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Human Rights and Global Justice: A Normative Critique of Some Rawlsian Approaches.

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LOYOLA UNIVERSITY CHICAGO

HUMAN RIGHTS AND GLOBAL JUSTICE: A NORMATIVE CRITIQUE OF
SOME RAWLSIAN APPROACHES

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

PROGRAM IN PHILOSOPHY

BY

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CHICAGO, IL

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CHAPTER I

INTRODUCTION

Residents of Cochabamba, a Bolivian village, spent three years digging a hundred and twelve-meter-deep well that supplied fresh water to two hundred and ten families. Five years after its completion, they were informed that the country's political leadership, led by the president, had sold the country's entire water rights (including rain water) to a consortium, via the World Bank.¹ Said consortium informed the village of plans to install meters on all water sources (paid for by customers) and charge a fee for all water sources.²

This is an example of the sort of problem that falls under the broad category of global injustice.³ Sweat-shops, human trafficking, the marginalization of indigenous groups, as well as global poverty, are other examples of global injustice. Such social problems are termed 'trans-national' because the physical locations in which they manifest and the places where they originate are usually located in more than one political unit.⁴ The 'trans-national' nature of such social problems is what elevates them from 'social' justice issues to 'global' justice issues.

¹Paul Laverty, "Even the Rain" (Spanish: *También la lluvia*), DVD, directed by Iciar Bollain. Los Angeles, CA: Vitagraph Films, 2010.

²William Finnegan, "Leasing the Rain," *The New Yorker*, April 8, 2002, accessed February 10, 2017, <http://www.newyorker.com/magazine/2002/04/08/leasing-the-rain>

³For other examples see, Tim Worstall, "The Outrage of Child Labor in Bangladesh's Sweatshops," *Forbes*, December 19, 2016, accessed February 13, 2017, <http://www.forbes.com/sites/timworstall/2016/12/19/the-outrage-of-child-labour-in-bangladeshs-sweatshops/#5ed55cc47b58>. Elizabeth Day, "The Desperate Plight of Africa's Cotton Farmers," *The Guardian*, November 14, 2010, accessed February 13, 2017, <http://www.theguardian.com/world/2010/nov/14/mali-cotton-farmer-fair-trade>

⁴Nancy Fraser, "Identity, Exclusion, and Critique: A Response to Four Critics," *European Journal of*

In this project, I argue for the position that the required changes to institutions and practices that will address cases of global injustice must be grounded on a strong negative duty. Furthermore, generating such a duty will require looking beyond duties that attach to particular institutions or practices, to the inter-subjective relations between moral agents. Some of the questions I raise include: Is there a relationship between the persons who maintain and benefit from the global economic and financial order and those who suffer as a result of this order? If so, what is the nature of such relationships? What role does inter-subjectivity play within asymmetrical power relations, even when distance and numerous layers of causation mediate such relations?⁵

Freedom as Non-Domination

The possession of autonomous agency is what makes human beings persons. This feature is also what makes a moral agent entitled to the respect of all other moral agents. Therefore, respect for personhood entails respect for autonomous agency. This makes it wrong for a moral agent to express his or her agency in a way that leads to a restriction in the ability of another moral agent's ability to express his or her own agency. When a moral agent's actions lead to such results, the first acting agent has thereby dominated the restricted agent. I define such a situation as the domination of the second actor by the first.

Although non-domination is the most basic duty all persons have and owe others, living with others in a social community means that the actions and desires of others will inevitably

Political Theory 6, No. 3 (2007): 317.

⁵'Layers of causation' points to the fact that even more than social justice issues, global justice problems result from decisions made by many separate individuals, in many cases working in various institutions and located in at least two countries.

restrict at least some of the actions we might desire to take. Such restrictions could be just or unjust. Injustice arises when an autonomous agent expresses his or her agency in a manner that leads to the inhibition or restriction of the freedom of others, and the restricted party has no veto power or room for reasonable dissent. Whether through action or by inaction, without the restricted party having been provided the option of a veto power based on reasonable dissent, all such interactions are cases of domination against the restricted party.

For a restriction to be justified, the one who is restricted must either explicitly agree to it, or the restriction should be such that it could be reasonably justifiable to him or her. The condition of implicit or tacit consent implies that in an ideal situation, persons will be able to predict, anticipate and veto restrictions if they so choose. Restrictions to the agency of persons that do not meet these conditions violates the personhood of the restricted party.

I see social and global injustice as the result of the expression of human agency in a manner that leads to restrictions on the ability of others to express autonomous agency – I define this as domination. Whether inter- or intra-country, such domination are violations of the basic duty to respect the agency of others, and are on that basis, unjust.⁶ Addressing global injustice, therefore, requires that the negative duty not to harm others, particularly in their active pursuit of resources necessary for living a minimally decent human life, be respected by acting on obligations to protect against and redress the harm that could result from intersubjective domination.

⁶In this project, I do not go into the debate of the relationship between rights and duties or whether a right entails a duty or duty bearer.

Civic Republican Non-Domination

To the civic republicans, interference from others is not a problem in itself, except when it is arbitrary – when the agent interfered with is unable to predict how, when or if he or she will be interfered with. Republican freedom as non-domination is different from traditional conceptions of liberty as either positive or negative freedom. The difference between the positive and negative conceptions of freedom is that while positive freedom is a person's ability to exercise self-control or self-mastery,⁷ negative freedom is freedom as non-interference.⁸ These two conceptions of freedom can also be differentiated by the fact that they generate two different, but interrelated duties. Respecting a person's negative freedom from non-interference calls for the negative duty not to interfere with the person, as well as the duty to protect the person's right not to be interfered with. This implies a positive duty to act and even interfere (to restrict every person's negative freedom) by creating a legal system.

However, both conceptions of liberty (taken separately), are limited. Positive liberty is limited because it does not contain a clear explanation of what self-mastery entails and therefore cannot tell us when a person is operating under self-mastery. Negative liberty is also limited because a person could be subject to arbitrary power without interference (as in the case of an

⁷To Isaiah Berlin, people are free simply to the extent that their choices are not interfered with. See Isaiah Berlin, "Two Concepts of Liberty: An Inaugural Lecture Delivered Before the University of Oxford on 31 October 1958" (Oxford: Clarendon Press, 1966).

⁸There remains the question of what exactly, self-mastery entails. Frankfurt argues that self-mastery is the ability to meet one's second order desires. See Harry Frankfurt, "Freedom of the Will and the Concept of a Person," *The Journal of Philosophy* 68, No. 1 (1971): 5-20, accessed January 20, 2017. doi: 10.2307/2024717.

absent or benign master); a person could also be interfered with, without such interference being arbitrary (as in the case of people who live under a democratically convened constitution).⁹

The civic republican conception of freedom is superior to both conceptions of freedom because it incorporates elements of both negative and positive liberty. The condition that all interference should be predictable means that to the civic republican, any interference that cannot be reasonably anticipated by its victim is wrong. To them, holding such a power over another is morally objectionable, no matter how benign the power holder chooses to be, or even if he or she chooses not to act on the capacity. In addition, in the civic republican view, a violation of the right to non-domination could arise as much from the action of others as through their inaction. Furthermore, one is not either free or unfree, but rather, more or less free depending on the extent of non-domination one securely enjoys.

I do not agree with the civic republican position which takes predictable interference as justified interference.¹⁰ By making justifiability dependent on predictability, it skips an important middle step between the two concepts. This conception of non-domination assumes but does not articulate the condition that justice requires that room for reasonable disagreement with the actor be available to the restricted party. I defend a modified, cosmopolitan, civic

⁹Philip Pettit, "Freedom as Antipower," *Ethics* 106, No. 3 (1996): 576-604, accessed January 20, 2017, <http://www.jstor.org/stable/2382272>

¹⁰Consider a situation in which a state does not permit woman to drive, and for various reasons, women are not permitted to contest this law. Although as a woman I could reliably predict such a law, lacking the option of reasonable dissent will make me experience the law as arbitrary, in the sense of it not being justified or justifiable to me. Therefore, despite my ability to predict this law, in the absence of the room for reasonable dissent, the law remains unjustified, and unjustifiable. Those who maintain such laws are thereby subjecting me to an arbitrary power.

republican conception of freedom as non-domination or independence from arbitrary power.¹¹ I modify the civic republican conception of non-domination by adding the condition that just interference requires the option of reasonable dissent, and that a veto right must be available to those that are interfered with.

Global Justice as Non-Domination

Victims of domination live under the threat of an “alien power” denying them the possibility of, or limiting the extent to which they are able to express agency.¹² This is the case whether the alien power is domestic or international. The civic republican conception of freedom as non-domination was developed to defend the interests of citizens against arbitrary state interference. It was assumed to apply to a political unit, made up of citizens who live under one legal system. But if the expression of agency is a universal human good, and all human interactions bear the risk of domination, then the goal of minimizing domination wherever it occurs should be a normative goal in all social, as well as global justice theorizing.

Pettit argues that although it is generally presumed that social goods are equally available to all members of society, in modern societies, a social resource could be generally, but not effectively available to some parties. A social resource is effective to a person to the extent that the person is able to utilize or access such a resource.¹³ The ability to utilize social resources is

¹¹Frank Lovett, “Republicanism,” *The Stanford Encyclopedia of Philosophy* (Winter 2014 Edition), ed. Edward N. Zalta, accessed February 14, 2017, <http://plato.stanford.edu/archives/win2014/entries/republicanism/>

¹²Cécile Laborde, “Republicanism and Global Justice: A Sketch,” *European Journal of Political Theory* 9, No. 1 (2010): 60.

¹³A social resource is ‘effective’ to a person, only to the extent that she is able to utilize it. For instance, although it could be said that political power is available to all citizens of a modern society, this social ‘good’ is only available to those who do not face (social or economic) restrictions that can bar them from utilizing the political process. See Philip Pettit, “Freedom as Antipower,” *Ethics* 106, No. 3 (1996): 589.

also not just positively related, but also symbiotic to levels of social power.¹⁴ Furthermore, different levels of social power create or at least exacerbates and sustains relations of social domination. If this is correct, it would seem to apply to the global level as well – disparities in effective access to social resources will also lead to relations of domination.

In the global arena, international agencies, multinational corporations and international NGOs wield far more social power relative to most people affected by their actions. Such organizations are not subject to the demands of political accountability which legal systems demand from similar organizations within bounded political communities. These two factors – disparity in social power and lack of accountability – contribute to the existence of both benign and non-benign forms of domination in the global arena. This would make civic republican arguments applicable to global injustice as well.

Writers like Cécil Laborde have proposed that republican freedom as non-domination should be the cornerstone of global justice theorizing. Laborde frames global injustice as a problem of ‘capability denying’ distributive injustice.¹⁵ She sees the global poor as people who, despite the willingness and ability to work, live under global financial and economic institutions that inhibit their ability to gain access to enough material resources to lead a minimally decent life. She attributes this to “complex new forms of unchecked arbitrary power exercised across national borders,” which makes the global poor vulnerable to decisions made from afar,

¹⁴To Pettit, a person’s social power is determined by how much social resources the person is able to ‘effectively’ access. Pettit, “Freedom as Antipower,” 589.

¹⁵“Let me simply posit, then, that domination is capability-denying in two senses: definition ally, it denies a basic interest in minimum control and autonomy on the part of individuals and the political communities they belong to; and normatively, those forms of domination which threaten access to basic socioeconomic capabilities such as subsistence and health are a matter of particular moral concern.” Ibid, 56.

anonymously, and over which they have little control.¹⁶ She sees this as an “evil of transnational domination” perpetuated by states, corporations, and international organizations. Such relations are based on domination and dependency since they preclude reciprocity and mutual benefit.¹⁷ Laborde finds “the combination of the absolute destitution of the global poor with gross inequalities of power and resources between them and the better-off” of the current world order morally shocking.¹⁸ However, she is careful not to argue for a stronger (and less plausible) idea of global (material) equality, but rather for a sufficiency, gap-reducing ideal of justice.¹⁹ She hopes that such a goal would help mitigate the kind of extreme lack that “undermines the sense of dignity and self-respect of the poor.”²⁰

To Laborde, the global poor are being dominated by those responsible for designing and sustaining global economic and financial institutions, because the poor have little or no realistic options for changing, or even influencing such institutions. She, therefore, argues for a “critical republicanism” which would make non-domination the basis of global justice.²¹ Such an alteration of the global financial and economic order will create a situation in which the global poor could gain more control of their circumstances and choices, and thereby, a measure of self-respect.

¹⁶Ibid., 50.

¹⁷Ibid.

¹⁸Ibid., 60.

¹⁹Ibid.

²⁰Ibid., 50.

²¹Ibid.

Because of the difficulty of duplicating the democratic practices and institutions found in bonded political units to the global level, some writers have argued against Laborde's position. They claim that "cosmopolitan republicanism is an oxymoron."²² To such objections, Laborde responds that non-domination is a universal good, and therefore, the (traditional) republican's anti-cosmopolitan argument that makes satisfaction of vital human needs derivative from the ideal of political citizenship is, if not incoherent, at least flawed.²³

To Laborde, unless and until the worst forms of domination generated by the global economic order are checked and constrained by appropriately accountable political institutions, universally fair access to basic capabilities cannot be institutionally secured.²⁴ She, therefore, defends a 'critical' strategy of political empowerment, which involves the reform of international organizations, to make them more representative and more accountable, in order to ensure, for instance, that poor countries are better able to defend their interests and demand fairer terms of interaction.²⁵

She sees all persons as possessing the basic right to be recognized by his or her community of interaction as a moral agent, worthy of respect. The value a community accords to a moral agent will be evident in the 'weight' such a person's voice carries in deliberations, particularly on decisions that directly affects her ability to act in the world. If other persons have unchecked power over a person, or a person inhabits a world in which he is rendered 'silent' and

²²Ibid., 49.

²³Ibid., 49, 53.

²⁴Ibid., 62.

²⁵Ibid.

‘invisible’, such a person has thereby been denied the ‘right to have rights.’ She also proposes that at the individual level, global justice theories should aim at achieving the basic capabilities that are essential for moral agency and democratic citizenship. For instance, material resources (nutrition, shelter, health, sanitation), as well as a ‘democratic minimum’ (or, the ‘right to have rights’).²⁶

Mira Bachvarova also thinks that non-domination could play a central role in global justice theorizing.²⁷ Bachvarova agrees with Laborde that the way in which power is consolidated and exercised in the global order is of itself morally objectionable. But contrary to Laborde, she sees global injustice primarily as a question of power relations which influence distribution decisions. She agrees with Pettit that domination entails the experience of being in a position of subordination to some form of alien control since the dominated person is not reasonably free to make choices.²⁸ Bachvarova also concedes that principle of non-domination is more general and more demanding than democratic legitimacy since it could serve as a check for all forms of political power, including democratic ones. She agrees with writers like Iris Marion Young, who argues that although people have no prima facie right to non-interference, there remains a duty to conduct interactions through democratic means, within and across political

²⁶Laborde borrows the term, “the right to have rights,” from Hannah Arendt’s understanding of fundamental human rights. To Arendt, we all have a human right to belong to a community wherein our basic civil and political rights will be protected. But as I will show later, and as Laborde implies, the current global situation raises the question of the appropriateness of regarding citizenship as a necessary condition to having or enjoying rights. *Ibid.*, 53.

²⁷Mira Bachvarova, “Non-Domination's Role in the Theorizing of Global Justice,” *Journal of Global Ethics* 9, No. 2 (2013): 173-185.

²⁸*Ibid.*, 175.

jurisdictions.²⁹ Bachvarova also agrees with Pettit that although a lack of democracy raises a red flag, both procedural and substantive democratic processes or even a combination of both could hide dominative relations.³⁰

She, however, argues that, although domination is a cognate, and shares conceptual and sociological commonality with “injustice, inequality, and exclusion,” it is not reducible to any, or all of three words.³¹ Furthermore, the pluralistic nature of the global setting yields different conceptions of justice as well as freedom, making universalizing the republican thesis of non-domination, and positing it as the best expression of liberty, controversial.

She recognizes the ills of relations of domination – vulnerability to exploitation, exclusion, and dependency on the goodwill of property owners etc. However, she maintains that non-domination should not be the basis of global interactions, but instead, should be the measure of the “legitimacy, or the moral quality of power relations between specific agents.”³² Rather, she calls for a thinner conception of freedom to ground any discussions of global injustice. To her, therefore, non-domination should be “complementary within a multi-faceted project, (and not be taken) as an alternative framework to rethink all global justice questions.”³³ Instead of making freedom as non-domination the goal of global justice as Laborde suggests, Bachvarova thinks republican freedom as nondomination should be an ideal that checks the exercise of

²⁹Ibid., 176. See also Iris Marion Young, *Inclusion and Democracy (Oxford Political Theory)* (Oxford: Oxford University Press, 2000), 260.

³⁰Ibid., 183.

³¹Ibid., 176.

³²Ibid., 176, 181.

³³Ibid., 176.

power. For instance, in the absence of the kinds of checks provided by a national constitution, the power of global institutions should be assessed by the extent to which those who live under it experience it as an ‘alien’ power.

Project Overview

I take the free expression of autonomous agency as a universal good and a right which all persons are entitled to. Relations of domination ignores or undervalues the agency of the dominated, and thereby constitutes a violation of this basic right. In a world of trans-national interactions, the uneven distribution of all forms of social resources and as a consequence, social power, leads to structural relations of domination. Victims of domination occupy social positions in which they have little ‘effective’ social power – they are less able to access and utilize social resources relative to those who dominate them – to alter their situations. We live in a world where such relations of domination are so entrenched that in many cases, they are now systemic. But social forces are not anonymous, but rather, derive from human action (and inaction). Injustice, inequality, and exclusion result from decisions made by persons who either disregard or in other ways silence the voices of those who suffer such social injustices.

Whether non-domination is taken as a regulative principle or the primary aim of global justice, it remains central to the idea of social and global justice. Therefore, an adequate global justice theory should have at its core, if not the eradication, at least the mitigation, of dominative relations. Using the principle of non-domination as an ideal, or a benchmark, I will assess some social and global justice theories. My assessment of these theories will be guided by whether or not a given theory precludes or is able to retain relations of domination.

In Part 1, I provide overviews of the global justice theories of the Rawlsian Contractarians, Thomas Pogge, Chapter 2 and Richard Miller, Chapter 3. In Chapter 4, I present an analysis of both theories, in the form of putting both writers in conversation. Both limit their analysis of global justice to global distributive justice, thereby failing to adequately theorize other equally important sites of injustice, for instance, indigenous group rights. And by locating their analysis at the level of global institutions, neither theorist adequately accounts for the roles of human agency, freedom, and inter-subjectivity in global injustice. Chapter 5 is a transitional section in which I explain in some detail, the reason I revert to Critical Theory or the Frankfurt School.

One of the notable features of critical theory is its emphasis on emancipation, non-domination and the need to bring about social reform or radical social reform of economic, social and legal institutions to accord with the ideal of radical emancipatory justice. In Part 2, I engage the works of two critical theorists of the Frankfurt School, Axel Honneth, and Nancy Fraser, who represent very different types of critical theory that answer questions regarding normative foundations and social diagnoses of pathology and injustice very differently.

In Chapter 6, I present Honneth's Theory of Recognition in which he makes proposes that flawed, or inadequate social recognition is always a prelude to injustice, repairing such flawed recognition regime should be a first step in addressing social injustice. I discuss the extent and limitations of globalizing the Theory of Recognition. In Chapter 7, I take on the work of Nancy Fraser, who disagrees with key elements of Honneth's theory by arguing that an adequate emancipatory social theory needs to pursue both the aims of recognition of the disenfranchised, and redistribution of resources. In later work, she adds that the principle of participatory parity is

best protected by adding representation as a third aim. I conclude the project in Chapter 8 by arguing that of all the four theories considered, Fraser's argument for the principle of participatory parity, achieved by her all subjected principle, and best protects the universal right to non-domination.

The Rawlsian Contractarians

Thomas Pogge and Richard Miller come from the Rawlsian contractarian tradition, and frame their analysis of global injustice from the perspective of global distributive injustice. Both derive their respective normative arguments from actually existing institutions and practices. But while Pogge has a human-rights based approach, Miller offers a social justice approach based on special relationships of cooperation and responsibility for those whose lives are shaped by imperial power. Both argue that global institutions and practices contain a normative surplus (expectations, promises), which such institutions do not live up to or fulfill.

