Just as feminists

⁴ Nussbaum gives a list of novel features of the book as a whole on *FoJ* p.7.

have declared that the family is political and a realm for justice, so Nussbaum declares that the realm for justice extends in the three other directions too. She argues that even variants, such as those of Beitz and Pogge, which view the world as a single moral domain but which retain Rawls's social contract perspective do not suffice for thinking about justice, because the relationships involved cannot be adequately conceived in terms of contracts between tolerably equal bargainers.

The book's first key novelty then is its systematic critique of social contract theory (SCT). Secondly, and for cosmopolitanism very significant, the book represents an emphatic affiliation to the human rights approach, and a proffered basis for a rights approach. Thirdly, it provides a clearer exposition than before of Nussbaum's switch, following Rawls, to a 'political liberalism', and her application of it directly at a global scale. Fourthly, it makes some programmatic suggestions; Nussbaum is clear though that this is where philosophers must hand over to other disciplines (p.307).

First, SCT, even in Rawls's version(s), is argued to be inferior to a capabilities or natural rights approach, once we test it beyond its original territory of the mutual adjustment of a set of able and selfish contractors; for example when we apply it to a world scene of vast inequalities of power. *FoJ* contains major treatments of the rights of the disabled, the global poor, and of animals, though not of children. Even in its original territory, SCT's assumptions are found to be problematic: that the contractors regulate only for themselves not others (or are taken to adequately represent the interests of those others), value only their own concerns and advantage, not each others', and are united in mutual disinterest. The conventional methodological justification for assumptions such as these, that are known to be unrealistic, is that if a just order can be founded even on pure self-concern then we can be truly confident of its sustainability. Nussbaum rejects this stance: 'we cannot assume safely that if we get principles X and Y and Z out of prudence, then a richer moral starting point will give us X and Y and Z, plus more than that. For the richer moral starting point might actually cast doubt on X or Y, or suggest a wholly different way of thinking about society' (2006: 56). Deirdre McCloskey calls this 'the Nussbaum Lemma'.⁵ Nussbaum argues, following Grotius and indirectly the Stoics, that there is no good reason to exclude the basic human motivation for fellowship with others from the formulation of fundamental principles that will mould a theory of justice (ibid.: 37). In the international context the assumptions used in SCT become more problematic still: (often) that the sole relevant moral agents are states (or, in the later Rawls, 'peoples' who are strongly internally united by common sympathies); and that they are isolated, self-sufficient and roughly equal (p.231 ff.)

So this first feature of *FoJ* involves a central focus on a philosophical theory, Rawlsian social contract theory, which it finds deficient in terms of ability to handle three major ethical issues – disability, international justice, and animal rights; deficient as judged by our considered ethical intuitions and thus in terms of the criterion of reflective equilibrium. In particular, 'Rawls's theory of international justice neglects the inviolability of each person that is a key to Rawls's domestic theory' (p.253). This focus, in the first instance philosophical, leads to a discourse that remains moulded by Rawls, while trying to move beyond him bit by bit. It appears addressed primarily to Rawlsians and similar philosophical schools, and cannot move too far from their set of assumptions

⁵ Lemma: a proposition (typically one of wider interest) that is used or demonstrated in an argument.

for otherwise it will find that its audience has disappeared.

Second, *FoJ* makes clear that 'the capabilities approach is one species of a human rights approach' (p.7; see also pp. 78, 284), and that it builds on the Grotian 'natural law' tradition.⁶ We require 'a conception of the purpose of social cooperation that focuses on fellowship as well as mutual advantage' (p.227). Elsewhere 'human respect' is added to 'human fellowship' (p.270), and in general *FoJ* speaks of human dignity. An adequate theory of justice does not come simply out of bargaining. Rights language appropriately conveys 'urgent entitlements grounded in justice' (p.290).