In *Politics as Usual*,³⁴ Thomas Pogge argues that the rich members of the global population (who are mostly citizens of Western democracies) are violating the negative duty (not to harm) the global poor. They do this by maintaining and benefiting from a global economic order that generates vast amounts of global poverty.³⁵ In *Globalizing Justice*,³⁶ Richard Miller argues that a large part of global poverty is caused by the operation of imperial power (Western countries in general, and the United States in particular). To him, such practices constitute a

³⁴Thomas Pogge, *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric* (Cambridge: Polity, 2010).

³⁵Ibid., 3.

³⁶Richard W. Miller, *Globalizing Justice: The Ethics of Poverty and Power* (Oxford: Oxford University Press, 2010).

violation of the negative duty not to harm (the global poor) by wrongfully exploiting them (by taking advantage of their vulnerability) and engaging in reckless foreign policies, such as sanctions and military interventions, which disrespects them as moral equals.

In Chapter 2, I analyze the arguments of Thomas Pogge, whose central theses are that “the global rich” who are mostly, but not exclusively citizens of European and North American countries, are committing (and covering up) a monumental crime against the world’s poor.³⁷ The crime is that the (global) rich have set up global institutions that guarantee that the bulk of global resources continue to flow mostly to themselves while leaving a large proportion of the world’s population in penury. To him, this is a violation of a negative duty (of the rich) not to harm (the poor).

Pogge also draws a distinction between an interactional and an institutional moral analysis of global poverty.³⁸ He justifies his choice of locating his arguments at the institutional level by positing that this provides a “more demanding” level of analysis.³⁹ Since the rich (societies and members of the global community) are responsible for the creation and maintenance of global institutions, they are therefore obligated to redesign such institutions to alleviate (reduce and eradicate) at least the severest forms of global poverty. It is important to note that Pogge does not argue against the global capitalist order per se, but only against its

³⁷It is important to note that Pogge’s classification is loose in the sense that the group he classifies as rich include the global elite who though concentrated in Western Europe and North America, are also present in other countries.

³⁸Pogge, *Politics as Usual*, 15.

³⁹To Pogge, the question seems to reduce to “whether the causally relevant rules ought to have been different and whether anyone is responsible for defects in these rules that are partly or wholly to blame for any of the regrettable events.” *Ibid.*, 15.

current institutional form.⁴⁰ Also, the more well-off members of the global economy (including economic and political elites in poor countries), are responsible for the injustice of global poverty and inequality. However, Pogge does not place direct responsibility on such persons. Rather they only have an indirect responsibility, as a group that could alter, but who choose to continue to uphold the global institutions that contribute to global poverty.

Referencing Articles 25 and 28 of the Universal Declaration of Human Rights,⁴¹ Pogge argues that the current global legal and institutional system is a violation of the social and economic rights of the people whom the global order impoverishes. To improve the livelihood of the global poor, while reducing global economic inequality, he proposes three initiatives. The first is the Global Resources Dividend (GRD). This is a tax to be imposed on all natural resources at the point of extraction, and the revenues utilized for development projects, in poor societies and communities. The second initiative is to stop Western firms and governments from buying raw materials from corrupt leaders of poor countries. Lastly, Pogge proposes that rich countries desist from using their political and economic might to strike harsh bargains to the detriment of poor countries, as is currently the case in The World Trade (WTO) negotiations.

First, I argue against Pogge that a positive rate of unemployment and the imperative of economic growth are essential to (global) capitalism. In addition, in the capitalist economic

⁴⁰Pogge warns us not to take his position as “a leftist argument”, thereby implying that he is not necessarily taking a stand against capitalism per se. Thomas Pogge, *World Poverty and Human rights: Cosmopolitan Responsibilities and Reforms* (Cambridge: Polity, 2002), 24, 19.

⁴¹Article 25 - (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. Article 28 - Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized. Pogge, *Politics as Usual*, 28, 30.

system, there are no legal or moral limits to how much resources an individual or group is permitted to amass. The requirement of a positive rate of unemployment means that at every given time, a certain proportion of labor (people) and capital (money) will be idle. The growth imperative compels all parties to use whatever means available to seek increasing profits. It is therefore not surprising that rich individuals and countries continue to use their power and resources to design institutions and practices that guarantee that the (economically) powerful continue to amass more resources. The net result of such a global economic environment is downward pressures on both global wages and the price of primary goods, which in turn leads to global unemployment, poverty, and inequality.

One of Pogge's central arguments is that global poor should be compensated and institutions reformed because the same set of people who create and maintain the global order benefit the most from it.⁴² He sees global poverty as the shirking (by the rich) of the negative duty not to harm (the global poor). If Pogge is right then this would seem to worsen the moral violation, because his position also implies that the people who suffer the most have the least power to alter the order. While I am in basic agreement with Pogge, I note two flaws in his argumentation structure.

I agree with Pogge that global institutions create and exacerbate global poverty. And I also concede that his policy suggestions could reduce some of that poverty. However, I do not

⁴²Pogge develops three main institutional reforms: Global Resources Dividend (GRD), or a tax to be imposed on all natural resources at the point of extraction, and the revenues utilized for development projects. He also suggests that measures should be put in place to discourage Western firms and governments from buying raw materials from corrupt leaders of poor countries. Lastly, he proposes that rich countries should desist from using their political and economic might to strike harsh bargains to the detriment of poor countries, as is currently the case in The World Trade (WTO) negotiations. Pogge, *World Poverty*, 17-19, 112-113, 204-208.

agree with his general position that locates the source of harm in the *functioning* and not in the *nature* of such institutions. His position seems to be based on the contradictory argument that global poverty could be addressed through a readjustment of the same institutions whose *normal* functioning generates and sustains the poverty. Against this position, I argue that global institutions are legally established; therefore, the negative effects they produce should be seen as a consequence of their fundamental structure. Pogge's arguments are weakened by his reluctance to take the stronger stand of criticizing the nature of the global economic structure (on which basis the institutions were created). Instead, he takes the weaker stand of criticizing the results of these institutions. I see this as the result of Pogge's reluctance to make arguments that could be taken as a critique of capitalism.

Secondly, Pogge's attempt to derive a negative duty can only succeed if he is able to show the connection between the people who create and maintain the economic and financial institutions and the people whom such institutions harm. Although the injustice he describes in an important sense derive from institutions, such injustice is at root, expressions of moral agency. By locating his analysis at the level of institutions, he obscures the role of human agency in the problem and thereby fails to draw a strong connection between the global poor and the persons whom he claims are harming them. Thus, although Pogge tries to derive a negative duty not to harm the poor, his arguments can only sustain a weak negative duty that only implies for its positive fulfillment modest reforms that do not go far enough.

I, therefore, argue against Pogge that since neo-liberal capitalist global institutions inevitably generate poverty, what is needed is not their adjustment, but their replacement, perhaps by a form of economic democracy that combines the benefits of markets with social

control of productive assets.⁴³ I conclude that Pogge's analysis does not account for other aspects of global relations that are prior to, and in many cases, determine (or at least heavily influence) distributive decisions. For instance, inter-subjective relations, geopolitics, and imperialism. And on account of this, his global justice theory does not preclude inter-subjective domination.

Richard Miller attributes a large proportion of global poverty to oppression and abuses of power by powerful countries against weaker ones. Some instances of such abuses include exploitation in transnational manufacturing, unfair institutional frameworks of world trade and finance, as well as the fact that the poorer members of the world community suffer more from the effects of global warming than the richer members. Miller includes two other cases of such abuse which he says are expressions of hegemonic power, and which he refers to as "the poverty-inducing arm of military might."⁴⁴ These are the imperial shaping of economic development policies of developing countries, and the use of violence to sustain imperial global power. Miller sees all of such injustices as sources of unmet duties of redress. He also holds the position that neoliberal globalization is the best way to improve the circumstances of the global poor, and that imperialism is unavoidable – at least in the foreseeable future.

Miller accepts that ordinary morality leads to cosmopolitanism since morality demands that we value each person's life equally. But he rejects the direct cosmopolitanism of Pogge, insisting that the unmet duties noted above, do not "require an extrapolation of principles of

⁴³See David Schweickart, "Global Poverty: Alternative Perspectives on What We Should Do and Why," *Journal of Social Philosophy*, 39, No. 4 (2008).

⁴⁴Miller, *Globalizing Justice*, 1.

domestic justice” to the international arena.⁴⁵ This is because equal respect for the equal value of each individual’s life – which is the provenance of human rights protection as well as the duty of beneficence – does not necessarily entail equal concern for each person’s life, for this concern and its correlative duties depend on the nature of our particular social relationships to specific persons.⁴⁶ There should, therefore, be a difference between the way we relate to compatriots and the way we relate to the rest of the world; and a difference between the way we relate to non-compatriots with whom we interact (and upon whose lives our actions have an impact), and non-compatriots with whom we have no interaction and upon whose lives our actions have no impact. It is the “nature of interactions” that exists between groups or individuals that decide the nature of the ensuing rights, duties, and responsibilities.⁴⁷ He describes his position as “quasi-cosmopolitanism,” and argues for, “global civic friendship,” which would replace “international bullying” with “international reasonableness.”⁴⁸

Miller concedes that the unjust practices described above yield negative duties not to harm as well as positive duties to alleviate at least some of such harms. But it is only those who are directly affected by ‘imperial excesses’ that could legitimately demand some form of redress.⁴⁹ This is because the duties that arise from such practices are grounded in relationships based on cooperation (or at the very least interaction). He thinks that a large proportion of global

⁴⁵Ibid., 234.

⁴⁶Ibid., 18.

⁴⁷Ibid., 2.

⁴⁸Ibid., 81.

⁴⁹Ibid., 3.

poverty result from the violation of a negative duty not to harm, but this violation is best redressed by positive duties (which go beyond benevolence). He proposes Global Civic Friendship (GCF), which are relations based on cooperation and respect between powerful and weaker countries, as the way to reduce the negative effects of the expression of imperial power. He proposes that all countries aim for GCF which he thinks will give rise to global relations in which all parties would be able to give non-coercive consent to any institution, rule or policy that affects them. He envisions such global cooperation as a force that will move all parties towards the goal of equitable cooperation, which he says will ensure that even those subject to imperial power will have their needs met.⁵⁰ GCF will pave the way for Global Social Democracy (GSD), which will make institutions function in a more equitable and just way. He however also notes what he refers to as a ‘disastrous irony’, which is that, “The transnational influence of developed countries that generates demanding responsibilities is guided by enduring interests and institutional tendencies that guarantee deep irresponsibility in dealings with vulnerable people in developing countries, especially among the most influential powers.”⁵¹

With regards to global poverty, I see Miller as trying to accomplish two incompatible ends. The first is mitigating global poverty while retaining the core feature of the global order that generates the poverty; namely, neo-liberalism (qualified by reducing and/or gradually phasing in some harsh provisions as these apply to poor countries). The problem with this position is that allocating resources through the principles of capitalism cannot eradicate or even reduce global poverty, because even the most benign Keynesian variants of capitalism

⁵⁰Ibid., 153-154.

⁵¹Ibid., 6.

presuppose unemployment (which increases poverty) and continuous growth (which increases inequality), and whose impact on climate change profoundly worsens the condition of the poor, especially.

To counter “imperial excesses,” Miller’s proposes that all parties (countries) pursue relations of global civic friendship based on mutual respect. Thus, while he recognizes the injustice of imperialist relations, he does not explicitly argue against imperialism. He takes such asymmetric power relations as a given, and merely advocates that imperial power should be wielded responsibly.

Against this position, I argue that social power (economic, political, etc.) is relative, and asymmetric power relations, therefore, bear a high risk of domination. The possession of social power reduces the risk that the power holder will be dominated by others, while at the same time increasing his or her ability to dominate others. Therefore, although mutual respect is laudable, it is difficult to achieve from within asymmetric power relations. In the same way, capitalism requires a certain level of unemployment, imperialism presumes relations of domination. Given these features of imperialism and neo-liberal capitalism, it might be impossible to achieve global justice (even if limited to the injustice of poverty). And lastly, even if we grant Miller that imperialism might not be easy to eradicate, as a moral theorist, he should take a stronger moral stand against asymmetric power relations, particularly when it leads to relations of dominance and poverty.

To buttress his position, Miller argues that a market exchange could be exploitative without the exploiter having taken advantage of the other party. To make this case, he cites examples of the operation of sweat shops around the world, World Trade Organization (WTO)

negotiations, and the global tariff regime as instances of such violations; the last two of which rich, powerful countries use to protect their own industries, while forcing poor countries to open up their own markets.⁵² He uses these examples to highlight the distinction between, “taking advantage of someone’s bargaining weakness” and “taking advantage of someone *because* of her bargaining weakness.” To him, the former is sometimes defensible, but the latter never is.⁵³

Miller reads Pogge as attempting to ground demands for global distributive justice on the fact of economic relations. While Miller agrees with Pogge that the global economic framework “violates a responsibility not to take advantage of other’s weaknesses” in commercial exchanges and that such violations create, and worsen global poverty, he insists that Pogge’s position is wrong because to Miller, any negative effects that arise from an economic interaction cannot be morally evaluated outside of the specific relationship of exchange.⁵⁴

Pogge’s focus on institutions could be explained by the fact that he links human rights to a notion of robust human flourishing,⁵⁵ and not merely on the protection of human normative agency.⁵⁶ Miller approaches the question of global injustice from the perspective of citizens of strong, imperialist countries, and thereby seems to engage more with the idea of inter-subjectivity than Pogge does. Although they begin with a non-ideal world, the influence of

⁵²Ibid., 72-79.

⁵³Ibid., 65.

⁵⁴Ibid., 81.

⁵⁵“My argument conceives, then, both human rights and justice as involving solely negative duties: specific minimal constraints – more minimal in the case of human rights – on what harms persons may inflict upon others.” Pogge, *Politics as Usual*, 13.

⁵⁶See James Griffin, *On Human Rights* (Oxford: Oxford University Press, 2008).

Rawlsian contractarianism sets some ideological limits to their position and can be seen in the works of both writers. In addition, their focus on distributive justice does not permit adequate theorizing of other important dimensions of global injustice, like subjectivity, history, and causation. And at the level of persons, neither of the two theorists adequately consider the role of freedom, agency, and inter-subjectivity in considerations of justice and injustice.

The Critical Theorists

Pogge and Miller are justifiably outraged by the extent of global poverty. But while they both regard growing global inequality as a moral problem, Pogge is more emphatic about the need to regulate it through global redistribution based on cosmopolitan democracy. Miller on his part, argues for the need to pursue global civic friendship through discourse. However, neither seems to appreciate the structural limits inherent in capitalism that prevent a significant advance toward economic (distributive) justice and global social democracy, or (in the case of Miller), elimination or reduction of the excesses of imperialism. In addition, although both theorists recognize that global poverty is wrong because it violates human dignity, neither seeks deeper deontological grounds for human rights, such as inter-subjective recognition and non-domination.

To fill some of the gaps I have identified, in section 2, I attempt to provide a deeper moral foundation for their views. To do this, I introduce the works of Axel Honneth and Nancy Fraser. While Honneth emphasizes injustices of recognition and identity - based injustices, affecting, for example, indigenous people vis-à-vis globalization, Fraser tries to give equal, non-reductive weight to both distribution and recognition.

Axel Honneth's brand of critical theory is both descriptive and explanatory. His version of critical theory is "built around the history, structure, and dynamics of struggles for adequate recognition and increased freedom."⁵⁷ His understanding of recognition is the initial inter-subjective situation in which one agent recognizes another as a moral agent, worthy of as much consideration as him or herself.⁵⁸ He argues that all societies function on prevailing recognition regimes or systems. Social pathology is thereby always traceable to inadequate or flawed recognition between moral agents. To Honneth, justice and recognition mutually illuminate each other. This is because what counts as an injustice depends on our reasonable expectations of recognition.⁵⁹ So, an institution (say, a constitution) could disrespect (not adequately recognize) persons. Social institutions effectively regulate behavior but also express and reinforce prevailing social attitudes.⁶⁰ To him, an adequate justice theory should develop a "categorical framework of a sufficiently differentiated theory of recognition, since this establishes a link between the social causes of widespread feelings of injustice and the normative objectives of emancipatory movements."⁶¹

Honneth developed his theory to apply to a modern, western democratic state. I will raise the question of whether, how, and in what manner his arguments for recognition could be applied

⁵⁷Christopher Zurn, *Axel Honneth: A Critical Theory of the Social* (Chichester: Polity Press, 2015), 8.

⁵⁸Ibid.

⁵⁹Mattias Iser, "Recognition," *The Stanford Encyclopedia of Philosophy* (Fall 2013 Edition), ed. Edward N. Zalta, accessed April 29, 2015, <http://plato.stanford.edu/archives/fall2013/entries/recognition/>

⁶⁰Ibid., 8

⁶¹Nancy Fraser and Axel Honneth, *Redistribution or Recognition?: A Political-Philosophical Exchange* (London: Verso, 2003), 113.

to the problem of global injustice. Specifically, I ask whether global injustice could be seen as resulting from a flawed global recognition regime. And if so, whether his theory provides a means of repairing such a regime.⁶²

Nancy Fraser disagrees with key elements of Honneth's theory of recognition. She argues that, although access to resources seems to be the touchstone to human welfare, it remains just one aspect of social injustice. The other aspect, which is just as important, is the aspiration of recognition. Proof that mal-distribution and inadequate recognition are of equal importance can be seen in the fact that although they are analytically distinct, they tend to move in tandem. She sees these two ideas as core components of social justice. Against Honneth, she proposes a "two-dimensional conception" of justice that can accommodate defensible claims for both social equality and the recognition of difference.⁶³

In an important debate between Honneth and Fraser, both agree that the trend towards "growing impoverishment of large parts of the population," which Honneth says is the result of "unbridled capitalism" is problematic. Both philosophers also reject "the economistic view that would reduce recognition to a mere epiphenomenon of redistribution."⁶⁴ They also both agree that "an adequate understanding of justice must encompass, ... [both]...recognition ... and

⁶²Some writers have produced secondary literature on Honneth's work that tries to globalize his recognition theory. See Volker Heins, "Realizing Honneth: Redistribution, Recognition, and Global Justice," *Journal of Global Ethics* 4, No. 2 (2008): 141-153. V. Heins, "Of Persons and Peoples: Internationalizing the Critical Theory of Recognition," *Contemporary Political Theory* 9, No. 2 (2010): 149-170. Jonathan Seglow, "Rights, Contribution, Achievement and the World," *European Journal of Political Theory* 8, No. 1 (2009): 61-75.

⁶³Fraser and Honneth, *Recognition or Redistribution*, 3.

⁶⁴Ibid.

redistribution.”⁶⁵ But while Honneth feels that mal-distribution is a result of miss-recognition, Fraser disagrees.⁶⁶

Fraser maintains that an adequate social theory must grant equal weight to both problems, while Honneth insists that recognition should be given precedence over mal-distribution. To Honneth, we can only begin to address the problem of inequitable distribution after the establishment of an adequate recognition regime. This is because to him, the prevailing recognition order of any society determines the distribution pattern. Therefore, an adequate recognition order will automatically address the problem of mal-distribution.

Like Pogge and Miller, Fraser thinks that distribution patterns are fundamental to social justice.⁶⁷ However, Fraser includes social recognition as a second, important aspect of social justice opens up the theoretical space in which other dimensions of social injustice that go beyond distributive justice could be assessed. She also thinks that redistributing without due consideration of relations of recognition might stigmatize receivers as “social parasites,” and thus further disrespect them.⁶⁸ Fraser seems right that calls for a global redistribution of resources, as exemplified by philosophers like Peter Singer and to an extent Pogge, bear the risk of disrespecting the recipients of resources.⁶⁹ This highlights an important feature of an adequate

⁶⁵Ibid.

⁶⁶Ibid., 3.

⁶⁷Nancy Fraser et al., “Recognition, Redistribution and Representation in Capitalist Global Society: An Interview with Nancy Fraser,” *Acta Sociologica* 47, No. 4 (2004): 377-382.

⁶⁸Fraser and Honneth, *Recognition or Redistribution*, 65.

⁶⁹See Peter Singer, “Famine, Affluence, and Morality,” *Philosophy and Public Affairs* 1, No. 3 (1972): 229-243.

social or global justice theory. It should be able to support arguments that will ground the creation of an economy in which anyone who is willing to work is able to earn enough resources, at least to the level of a minimally decent life.

In her later work, Fraser modified her theory to include the category of (political) representation, which she says “allows us to problematize governance structures and decision-making procedures,”⁷⁰ the third dimension of social justice.⁷¹ To her, justice demands adhering to the principle of ‘parity of participation,’ or the principle that all members of a polity be able to participate on a par with all other members in decision-making processes.⁷² This, in turn, demands social recognition, adequate distribution of resources and just representation for all members of the polity.

Fraser’s earlier work was developed to address social injustice within a modern, western democracy. In more recent work, she has modified some aspects of her theory to make it applicable to global injustice. For instance, without changing the basic structure of her theory, she adds to it that justice requires that all who are subjected to any set of rules should have a say in the development of such rules. She calls this the “all subjected” principle.⁷³

Fraser is right that misrecognition and mal-distribution tend to move in tandem, but both aspects of social injustice are manifestations of domination. Misrecognition and mal-distribution

⁷⁰Fraser et al, “An Interview,” 380.

⁷¹Nancy Fraser, “Injustice at Intersecting Scales: On ‘Social Exclusion’ and the ‘Global Poor’” *European Journal of Social Theory* 13, No. 3 (2010): 365.

⁷²Nancy Fraser, “Who Counts? Dilemmas of Justice in a Postwestphalian World,” *Antipode* 41 (Supplement) (2010): 293.

⁷³*Ibid.*, 287.

move in tandem because it is the socially powerful who determine how resources are allocated, and resource allocation is dependent on how the allocators recognize the different categories of recipients. I, therefore, argue that it is in only in a context of asymmetric power relations that one party could be unjustifiably deprived of some social good.

I agree with Fraser against Honneth that it is wrong to claim that “distributional injustices must be understood as the institutional expression of social disrespect – or, of unjustified relations of recognition.”⁷⁴ But I also agree with Honneth against Fraser that recognition is philosophically prior to patterns of resource allocation. I hold the position that inter-subjective relations presume an already occurring recognition between moral agents. And although it is possible to deny or qualify this already occurring recognition, it is not possible to ‘misrecognize’ another. Therefore, with regards to social justice, inadequate (or qualified) recognition is problematic only because it is closely correlated to social domination.⁷⁵

Therefore, although social recognition cannot, and should not be demanded from another, with regards to social justice, questions of who gets what are really questions of who is *allowed* to get what. If the denial of social recognition is thereby a prelude to social injustice, then Fraser is correct that ‘misrecognition’ is not a problem unless and until it negatively affects the allocation of social benefits, which could include, but is not limited to material resources.

⁷⁴Ibid., 114.

⁷⁵The denial of an already occurring recognition is a necessary prelude to social injustice (which I have redefined as inter-subjective domination). That social injustice should be seen as inter-subjective domination is evident in the fact that social injustice always occurs in an environment of asymmetrical power relations. Social injustice always entails more powerful members of society making and implementing decisions that lead to less powerful members being denied a social resource or benefit. I therefore agree with Rainer First that the first question of social justice is always the question of power. Rainer Forst, “What’s Critical about a Critical Theory of Justice?” (Unpublished manuscript), 15-16.

The value of social recognition lies in how much agency a moral agent is thereby able to express, relative to others. That a moral agent is accorded adequate social recognition implies that her society does not inhibit the full expression of her agency. It is only when the freedom of a moral agent is restricted by the actions of another moral agent that it becomes dominative and thereby, a question of justice. Therefore, the “wrong” of social injustice is not in deprivation as such, but in domination, which is a moral violation of intersubjective relations. Thus, the argument for a right to recognition is better understood as an argument for the right and duty of non-domination.

Conclusion

This project is an attempt to provide grounds for my position that global injustice deficits can best be addressed by an argument for a negative duty of non-domination. Although I present this as an intersubjective, reciprocal duty, to the extent that institutions are created and sustained by persons, it is also a duty that institutions owe to persons. I put Pogge and Miller, in conversation, and highlighted some of the drawbacks of their respective theories. There is a way that an analysis of institutions and social practices refer to inter-subjective interactions, however, both Pogge and Miller fail to ground their normative theories of human rights and global justice in discourse theory or recognition.

I looked to the field of critical theory in the works of Honneth and Fraser, to modify Pogge and Miller’s theories to account for freedom, agency, and inter-subjectivity. I also modified some key positions from the critical theorists, to make them applicable to global justice issues. I concluded that Honneth’s right to recognition should be understood as a call for relations of inter-subjective non-domination because it is in instances of social injustice (which I

redefine as domination), that a recognition deficit becomes visible. Therefore, with regards to social injustice, misrecognition in itself is not a problem; rather, social misrecognition is a problem because it is a necessary prelude to social injustice, which rests on inter-subjective domination.

Fraser modified her theory which originally argued for social justice as just distribution and adequate recognition, to now include representation and the 'all subjected' principle. That is, all those subjected to a social system should have a say in its development and implementation. Being subjected to social rules and institutions, not of one's making entails domination by those who make the rules against those who are obligated to follow them. Therefore, Fraser's arguments for recognition, equitable distribution and (political) representation could, therefore, be understood as arguments for non-domination. I, therefore, conclude that of all the theories considered, Fraser's "all subjected" principle best guards against social injustice or inter-subjective domination.

CHAPTER II

THOMAS POGGE: POVERTY, HUMAN RIGHTS, AND WRONGFUL HARM

According to Thomas Pogge, 2.8 billion people or forty-six percent of humankind live below the World Bank's \$2 a day poverty line. Of this number half, or 1.2 billion people live on less than a dollar a day.¹ These figures indicate that in this century, world poverty has overtaken war as the greatest source of avoidable human misery.² To make matters worse, although a shift of one percent of aggregate global income from the well-off to the global poor could eradicate severe poverty worldwide, shifts in global income has tended to go more from the poor to the rich. Even as global poverty persists, global product, income, consumption, and wealth are rising – along with global inequalities.³

¹The \$2 a day mark means that those people households whose incomes per person per day has less purchasing power than \$2.15 could purchase in the United States in 1993. Pogge, *World Poverty and Human Rights*, 2.

²In addition, 18 million people die annually from poverty related causes, of which more than half are children under the age of five. In the past 20 years, 360 million people have died of hunger and remediable diseases in peacetime, which is more than the people that have died from, "wars, civil wars and government repression over the entire 20th century." Ibid., 2. "Furthermore 1,020 million human beings are chronically undernourished, 884 million lack access to safe water, and 2,500 million lack access to basic sanitation; 2,000 million lack access to essential drugs; 6,924 million lack adequate shelter and 1,600 million lack electricity; 774 million adults are illiterate; and 218 million children are child laborers." Thomas Pogge, *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric* (Cambridge: Polity, 2010), 11.

³The Gini coefficient is a measure of income or wealth inequality in a society, with a lower number indicating more equality. Between 1988 and 1998 the Gini increased from 62.2 to 64.1. The lower 2.8 billion people earn 1.2% of aggregate global income, while, "903 million people of the "high income economies" together have 79.9%" of aggregate global income. Pogge, *World Poverty*, 2. Between the years of 1988 and 1993, real incomes of the bottom 5% of the world declined by a quarter, while that of the top 25% doubled in real terms. While the income ratio between the top and bottom decile of the human population is a staggering 273:1, their wealth ratio is ten times greater still. In 2000, the bottom half of the world's adults together owned 1.1 percent of global wealth, with the bottom 10 percent having only 0.03 percent." "Real incomes among the poorest 5 percent of world population (identified by ppp comparison) declined 20 percent during 1988-93 and another 23 percent during 1993-8, even while real global per capita income rose 5.2 percent and 4.8 percent respectively." Pogge, *Politics as Usual*, 12-13.

Pogge regards global poverty as an on-going crime perpetuated by the rich members of the global community against the global poor. However, it is a crime that is covered through lies, deceptions, hypocrisy, and carefully made-up statistics.⁴ He addresses two of the most common arguments usually made against his position. The first is that statistics from international development agencies like the World Bank (WB) and The United Nations (UN) indicate that global poverty is declining. The second is that so long as the global economy continues to grow, aggregate global wealth and income will inevitably ‘trickle down’ to the global poor, making the poor better off, if not in the near term, then in the long run.

To start with, index construction is a normative, and thereby a contestable issue. For instance, there is currently little consensus on issues like the necessary levels of daily calorie consumption or what constitutes an increase in gender justice.⁵ This lack of consensus is reflected in the arbitrary nature in which many indices are calculated. For example, the World Bank (WB) measures global poverty rates by taking a simple headcount of people on, below, or above the International Poverty Line (IPL). The IPL is calculated by picking a base year and basing poverty reduction on Purchasing Power Parity (PPP) from that year.⁶ The WB does not provide any justification for its choice of a base year. But it is clearly in their interest to downwardly adjust the IPL since the reduction of global poverty is an important part of their mandate.⁷ They

⁴Ibid., 2.

⁵Ibid., 75-76.

⁶For instance, \$1.25 PPP 2005 means that all those whose average daily consumption costs less than what \$1.25 could buy in 2005 (in the United States) are poor, and those who consume more than this amount are ‘not poor.’ Ibid., 62.

⁷For instance, using 1993 as baseline raises China by 31% but taking it 1985 lowers it by 31%. Ibid., 78, 84-85.

are inclined to favor earlier base years to generate a lower IPL, making it easier to claim progress in poverty reduction.

Tracking poverty by this means provides little information about, and in fact could obscure, how other poor groups are doing. And by merely moving people situated immediately below the poverty line to just above it, such a system indefensibly prioritizes those who are just below the poverty line.⁸ The IPL also focuses on income and consumption expenditure. It leaves out cost of living and does not differentiate between foodstuffs and discretionary items.⁹ This sets limits to how well such figures are an accurate measure of global poverty.

Next, Pogge discusses national income figures, which proponents of the WTO provide as proof that global economic growth is not disproportionately benefitting the rich.¹⁰ These

⁸Ibid., 78.

⁹Ibid., 78-83. For instance, it will conceal whether or not the income in question was earned in 20 hours a week or 70 hours a week. It will also conceal the distribution of poverty since it ignores age and gender differences, as well as other particularities within households – female-headed households, are typically poorer (e.g., the amount of necessary labor required to achieve a level of expenditure, the fact that the same level of income enjoyed by two people may, given local circumstances and individual differences, result in unequal development across factors of health, education, etc.) For example, those in a cold climate may have to spend more on heat, and those who face more disease might have to spend more money on healthcare. The current use of consumer price indices and parity purchasing power parity (PPP) is also misleading. PPP calculations are made across national/ regional boundaries and across currencies. They are also calculated in a way that exaggerates the PPP of poor people. Foodstuffs are 50% higher than PPPs suggest since, with regards to food, \$1.25 is the equivalent of \$.86 PPP. Current calculations also combine tradeable (food) and non-tradeable goods (land and services). Tradeable goods cost about the same everywhere, while the cost of non-tradeable goods varies widely. For instance, the fact that non-tradeable goods in poor countries are about three to four times cheaper than in affluent ones makes it seem as if food too, were three or four times cheaper in these countries, but in fact, costs the same. The current system of PPP calculations underestimates the price of food in poor countries by 50%. Pogge recommends that in general, PPPs should be based only on commodities satisfying basic needs; not alcohol, “quackery”, and other things poor people might consume. Or better still, poor countries could also be left out in calculating PPPs.

¹⁰For instance, between 1980 and 2000, while Per-Capita Gross Domestic Product (GDP) of the United States only grew by 2%, China’s grew by 6% while India’s grew by 4%. “It should also be noted that economic growth tracks year on year increases, but says little about entrenched patterns. For instance, if a country experiences a consumption growth of 10% in a given time period, and no growth in the next time period, this does not entail a reduction in production and consumption, but a continuation of whatever level of consumption was achieved in the earlier time period. Therefore, that China and India grew by 6% and 4% respectively relative to the United States at

statistics are taken to show that although there remains a gap between rich and poor countries, things are getting better for poor countries as well. Pogge argues that such a conclusion is wrong because Gross National Product (GNP) include a foreign investment component, which is reflected in the Gross National Income (GNI) figures.¹¹ Therefore, it is not necessarily the citizens of a country that benefit from growing GDPs.¹²

In addition, whether calculated as GDP or GNI, national income figures do not indicate how income growth is allocated within a country.¹³ Even in reasonably democratic countries, economic growth does not necessarily mean that the lot of the poor has been improved. Such growth should not be regarded as progress.¹⁴ This is particularly true for undemocratic societies, where increased growth betters the lot of the elites or results from resource sales that enable a repressive government to increase its abuse of the masses. Economic growth accompanied by

2% does not mean that production and consumption grew in China and India more than it grew in the United States. Rather, it means that the rate at which income increased in China and India was more than the rate at which incomes increased in the United States. With income levels in the United States already so much greater than the levels in China and India cannot be taken to show that the US suffered an economic decline compared to these two countries.” Ibid., 93-94. Ibid., 94, Figure 5.1.

¹¹The difference between GDP and GNP (or GNI) is that “When residents of country A derive income from country B – returns on investments, for instance, or revenues from the sale of natural resources they own in country B – then such income is counted toward the GDP of B, yet toward the GNI of A.” The difference between Gross National Product (GNP) or Gross National Income (GNI) and Gross Domestic Product (GDP) is that, the “...GNI ... excludes the earnings accruing to foreigners and includes the earnings that residents derive from abroad.” Ibid., 95.

¹²Ibid., 96. Table 5.2. When we, “Define the poorest and the richest countries in any year as groups of countries that each contain 10 percent of the world’s population...,” using the GNI per capita, inter country inequality is exacerbated. For instance, using GNI as opposed to GNP, between 1980 and 2007, inequality ratios almost doubled between poor and rich countries.

¹³Ibid., 97.

¹⁴Many things money can buy are positional or competitive: political influence, for instance, and access to education and even health care depend not merely on how much money one has to spend but also on how much others are willing and able to spend on those same goods. “For example, if we compare the growth in wellbeing compared to their compatriots, despite the affluence and continued growth in the United States, the poor in the United States are doing much worse than the poor in Norway and Hungary.” Ibid., 97-98.

rising inequalities diminishes both absolute and relative shares of economic and social resources of the poor.¹⁵ Therefore, it is only when economic growth eases the plight of the poor that we should consider growth in income as leading to their betterment.

Economic growth yield benefits to all members of the society, including at least some of the poor. However, increased economic inequality also harms poorer segments of the society the most. For example, although China's economic growth has led to a decline in some of its poverty, the extent and content of this decline remains unclear.¹⁶ It, is however, clear that China's recent economic growth has been achieved at the cost of a sharp increase in domestic inequality. This rise in inequality give more affluent Chinese "greater opportunities to influence political decisions, to give unfair advantages to their children, and to dominate the poor directly."¹⁷ Pogge argues that if Chinese policymakers had focused on not allowing inequality to rise, it would have cost the country half of its GNI growth. But this would also have meant that the bottom four deciles of its population would have done better in both absolute and relative terms. The poorer members of the population would have been spared at least some of the increased "marginalization, social exclusion, and vulnerability to domination that they are now experiencing."¹⁸

Pogge, therefore, wonders if the Chinese society would not have been better off with less growth (and less inequality): was the rise in economic inequality a necessary price for whatever

¹⁵Ibid., 97.

¹⁶Most of the statistics on China are from World Bank figures. Ibid., 100.

¹⁷Ibid., 102.

¹⁸Ibid., 101.

reduction in poverty China was been able to achieve?¹⁹ Furthermore, the alternative scenario (lower growth and increased equity), would also have had a better effect on the global environment, which China is now burdening with a huge upsurge in pollution, resource depletion and environmental degradation.²⁰ These (avoidable) negative effects: growing domestic inequalities and negative global environmental effects, buttresses Pogge's position that governments should be more focused on improving the lot of the worse off at the expense of the better off even if such a policy results in a lower rate of economic growth.

In addition, China's economic growth may also have been at the expense of other poor countries' growth, and therefore, at the expense of the global poor.²¹ This is because the protectionist policies of affluent countries limit opportunities for access to exports for poorer countries to affluent country markets. Secondly, to succeed in the global export market, China lowered wage and labor standards and therewith export prices, forcing other countries to follow suit. And lastly, China has had to increase its import of oil and food, thereby inflating the global prices of these commodities, making it more expensive for other poor countries to access these

¹⁹Ibid., 100.

²⁰“One may object that we should not expect China to moderate its ecological footprint so long as the affluent countries continue to pollute and deplete at even higher per capita rates. All countries should conceive growth much more from the standpoint of their poorer population segments. Doing so, they would do much better in terms of avoiding poverty and (if equity slows aggregate growth) environmental degradation. I do not contest this objection. The example of China is meant to illustrate quite general quite general points about intra-national inequality. *All* countries should conceive of growth much more from the standpoint of the poorer population segments. Doing so, they would do much better in terms of avoiding poverty and (if equity slows aggregate growth) environmental degradation.” Ibid., 101-102.

²¹Ibid., 103.

goods.²² It is, therefore, wrong to argue that China's growth can be duplicated by any other poor or emerging economy.

The Moral Wrong of Global Poverty

Although global economic growth is indeed bringing some out of poverty, it is at the cost of increasing global inequality – many people are either remaining poor or experiencing even more extreme poverty. Pogge thinks that extreme poverty is eradicable and avoidable at a price “that would entail minuscule opportunity costs for the affluent.”²³

To illustrate the causal connection between extreme poverty and growing global wealth, Pogge first draws attention to the global reach of transnational actors like The United Nations (UN), The European Union (EU), The World Trade Organization (WTO) and The World Bank (WB). The global reach of such organizations means that most of the global population now live under global regulations that constrain governments of nation states such that a state's sovereign control over its borders and citizens is no longer understood as a purely domestic issue.²⁴ The linguistic turn from discussing international relations as ‘global ethics’ to the current norm of

²²Ibid.

²³The first step to eradicating, or at least mitigating extreme global poverty is the reform of major global institutions so that they lead to more equitable results. But such reforms are resisted because the current situation is beneficial to those who create and sustain the institutions. Ibid., 107.

²⁴“The United Nations and The Universal Declaration of Human Rights reflect efforts to establish globally uniform minimum standards for the treatment of citizens within their own countries. The Bretton Woods Institutions and later the World Trade Organization powerfully shape the economic prospects of countries and their citizens. Finally, Global and regional organizations, most notably the UN Security Council and the European Union, have acquired political functions and powers that were traditionally thought to belong to national governments. These organizations make rules that profoundly affect the rules that govern the lives of many of us. Those actors and these rules powerfully affect the domestic life of national societies: through their impact on pollution and climate change, invasive diseases, conflict and violence, culture and information, technology and (most profoundly) through market forces that condition access to capital and raw materials, export opportunities, domestic tax bases and tax rates, prices, wages, labor standards and much else.” Ibid., 11-12, 14.

discussing international relations as ‘global justice’ reflects, and further entrenches these recent changes in global relations.²⁵ This new terminology also holds the advantage of providing conceptual tools that enable us to extend moral analysis beyond the state to transnational institutional arrangements.²⁶ Given the preponderance of transnational institutional rules that in many cases disregards sovereignty, a global justice theory that remains at the level of the interaction between countries will be inadequate.²⁷

Pogge notes that since the publication of John Rawls’ *A Theory of Justice*, the social domain is now generally understood as a “distinct domain of moral assessment.”²⁸ Institutions are now assessed by how much they help or hinder the attainment of the human rights of persons who are affected by their actions. Global institutions are also morally assessable and evaluable by the standard of their impact on “the conditions of life experienced by human beings worldwide.”²⁹

To explain how the current institutional order contributes to poverty, Pogge first notes that while rules governing global trading system and military interventions have been modified, access to natural resources, borrowing, treaty, and arms privileges have been left in place.³⁰ Although this is sometimes the result of competitive pressures and trans-national bargaining,

²⁵Pogge, *Politics as Usual*, 17, 22.

²⁶Ibid., 13-14; 22.

²⁷Ibid., 11-12.

²⁸John Rawls, *A Theory of Justice* (Cambridge: Belknap Press, 2005).

²⁹Ibid., 11, 19, 22.