Besides affiliating itself, *FoJ* offers a theoretical base for international human rights, whose language has otherwise been dangerously obscure. Human rights are to be understood as corresponding to fundamental needs, namely the requisites of basic dignity, stated in the form of a set of capabilities (p. 284 ff.). A right must be fulfilled as a capability, not merely be not actively infringed. With such a grounding, rights can then, contrary to Onora O'Neill, give a more definite and more fundamental starting point than duties; for every notion of duty derives from a notion of need or entitlement, and basic needs are more clear than are the duties for helping to fulfil them (p.275 ff.). Nussbaum's specificity on requisites, and limitation to the attainment of these basic thresholds, seems to her to provide a firmer foundation than does Sen's 'perspective of freedom' and in addition to then leave more space for people to pursue their diverse conceptions of the good, not necessarily one of liberal autonomy (p.297).

Third, the later Rawls adopted a political form of liberalism, 'political liberalism', which starts from acknowledgement of many competing comprehensive conceptions of life which must be treated with respect. Rawls applied this domestically. So does Nussbaum in her reformulation since the late 1990s of her capabilities approach as a format for specifying priority requisites for dignity, up to 'threshold levels', as an area of necessarily implied consensus amongst the comprehensive conceptions. Nussbaum unlike Rawls now extends this 'political liberalism' to a global scale (p.299 ff.), to respect the inviolability and dignity of each person. This is still far from a comprehensive universal ethic or conception of flourishing (p.75), but she notes that the 1948 Universal Declaration of Human Rights was precisely such an exercise in political liberalism. By linking herself to the human rights movement, Nussbaum clarifies and strengthens her position in the politics of ethical discourse. In this context she presents her list of required capabilities less emphatically. It appears as one indicative part of an approach for thinking about the requisites of human dignity; which will be used in various ways in various places, rather than as if on tablets of stone. Many nations commit themselves to constitutions and bills of rights, but in each case somewhat differently and subject to evolution.

The fourth noteworthy aspect here in *Frontiers of Justice* is a set of suggestions on policy and practice. These will be outlined later, in the section 'The politics of change', and discussed in Craig Murphy's paper.

Cosmopolitan Presumptions - psychological, philosophical, and sociological

Nussbaum lays out an eloquent, intricate appeal for cosmopolitan awareness and

⁶ Hugo Grotius is conventionally taken as father of modern international law. His *On the Law of War and Peace* (1625) argued in terms of universal ethical principles accessible by reason.

cosmopolitan concern. What are her presumptions, and the presumptions needed for ethical cosmopolitanism? 'To presume', says the dictionary, is: 1. to take something for granted, assume; ... 3. to rely or depend, ... And 'presumption' means 1. the act of presuming, ... 3. a belief or assumption based on reasonable evidence, 4. a ground or basis on which to presume.⁷

While Nussbaum addresses the limits of the social contract conception of justice, she recognises it as a sister approach, which can in part address the question of how 'to solve the problems of global justice' (Nussbaum 2004: 4) seen in particular as the massively unequal life chances of children. What, however, we must ask, of views which do not accept 'children', as opposed to 'American children' or 'Dutch children', as a relevant category, and thus which do not see this inequality as unjust?

The presumed potential cosmopolitans

Nussbaum's work seeks to develop 'a conception of the purpose of social co-operation that focuses on fellowship as well as self-interest' (2004: 4),

'[for] among the traits characteristic of the human being is an impelling desire for fellowship, that is for common life, not of just any kind, but a peaceful life, and organized according to the measure of his intelligence, with those who are of his kind' (Grotius, *On The Law of War and Peace*, cited by Nussbaum 2006: 36).

Nussbaum stresses that people are not asocial bargainers, but moral social creatures. But the sociability is as part of a society, a group - 'with those who are of his kind' as Grotius observed. How far does and can that extend globally? Is 'fellowship' cosmic in scale? Ranged against Nussbaum, in David Harvey's words, are 'all manner of hyphenated versions of cosmopolitanism, variously described as rooted, situated, vernacular [etc. etc.] ... in the belief that detached loyalty to the abstract category of "the human" is incapable in theory, let alone in practice, of providing any kind of political purchase...' (Harvey 2001: 530).

"What I'm wrestling with now," Ms. Nussbaum says, "is the problem of being a Stoic cosmopolitan with a non-Stoic set of attachments. The ideal of feeling equal concern for all humanity seems to me good and right. But the Stoic approach, which involves pruning away one's attachment to the local, is too surgical. Marcus Aurelius writes about trying to overcome one's feelings at the death of a child. It's an effort to become invulnerable, and it doesn't offer a sense of life that is rich enough to be worth living." ...

Human relationships form a series of concentric circles [as she stresses, following the Stoics], and our emotions are inescapably conditioned by that fact. The capacity for empathy is strongest with people who are already close. It can still be very intense for people we already share something with, even if we don't know them personally. And it tends to become more abstract the further one gets from the sphere of "me and mine." How, then, to accept both the rootedness of emotion in local situations and a feeling of global responsibility? It is by no means a rhetorical question. "I think the challenge is to build concentricity in a way that really does extend outward," says Ms. Nussbaum, "rather than drawing the line somewhere, so that you demonize those who are outside that boundary." (McLemee, 2001)

The Stoics' conception of concentric circles already contains, visually, the potential

⁷ Meaning 2 of 'to presume' is 'to take upon oneself (to do something) without warrant'; and for 'presumption' it is 'bold or insolent behaviour or manners' (Collins English Dictionary). Neither meaning applies here. Cosmopolitans must however be aware of and prepared to respond to views that cosmopolitanism is presumptuous in the pejorative sense.

for a rooted cosmopolitanism. How to build it? Truong and especially Giri consider the potentials and paths of culturally and spiritually grounded 'emergent multiversality'. Rather than relying solely on a universe-spanning emotional bond, as in a stress on membership of the human family, we may also build in the same way as we build other things, by connecting one thing to another to another, connecting persons and their concerns to and through systems of institutions. Such building is a very long-term process, but historically clearly underway, and linked to the growing interconnections across our cosmos.

Presumptions about the cosmos: a world of interconnection

Onora O'Neill has powerfully argued (1996, 2000) that the presumptions that we in our daily business make about other people around the world with whom we interact – presumptions that they are separate creatures with definite but limited powers – have an ethical implication. She highlights three presumptions: '[1. 'plurality'] *that there are others* (seen as *separate from* the agent); [2. 'connection'] *that those others are nevertheless connected to the agent* (either or both can act on the other); and [3. 'finitude', or, alternatively put, agency and vulnerability] *that those others have limited but determinate powers*' (1996: 101; emphases in the original). Our actions can imply these presumptions, that 'others are agents and subjects' (p.101), even if we consciously deny the propositions. We cannot make these presumptions during our pragmatic and prudential interactions and transactions and then erase the presumptions during discussion of our ethical interconnections, our mutual obligations and rights: '*What is assumed for purposes of activity [e.g. trade] must also be assumed in fixing the scope of ethical consideration*' (O'Neill, 1996: 106; my addition). This is an example of a line of argument which proffers a philosophical presumption for a form of ethical cosmopolitanism.

O'Neill's argument relies on, and its scope varies according to, the facts of global interaction and transaction. Correspondingly, different realities and interpretations of cross-global interaction may bring different stances on cosmopolitanism.⁸ So different sociological conceptions or presumptions of current and emerging patterns of cross-global interaction sustain different conceptions of cross-global ethics. Communitarianism – positions that ethics are, should and must be rooted in strong communities (whether local, tribal, or, less plausibly, national) – has been widely and powerfully criticized for resting on weak and dated sociology.⁹ We must give cosmopolitanism equally searching sociological examination. What, for example, do the poor and insecure, and the 'transplanted hearts' in the globalized care industry, think of cosmopolitanism?