³⁰Ibid., 14, 19.

more often, it is the result of the deliberately “opaque” and “undemocratic” way such rules are made.”³¹ Current global rules make things worse for poor people in three ways. First, anyone who is able to grasp power in any country is internationally recognized as legally permitted to dispose of any natural resource in the country, borrow, make treaties and buy arms.³² This makes it attractive for military juntas to take over power in many poor countries and proceed to enrich themselves to the detriment of members of the country. Secondly, rich powerful countries use the WTO treaty system to protect their markets while forcing poorer weaker countries to open up theirs.³³ Third, the Trade-Related Aspects of Intellectual Property (TRIPS) component of the WTO grants monopoly patent rights to a wide range of innovation including advanced seeds and medicines, thereby limiting the global poor’s access to cheap generic versions of advanced medicines.³⁴ The majority of the global poor belong to societies or communities that are adversely affected by such rules.

Pogge notes that although universal human rights are codified in international law, the same international law establishes and maintains organizations that “systematically obstruct the aspirations of poor populations for democratic self-government, civil rights, and minimal

³¹Ibid., 11-12; 14; 17.

³²Pogge complains that presently “Any group controlling a preponderance of the means of coercion within a country is internationally recognized as the legitimate government of this country's territory and people - regardless of how this group came to power, of how it exercises power, and of the extent to which it may be supported or opposed by the population it rules. He also argues that such leaders should not be granted borrowing privileges. Ibid., 18-20. Thomas Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms* (Cambridge: Polity, 2002), 112-113.

³³This leads to an estimated loss of \$100 billion annually to poor countries. Ibid., 20.

³⁴Ibid., 20-21.

economic sufficiency.”³⁵ And although affluent Western states are no longer practicing slavery, colonialism, and genocide, they still enjoy crushing economic, political and military dominance over the rest of the world, while a large proportion of humankind can barely obtain enough to survive.³⁶ Compared to other countries Western democracies do not just benefit the most from global institutions, they are also more involved in the creation and maintenance of such institutions.³⁷ The net effect of such benefits is evident in global national income disparities, which tracks global individual income disparities.³⁸ To Pogge, that such detrimental results are “foreseeable and avoidable” makes them a moral violation.³⁹

Pogge thinks that extreme poverty is “avoidable through comparatively minor modifications that would entail only slight reductions in the incomes of the affluent.”⁴⁰ But rich Western states habitually block reforms that could alter this situation.⁴¹ He argues that since such countries are reasonably democratic, their citizens share at least part of the blame for a global

³⁵Ibid., 20.

³⁶Ibid., 6.

³⁷“In shaping this order, those governments have given much weight to the interests of their domestic business and finance elites and rather little weight to the interests of poor and vulnerable populations of the less developed countries.” Ibid., 21-22.

³⁸Which indicates that individuals of rich countries benefit more from global economic and financial arrangements. See Jean Treanor, “Half of World's Wealth Now in Hands of 1% of population,” *The Guardian*, 13 October 2015, accessed January 15, 2017, <http://www.theguardian.com/money/2015/oct/13/half-world-wealth-in-hands-population-inequality-report>. “Richest 1% Will Own More Than All the Rest By 2016,” OXFAM International, January 19, 2015, accessed February 9, 2016, <https://www.oxfam.org/en/pressroom/pressreleases/2015-01-19/richest-1-will-own-more-all-rest-2016>

³⁹Ibid., 31.

⁴⁰In addition, “Reforms have been blocked by the governments of the affluent countries which, advancing their own interests and those of their corporations and citizens.” Ibid., 31.

⁴¹“Corporations and citizens, are designing and imposing a global institutional order that, continually and foreseeably, produces vast excesses of severe deprivation and premature poverty-related deaths.” Ibid., 31.

order that benefits them while keeping others in penury. Citizens of such societies are thereby implicated in the violation of the human rights of the poor because their prosperity creates and sustains the penury of the poor.

To Pogge, “Extensive severe poverty can continue because we do not find its eradication morally compelling. And we cannot find its eradication morally compelling until we find its persistence and the relentless rise in global inequality troubling enough to warrant serious moral reflection.”⁴² He notes that as bad as (in his opinion, underestimated) global poverty figures are, they do not appear to be morally salient to people in Western societies.⁴³ He thinks this is because although we lie to ourselves that we are moral people, who care about morality, we also recognize that we benefit from current global arrangements.⁴⁴ But more importantly, we are also aware that we can get away with it - the global poor can do the citizens of affluent countries no harm - the current global order lacks a discursive space for those who are negatively affected by global policies to express dissent.⁴⁵

In addition, people in rich countries tend to have an inbuilt “rationalizing tendency” that enables them to utilize “cosmetic arrangements” to achieve a “moral disconnection” to global injustice.⁴⁶ This tendency leads to their holding on to two moral prejudices: “The persistence of severe poverty abroad does not require our moral attention, and that there is nothing seriously

⁴²Pogge, *World Poverty*, 3.

⁴³Ibid., 6-7.

⁴⁴Pogge, *Politics as Usual*, 2-3.

⁴⁵Ibid., 2.

⁴⁶Pogge, *World Poverty*, 6.

wrong with our conduct, policies, and the global economic institutions we forge in regard to world poverty.”⁴⁷ Armed with these rationalizations, they continue to cover up the situation and their culpability, by telling themselves that things are getting better, since global agencies are working hard at creating a world in which everyone will be able to access enough resources to at least have their basic needs met.

Pogge notes how of all the Articles of the Universal Declaration of Human Rights (UNDHR), Article 25,⁴⁸ which guarantees all persons’ socio-economic rights, is the most frequently violated. But it is Article 28⁴⁹ of the UNDHR, (which addresses the institutional order under which all persons live), which he thinks should set the standard for assessing global institutions, and is, therefore, the basis of his moral arguments.

Interactional and Institutional Analysis

To Pogge, we can look at events in our social world interactionally “as actions, and effects of actions performed by individual and collective agents,” or we can look at them institutionally, “as effects of how our social world is structured and organized.”⁵⁰ Although a “commitment to human rights goes along with interactional moral commitments, but this is no reason to identify the former with the latter.”⁵¹ For instance, a malnourished child could be seen

⁴⁷Pogge, *World Poverty*, 4.

⁴⁸Pogge, *Politics as Usual*, 28. Article 25 - (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

⁴⁹Article 28 - Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized. *Ibid.*, 28, 30.

⁵⁰*Ibid.*, 15.

⁵¹Pogge, *World Poverty and Human Rights*, 65.

as the result of the actions (or inaction) of his parents (interactional), or the result of the high import duties on food, or a high rate of unemployment (institutional).⁵²

He notes that while there is general acceptance of the existence of socio-economic rights, there is also wide disagreement over whether their violation yields positive or negative duties.⁵³ To Pogge, “The postulate of a human right to X is tantamount to the demand that, in so far as reasonably possible, any coercive social institutions be so designed that all human beings affected by them have secure access to X.” This implies that “A human right is a moral claim on any coercive social institutions imposed on oneself and therefore a moral claim against anyone involved in their imposition.”⁵⁴ Therefore, although the violation of socio-economic rights (for instance when persons are not able to meet their basic needs), generates positive duties, they also create negative duties.⁵⁵

He sees human rights as primarily “claims on coercive social institutions and secondarily as claims against those who uphold such institutions.”⁵⁶ This is different from the usual understanding of human rights as a meta right - one has a moral right because such a right is supported by a constitutional, legal right. Thus, his institutional understanding of human rights contrasts with an interactional understanding, “which represents human rights as placing the

⁵²Pogge, *Politics as Usual*, 15.

⁵³Ibid., 28.

⁵⁴He adds that “An institutional order and its imposition is human-rights-violating if and insofar as this order foreseeably gives rise to a substantial and reasonably avoidable human rights deficit. Pogge, *World Poverty and Human Rights*, 46.

⁵⁵Pogge, *Politics as Usual*, 28.

⁵⁶Pogge, *World Poverty and Human Rights*, 45.

treatment of human beings under certain constraints that do not presuppose the existence of social institutions.”⁵⁷ On this standard, “current global institutional arrangements as codified in international law constitute a massive human-rights violation.”⁵⁸

Such “Human rights are violated institutionally by those who make uncompensated contributions to the imposition of social institutions that foreseeably give rise to an avoidable human-rights deficit.”⁵⁹ On this institutional understanding, “responsibility for a person’s human rights falls on all and only those who participate with this person in the same social system. It is their responsibility, collectively to structure this system so that all participants have secure access to the objects of their human rights.”⁶⁰ Thus, by participating in, and benefiting from, the global institutional order “most of the world’s affluent are making uncompensated contributions” to the order, and thereby violating the negative duty not to harm (the global poor).⁶¹ In this manner, Pogge connects negative duties to persons through the results of institutional arrangements which they uphold, and thereby, generates negative institutional duties.⁶²

⁵⁷Ibid., 44-45.

⁵⁸Pogge, *Politics as Usual*, 31.

⁵⁹“For example, through their uncompensated support of the grievously unjust Nazi regime, many German officials and citizens facilitated the human-rights violations this regime gave rise to – thereby participating in a collective crime and violating the human rights of its victims, even if they never personally killed or tortured or otherwise harmed anyone directly.” Ibid., 29.

⁶⁰Pogge, *World Poverty*, 66.

⁶¹Pogge, *Politics as Usual*, 30.

⁶²If we uphold an institution that harms others, we are violating the negative duty not to harm. This means that if we find ourselves benefiting from an institutional order that leads to human rights deficits, morality demands that we should work to change such an order, or/and in some other way compensate victims.

Refuting Arguments

Pogge notes and refutes four arguments that could justify our apparent unconcern.

- “Preventing poverty deaths is counter-productive because it will lead to overpopulation and hence to more poverty deaths in the future.”⁶³ In response to this, Pogge points out that not only is global food production increasing, available evidence shows that birth rates fall wherever poverty is alleviated, and women gain better economic opportunities.
- “World poverty is so gigantic a problem that it simply cannot be eradicated in a few years, at least not at a cost that would be bearable for the rich societies.”⁶⁴ Pogge counters this by noting that the aggregate financial shortfall for the 2.8 billion people who live below the \$2 a day poverty line is \$300 billion dollars annually, or 1.2% of the aggregate annual gross national incomes of the high-income economies. This means that we could at least begin to remedy the most extreme aspects of this problem at a cost that will not be destructive to the global economy.
- Global poverty cannot be eradicated by “throwing money at the problem.”⁶⁵ Pogge does not disagree with this position but says that this does not justify abandonment of the problem, but is rather, an invitation to rethink strategies for addressing it. Besides which, donations are not the only way to address world poverty, since there remains

⁶³Pogge, *World Poverty* 7.

⁶⁴Ibid., 7.

⁶⁵Ibid., 8.

the option of restructuring the global order. He notes in addition that in many cases, the much-touted assistance to poor countries is not designed for the benefit of the poor, but to achieve the political interests of the donor.⁶⁶

- Lastly, relying on statistics provided by international agencies, some argue that, “world poverty is disappearing anyway.”⁶⁷ As noted above, this argument relies on questionable statistics. Not only is the number of the global poor higher than the statistics indicate, there appears to be little seriousness of intent to implement the modest plans that are already in place to address global poverty.⁶⁸

Although the foregoing arguments attempt to de-emphasize the seriousness of the problem of global poverty, they do not explicitly deny that global poverty is a moral problem. Pogge next responds to arguments that support the position that even if global poverty exists, it is not a moral problem that concerns us.⁶⁹

Arguments have been made that the economic destiny of a country is determined by internal factors like the (moral) character of the people, and the (socio-political) culture of the society. For instance, John Rawls attributes the cause of people’s wealth to its political culture,

⁶⁶For instance, occupied Iraq received 20% of all Official Development Assistance in 2005. Ibid., 9. See also Pogge, *Politics as Usual*, (End note 71), 209.

⁶⁷Pogge, *World Poverty*, 9.

⁶⁸To provide just one example, in the operationalization of the Millennium Development goals, the United Nations surreptitiously adjusted one of the goals from a 50% reduction in the number of poverty deaths by 2015 to a 20% reduction. It did this by revising its goal from raw numbers to a proportion of the poor, and b moving the beginning base line year of comparison back in time. Pogge, *Politics as Usual*, 58.

⁶⁹Such arguments are used to refute Pogge’s first thesis: Citizens of rich, western countries and the institutions which their duly elected officials create, maintain and impose on the rest of the world, are responsible for global poverty. They, through their elected officials, are thereby violating the negative duty not to harm the global poor.

moral traditions, industriousness, political virtues, as well as their (chosen rate of) population growth.⁷⁰ To support this position, examples of two formerly poor countries are usually provided: those that have grown economically, and those that have stagnated or declined, within the same time-period. This is taken to show that the global order notwithstanding, poor countries either grow or decline economically. The reasons for the persistence of severe poverty and the key to its eradication could therefore only be local.⁷¹

To the first part of the argument (which is Rawls' position), Pogge responds that it ignores the fact that rich and poor countries arrived at their current levels of economic development through the same historical process. Through slavery, colonization, and genocide, many of the currently rich societies established great income and wealth inequalities.⁷² "Relations structured under so unequal conditions are likely to be more beneficial to the stronger party and thus tend to reinforce the initial economic inequality."⁷³ In response to the second part of the argument, Pogge responds that conceding that local factors play a role in low economic growth does not mean that global factors are irrelevant.⁷⁴

⁷⁰Pogge, *Politics as Usual*, 32.

⁷¹Ibid., 33.

⁷²In response, it is often said that colonialism happened too long ago to contribute to the explanation of poverty and inequality today. But consider the 30: 1 inequality in per capita income in 1960, when Europe released Africa from the colonial yoke. Even if Africa had consistently enjoyed annual growth in per capita income one full percentage point above Europe's, this inequality ratio would still be 18:1 today. At this rate, Africa would be catching up with Europe at the beginning of the twenty-fourth century. Ibid., 32.

⁷³Ibid., 32.

⁷⁴Global institutional designs are extremely complex and will affect different countries in different ways. Besides which, one can concede that poverty might reflect voluntary choices while also holding that global institutions explain at least some inequalities between rich and poor countries. Ibid., 34.

He also responds to the position that the current global order is close to optimal with regards to the challenge of global poverty avoidance.⁷⁵ Pogge disagrees with this position, arguing instead that the current global order is designed to give priority to the interests of “governments, corporations, and citizens of affluent countries” over the goal of poverty avoidance.⁷⁶ Furthermore, negotiators are obligated to heed nationalistic imperatives over the goal of global poverty avoidance, and in so doing reinforce “the very inequality that enables the governments of the affluent countries to impose such a skewed design in the first place.”⁷⁷

The last position which Pogge addresses is the argument that although an alternative global order could do more for the poor “it does not follow that the existing global order causes excess poverty or excess poverty deaths, that it harms or kills anyone, or that it violates human rights.”⁷⁸ Pogge sees this argument as one that relies on an understanding of negative human rights as rights that could only be violated in the process of direct inter-subjective interactions. On this understanding, legally established institutions cannot be said to be violating a human right, and therefore, neither can those who operate such institutions. Pogge sees this argument as an attempt to exploit the moral distinction between causing something to happen and merely failing to prevent it from happening.⁷⁹ He thinks that those who support this position want to

⁷⁵Ibid., 36.

⁷⁶Ibid., 35.

⁷⁷Faced with the global arena, such negotiators act more in the interest of the political success of their governments, and by extension the economic prosperity of their citizens. Ibid., 34-35.

⁷⁸Ibid., 37.

⁷⁹Ibid., 38.

reduce the imposition of the global order on poor people from the level of an act to the level of an omission.⁸⁰

To buttress this position, its defenders sometimes rest their case on the prior question of whether global poverty is declining or increasing. They sometimes do this by making diachronic comparisons. Using poverty levels at some point in the past, they argue that since there have been some gains in poverty reduction from that time period, then the global order cannot be said to be ‘harming the poor’. Pogge thinks that such diachronic comparisons are faulty because it takes an arbitrary point in the past as an “appropriate, no-harm baseline.”⁸¹ To him, such arguments would commit us to support the argument that since Jim Crow laws are acceptable and not a violation of the human rights of black people since they were an improvement over chattel slavery. In the same vein, that the global poor are marginally better off now than in some previous time period does not mean that this global order does not harm them, or that its imposition is not a human rights violation.⁸² Pogge sees such arguments as a deflection since the question at stake is whether this global order is benefiting or harming the poor, and not about the current level of global poverty, compared to prior levels.⁸³

⁸⁰“The idea must be that the rules governing the world economy are not actively causing excess poverty, thus harming and killing people, but merely passively failing to prevent such poverty, failing to protect people from harm.” Ibid., 37.

⁸¹Ibid., 38.

⁸²Ibid.

⁸³Ibid.

A variation of the same argument is one in which a “subjunctive comparison with a hypothetical baseline” is presented.⁸⁴ For instance, it is sometimes argued that had African colonialism and slavery not occurred, Africans would still be as badly off as they are today; or more generally, that the global poor are better off than they would have been in a hypothetical a state of nature. To the first argument, Pogge responds that these would be different Africans, not the ones that were in fact harmed by the invasive contact with Europeans. And to the second, he responds that accepting such an argument would commit us to the position that whatever we do to another person is permissible so long as it does not reduce such a person to a condition that places him or her below what would be available in the state of nature. On this view, chattel slavery would also be considered moral since it is an improvement over the state of nature.⁸⁵

The argument is also sometimes made, based on the legal precept that one cannot claim harm for something he or she has consented to, that since the poor (via their governments) consent to the global order, the order cannot be said to be harming them.⁸⁶ To this Pogge responds first, that the inalienable nature of human rights means that they cannot be signed away. And even if a person chooses to waive a fundamental human right, such a waiver is never considered morally or legally enforceable.⁸⁷ Furthermore, the greatest majority of people who suffer the economic hardships that the current order imposes are children. Such children cannot be regarded to have ‘consented’ to an order that leads to their deprivation, and in many cases, to

⁸⁴Ibid., 39.

⁸⁵Ibid., 39-40.

⁸⁶Ibid., 40.

⁸⁷Ibid.

their deaths.⁸⁸ Likewise, the most impoverished people in the world cannot be said to consent to the global order, since in many cases they live under oppressive dictators that the WTO permit to represent them in trade negotiations. And even when democratically elected governments in poor countries “consent” to trade and loan agreements, to the extent that they have no other tolerable options, they do so under “coercive” conditions.⁸⁹ And to the argument that a poor country does better under the current global order when such a country complies with the rules (more than poor countries that refuse to), Pogge says this merely illustrates the fact that there are no other viable options, and not that these rules are the best that could have been made.⁹⁰

Citing China and the Asian Tigers (Hong Kong, Taiwan, Singapore and South Korea) as examples, arguments are sometimes made that any well-governed country can pull itself out of poverty. Pogge regards this as an instance of the “some - all” fallacy.⁹¹ Just because the Asian Tigers succeeded in pulling themselves up during the cold war (thanks to authoritarian labor practices and a US government that opened its markets to aid said Tigers, while allowing them to protect their industries through tariffs), doesn't mean that any poor country could. These successes were based on a strong export market, which presumes access to foreign markets. Given the zero - sum logic of international competition, particularly the global export market, the

⁸⁸Imagine a situation in which a WTO policy leads to the death of a child because TRIPS laws prevent his country, and as a result his parents, from obtaining food and medication. In such a situation, it is hard to argue that such a child or his parents ‘consented’ to those WTO rules. Ibid., 41.

⁸⁹Ibid., 41.

⁹⁰Ibid., 42.

⁹¹Ibid., 43.

historical and geographical factors that led to these countries' successes are not likely to be duplicable. It is, therefore, unlikely that all other poor countries could have done the same.⁹²

But these arguments do not settle the question of why the global order should not be absolved since much poverty could be avoided if the leaders of these countries were more competent and less corrupt.⁹³ In response, Pogge enumerates four ways that “oppression and corruption” ... “are themselves very substantially produced and sustained by central features of the present global order.”⁹⁴ He notes that until 1999, not only were foreign organizations legally permitted to bribe public officials in developing countries, such bribes were tax deductible. To date, such bribes remain difficult to eradicate even after it was generally proscribed by most Western countries in the 1999 convention.⁹⁵

It is also usually the case that politicians and elites in poor countries are also confronted by two possible sources of influence. The first is the global institutional order – international agencies, multi-national corporations, foreign governments, etc., and the second is the generally

⁹²And as noted above, China's economic growth and rising inequality shows that the mere fact that a domestic economy is growing does not necessarily mean that the circumstances of the poor are also improving. Ibid., 43-44.