Truong expresses a concern that Nussbaum's project to extend 'political liberalism' to a global scale could be a more tendentious and fraught exercise than Nussbaum imagines. She doubts any appeal to a supposedly universalisable intuition, even seen as a longterm appeal to an eventual well informed and well reflected intuition under uncoerced circumstances. Truong evokes the contrast between a notion of one ethical universe and the notion of ethical 'multiverse'. The latter rests on a differentiated social ontology that takes into account the socially embedded human and the universe she/he

⁸ The line of implication is not purely [fact → value], but one where different perceptions of fact will, together with other given judgements on value and method, generate different conclusions on value.

⁹ See e.g. Michael Rustin: 'Equality in Post-Modern Times', and other essays in Miller & Walzer (eds., 1995).

produces. In this latter position, each ethical(/social) universe has its own distinctive internal logic but can relate to the others in a constructive way. They don't replace each other, but are adjunct to each other and serve to interrogate each other's conduct.

Michael Walzer amongst others has argued that a sociologically grounded ethics recognizes the actual and necessary existence of numerous distinct 'Spheres of Justice' within each society (e.g. those of markets, the state, families, education, and more). Internationally he propounds a further distinction, between the 'thick' ethical discourses in these domestic spheres and the 'thinness' of cross-national ethical discourse. Critics have proposed that his picture of lifeworlds is incomplete and that a domestic-international dichotomy is misleading. It understates both the universalist languages that modern moral and political debates employ as standard 'product of societies which have become rationalized and differentiated' (Rustin 1995: 38), and the realities of extensive global interconnection. From detailed consideration of the diverse modern-day interconnections, David Held (2004) and others see not a system of block-like nation-states – certainly not even the United States, India or China is a self-contained world – but a world system of innumerable *overlapping* communities. As in Toni Erskine (2001)'s 'embedded cosmopolitanism', an inclusive ethic can therefore arise because individuals are simultaneously members of *many*, overlapping, non-territorial, morally constitutive communities (Gasper 2005). We need images of overlapping circles, not only of concentric ones.

Rhetorics in relation to audiences and contexts

Some recurrent concerns arise as Nussbaum tries to lead her philosopher peers (and economist and other associates) towards richer conceptions of human personality and obligations. First, to have a conversation with the analytical philosophers, her style remains relatively abstract; whereas to have credibility in most of social science and the humanities, especially on a topic like cosmopolitanism, one should display detailed and copious grounding in diverse, intricate and *recherche* realities. Second, concerning this abstracted generalized language in which an aspirant 'truth speaks to power', critics apparently fear that too narrow a truth has too direct an access to too narrow and great a power – despite or even because of Nussbaum's affiliation to the human rights and human development agendas of the United Nations and very distinctly not to the agendas of the American state.

Which abstractions when?

'Theories of social justice should be abstract', relevant and justifiable for a range of situations, insists Nussbaum in the opening sentence of *FoJ*. 'On the other hand, theories of social justice should also be responsive to the world and its most urgent problems' (2006: 1), which the book manifestly attempts. Yet to social science readers its chapters on international justice contain rather little of the realities of international relations in the modern world. That knowledge remains tacit or peripheral, used in initial motivation and briefly in Ch.5's final section on 'Ten Principles for the Global Structure'. The discomfort that social scientists feel here, reflected especially in the papers by Nederveen Pieterse and Truong, may be more acute in response to *FoJ* – a conversation with Rawls on his terrain of philosophical ethics – than for more case-grounded works like *Cultivating Humanity* or *Women and Human Development*.

Onora O'Neill addresses the issue of abstraction and realism in a theory of justice, as follows (1992, 1996, 2000). We must abstract from irrelevant differences (e.g., sometimes, gender); though which differences are irrelevant can depend on the situation. And we must include relevant differences (e.g., sometimes, gender); again which are relevant will depend on the situation. Thus we must aim for abstraction without idealization, and context-sensitivity without a pure relativism that re-endorses whatever exists (Gasper 1996). Our picture of when a difference is relevant is built up through examination and debate on cases in the light of principles and debate on principles in the light of cases. This dialectic is seen throughout Nussbaum's oeuvre, including in *FoJ*, though more in the chapters on disability than those on international relations.