⁹³He argues that even if causal factors taken in isolation do not cause harms by themselves, when two such factors are combined, the likelihood that they will produce greater harm than each could produce separately increases. In this case, even if both local and global institutions contribute only a little to poverty taken separately, taken together, they produce a synergistic effect which will cause more harm than each one taken alone. He also notes an important asymmetry, “While domestic institutional arrangements and policies in the poor countries have little influence on the design of the global order, the latter has a great deal of influence on the former. The global institutional order exerts its pernicious influence on the evolution of world poverty not only directly, in the ways already discussed, but also indirectly through its influence on the domestic institutions and policies of the poorer countries.” Ibid., 44-45.

⁹⁴Ibid., 45.

⁹⁵OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions. Ibid., 45.

poor, uneducated masses of poor countries. The power asymmetry between the two groups makes it easy to divert the loyalties of the politicians and elites in poor countries since they have more incentive to answer to powerful governments and multi-national corporations rather than to their own citizens.⁹⁶

The democratic deficit in poor countries also worsens their economic conditions. The global order currently grants recognition in all political and economic transactions (as well as the privilege to enter economic exchanges and treaties in the name of the country), to whoever is able to grasp power – irrespective of how they come to power, or how repressive the government. This has provided incentives for coups and repression in poor countries.⁹⁷ The foregoing show that there is a need to scrutinize and reform the institutional rules that govern global economic and political exchanges, particularly as these rules affect poor countries.

To support his position that the global order is a violation of a negative duty of justice from rich members of the global community, Pogge presents three additional arguments. The first is that the global rich and poor alike share one institutional order, which is shaped by rich countries and imposed on the global poor.⁹⁸ Since the radical inequality under discussion cannot be traced to extra-social factors like natural disasters or genetic handicaps, it seems to be the result of the nature of these institutions. And because there are feasible alternatives to this

⁹⁶Ibid., 46.

⁹⁷Ibid., 47-50.

⁹⁸Ibid., 199.

institutional order, the order is implicated in (if not directly responsible for), the reproduction of radical inequality.⁹⁹

Secondly, it is contradictory to simultaneously hold the position that natural resources belong equally to every human person on the planet, while at the same time allowing a system that permits a few to appropriate these same resources.¹⁰⁰ It is, therefore, wrong for the global poor to be excluded and uncompensated from the use of the world's natural resources. Pogge acknowledges that the rich pay for their use of natural resources; he nevertheless asks "what entitles a global elite to use up the world's natural resources on mutually agreeable terms while leaving the global poor empty handed?"¹⁰¹ Thirdly, he thinks that "a morally deeply tarnished history should not be allowed to result in radical inequality."¹⁰² Since the social starting positions of the rich and the poor are greatly influenced by a shared history of the rich societies exploiting the poor ones, in a process of exploitation and other "grievous wrongs." This history gave rich societies great advantages, which are reflected in present inequalities.¹⁰³ And to him, this history yields a duty for the rich to assist the poor. The world's poor are very badly off both in absolute and relative terms. Although radical inequality and extreme poverty are impervious and pervasive, it is also avoidable.¹⁰⁴ Based on the principle that anyone who benefits from an unjust

⁹⁹Ibid., 199.

¹⁰⁰Ibid., 202

¹⁰¹Ibid.

¹⁰²Ibid., 203.

¹⁰³Ibid.

¹⁰⁴Pogge, *World Poverty*, 198.

institutional order should compensate those who suffer from that order, the present economic system calls forth a duty of rectification.

What Should Be Done?

The duty of compensation could be met in one of three ways - individual donations, national donations (bilateral aid), or institutional reform.¹⁰⁵ Since “severe poverty could be rapidly reduced through feasible reforms that would modify the more harmful features of this global order or mitigate their impact,”¹⁰⁶ he chooses to pursue institutional reforms. He justifies this choice by adding that “even small changes in the rules governing transnational trade, lending, investment, resource use, or intellectual property can have a huge impact on the global incidence of life-threatening poverty”¹⁰⁷ Pogge proposes three initiatives, which he thinks will improve the livelihood of the global poor, while reducing global inequality.

Pogge’s Reforms

The Global Resources Dividend (GRD) is a tax to be imposed on all natural resources at the point of extraction, and the revenues utilized for development projects, in poor societies and communities. The second initiative is to stop Western firms and governments from buying raw materials from corrupt leaders of poor countries.¹⁰⁸ Lastly, Pogge proposes that rich countries

¹⁰⁵Pogge, *Politics as Usual*, 52.

¹⁰⁶Ibid., 50.

¹⁰⁷Ibid., 53.

¹⁰⁸Pogge, *World Poverty*, 112-113.

desist from using their political and economic might to strike harsh bargains to the detriment of poor countries, as is currently the case in The World Trade (WTO) negotiations.¹⁰⁹

Pogge envisions the GRD as a tax to be imposed on all natural resources that can be destroyed, eroded, worn down, used or exploited.¹¹⁰ He proposes that funds collected from this initiative should be used to finance development projects.¹¹¹ The rationale behind this initiative is that in the current system, use of the earth's resources is skewed in favor of the global rich. The GRD could, therefore, be seen as a way to address this imbalance.¹¹² The need for a GRD arises because the global financial and economic system does not distribute the use of natural resources equitably, thus excluding the poor from access to our shared natural resources, which arguably are equally owned by all human beings. This is a fundamental flaw of the order – a person without money is automatically excluded from even those things that he or she is morally entitled to.

Pogge argues that rich countries use their economic and political might to conduct negotiations in World Trade Organization (WTO) negotiations that lead to an “especially brutal path of economic globalization,” to the detriment of the global poor, who are mostly to be found in poor countries.¹¹³ The immorality of these sorts of negotiations cannot be excused because it

¹⁰⁹Ibid., 17-19.

¹¹⁰Ibid., 197.

¹¹¹Ibid., 202.

¹¹²Ibid., 196-215.

¹¹³Ibid., 19.

yields material gains on behalf of rich country citizens and the global elite.¹¹⁴ The second reform is to stop rich countries from using their power to extract detrimental economic concessions from poor countries in such negotiations.

The global poor are also made even poorer when businesses and governments of rich countries indiscriminately purchase raw materials from oppressive leaders of poor countries or supply arms and grant loans to them. He argues that such acts give such dictators the power to further oppress their citizens.¹¹⁵ For instance, since all loans must be paid back, if a corrupt leader is granted a loan, but misappropriates the funds, such a leader would thereby have effectively immiserated future generations of the country. Pogge, therefore, proposes that rich businesses and governments of rich countries should only engage in transactions with leaders of poor countries if and only if, such transactions will benefit the people of the country, particularly the poor.

These reforms should be designed to compensate for past harms and their accumulated after effects. Pogge thinks that if properly designed and implemented, they could easily generate the \$300b a year which is the estimated cost of eliminating severe global poverty. However, distribution of the burdens of such reforms should be legally orchestrated rather than made voluntary (for instance through donations), because the free rider problem would impose unfair burdens and stresses on ethical donors.¹¹⁶

¹¹⁴Ibid., 20.

¹¹⁵Ibid., 112-117.

¹¹⁶Pogge, *Politics as Usual*, 56.

Conclusion

Pogge conceives of almost half of the global population as an undifferentiated mass, which he refers to as “the global poor.” Pogge’s categories of ‘we’ (who are harming the poor) and “the global poor” (those who suffer on account of global institutions) are both too broad. He provides little distinction within these two groups, thereby inadequately examining the possible distinctions among sub-groups within these categories. For instance, he does not address the question of how global distributive injustice affects the poor; or how group members have, or could resist global institutions. He seems to conceive of “the global poor,” as an inert group of people, who are acted upon by global institutions. This limits the extent to which he is able to disambiguate the idea of responsibility. While the decision makers at the management level of the WTO hold some responsibility for global poverty, this should not be conflated with the kind of responsibility that could rightly be assigned to a high school teacher in a Texas city; simply the teacher votes and pays taxes.

Another flaw in Pogge’s analysis is that he locates the moral problem in the execution and not in the structure of the (neo-liberal) global order. There is little acknowledgment of the fact that the structure of neo-liberal capitalism intensifies the rate in which resources flow more to already affluent persons, societies, corporations and countries to the detriment of those who have less. The implication that global poverty could be addressed through a readjustment of the same institutions whose normal functioning he claims creates global poverty yields a contradiction. Therefore, although Pogge tries to derive a negative duty not to harm the poor, his arguments can only sustain a weak negative duty that only implies for its positive fulfillment modest reforms, which do not go far enough.

Lastly, Pogge does not adequately account for the inter-subjective domination that is at the root of all social injustice. The result of his analysis is that the more powerful members of the global order (deliberately) dominate weaker members. In some cases, the domination is the result of the normal interactions that could be expected between unequal parties without checks on power differentials. But in other cases domination is a deliberate policy – the stronger party deliberately sets out to dominate the weaker. This kind of relationship is most clearly seen in the hegemonic practices of the United States, although it can also be seen in the behavior of other powerful countries. An important consequence of this is that although Pogge mentions the role of power differentials, he does not explicitly engage with geopolitical power. This can be seen in his reform proposals that rely on the willingness of powerful countries to accept forgo the benefits that they currently derive from the current order. If power and domination is a feature of the global order, then an adequate global justice theory must account for such relations in both the analysis of the problem and in proposed reforms.

I include an analysis of Pogge's global justice theory because he is one of the most prominent philosophers working in the field of global justice. Although there is substantial secondary literature responding to his position, this chapter is an important example of a dominant trend in current global justice theorizing. An important feature of this trend is that global injustice is approached from the perspective of global poverty. I disagree with this position because, in an imaginary world in which extreme and debilitating poverty did not exist, the problem of global injustice would not necessarily have been resolved. I hold the position that global poverty is just one dimension of global injustice, besides which global poverty is a mere symptom of the more fundamental injustice of inter-subjective domination. A test of the

adequacy of each of the global justice theories that I engage in this project is whether, and to what extent, each theory accommodates or precludes inter-subjective domination.

Pogge would be hard pressed to make arguments against a relationship in which a rich country dominates a poor country, while ensuring that no-one in the dominated country suffers extreme poverty. But we would thereby not be justified in claiming that such a relationship is an ethical one, or that the demands of justice are met because basic needs are guaranteed. This shows that Pogge's theory fails because it could accommodate relations of inter-subjective or inter-country domination, and thereby also accommodate injustice.

CHAPTER III

MILLER

Introduction – Global Injustice

To Richard Miller, a major cause of global poverty is the economic, military and political domination of poor countries by rich ones. While acknowledging the “imperialistic” practices of countries like France and Japan, he sees the imperialistic practices of the United States as paradigmatic of such relations. Miller argues for a change from the current global relationships of abuse of power to one of more help and less political intrusion. This requires that all countries aim for global relations in which all parties would be able to give non-coercive consent to any institution, rule or policy that affects them. He envisions such a global scheme of cooperation and civic friendship as one guided by the principles of Global Civic Friendship (GCF), based on Global Social Democracy (GSD).¹

In what follows, I provide a summary of Miller’s analysis of global injustice, as well as the solutions he provides to address such injustice. I note some of the advantages that Miller’s theory has over Pogge’s. I conclude on the argument that although Miller argues against the results of geopolitical domination, by not taking a stronger stand against imperialism, he ends up with a theory that accommodates relations of domination.

Like Pogge, Miller also approaches the problem of global injustice from an economic perspective. Miller sees export-led growth as the only feasible path out of poverty. Therefore,

¹Richard W. Miller, *Globalizing Justice: The Ethics of Poverty and Power* (Oxford: Oxford University Press, 2010), 6-7, 230.

like Pogge, he also does not take issue with neo-liberal capitalist globalization.² Miller accepts that unfair economic exchanges greatly contribute to global poverty, for example, through the “process of production, exchange and finance and the institutional framework that regulates it,” a substantial amount rich country citizens are irresponsibly “making improper use of the desperate neediness of people in developing countries.”³ Contrary to Pogge, he does not think that global capitalism imposes material neediness on the poor.⁴ Specifically, he disagrees with Pogge’s position that we “do not merely let people starve, but also participate actively in starving them.”⁵

Miller sees global distributive inequities as the result political domination, which yields duties of redress, particularly for citizens of rich, Western democracies. He notes five areas of dominating interaction: exploitation in transnational manufacturing, the institutional framework of world trade and finance, and the effects of global warming on the poor. Others are the negative consequences of foreign powers steering the course of development in developing countries, and the obligations created by uses of violence to sustain imperial power. Because the benefits of such interactions flow more to rich countries, while poor countries suffer its burdens, citizens of rich countries have a large “unmet responsibility” to help the global poor.⁶

²Ibid., 59.

³Ibid.

⁴Ibid.

⁵Ibid.

⁶Ibid., 1.

Exploitation in Transnational Manufacturing

Miller attributes the recent sharp growth in Foreign Direct Investment (FDI) to foreign firms setting up manufacturing operations in middle and low-middle-income countries as a reflection of the low cost of wages in these countries.⁷ Although workers in these factories work and live under dismal circumstances, the alternatives to employment for many in these countries are usually worse – grinding rural poverty, even worse working conditions, etc.⁸ “These hard facts of life in developing countries benefit globalizing firms,” which is the reason for the global explosion of sweatshops that are mostly located in developing countries.⁹

To illustrate the moral deficit of such economic arrangements, Miller distinguishes between two different meanings of ‘exploitation.’ Exploitation could mean “taking advantage of someone’s bargaining weakness,” or it could mean “taking advantage of a person by taking advantage of her bargaining weakness.”¹⁰ The first sense of exploitation is ordinarily permissible, but the second needs additional conditions to be justifiable. Miller thinks it is wrong for “A person takes advantage of someone if he derives a benefit from her difficulty” ... “in a

⁷“In 2000, the current dollar value of manufactured goods imported from low and middle income countries by high income OECD countries was 3.7 times the current dollar value in 1990, as compared to a ratio of 1.7 in the values of total high income country imports in those years. Those imports from low and middle income countries had risen to 16% of high income country merchandise imports, from 7% in 1990. By 2005, the proportion had further increased to 21%. Opportunities to profit from this expansion are a major source of the growth of foreign direct investment in developing countries: from 1990 and 2005, foreign direct investment in low and middle income countries grew eleven-fold (nearly thirteen-fold in lower middle income countries) as compared to a fourfold increase in high income countries.” Ibid., 63.

⁸Gethin Chamberlain, “The Expensive ‘Italian’ Shoes Made for a Pittance in East European Sweatshops,” *The Guardian*, August 21, 2016, accessed February 15, 2017, <https://www.theguardian.com/fashion/2016/aug/20/shoes-uk-high-street-made-for-a-pittance-eastern-europe-sweatshop>

⁹Miller, *Globalizing Justice*, 63.

¹⁰Ibid., 65.

process that shows inadequate importance of her interests and her capacity for choice.”¹¹ That the weaker party is made better off by such an exchange does not mean that the stronger has not thereby taken undue advantage. He refers to this as “taking advantage of weakness that wrongs while bettering.”¹²

Since market exchanges presume that both parties have something the other desires, only the second sense of exploitation condemns. However, in relations of very steep power differentials, “mere exploitation” in the first sense of the term, is *prima facie* reason for ascribing the second sense. The moral flaw lies in taking advantage of bargaining weakness of others who face very bad outcomes because this “uses them as mere means.”¹³

But such relations could be justified when abstaining from entering them could be excessively costly to one or both parties, or when such a relationship is necessary to correct for the results of “shortsightedness, moral insensitivity or outright injustice of other parties.”¹⁴ But that notwithstanding, since a great many beneficiaries of globalized manufacturing are people living in developed countries, abuses in trans-national manufacturing generate duties of rectification.¹⁵

¹¹Ibid., 60.

¹²Miller likens this to the case of a Victorian husband who exploits the prevalent culture to ensure that his wife remains differential. Such a husband does her wrong, even if within that culture, the wife would be worse off as a divorcee or a widow. Ibid., 61.

¹³He provides a moral standard: Payment for services rendered must not exceed what would be paid if bargaining power were not crippled by urgency. Ibid., 60, 61.

¹⁴“In the context of trans-national manufacturing, there might be good reason for engaging in mere exploitation, besides which, it might be too expensive for both parties to desist. For example, raising wages may price a manufacturer out of business, and insisting on ‘fair’ wages might cause the company to move to another region or country.” Ibid., 60.

¹⁵As I will show later, this argumentation process assesses a pure economic exchange by standards external

Inequitable Frameworks

Another area in which bargaining weaknesses are exploited is in trade regimes which through “threats of exclusion or discrimination,” privilege rich countries to the detriment of poor ones.¹⁶ The global system of Tariffs and Quotas operate in a way that provides greater export access for rich countries while limiting the access of poor countries to export markets.¹⁷ This shortfall in “reasonableness,” which on many occasions is achieved through “bullying,” leads to a net loss of \$600 million a year to the poorest 48 countries.¹⁸ To Miller, such arrangements “could not be justified without violations of reciprocity of reasons.”¹⁹

Powerful countries also use trade agreements to further ends that are not purely economic. For instance, excess agricultural products are routinely dumped in poor countries,

to the transaction. Therefore, Miller’s conclusion rests on a contradiction because an economic exchange is purely a matter of two parties reaching an agreement. Although it could be morally relevant outside of the exchange specific exchange, whether, and to one extent either party is “bettered” is not morally relevant to the specific interaction of exchange.

¹⁶For instance, during the Uruguay Round of the WTO (1981-94), developed countries bullied developing countries into accepting inequitable agreements that allowed the former (but not the latter) to keep tariffs and subsidies. And during the Doha Round of the WTO, the United States for example only agreed to cap its agricultural subsidies at a level twice its actual size. Ibid., 73. “This trade and investment framework has been shaped by threats of exclusion or discrimination, through which major developed countries take advantage of the especially urgent need of developing countries for access to developed country markets.” Ibid., 70. In 2005 alone, developed countries spent \$280 on agricultural subsidies. Such subsidies shield rich country farms from the same competition that is ‘encouraged’ by neo liberal “free trade” policies, which poor countries are forced to implement. Removing poor countries tariffs reduces their tax base (which makes up to a quarter of the GDP earnings in many developing countries), further reducing domestic funds available for social spending. Ibid., 80.

¹⁷Eliminating the unequal tariff burdens imposed on developing nations, which is three times higher than those imposed on developed nations, could add up to 100 billion dollars in total value added. Ibid., 77. “No country has ever successfully developed without relying on measures to manage damage and increase advantages from world trade that are banned by rules that were instituted by the Uruguay Round, through dire threats overcoming heated resistance.” Ibid., 80.

¹⁸Ibid., 78.

¹⁹Ibid.

with devastating results on local farming.²⁰ And although immigrants' impact on affluent host country is generally positive, while creating opportunities for poor countries to benefit from remissions, restrictive immigration laws prohibit or limit immigrants from entering developed countries.²¹ Miller sees such impositions as dominative, and only agreed to by poor countries because of the "rational need of the weak to acquiesce to the threat influence of the strong."²²

Due to competition in global trade, "A developing country's entry into the world of globalization is often grim."²³ It, therefore, seems best for vulnerable developing countries to have more flexibility in deciding the path of their own "painful" entry into globalization.²⁴ Despite its questionable track record of success, the current trade regime blocks other options and models of economic development that developing countries could have pursued.²⁵ Miller argues that since any path of development is a gamble, those who will be most affected by such

²⁰Ibid., 70, 79. However, the December 2015 WTO meeting in Nairobi seems to have led to some improvement over what Miller describes in this section. See "WTO Members Secure "historic" Nairobi Package for Africa and the World," WTO, accessed March 20, 2016, https://www.wto.org/english/news_e/news15_e/mc10_19dec15_e.htm

²¹Ibid., 79.

²²Ibid., 81.

²³Goods are cheaper and investments more lucrative in the poorer countries, making affluent people in developed countries the initial net beneficiaries of new entrants into globalized world markets. Ibid., 79.