McCloskey suggests that Nussbaum abstracts too much and does not follow through her own 'Lemma': a perspective of a range of central human virtues cannot be produced from a discourse that sees people more narrowly; parsimony here is wrong. Nussbaum has written extensively elsewhere on such virtues, but aims in *FoJ* to maintain a conversation with contractarians.¹⁰ The lesson, perhaps, is to be more explicit on which abstractions one is making when and why.

We are the world?

Nussbaum recurrently arouses a reaction that her cosmopolitan view is an attempt to dictate to others. Who is the 'we' in the following passage? 'It is not by polling people and asking what they currently prefer that we reach this conclusion [that equal access to primary and secondary education is a fundamental human entitlement], for existing preferences about matters of education (especially, perhaps, women's preferences) are frequently deformed...' (Nussbaum, *FoJ*, p.279). This could be read as no longer the authorial 'we' but as a peer group of already educated governors.

There is an unavoidable (but tolerable) paradox, pointed to by Truong and Nederveen Pieterse, in liberalism's insistence that persons should have the chance to opt out of any given cultural framework except for this one. The illiberality involved certainly appears less however than that in cultural and policy frameworks which enforce single options and do not allow anyone to opt out, even though he or she wishes to, into a system which provides choices. The liberal principle allows persons to adopt their own lifestyle but not to prevent others doing the same.

Nussbaum always stresses numerous and major provisions for pluralism, flexibility and context-sensitivity in her theory, including not least that it is only advice (see e.g. *FoJ*, pp. 78-80, 256-7). Presentation of a viewpoint is not dictation; the fierce reaction by some readers suggests that they fear though that some of the audience will accept Nussbaum's viewpoint. If no aspirant truths can be voiced, the reaction will have blocked the dialogical approach that it supposedly advocates and it can implicitly become a defence of power, of existing elites.

The fear is partly grounded in histories of imperialism. Brennan, for one, sometimes reduces cosmopolitanism to this single variety: 'It is a discourse of the universal that is inherently local—a locality that's always surreptitiously imperial. ... Typically, cosmopolitanism constructs political utopias in aesthetic or ethical guise, so that they may more effectively play what often proves, on inspection, to be ultimately an

¹⁰ The cognitive linguist George Lakoff warns though: 'If you keep their language and their framing and just argue against it, you lose because you are reinforcing their frame' (2004: 33).

economic role' (Brennan 2001: 81). Harvey raises a related query: 'What if Heidegger is right in insisting that Kant's cosmopolitanism inevitably slips into an internationalism rooted in nationalism?' (Harvey 2000: 546). But he sees a richer picture of varieties than does Brennan, since, comparably, he 'sees capitalism as a much more uneven, variegated, amoebic, and anarchic process' (Gidwani 2006: 16).

Who then are the potential audience? Nussbaum's theory could be used in various ways. As an American she might influence bodies in America about what they support or don't support internationally. As an international figure she might perhaps have influence in international bodies, such as UNDP, about what they promote or don't promote. As an intellectual she might influence people around the world, who then in turn might influence official bodies. In each case one might hold that primary responsibility for use of her ideas would lie with whichever bodies adopt them.

Nussbaum's discursive strategy arouses fears of Northern dominance, or at least of dominance of the wrong sort of Northerners (ignorant, already too powerful, wrongheaded), and of a privileged access to trigger-happy metropolitan elites--or at least of misuse by them of well-intentioned abstracted ideas. How will her clearer affiliation now with human rights affect this perception?

International human rights (IHRs) were not explicitly theorised when adopted in the 1940s, other than to say that they were compatible with many traditions. Their central location of exposition was the United States, arguably as part of anti-Communism as well as post-Nazism. Why would one now bother to theorise human rights further? A significant difference from the 1940s is that powerful forces in US political culture have since then failed to accept and adopt the IHR regime; they have their own version of rights, vision of the good life and project for the world. As Murphy's paper notes, this US mainstream rejects the idea of international obligations (other than, usually, contract observance), though it periodically considers that it knows what is best for everyone and may choose to enforce it. A central audience implied then in Nussbaum's work is not only academic philosophers but, as seen in her chosen style and outreach, a wider American public.¹¹ Her sustained sophisticated address of an American public on themes of cosmopolitanism, human rights and human development is a major contribution. This only worries some critics all the more, who fear American plans for the world.

America and other audiences

Arguably the most important audience (set of audiences) for a cosmopolitan discourse lies in the US, given both its power and its insularity. Nussbaum has in many ways primarily focused on this audience - through her examples, her debating targets, and the 'we' to whom she sometimes appeals. A question arises: what forms of focus and of rhetorical strategy are in fact likely to have much effect with this audience? On the one hand, Nussbaum's work on global justice, care and emotions aims to contribute to long-term shifts, via influencing legal systems, education curricula and professional formation. It is not to be assessed as a weapon in short-term Washington DC political debates, where one might expect it to have no influence. But for the long haul, what

¹¹So sometimes her 'we' means the USA. One example (in a section on US aid) is: 'To the extent that a nation fails to endorse such goals [as female empowerment and equality] publicly and constitutionally, we would be right to proceed in a more cautious way, but we should probably still be entitled to focus aid on projects that seem to us morally good' (p.261).

methods might be effective? American powerholders emphasise the languages of freedom, choice and self-fulfilment (and of 'home' and 'security'). Sen in 'Development as Freedom' (1999) adopted a language that may appeal to an American mainstream audience, as well as diverse groups elsewhere. Haq in the Human Development Reports found a 'human' rhetoric that is equally global but less American, and Nussbaum appears closer to this. We look further at this question of methods later when referring to change strategies.

A second question: what sorts of discourse are relevant in other contexts? In national and international policy contexts, cosmopolitan perspectives are relevant in debates on trade, aid, relief, immigration, multi-culturalism, global governance, the UN system, and so on. They figure in academic debates against IR 'realism' when that presents itself as an ethical stance, and in legal disputes such as on the reach of human rights law. But each context has its own requirements, for certain types of depth and background, to which *FoJ* is not oriented. For example, at a recent conference on the Earth Charter the following sort of advice was repeatedly voiced: 'Only if this language is connected to that of religion and/or local culture can I do anything with it in my country'. David Held's *Global Covenant* in contrast to *Frontiers of Justice* immerses itself in fully briefed reference to the in-agendas, in-terms, and recent bureaucratic products of global governance, and provides a much more elaborate practical programme.¹² Murphy suspects that Held's cosmopolitan democracy project itself appeals to radicals in rich countries but will not in our lifetimes interest the emergent nations (2005: 59, 172-4). Nussbaum's *FoJ* appears attuned rather, and understandably, to two main audiences: philosophers, and a general Northern (but especially American) audience of potentially sympathetic students and intellectuals, the audience whose liberal education she discussed in *Cultivating Humanity*.

The politics of change

Practical and useful institutional and policy goals?

Nussbaum, like most contemporary cosmopolitans, is no advocate of a world state, since it is 'very unlikely to have a decent level of accountability to its citizens' and if it 'should become unjust there would be no corresponding recourse' to external aid (2006: 313). Local sovereignty has a moral value too: it means that people give themselves laws. Hence 'the institutional structure at the global level ought to remain thin and decentralized' (p.314). She then suggests a set of ten principles for this global structure (pp. 315-323):

1. 'Overdetermination of responsibility: the domestic never escapes it' (p.315)
2. National sovereignty, 'except in a limited range of circumstances' (p.316)
3. A duty of rich nations to give a lot (more)
4. MNC duties to invest socially and promote human capabilities where they work, and to promote 'good labour conditions' (p.318)
5. A fair global economic system, not the present one
6. 'a thin decentralized, and yet forceful global public sphere' (p. 318): including e.g. some limited forms of global taxation, the world criminal court, world

¹² Held's use of the language of 'covenant' matches Nussbaum's Grotian approach rather than social contract theory.