²⁴Miller adds that although it might be tempting to think that developed countries too should have the same flexibility, for instance by protecting their domestic manufacturing base from foreign competition, this would be wrong. Developed countries, especially the United States, are domestically receptive to "creative destruction" through displacement. As he argues, "In pressing for liberalization in the world at large, developed countries propose that considerable disruption is worth the gains in developing countries. It would show bad faith not to swallow the same medicine at home." Ibid., 74-75.

²⁵For instance, from 1960-78 during the heydays of protectionism, GDP growth stood at an average of 2.8% among Latin American countries. It dropped to virtually nil after structural adjustment policies and a free trade regime was imposed by the IMF and WTO respectively. Ibid., 80.

gambles should have a say in selecting a path of development. Poor countries should, therefore, be left alone to experiment with different methods and packages for entering the global market.

To Miller, “in a joint enterprise, those who have imposed inequitable arrangements in the recent past have a duty to compensate for the toll, and a duty to mitigate on-going consequences of the inequity after it has ended.”²⁶ There is a need to “make up for previous political irresponsibility, at least in the recent past.”²⁷ The first step towards doing this is to “Replace international bullying with international reasonableness,” or reasonable discourse, which requires three conditions.²⁸ The first is reciprocity toward other representatives - both regarding good faith consideration of each party’s interests and in the giving and weighing of reasons acceptable to all. Secondly, there should be reciprocity towards one’s own compatriots by justifying agreements by reasons they (compatriots) could accept; and third, all parties have a duty to live up to their responsibilities.²⁹

Any agreement not reached from within “constraints of reasonableness in deliberations” could lead to “the strong is taking advantage of the weak.”³⁰ To guard against this, Miller recommends discourse – ethical principles for regulating trade negotiations: mutual respect for interests leading to reasonable deliberation oriented to principled compromises that all could

²⁶Ibid., 82.

²⁷Ibid., 81.

²⁸Ibid.

²⁹Ibid., 72.

³⁰Ibid., 70-71.

accept without constraint.³¹ It does not matter whether the goals of justice are internal to the regime or external to it, so long as principles are “justified to others in light of their consequences and their coherence.”³² In such deliberations, the interests of the most vulnerable poor must be placed near the front of all considerations. He suggests that in this case, the use of a “veil of ignorance” could be useful in resolving conflicts over competing paths toward development that favor certain parties.³³

Globalization impacts developing countries much harder than developed ones (for instance up to 25 percent or more of the tax revenues of some poor countries come from import tariffs). He therefore suggests that the IMF should increase its social fund, which currently averages between \$8-18 per poor person per year, an amount which Miller describes as too “little and late.”³⁴ Meeting the foregoing conditions might also require that national representatives (of trade negotiations) suspend advocating too strongly for interests of compatriots for the sake of compensating for past iniquitous agreements.³⁵ For instance, although “U.S. power has sustained

³¹Ibid., 71.

³²Ibid.

³³“For instance, a WTO decision might have to choose between bringing advancing the interests of one country (maybe China) and thereby bringing more poor people out of poverty, or fewer poor people located in more than one country.” Ibid., 74. For an explanation of the concept of the veil of ignorance, see John Rawls, *A Theory of Justice: Original Edition* (Cambridge: Belknap Press of Harvard University Press, 2005), 129, 134, 139.

³⁴Ibid., 79.

³⁵“The most important element of a discourse ethical setting is its reliance on the principle of reciprocity of reasoning, which forbids that I demand of another what I am not willing to give to him or her; or claim a position I am not willing to grant another (similar circumstances presumed). However, the need to make entry into the global market less painful for poorer countries could be used to justify the violation of the reciprocity of reasoning principle.” Ibid., 72.

the status quo,” the forced global reliance on the U.S. dollar could be replaced with a more equitable global financial system.³⁶

Climate Change

Miller sees harmful climate change due to the release of greenhouse gasses as another source of unmet responsibilities.³⁷ To him, this is a problem that “generates a shared duty of containment,” because it is the “collective effect of our individual pursuits taken together.”³⁸ The moral responsibility arises from the duty we have to show “due concern for unintended harmful side-effects of conduct which may, itself, be morally flawless.”³⁹ Addressing the problem of climate change brings to the fore two questions: what level of mitigation should be pursued, and how should the required sacrifices be allotted? Miller identifies three parties that should be considered with regards to these questions: the global poor, relatively well-off citizens of western democracies, and future generations.⁴⁰

Two additional factors further complicate the problem. The first is lack of a “well-established comprehensive, reasonably precise description of when costly forbearance from conduct with harmful side effects is morally required.”⁴¹ The second is that forbearance from

³⁶Ibid., 82.

³⁷“Although this responsibility does not derive from wrongdoing, since prior to the 1990s, the climatic effect of many commercial activities were not well known. But information about the effects of these activities on the atmosphere is now readily available, calling for the need to take responsibility for those effects.” Ibid., 95.

³⁸Ibid., 92.

³⁹Ibid., 83-85.

⁴⁰Miller recognizes that these two groups overlap – just as there are poor people in rich countries, there are also rich elites in poor (and developing) countries. Ibid., 112-113.

⁴¹“The establishment of such a standard would have to settle questions about the difference between intentional and intended harm that are among the most obscure and contested in ethics, and provide a principled

economic pursuits could constitute an important loss to persons in the three groups.⁴² To guarantee equity, Miller proposes that deliberations be based on a model of teamwork and “responsible deliberations.”⁴³ He suggests that in this case, we should assume the global analogue of domestic political relationships, and carry out deliberations based on a principle similar to the Rawlsian veil of ignorance, which would favor the global poor in the imposition of burdens.⁴⁴

And although more sacrifice should be expected from rich countries, equity demands that the burden should not be placed on rich countries alone.⁴⁵ In the same vein, “a climate regime that is insensitive to the special needs of the world’s poor seems grossly inequitable.”⁴⁶ However, fairness demands a policy that lowers emissions in the least developed countries to the point where more sacrifice would lead to increased destitution.⁴⁷ On this model, the cost of climate control will burden poor people in rich societies more than those in poor countries. The principles of reasonable discourse require that poor people in rich countries who could be negatively affected be “offered justification for accepting this arrangement rather than others

solution to a problem that theorists of justice in war have tried to solve for a long time, a reasonably precise description of adequate care to avoid causing civilian deaths.” Ibid., 105.

⁴²Ibid., 92.

⁴³Ibid.

⁴⁴Ibid., 93.

⁴⁵Ibid., 87-88.

⁴⁶This is because between a policy that postpones escape from destitution and one that reduces economic production, the former seems unfair, since it demands more morally significant sacrifice. Ibid., 93-94. We should therefore accept as equitable, a distribution “that imposes significant risks of sacrifice on many people in developed countries, while advancing the interests of the global poor.” Ibid., 86.

⁴⁷Ibid., 94-95.

inflicting less harm.”⁴⁸ In sum, although priority should be given to poor people in poor countries, the concerns of poor individuals in developed countries should not be discounted.

These policies should be grounded on trust among all parties, and such trust should be honored by the willingness to make sacrifices and not becoming parasitic on the system.⁴⁹ On this view, it would be unfair to demand that the (global) poor carry greater burden just because they stand to gain more from climate change reduction. By the same token, the poor U.S. coal miner who refuses to sacrifice by appealing to the principle of sympathy ignores that he or she is from a society that has contributed a greater share of global pollution.⁵⁰ But although, “those taking part in an activity giving rise to grave harms must make a good faith effort to reduce those harms,”⁵¹ this should not commit us to a “polluter pays” position, since such a position places undue burdens on those who could not have anticipated that their commercial activities could affect the environment in this way.⁵²

Relatedly, we should also not recklessly reduce commercial activities that contribute to global warming, since this could lead to widespread industrial shutdown.⁵³ It would also be

⁴⁸Ibid., 92.

⁴⁹“Political duties to take on burdens to reduce climate dangers to others” ... “derive from ordinary political duties of trust. Ibid., 103.

⁵⁰Ibid., 99.

⁵¹Ibid., 106.

⁵²Miller notes that prior to the 1990s, many people were not aware of the problems (and causes) of global warming. Therefore, asking this generation to pay for such past activities would not be fair. Also, “It is hard to see why people living in developed countries now bear a responsibility to sacrifice their interests on account of past activities of people within the borders, mostly long-dead which were not inherently illegitimate and whose harmful side-effects could not have been foreseen.” Ibid., 95.

⁵³Ibid., 88.

unfair to require that everyone reduce their emissions towards some ideal (equalizing) target. Instead, Miller suggests a “Contract and Converge” model aimed towards rough equality in per capita carbon emissions, while taking into consideration contextual differences like local weather and rate of development.⁵⁴ Since “any citizenry worthy of trust will seek a package of global climate policies that is impartially acceptable to every person,”⁵⁵ global warming deliberations should be made according to the principles of ‘reasonable discourse,’ based on the principle of impartial acceptability – “the ultimate agreement benefit each party overall and on balance, as compared to non-agreement.”⁵⁶ But Miller is also aware of the risk that rich, powerful countries could be tempted to use their power to bully poor countries in deliberations. But this would be an irresponsible abuse of power. To Miller, “If responsible, the strong (countries) would” “prefer to forgo the concessions they could extract, in order to base political stability on mutual trust rather than asymmetric fear.” Otherwise like tyrants, “they base rule on the exploitation of vulnerability.”⁵⁷

Addressing global warming should be a collective effort – the gains to the well-off should therefore not be purchased at the expense of the poor. For instance, developed countries should accept a reduction in GDP growth, and countries like Canada (who might stand to benefit from global warming) should also be willing to make sacrifices.⁵⁸ Compensation in the form of (well

⁵⁴Ibid., 96, 98.

⁵⁵Ibid., 107.

⁵⁶Ibid., 104.

⁵⁷Ibid., 100.

⁵⁸Ibid., 104.

targeted and apolitical) aid should also be made available to help poor countries develop using less polluting technologies and adapt to warming.⁵⁹ And because the harms we are trying to prevent are anticipated to start towards the end of this century, special consideration should also be given to up to two generations into the future. Miller recognizes that this means that global warming deliberations will ask people to make sacrifices and give “standing to climate harms that will not be endured in the lifetimes of many.”⁶⁰ But this is justified because genuine commitment to the principles of justice and fairness cannot be limited to one’s lifetime. Besides which, the duty of “due care” demands that we do not deliberately and avoidably take actions that are guaranteed to be detrimental to the well-being of future generations.⁶¹

Empire, Obligation and Imperial Excess

Miller sees the United States (U.S.) as a paradigmatic of “the systematic influence of great powers (that) crosses borders unaccompanied by appeals to political allegiance or legitimate authority.”⁶² This imperial, hegemonic ability to change foreign lives through processes that do not depend on willing support by those who are affected, yields moral and political duties.⁶³ To make his case, Miller first responds to two arguments that are usually made against his position. The first is that the U.S. does not always get what it wants, even within its

⁵⁹Ibid., 102.

⁶⁰Ibid., 112.

⁶¹Ibid., 113.

⁶²Ibid., 119.

⁶³Ibid., 120.

territorial dominion. Secondly, even when it does, the mere fact of influence does not justify referring to the U.S. as an “Empire.”⁶⁴

Miller justifies his terminological choice (of referring to the U.S. as an empire) by defining domination as “non-reciprocal influence.”⁶⁵ More than any other nation lives everywhere are affected by U.S.’s domineering influence. While it is true that countries sometimes assert their sovereignty to resist the U.S., such resistance does not negate the mechanisms of U.S. empire. One can justifiably say that the U.S. dominates a country when U.S.’s initiatives are “especially important in the shaping of the local terms of life.”⁶⁶ And although the U.S. is not a literal imperial power like Great Britain was, it functions in an analogous manner.⁶⁷

Miller understands “the bearer of prerogatives” as one who “has importance that forces others to give way.”⁶⁸ Through such prerogatives, direct threat power, and the use of destructive power, the U.S. uses its “domineering influence” to forcefully shape lives in many developing countries, “in ways that are hard to reconcile with respect for their autonomy.”⁶⁹ For example, the financial predominance of the United States gives it the capacity to pursue its interests in ways that give rise to costs to others.⁷⁰ But the U.S. needn’t carry out threats in order to bully –

⁶⁴Ibid., 131.

⁶⁵Miller’s provides a relational account, based not just on impact, but also on mechanisms of domination. This implies more than mere asymmetry in power, and is thereby different from “direct unilateral action.” Ibid., 129.

⁶⁶Ibid., 129.

⁶⁷For instance, it produces 25% of global product and spends 45% of global military budget.

⁶⁸Ibid., 121.

⁶⁹Ibid., 120, 146.

⁷⁰“The use of the dollar as international currency means that 90% of all foreign trade is conducted in dollars, and 60% of dollars is held by creditors outside the US. The US is still regarded as safest haven for foreign

it sometimes rules by indirect or concealed force. For example, countries run the risk of losing World Bank or International Finance Corporation (IFC) aid or loans if they contravene the wishes of the U.S.⁷¹

U.S.'s domination of institutions like The World Bank (WB) and the International Monetary Fund (IMF), enables it to steer multi-lateral processes that affect the course of development of the vast majority of developing countries. Such exclusive, hegemonic and asymmetrical prerogatives and threats are dominative because they “shape lives” in developing countries “according to policies and preferences shaped by U.S. initiatives.”⁷² Such external domination risks altering the contract between governments and citizens in developing countries from a state commitment to manage development, to a state commitment to carry out the wishes

investment. US treasury bills in foreign exchange reserves – upward to 16 trillion dollars – reflect US borrowing prerogative. When Fed decides to tighten credit to offset local inflation, money becomes tight and poorer countries cannot borrow; likewise, when the dollar is devalued, this impacts foreign holders of US treasuries adversely (but too much devaluation would make treasuries unattractive to bond-holders like China, thereby limiting US capacity to borrow). These create coordination prerogatives, or the need for foreigners to adjust their business and financial practices to the need of US business and finance means that US is always has access to foreign intellectual labor tailored to its interests. But all of these also mean that a financial crisis in the US will impact the whole world.” Ibid., 121-123.

⁷¹“However, the U.S. sometimes employs actual destructive power, for instance, in the overthrow of Saddam Hussein. Such actions heighten fears of opposing the U.S. interests. Destructive Power also includes “violence by foreign groups which rely on US support,” such as power exercised by foreign U.S. client regimes and proxies (Nicaraguan Contras, Afghani Mujahedeen).” Ibid., 124,127. Prerogatives, threat and destructive force are mutually reinforcing - the capacity to borrow enables exorbitant build-up of U.S. military capacity, which in turn leverages economic power (access to oil, etc.).

⁷²Miller illustrates this scenario with examples of Guatemala, the Philippines, Egypt and Ethiopia IMF and WB votes are weighted by contribution with US possessing veto power despite its declining share (16.77% of IMF votes but still 3X the next highest), as we all as an informal agreement that president of the WB must be a US citizen. Both IMF and WB rely on US financial resources (WB created the WB's low-interest deferred payment loan program to coopt less US uncontrollable parallel program. History vis-à-vis Chile, Vietnam, Nicaragua, etc., shows that the US geopolitical interests determine who gets and doesn't get loans. Unconditional loans have been replaced by conditional, structural adjustment agreements, especially beginning around 1980. The new loan conditions since the 1990s have rewarded market-based privatization and deregulation reforms over anti-corruption and rule of law reform. Ibid., 130, 133, 135-138.

of global private enterprise.⁷³ This form of dominance gives rise to special responsibilities to citizens of the U.S., towards dominated foreigners⁷⁴

U.S. military sponsorship and military and armed sales dependence relations with ‘strategic’ countries like Saudi Arabia is another form of domination.⁷⁵ This can be seen in the pattern of U.S. (military and non-military) aid, which is apportioned “not on the basis of poverty reduction needs, but on the basis of its own strategic needs.”⁷⁶ In addition, the U.S. uses the threat of stopping trade to accomplish its purposes, a strategy that has been particularly successful in many Latin American countries, where trade dependence on the U.S. could be many times more important than U.S. aid.⁷⁷

⁷³“Austerity has sharply reduced social welfare and health expenditures while at the same time actually lowering growth in 98 countries receiving IMF loans by 1.5% and increased by 14 million the number of poor people falling below \$2 a day. IMF riots in more than half of the countries where it was imposed. The IMF and WB policies serve US corporate/economic and geo-political interests – not poverty reduction. The financial world obeys the dictates of the United States, which is fully aware of the harms that this regime inflicts, but uses its dominating influence to continue to deepen and widen these policies.” Ibid., 139.

⁷⁴Ibid., 130-131.

⁷⁵“The Middle East is one prominent site of military patronage. The House of Saud has played a leading role worldwide in containing oil price surges and expanding production and has provided preferential terms to American oil companies in exchange for its tenuous rule, renowned for repression, bigotry and the taking of national wealth for princely luxury. The largest arms supplier to Saudi Arabia, the United States, had military sales of over \$115 billion (in contemporary dollars) to the Saudi regime in the second half of the twentieth century.” Thus, the two countries have developed a “long standing security relationship.” Ibid., 142.

⁷⁶“In 1999, Israel got 51% of US military aid while Egypt got 35%, and more recently, more money has been given to Iraq, and Afghanistan. Israel, which received lion’s share of aid in 1999, ranks No 5 in per capita GNI, and Egypt, which received second largest aid amount, is lower middle class. “Even in the disbursement of aid classified as “development assistance,” the US does not favor low income countries. Aid dependence is not “an unfortunate effect of poverty”, but “a vehicle of domineering influence. Israel, which received lion’s share of aid in 1999, ranks No 5 in per capita GNI, and Egypt, which received second largest aid amount, is lower middle class.) Haiti, by contrast, saw its aid sharply reduced (and eventually delivered indirectly by NGOs) following Aristide’s resistance to the IMF/WB agreement he had promised to accept.” Ibid., 142-145.

⁷⁷Ibid., 145.

Specific Patterns of Domination

When countries are poor, but endowed with rich natural resources, or are in a strategic location, developed countries are especially energetic in shaping the local terms of life, through rewards and threats that promote the local dominance of elites favoring their interests. Such countries are the targets of violence, direct or sponsored, that advance the power or wealth of leading developed countries.⁷⁸ Miller argues that a nation's responsibility for promoting the autonomy of foreigners is proportional to its contribution in promoting activities that threaten to disvalue that autonomy.⁷⁹ Therefore, such transnational dominion yields a duty of trusteeship to ensure that basic needs to lead a satisfactory life are met. Failure to do this impose duties of correction and repair.⁸⁰ In general, citizens of domineering countries have a duty to "hem in" the "immoral excesses" of their countries.⁸¹

Structural Adjustment

Miller notes three specific processes of imperial abuse of power and the duties that they generate. The first is the shaping of the course of development through 'structural adjustment' policies, which he sees as using the economic needs of others to further the ends of empire (specifically, the United States). He argues that such policies generate a residual responsibility to meet the basic needs of citizens of affected poor countries. The second is the propping up of repressive client regimes, which he says generates a duty to promote prosperity (beyond basic

⁷⁸Ibid., 218.

⁷⁹Ibid., 157.

⁸⁰Ibid., 151-2.

⁸¹Ibid., 149. Specifically, the imperial reach of the United States in "the transnational shaping of lives" creates unmet "transnational responsibilities" for American citizens. Ibid., 147.

needs) in such countries. And the third is the exercise of destructive power, both direct and sponsored, which generates a vast duty of repair.⁸²

Miller is of the opinion that if a trade/structural adjustment regime is imposed to replace a regime where farmers sold to a marketing board, and consumers purchased subsidized food; tariffs protected local farms and businesses from foreign competition, and local ownership of assets was required, and local banks and credit agencies preferred, this creates a responsibility to ensure that those under the new regime have their basic needs met such that they would have freely consented to the new system.⁸³ Such economic policies (like structural adjustment) should only be imposed “if it merits the willing support of all.”⁸⁴ Current structural adjustment policies fail in this regard and are simply a way in which the U.S. manipulates the pressing needs of developing countries so that local markets are made amenable to global, predominantly American firms.⁸⁵ Such policies are immoral because they (forcibly) transform the course of local economic development while expanding the resources of developed countries. Similarly, geopolitical or strategic conditions to (economic) aid are also immoral or at least, negligent. U.S.’ imposition of conditions on developmental assistance through threats is thereby a violation

⁸²Ibid., 148.

⁸³Ibid., 152.

⁸⁴However, this should not be taken to mean that everyone that could be affected by the policy should be engaged in physical conversation. It however does imply that all interests should be adequately considered before such a policy is imposed. Ibid., 152.

⁸⁵Ibid., 149.

of morality.⁸⁶ Both policies (structural adjustment policies and geopolitical or strategic condition to (economic) aid) are thereby forms of domination and tyranny.⁸⁷

It must, however, be noted that countries like Japan and France also engage in hegemonic practices. Therefore, although the United States “is the leader in a dominant coalition of developed countries, (it is) not the sole independent force.”⁸⁸ In addition, no country is “a passive receiver of Washingtonian prescriptions.”⁸⁹ Some responsibility for global poverty should, therefore, be assigned to other imperialist countries, as well as officials and business elites in developing countries.⁹⁰

Invasion and Occupation

The United States also uses its “destructive power in many developing countries, resulting in the deaths of millions and leaving the lives of many millions in shreds.”⁹¹ To show how “devastating, continuous and bipartisan” U.S. destructive power has been, Miller cites examples of U.S.’ involvement in “The Persian Gulf, Afghanistan, Central America, Indonesia,

⁸⁶“The refusal to use the ensuing gains to help those whose basic needs are at stake disowns the responsibility created by this special intrusiveness.” Ibid., 159.

⁸⁷Ibid., 150-151, 153, 156.

⁸⁸“Countries like France and Japan are part of the coalition that administers institutions like the World Bank and the IMF that impose structural adjustment policies on developing countries. Such countries also maintain imperialist relations with other developing countries.” Ibid., 156-157.

⁸⁹Ibid., 157.

⁹⁰“That is, although local recipients should have substantial control over the course of their own development, whatever the global economic conditions they are faced with, local governments have the responsibility to resist destructive loan conditions and make good use of loans (whatever the conditions). In addition, populations should insist on, and struggle for accountable, non-corrupt governments.” Ibid., 158-159.

⁹¹Ibid., 182.

Vietnam, The Congo, and Somalia.”⁹² These “reigns of terror” were launched to prevent the foreseeable loss of economic wealth of nationalized resources.⁹³ When the United States interfered in these regions and countries (in many cases overthrowing democratic nationalists), no “informed person supposed that the people of those countries were being protected from domestic tyranny.”⁹⁴

Such threats of destruction and actual destruction, as well as other forms of taking advantage of weaknesses in developing countries, remain useful instruments for the United States.⁹⁵ To Miller, the utility of such actions does not detract from the moral violation inherent to them. He argues that the potential loss of geopolitical influence didn’t justify the “shedding of oceans of blood” in Vietnam, or the “devastation of a whole country and killing of 14,000 Soviet troops, most of them conscripts,” in Afghanistan (the 1980s). Neither did security and safety require the invasion of Iraq.⁹⁶ He thinks that “America’s vast destructive power is guided by a lethal combination of interest and disinterest”⁹⁷ – interest in increasing power, material gains and influence, with commensurate disinterest in the lives of foreigners. In the decision-making process, maintaining threat credibility is given far more priority than reducing “severe costs to

⁹²Ibid., 166.

⁹³Ibid., 182.

⁹⁴Ibid.

⁹⁵Ibid., 197.

⁹⁶“The United States government caused the death of many hundreds of thousands by intentionally prolonging the Iraq-Iran War, decimating the Iraqi civilian infrastructure in the first Gulf war, insuring its further decay through the stringency of post-war sanctions, using massively destructive fire power in the overthrow of Saddam Hussein and imposing a prolonged occupation against the wishes of the majority of Iraqis.” Ibid., 183.

⁹⁷Ibid., 184.

vulnerable people in developing countries.”⁹⁸ However, moral responsibility for such policies is partially shared by local elites, as well as other leading developed countries like France, Japan, and Britain, who usually support U.S. policies.⁹⁹ He, however, insists that any country in a relationship of domination with another owes political responsibilities to those whom it dominates.¹⁰⁰

Political Decisions¹⁰¹

Miller describes two important factors that influence foreign policy decisions in the United States. First, the political process is heavily influenced by economic-corporate elites, who in turn demand beneficial policies from the politicians.¹⁰² By helping to maintain a culture that is grounded on the premise of the beneficence of American world power, the media is an important tool in this process.¹⁰³ This leads to the second factor – “In the public political culture,

⁹⁸He sees the same attitude displayed in aid allocation. For instance, between 1965 and 1988, US development aid declined by 83%, declining to just 0.1% of GDP after 1988 (after the fall of the Berlin wall, since the USSR was no longer considered a threat). *Ibid.*, 190-191.

⁹⁹As former Chief Economist of World Bank, Joseph Stiglitz notes, these loan agreements benefit only elites in developing countries. Therefore, there is “mingled agency of outside powers and local elites.” “The fact that these elites share responsibility does not eliminate the fact that they are agents of indirect US rule. The local government’s willing though tacit, invitation does not cancel outside responsibilities toward the people of the developing country, not to their government (except in so far as it represents the common good and general will of its people).” *Ibid.*, 141.

¹⁰⁰“In cases where the domination takes the form of a sponsored regime, while the sponsored regime is profoundly responsible for the consequences of its rule, so is the outside sponsor. This is because without internal acquiescence depending on the outside support, the regime might not otherwise stay in power.” *Ibid.*, 132-133.

¹⁰¹Miller thinks it is difficult for people to see that the pursuit of American power and wealth often demands the use of destructive violence. He fears that any attempt to show how “the advancement of American power often harms humanity would invite the scorn of both political parties, undermine the most important American corporations, and excite anger and disbelief that accompany wounded patriotic pride.” *Ibid.*, 195.

¹⁰²“American politicians must accommodate economic elites to win elections shaped by the public political culture.” *Ibid.*, 192.

¹⁰³The media strengthens and reflects the presupposition that American power only harms through temporary departures from the prudent pursuit of its normal goals. For instance, reportage of US military

the premise that what strengthens American world power is good is the common property of both political parties and the standard presupposition of American schooling.¹⁰⁴

Miller concludes that,

the interlocking mechanisms of institutional governance of U.S. foreign policy insure the losses to foreigners in developing countries do not have substantial, independent force in restraining the pursuit of American wealth and power. Granted, what would best promote American wealth or power does not always have these costs. But it often does.¹⁰⁵

However, “The fervent wish that the American empire would disappear as soon as possible seems to underrate the hard facts of power.”¹⁰⁶ Despite the problems it produces, U.S. empire is “beneficial in some ways, dangerous in others, a process whose unconstrained exertion *and* whose absence would be catastrophic.”¹⁰⁷ Its immediate disappearance could be problematic because, for instance, it could lead to the rise of China (another “global hegemony that promises no advantage over the current power structure”¹⁰⁸) to superpower status. Furthermore, because markets hate uncertainty, the “caution and instability” that the demise of (U.S.) empire will create would slow down global economic growth, further harming the world’s poor.¹⁰⁹

intervention via embedded reporters, etc., portrays such intervention in the most patriotic and humanitarian light, taking note only of a few exceptional deviations (e.g., Mai Lai, Abu Ghraib), while concealing vast destruction and high death tolls. This depiction of the US as the great peacekeeper in post-invasion Iraq obscures the fact that both Shia and Sunni factions overwhelmingly (92%) blamed the US for the violence as a foreign occupier. Ibid., 191-194.

¹⁰⁴If reported at all, foreign violence is ascribed to ancient enmities or the excess of radicals, thereby merging most suffering into the background noise of the “wretchedness in the developing world.” Ibid., 192.

¹⁰⁵Ibid., 196.

¹⁰⁶Ibid., 209.

¹⁰⁷Ibid., 207.

¹⁰⁸Ibid., 208.

¹⁰⁹Ibid.

The foregoing arguments indicate that to Miller, although the responsibilities that the U.S. owes to disadvantaged people abroad are less than those owed to compatriots, these responsibilities are still substantial.¹¹⁰ The foregoing analysis also indicates that the duties that arise from being the citizen of an empire go beyond mere aid qualified by conditions.¹¹¹ Citizens of imperialist countries (particularly the U.S.) should, therefore, be ready to help foreigners in proportion to their countries' resources and influence. Merely advocating that their government should do more to help (the global poor in general) is clearly not enough.

Policy Recommendations

One of Miller's central arguments is that economic interdependence and global political interactions have created a world in which resources are concentrated in rich countries, while poor countries are getting more and more impoverished.¹¹² To him, the obligation to help needy foreigners should be based on the duties that derive from interactions, and not the mere fact that foreigners are in need. He suggests that this provides the best way to override the standard assumptions of priority for the needs of economically challenged compatriots.¹¹³ Thus, his arguments are not based on impartial global concern like Pogge's cosmopolitanism. Rather, Miller subscribes to what he refers to as 'quasi-cosmopolitanism,' which is a form of

¹¹⁰For example, while the political duties that Americans have toward compatriots are not the same as they have toward Guatemalans, Americans do have political responsibilities to Guatemalans based on the United States' dominance in shaping the development of Guatemalan lives; the military support of Guatemalan client governments (especially in the past); and the destructive force meted on Guatemala in fomenting coups, dictatorships, and oppression. *Ibid.*, 149.

¹¹¹*Ibid.*, 147-148, 181.

¹¹²To Miller, the mere existence of extreme poverty in foreign countries with which we are economically interdependent is not enough to override our political duty of loyalty to needy compatriots. *Ibid.*, 46.

¹¹³*Ibid.*, 210, 222, 223.

cosmopolitanism that assigns equal value, but not equal concern, to persons. It is on the grounds of this version of cosmopolitanism that he proposes a global scheme of cooperation and civic friendship, which he thinks will “advance the interests of needy people,” “within the bounds of political feasibility.”¹¹⁴

He agrees with cosmopolitans that citizens of rich countries have a duty to generalize the duty of concern in a way that does not privilege poor compatriots.¹¹⁵ However, this would not be on account of a global extrapolation of the political duty (to assist compatriots).¹¹⁶ He believes his “relational approach” to global justice, grounded on ‘quasi-cosmopolitanism’ will lead to “willing, self-respectful cooperation as a basis for mutual reliance.”¹¹⁷

To determine the best way to meet these duties, Miller considers three options. The first is the severance of all interactions with the foreign poor, after making good for “past abuses.”¹¹⁸

¹¹⁴He sees interactions between people in rich and poor countries as that which gives rise to ‘relational responsibilities,’ which, if met, would greatly reduce suffering among the global poor. And given our special social democratic duties to advance the well-being of our worst-off countrymen, the duty of beneficence does not justify a duty to substantially reduce or eliminate world poverty. But a duty to appreciate the worth of foreign lives, which implies a correlative duty not to take advantage of their weakness to extract gains for ourselves, does. Therefore, Miller does not ground the duty to help needy foreigners on the principle of sacrifice or the duty of sympathy. He thinks the principle of sacrifice is too stringent, while the principle sympathy leaves donors too much room to address competing causes. The arguments to help the foreign poor are therefore better grounded not on the duty of benevolence, or economic exchange (which would cause us to favor co-nationals), but on obligations that arise from transnational interactions. Ibid., 2-3, 5-6, 31.

¹¹⁵He disagrees with Beitz’s position that “Since boundaries are not coextensive with the scope of social cooperation, they do not mark the limits of social obligations. Thus, the parties in the original position cannot be assumed to know that they are members of a particular national society.” Ibid., Note 2, 265. He is also against the position that, “duties to help disadvantaged compatriots are said to be duties of fairness towards associates in economic interdependence.” Attributed to Moellendorf, Beitz and Pogge (in his earlier writings). Ibid., 31-33.

¹¹⁶The significant losses to economically vulnerable people in developed countries could be justified on the political duty to properly value the “interests and autonomy” of global poor. Ibid., 4.

¹¹⁷Miller understands standard cosmopolitanism as requiring “a global extrapolation of principles of domestic justice.” Ibid., 234.

¹¹⁸Ibid., 216.

He rejects this because ending commercial interactions will make poor countries worse off. Besides which, rationality demands that we continue to pursue mutual benefit based on cooperation.¹¹⁹ Next, he considers and rejects a two-or three -fold increase in foreign aid, because the efficacy of such aid is weakened by weak domestic government institutions and bears the risk of undermining local economies' self-reliance. Such loans also invariably come with "strings" to advance the domination of the donor country over the recipient country "attached."¹²⁰ He next considers the liberalization of trade relationships, including permitting open migration of unskilled workers. He also rejects this as well, because such a policy would have an unbearable cost on poor members of rich countries.¹²¹

In response to Pogge's human (social and political) rights arguments, Miller argues that partly because there is no "single global standard of distributive justice,"¹²² no one is entitled to any (minimum) level of basic goods. Furthermore, if duties to the global poor were based on the principle of charity, this would justify privileging the needs of compatriots over even more extreme need in foreign countries. Therefore, global justice cannot be based on sympathy or the fact that people are not able to earn enough to meet their basic needs.

A responsible citizen of the United States (and other dominating/imperial countries), has a duty to limit her country's "immoral excess through initiatives originating outside of

¹¹⁹Ibid., 217.

¹²⁰Ibid., 219.

¹²¹Ibid., 220.

¹²²Ibid., 226.

institutional governance.”¹²³ Citizens of the U.S. in particular, have a responsibility to “hem in the empire by reducing its immoral excesses” through “strengthening of initiatives outside the corridors of power.”¹²⁴ He thinks such actions could create a world in which “inevitable shifts in power will inaugurate an era of reasonable compromise rather than destructive frenzy.”¹²⁵ He, however, notes that unfortunately, exploitation produces insensitivity to the neediness that facilitates it, therefore, these duties will probably not be paid.¹²⁶ But he insists that his quasi-cosmopolitanism theory at least provides an idea of how such duties might be prioritized.¹²⁷

He acknowledges that meeting these obligations could also “pose significant loss to vulnerable people in developed countries.”¹²⁸ However, such losses should be weighed against “the significance of trapping people in China or Bangladesh in lives of fatigue, drudgery and ill-health.”¹²⁹ Therefore, meeting the responsibility of foreign obligations by shifting some domestic funds to help the foreign poor would reduce, rather than increase irresponsibility.¹³⁰

¹²³Ibid., 182.

¹²⁴Ibid., 209.

¹²⁵Ibid

¹²⁶“Exploitation produces insensitivity to the neediness that facilitates it, insensitivity that is especially secure when those who benefit are insulated from the immediate reverberations of discontent among foreigners they exploit, with whom they share no strong ties of valued history or common culture.” Ibid., 231.

¹²⁷Ibid., 228.

¹²⁸Miller cites a study showing that 2/3 of the decline in relative wages among high school drop outs from 1980 – 95 was due to immigration) while another 6-11% was due to competition by imports with cheaper foreign labor. In 2002, high school dropouts in the United States were 37% of those living below the poverty line. In addition, “...moral responsibility dictates stringent emissions reductions concentrated in developed countries.” Ibid., 221-222.

¹²⁹The same applies to the cost of maintaining subsidies in Western Europe and Japan. Ibid., 222.

¹³⁰As he says, “justice might well require such extensive reliance on foreign aid to fulfill responsibilities of dominion and repair, avoid wrongful exploitation, alleviate unjust burdens of trade liberalization, support adaptation

Global Social Democracy (GSD) Based on Global Civic Friendship (GCF)

Miller aspires to a world in which global relations will be based on “reasonable deliberations” that will lead to “genuine cooperation based on mutual respect.”¹³¹ He conceives of international relations as a form of (global) friendship, and on this basis, proposes that the global community should aspire towards the goal of Global Civic Friendship (GCF). That is, for all global interactions to be based on terms that all participating countries and societies could willingly and self-respectfully support.¹³² In view of this, he argues for a Global Social Democracy (GSD) movement (based on principles of GCF). Such a movement could bridge cosmopolitan demands with patriot’s demands, and compel powerful countries to “use power

to global climate change and compensate for recent inequities in the global trade and finance regime that exceeds the requirements of just provision for disadvantaged compatriots.” “Clearly, the foreign aid required to compensate for inequalities in global trade and finance regimes, ease the impact of trade liberalization in developing countries, support climate change measures in those countries, and to repair for past damage etc. would probably exceed \$400 billion. Even if we shifted some of the money spent on domestic aid on foreign aid, to meet this amount, the proportional benefit would be spread over many more people, so that the per-capita aid given to a compatriot would still exceed the per capita aid given to a foreigner” Ibid., 224-225 However, governments of developed countries should also be willing to make greater compensatory domestic expenditures for disadvantaged compatriots. Ibid., 222.

¹³¹Ibid., 1.

¹³²His vision is that we can develop political relations that will meet demands of justice like, compensatory (Iraq) distributive (returning fruits of manufacturing exploitation in China), and ensuring need satisfaction and development where U.S. has imposed a regime of development. (Sub-Saharan Africa and Latin America). Ibid., 226.

responsibly.”¹³³ Duties of GCF arise from the fact that we are all part of a joint (global) project, which demands loyalty to those who are expected to loyally to support shared institutions.¹³⁴

The demands of “transnational respect [which is] ... more efficacious than aid,” would be met if rich countries’ took responsibility for global warming, and stopped interfering in local governance, and removed the current constraints to “self-advancement in trade, investment, (and) property-rights.”¹³⁵ Therefore, politically responsible persons in developed countries should work to establish an ultimate vision of a just world without exploitation.¹³⁶ Transnational justice based on such civic friendship seeks “a world in which no country,” “must hope for help from abroad.”¹³⁷ This vision is also laudable because “If and when this ultimate aim is reached,

¹³³Ibid., 2. He sees global civic friendship as “more salient and inspiring in a world in which the machinations of governments are far removed from friendship and official talk of cooperation is often a cover for subordination.” He envisions global social democracy as a precursor of global civic friendship, because it “combines a commitment to relieve suffering with a commitment to end domination.” Participation in these movements overlaps, and those strongly committed to one typically wish the other movements well, and derive comfort and support from their successes. The cluster of social GSDs is itself a movement composed of movements in specific causes. GSDs “take exercises of power through which agents in developed countries take advantage of weakness in developing countries to be major causes and constituents of global injustice.” American global social democrats for instance, would take, “. . . the project of hemming in the American empire to be an aspect of all their endeavors.” They “treat people in developing countries as victims of transnational domination, not just transnational neglect, and often follow the lead of movements and protests in developing countries.” They accurately portray the global poor as victims of unjust imperial policy seek, and seek an end to transnational domination through the use of protest movements, focused campaigns, and public arguments. Ibid., 252-257.

¹³⁴Ibid., 43.

¹³⁵Ibid., 200, 219, 221.

¹³⁶For instance, by supporting measures to return at least some of the gains of exploitation. Ibid., 231. Another reason Miller gives for why we should all aim for GSD is that the structure of current international relations give people in poor countries reason to resent governments, firms and people in rich countries. People in rich countries merit this resentment if they do not feel unease at the ensuing own prosperity or are unwilling to pay the price of alienation from their governments. Ibid., 225. He thinks that global challenges like climate change and poverty/economic exploitation will require abandoning a self-serving patriotism in favor of the cosmopolitan solidarity of GCF, making it “an inspiring positive goal” to which we should all aspire. He proposes that we all work towards Global Social Democracy (GSD), which he thinks could change the public agenda and the strategic calculations to which political leaders respond. Ibid., 182, 233.

¹³⁷This should be distinguished from the pursuit of beneficence, and includes the aspiration to reduce

international political life will be attentive to considerations of distributive justice.”¹³⁸ His GSD and GCF proposals include the requirement that we all work to end dire neediness and support measures that advance development and self-reliance in less developed countries. The collective aims of this initiative comprise a single vision of civic friendship: mutual caring cooperation that respects autonomy.

Miller also recognizes that genuine cooperation is incompatible with the stark inequalities between developed and developing countries.¹³⁹ He sees global inequalities as a major reason behind flawed international relationships, as can be seen by the lack of symmetrical abilities to opt out of relationships.¹⁴⁰ Since neediness makes exploitation of weakness possible, greater material equality is likely to reduce the tendency toward exploitation/domination. However, he expresses two fears. The first is that this duty will not be met because of factors like greed and irresponsibility, particularly on the part the political and economic elites of powerful countries.¹⁴¹ The second fear is that due to the symbiotic relationship between inequalities and domination (which leads to more deprivation for the global poor), “the reduction of severe international inequalities that global civic friendship requires will postpone its attainment for a long time.”¹⁴²

neediness on the way to a just world without exploitation. Ibid., 230.