- environmental regulations, global labor standards.
7. International pressure in favour of the disadvantaged within national jurisdictions
 8. Care for the weak, 'the ill, the elderly, children and the disabled', as a global priority, not only placing all the burden on women family members
 9. The family as precious, but not sacrosanct (e.g., not free to neglect girls)
 10. All parties must support education, 'as a key to the empowerment of currently disadvantaged people'.

'The allocation [of duties here] is an ethical allocation, ...: there is no coercive structure over the whole that would enforce on any given part a definite set of tasks.' (Nussbaum 2006: 315).

Perhaps unwisely, Nussbaum refers for the third principle to 'the figure of 2 percent of GDP...[as] a good sign of what might begin to be morally adequate' (p.317), rather than focusing on feature 5, a fair global economic system, and on the issue of what level of support would be required to meet basic capabilities, which very likely is far lower than two per cent if combined with a fair global economic system. Murphy notes though that a two per cent figure dates from advice by Arthur Lewis and the Chicago economist TW Schultz after the Second World War -- during a period of some even larger transfers than 2 per cent by the then much less affluent US through the Marshall Plan to European recipients who were much richer than presentday LDCs.

A fair global economic system may be the central issue. Nederveen Pieterse stresses that emancipatory globalization equals the re-regulation and counterbalancing of corporate-led globalization. Zoya Hasan of Jawaharlal Nehru University wonders then whether the fifth and sixth principles are compatible:

Nussbaum proposes a thin and decentralized institutional structure at the global level. It consists of the domestic structures of rich nations, which have responsibilities for redistributing some of their wealth to other nations, and multinationals, international bodies and the NGOs [which] take some responsibility for promoting capabilities. In fairness they must bear a proportional burden. However, corporate globalization is fundamentally a centralizing tendency drawing disparate economies and sectors into a world controlled by a few decision makers. These are the IMF, World Bank, the WTO, which act on behalf of banks and bondholders, and rich countries and rich elites more generally, in preference to that of workers, peasants and other poor people and nations. One wonders whether there is room for decentralized governance in this system in the absence of radical restructuring. Global justice most urgently needs a proper and internationally accountable multilateral system, as what these institutions and multinational companies are undermining is democracy...¹³

Murphy's paper shares Hasan's concern. He adds though that in the complex and subtle task of finding a politically feasible path forward, Nussbaum's muted yet deeply rooted idealism might still support a worthwhile middle way.

The ten principles appear as a sort of afterword, without great emphasis from Nussbaum, who rightly judges that this is the point where the philosopher must hand over to the practitioner and the social scientist. Murphy refines some of her suggestions. He, Nederveen Pieterse, Truong and Giri also look in a broader way at possible historical agents and paths of change. Let us consider then, in conclusion, the associated

¹³ Zoya Hasan of Jawaharlal Nehru University, Delhi, in a presentation on Nussbaum's 2002 Tanner lectures.

general perspectives on how social change can happen.

Change strategies?

What assumptions, explicit and implicit, are made in cosmopolitan discussions about possible paths towards change? Some possible hypotheses might be, for example: education→value-change→pressure→action;¹⁴ or, more specifically, that the philosopher sows seeds and civil society spreads and cultivates them and applies pressure to decision-makers. The *Great Transition* scenario of a world transition to sustainable development, for example, envisages eventual value change led by civil society, and specifically led by the young (Raskin et al. 2002). How cogent are the assumptions made, and what consistency exists between the actual focus of work on cosmopolitanism and any ideas about paths of change?

Nussbaum is clear and forceful on the general significance of value-ideas: 'There is perhaps nothing more urgent, in a world increasingly driven by multinational corporations and the power motive that is built into their operations, than to articulate a set of humanly rich goals for development, and a set of more general attitudes about the purposes of cooperation...' (2006: 306). Truong and Giri wonder whether Nussbaum goes far enough concerning the scope, content, and possible spiritual basis for the value changes required, including in understanding of the sources of compassion and fellowship. Further, with Nederveen Pieterse and Murphy they reflect on the social bases for cosmopolitanism: 'cosmopolitanism from above is empty without cosmopolitanism from below, without the actual experience of world citizenship' or fellowship (Nederveen Pieterse, p.7). David Harvey has warned that it is not so much empty as dangerous:

'...if Nussbaum's cosmopolitanism is to become anything other than a pious hope, nothing short of a modern-day (Alexander) Humboldtian synthesis will do. ... Cosmopolitanism, in short, is empty without its cosmos. ... [and] a more unified critical geographical understanding of the world to parallel the contemporary striving for a cosmopolitan ethic' [and counteract the trivialization and demonization of regions that metropolitan powers wish to control]. 'Cosmopolitanism bereft of geographical specificity remains abstracted and alienated reason, liable, when it comes to earth, to produce all manner of unintended and sometimes explosively evil consequences. ... there can be no universality without particularity and vice versa ...' (Harvey 2000: 554-5, 557, 560).

In the spirit of Nussbaum's earlier study *Cultivating Humanity*, on which he was commenting, he stressed: 'To pretend, then, that we have to make some choice between "universal" and "rooted" cosmopolitanism...is a false characterization' (Harvey 2000: 559). However, he added, 'The geographical point is not to reject cosmopolitanism but to ground it in a dynamics of historical-geographical transformation' (loc. cit.).

A cosmopolitanism that seeks change should understand itself as an historical product in a geopolitical setting. Nederveen Pieterse, Truong and Giri together suggest that counterbalancing corporate cosmopolitanization will require richer cultural and

¹⁴ The policy agenda enunciated by the UN's Commission for Human Security (the Ogata-Sen commission) in its report *Human Security Now* (2003) includes cosmopolitan education that can 'teach students to reason, to consider ethical claims, to understand and work with such fundamental ideas as human rights, human diversity and interdependence ...' (CHS, 2003: 122). It covers 'opening up of perceptions of identity, to see oneself as having multiple identities (p.123), and 'Clarifying the need for a global human identity' (pp. 141-2), in addition to the awareness and respect for profound diversity. See also Oxfam (2006).

historical perspectives than from the traditions of Western normative philosophy alone. And while they may share the vision that the theorist sows seeds of which some can fall upon fertile soil, much of their other work examines specific social movements that adopt, carry, use, and transform ideas.

Recent work on leadership through ideas in the world system (including: Emmerij, Jolly and Weiss 2001, 2005; Murphy 2005, 2006) concludes that indeed amongst the key ideas with societal influence are ideas about values. As a key example: 'UN ideas can change the nature of international public policy discourse and debate and, as a result, can often help states to define or redefine their interests to be more inclusive of common concerns' (Emmerij et al. 2005: 218). However, de Bono (1985) notes that it may be easier, relatively speaking, to influence people by changing visions than by directly changing their values. Further, ideas about values may have little sustained impact if not embodied in practical methodologies and proposals that convey and channel a way of seeing, a vision. Individual value change is not sufficient or the end in itself, but complementary and supportive to the establishment of human rights standards, other standards, and countervailing forces against powers of privilege, based in strong organizations.

Murphy has specialized on what brings changes in the realm of international organisations, and his paper summarises some of the key findings. Concrete practical proposals that embody values and visions have to be placed in the public arena, accessible to potentially interested reformers who may then pick them up for reasons of their own (see Murphy's paper; and, for details, Murphy 2005; also Hirschman 1973). Drawing on evidence from 150 years of the evolution of global institutions, Murphy argues that at certain moments system managers need new ideas to resolve conflicts and they then look around. For justice-oriented groups to make a difference they must: keep active contact and cooperation with progressive segments in ruling groups and international organizations; maintain a transnational network – to share and build ideas, provide mutual support and lobbying, and offer sanctuary when needed; and have lots of ideas and proposals ready. Thomas Pogge is one current example of a philosopher who has internalized such advice and seeks to connect a rethinking of justice to the energy of social movements. Martha Nussbaum's writings are a leading contribution to such rethinking, that help to inspire the required energy and movement.

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