¹³⁸Ibid., 233.

¹³⁹To buttress this argument, he references Aristotle’s analogy between genuine friendship and well-ordered political relationships: civic friendship holds a just polity together, while deep inequality is a barrier to friendship. Ibid., 232.

¹⁴⁰Ibid., 232.

¹⁴¹Ibid., 6. Miller notes that insensitivity to suffering is especially secure when those who benefit from it are insulated from the immediate reverberations of discontent among those whom they exploit, and being foreigners, with whom they share no strong ties of valued history or common culture. Ibid., 231.

¹⁴²“International inequalities in per capita national income at purchasing power parity have grown rapidly

Such “regrettable” power differential leads to the irresponsible wielding of power on the part of rich countries and “rational fears of vulnerable people in developed countries.”¹⁴³ He notes the irony that the strongest political duties to aid the foreign poor stem from relationships, whose structure conduce to exploitation.¹⁴⁴ But much more insidious is the “electoral self-absorption” on the part of the electorate in rich countries, which leaves shapers of foreign policy the room to irresponsibly dominate weaker societies.¹⁴⁵ He pessimistically notes that it is unlikely that the current framework will remove inequalities in the foreseeable future – certainly not in the next few generations.¹⁴⁶

Therefore, “the interests and powers of the leading developed countries” is the greatest challenge to this process.¹⁴⁷ This is because “even if stark economic inequality were to end, competition for domineering influence might continue to inflict violence across borders.”¹⁴⁸ These factors point to the possibility that the struggle for global justice may last for many

since 1950, especially since 1980.” Although it seems to have decreased since 1970 this has been because of China and India. Without these two countries, and international income inequalities have steeply increased since 1982. Ibid., 234, 236.

¹⁴³Ibid., 226.

¹⁴⁴Ibid., 226.

¹⁴⁵Ibid., 226-227.

¹⁴⁶Ibid., 236.

¹⁴⁷Ibid.

¹⁴⁸Ibid. He also does not think that “a centralized global government capable of enforcing a global difference principle” would solve the problem because such an authority might not be able to regulate global political cooperation based on mutually respectful trust. Ibid., 233.

generations.¹⁴⁹ But he retains hope for such an endeavor “through morally motivated political activity outside of the corridors of power.”¹⁵⁰

Miller concludes his analysis by expressing the suspicion that his arguments might be of little use in public persuasion, because “people resist seeing themselves as taking part in the flawed transnational conduct that is presupposed.”¹⁵¹ But all the same, he insists that social movements could help bring about the needed changes.¹⁵² He presents his “global version of social democracy” as the most realistic way of reducing “the injustices it condemns.”¹⁵³ He cites the Vietnam Anti-War movement as an example of how social movements increased and articulated “moral revulsion outside the corridors of power.”¹⁵⁴ He sees the power of such movements in politician’s reliance on public opinion, and the threat that public moral revulsion could build enough disenchantment and “threaten a general crisis of disorder” while “imposing significant reputational costs” to politicians.¹⁵⁵

¹⁴⁹Ibid., 236.

¹⁵⁰Ibid., 237.

¹⁵¹Ibid., 238. He also recognizes that such a candid discussion could also have the effect of inspiring anti-modernist, anti-Western/American “fundamentalist” or “traditionalist” reactions in developing countries. Ibid., 257.

¹⁵²Ibid., 240.

¹⁵³Ibid., 238.

¹⁵⁴“In sum, the movement against the Vietnam War provides evidence that moral revulsion promoted from outside institutional governance can make a substantial difference, not just to electoral fortunes (in fact, throughout this period, pro-war presidential candidates won) but strategic calculations in the corridors of power.” Ibid., 240-246.

¹⁵⁵Ibid., 241.

Conclusion

In this chapter, I provided an analysis of Miller's theory of global injustice which he frames as a problem of distributive injustice, created and maintained, through the political domination of poor countries by rich ones. Miller argues that relationships of domination by countries like France, Japan and most especially the United States, with poor countries are unjust, and should be "hemmed in" by citizens of these countries. This is morally required particularly in cases where the domination caused harms in the recent past, and which can be traced directly to benefits to members of the dominating society. Miller also proposes that rich countries should be prepared to take on more of the burdens to address climate harms because it would be unjust to demand that poor people in poor countries sacrifice as much as people in developed countries. He ends his analysis on a call for citizens of imperialist countries to pursue the global social democracy based on the principle of global civic friendship. And recommends that all trans-national relationships be carried out within the space of reasonable discourse.

Social injustice results from the expression of agency in a way that restricts the expression of the agency of another, without providing the restricted party room for reasonable dissent. Therefore, all global justice theories are first and foremost arguments against restrictions on human agency. Therefore, an adequate justice theory should identify some social wrong, state why it is wrong, assign responsibility, and state how the responsible party should desist or/and repair the damage. A theory that fails in any of these respects will be flawed, inaccurate or at least incomplete.

Although Miller argues forcefully against abusive and dominative international relationships, he does not adequately theorize the agency of those who are harmed (dominated

against), those who make the harmful decisions, or those who benefit from such practices. In addition, if personhood is what entitles persons to non-domination, then, irrespective of political membership, all persons have the right not to be dominated.¹⁵⁶ Although Miller's quasi-cosmopolitan stance gestures toward a universal theory, his distinction of equal value and equal concern makes his theory limited in an important way.

In addition, although he prescribes reasonable discourse, he does not explain how such discourse will be attained from within deep asymmetrical power relations. He also does not explain how to assure that the demands (or the veto right) of weaker parties will be met. He merely presents GSD, not as a movement that could successfully address global injustice, or alter relations of domination, but which we should all pursue all the same, because it is a laudable cause, and is therefore what a moral person should do.¹⁵⁷ Miller reaches such a conclusion because of his tacit acceptance of imperialism. Although he recognizes the ills of imperialist domination and argues for its curtailment, he stops short of calling for its end. And since imperialism implies domination, Miller's global justice theory does not preclude relations of inter-subjective domination.

¹⁵⁶With his example of Guatemala, Guatemalan persons were harmed by harmful, dominative policies, developed and implemented by persons acting in their official capacities. Miller could have been more precise about who was harmed, who harmed the person, who derived benefits from the harm, and how the wrong party should act in the future to either stop, or mitigate the harms. Ibid 147-148.

¹⁵⁷As he says, like the anti-Vietnam war movement, which had limited effect on U.S. foreign policy, the efforts of GSDs will probably not be effective in the short or long run. However, it should be pursued all the same. "Granted, no one in a social movement will have reason to believe that her individual actions will add much of anything to well-being or justice. But if the expectation of significant pay-off from one's own action were required for participation no rational person would bother to vote in a national election. To give meaning to their lives, people want to identify with a large cause, in which they can join with others in collectively making some difference in their lifetimes. The aspiration to global justice pursued through the protests, campaigns and advocacy of social movements is an undeluded source of meaning of this kind. Ibid., 252 .

Miller and Pogge present important insights and perspectives that are helpful to global justice theorizing. Pogge holds a universal, cosmopolitan, human rights-based perspective. Miller on his part calls for ethical discourse. These are two notable examples of ideas that should form part of an adequate global justice theory. In the next chapter, I put both theorists in conversation, to further compare their positions, by highlighting their differences, and further emphasizing how and why certain aspects of their theories are important for an adequate global justice theory.

CHAPTER IV

POGGE AND MILLER IN CONVERSATION

Introduction

Both Pogge and Miller engage global injustice from the perspective of global poverty and inequality.¹ Extreme poverty is a social injustice because in any give community, the level of access to material resources is relative – how much access a person has is relative to what others

¹Available data show that despite increasing aggregate global growth, the poorer members of the global community are becoming worse off. The income ratio between the upper 10% and the lower 10% of global income distribution is 273:1. (71.1%: 0.26% of global income). The wealth distribution is 2730:1. While aggregate global real growth per capita was 5.7% (1988-93), the real income of the poorest 5% of global population decreased by a quarter. While the Gini coefficient increased from 62.2 to 64.1 between 1988 and 1998, between 1988 and 1993, real incomes of the poorest 5% of global population declined 20%. Pogge, *Politics as Usual*, 12-13. “Using exchange rate conversion, the top decile had 71.7 percent of global household income versus 0.26 percent of the bottom decile.” Data from 2002 supplied by Branko Milanovic (World Bank). Pogge, *Politics as Usual*, Note 15, 205. Such severe and extensive poverty persists while there is great and rising affluence elsewhere. The average income of the citizens of the affluent countries is about 50 times greater in purchasing power and about 200 times greater in terms of market exchange rates than that of the global poor. The latter 2,800 million people together have about 1. 2 percent of aggregate global income, while the 903 million people of the "high-income economies" together have 79.7 percent. Shifting merely 1 percent of aggregate global income - \$312 billion annually - from the first group to the second would eradicate severe poverty worldwide. However, the shift in global income goes the other way. Inequality continues to mount decade after decade as the affluent get richer and the poor remain at or below the subsistence minimum. Over a recent, closely studied five-year period, real growth in global average per capita income was a respectable 5.7 percent. The top quintile (fifth) of the world's population got all of the gain - and then some: real incomes declined in all other income segments. “The bottom 5 percent of the world grew poorer, as their real incomes decreased between 1988 and 1993 by 1/4 while the richest quintile grew richer. It gained 12 percent in real terms, that is, it grew more than twice as mean world income (5.7 percent).” Pogge, *World Poverty*, 2-3. Although global poverty is a symptom of the wider problem of global injustice, global poverty remains a pressing moral issue. According to Pogge, “a shift of 1% of aggregate global income from the well off to the global poor will eradicate severe poverty worldwide.” Pogge. *World Poverty*, 3. The Gini coefficient is a measure of income or wealth inequality in a society, with a lower number indicating more equality. Between 1988 and 1998 the global Gini index increased from 62.2 to 64.1. “Between the years of 1988 and 1993, real incomes of the bottom 5% of the world declined by a quarter, while that of the top 25% doubled in real terms. While the income ratio between the top and bottom decile of the human population is a staggering 273:1, their wealth ratio is ten times greater still. In 2000, the bottom half of the world’s adults together owned 1.1 percent of global wealth, with the bottom 10 percent having only 0.03 percent.” “Real incomes among the poorest 5 percent of world population (identified by PPP comparison) declined 20 percent during 1988-93 and another 23 percent during 1993-8, even while real global per capita income rose 5.2 percent and 4.8 percent respectively.” Pogge, *Politics as Usual*, 12-13.

have. In addition, when persons are unable to meet their basic needs, their ability to freely express autonomous agency is also severely limited. These features of poverty make it a social justice issue. I have redefined social injustice as inter-subjective domination because all forms of social injustice lead to restrictions on the ability of those who face such injustice to express agency. Social injustice is also the result of actions and inactions of other members of the community or society. I therefore also redefine social injustice as the result of domination – actions of some leading to the restrictions of other’s autonomous agency. I consider the duty not to dominate another as the most basic duty persons have towards others. I see social injustice (including global injustice), as the result of relations of domination. Since global poverty is a form of global injustice, it is thereby a form of social injustice, albeit on a wider scale. If social injustice is a form of inter-subjective domination, then global poverty must also be understood as the violation of the duty not to dominate others.

In what follows, I provide an analysis and comparison of key points of the theories developed by Pogge and Miller. I am in general agreement with their respective positions. However, I conclude on the position that by not adequately accounting for agency, freedom, and inter-subjectivity, both theorists fail to address the problem of the intersubjective domination which is at the root of global injustice.

Poverty vs. Inequality

Both writers address the question of *who* is most responsible for global poverty, *what* morality requires of us in the face of such extreme poverty, and *why* we should all work to eradicate global poverty.² If the most basic right we have and duty we are owed is that of not

²My analysis is located at the level of agentic action which as I will argue later not only provides room for a

being hindered in the expression of our autonomous agency, we should all be concerned about persons who, due to poverty, suffer inhibited agency. However, extreme poverty is a moral violation not just because of the lack that poor people suffer, or that the agency of the poor is inhibited. Rather, extreme poverty is a justice problem that demands rectification because it is the result of the actions and inactions of others. This implies that moral arguments that we should all work at eradicating extreme poverty can only succeed if such poverty can be shown to be the result of autonomous actions, resulting in the restriction of the agency of others. Such an argument can only be made at the level of inter-subjective relations.

Both Pogge and Miller see global poverty as the most pressing aspect of global injustice. Although they differ slightly with regards to its primary cause, they are more in agreement with regards to who should spearhead efforts to address it. Pogge attributes the problem to the injustice built into the structure of global economic and financial institutions, Miller sees it as the result of abuse of power by rich countries over poor ones. However, both agree that citizens of rich, western democracies in general (Pogge), and citizens of the U.S. in particular (Miller), should take on the political responsibility of addressing the problem.

I agree with Miller against Pogge that the mere existence of poverty does not *in itself* generate an obligation (for others) to mitigate it.³ But for persons to continue to live under

more robust theory of responsibility (for global injustice) but is also indispensable for a theory that guards against inter-subjective domination. To be sure, both theorists allude to human agency but both theorists remain at more general levels of analyses. (Pogge at the level of global institutions, while Miller is at the level of geopolitical relations). Inter-subjective relations are implied but not explicitly theorized.

³Relatedly, Miller also argues explicitly makes the argument that the mere fact of lack as a result of economic interactions do not provide adequate grounds for the moral demand to eradicate poverty. This position can be explained with the following analogy. The mere fact that a person lacks food to sustain her life does not in itself yield a duty to others to others to feed her. I do not mean by this that it is not desirable that someone provides her with food, rather, I want to stress the fact that the mere fact of her hunger does not in itself generate a moral demand

conditions of extreme poverty implies that such people lack the (political) power to alter their socio-economic circumstances. Extreme poverty, therefore, indicates both economic and political powerlessness. The amount of (political or economic) social power a person has is comparative – it is a function of the amount that other members of the community have - low level of access to tangible and intangible social goods implies the existence of people who enjoy greater access. The existence of people in extreme poverty implies the existence of others with greater economic and political power, relative the poor. Therefore, the moral obligation to act on global poverty must be based on arguments that establish some morally relevant connection between such poverty and the people that are obligated to address it.

Those with greater economic power relative to others are better able to influence almost all other dimensions of social living, including decisions of how to allocate future material resources. Pogge and Miller would therefore agree that while global poverty is the result of decisions made by persons with relatively higher levels of social power, it is suffered by those with less social power.

It could be argued against me that while this is true for bounded political units like the modern state, the same cannot be said of the global arena. However, a shared economic and political order makes the global community resemble a single society more than a community of states. Although this was the case only within bounded political units, in our rapidly globalizing world, it more and more the case that access to one social good increases one's chances of gaining access to other social goods, and vice versa. As Pogge emphasizes, in our rapidly

that someone feeds her. The moral obligation to feed her requires considerations outside of the fact of her hunger. I agree with Miller that more is needed to support the assertion that all morally sensitive people have a duty to work to eradicate global poverty, particularly if the problem is approached as a purely economic problem.

globalizing world economy, both the people who have excess resources and those who are unable to meet their basic needs operate within the same global institutional framework, making the poverty of the poor inseparable from the wealth of the rich.⁴ This implies that global inequality cannot be separated from global poverty. Miller considers extreme poverty, but not inequality as a moral problem. In this regard, I side with Pogge, who considers both poverty and inequality as moral problems.

Cosmopolitanism and Quasi-Cosmopolitanism

Partly due to recent technological advances, in this era of globalization, it is becoming more the case that inter-subjective ‘connections’ and ‘interactions’ transgress national borders even more than before. It is becoming more the case that the relationality of social power applies to groups located in different political units. The fact that almost all members of the global community belong to one distinct political unit (or can only be in one political unit at a time), further complicates attempts to develop an adequate global justice theory. The problem seems to be that while a global justice theory must be universally applicable to all persons qua persons, it must also account for unique locational attributes, which all persons have.

This raises the question of which of the unique attributes of persons should be considered as morally relevant in a justice theory. On the one hand, since persons are not generic, a person’s unique features should be a relevant consideration. On the other hand, a justice theory that gives too much weight to unique features runs the risk of privileging some set of people over others, limiting the extent to which the theory could be generalized. The ideal would seem to be to

⁴The global apparel industry is an example of how those who purchase clothes made in the difficult conditions of sweatshops cannot claim to be unconnected to the conditions of such sweatshops.

develop a generally applicable theory that remains flexible enough to accommodate particularities.

An important question that is often raised in global justice theorizing is the moral salience of national borders, an issue that both Pogge and Miller discuss. Both agree that we have greater positive duties of redistributive justice and beneficence to co-nationals.⁵ However, Pogge holds a moral cosmopolitan, “universalistic” conception of social justice.⁶ He sees moral rights as independent of any governmental body or institution, arguing these rights exist, are superior, and provide the grounds for the formulation of legally instituted rights.⁷ Whether or not they are codified, these moral laws are universal, general and equally applicable to all persons.⁸ He also sees all moral agents as entitled to human rights, as enshrined in the Universal Declaration of

⁵“It is also evident that the asserted nationalist priorities cannot plausibly be affirmed as absolute. It cannot be appropriate, for instance, in each and every context to put a compatriot’s interests, however minor, ahead of foreigner’s interests, however vital. This raises the question of *weight* of the asserted nationalist priorities. Regarding this question, many have argued that nationalist priorities have less weight than family priorities because nations and states, being more abstract and contingent than families, do not have as much constitutive significance in human lives. Bypassing this issue, I focus on the *scope* of the nationalist priorities, arguing that there are firm limits to their application and hence contexts in which they cannot plausibly be invoked at all.” Ibid., 120.

⁶Three elements are shared by all cosmopolitan positions. First, *individualism*: the ultimate units of concern are *human beings*, or *persons* - rather than, say, family lines, tribes, ethnic, cultural, or religious communities, nations, or states. The latter may be units of concern only indirectly, in virtue of their individual members or citizens. Second, *universality*: the status of ultimate unit of concern attaches to every living human being *equally* - not merely to some subset, such as men, aristocrats, Aryans, whites, or Muslims. Third, *generality*: this special status has global force. Persons are ultimate units of concern *for everyone* - not only for their compatriots, fellow religionists, or suchlike. Pogge, *World Poverty*, 169.

⁷Pogge, *Politics as Usual*, 27.

⁸Pogge also mentions other conventions and articles, like Part XI of the 1982 UN Convention of the Law of the Sea, of which Article 136 states that all natural resources in ocean floors of international waters are the common heritage of mankind,” which are also currently violated. Pogge, *World Poverty*, 125.

Human Rights (UDHR).⁹ It on these grounds that he argues that global (distributive) injustice is a violation of the human rights of the global poor to basic needs by the global rich.

Contrary to Pogge's human rights based, cosmopolitan arguments, Miller holds a "quasi-cosmopolitanism" which is predicated on "willing, self-respectful cooperation as a basis for mutual reliance."¹⁰ Miller agrees with Pogge that ordinary morality leads to cosmopolitanism since morality demands that we value each person's life equally. That we value all lives equally does not obligate us to show equal concern for all lives.¹¹ That is, equal respect does not necessarily entail equal concern for each person's life.¹² Instead, it is the "nature of interactions" between groups or individuals that decide the nature of the rights, duties, and responsibilities that could be demanded of each party.¹³ Quasi-cosmopolitanism is the basis for his "relational

⁹Such a conception meets with the following conditions: It subjects all persons to the same system of fundamental moral principles; these principles assigning the same fundamental moral benefits and burdens to all; the moral benefits and burdens are formulated in general terms so as not to privilege or disadvantage certain persons or groups arbitrarily. Ibid., 92.

¹⁰Miller understands standard cosmopolitanism as inclined toward the view that global political duties to the world's poor are the same as domestic political duties to one's poor compatriots, neither weaker nor stronger. As he says, requiring, "a global extrapolation of principles of domestic justice." Miller 234 His quasi-cosmopolitanism denies this but still argues that citizens and governments of richer countries have duties to the world's poor. Ibid., Ch. 8.

¹¹"Because we are rightly wary of giving too much weight to our own interests (recall the worries about misapplying Sympathy), the difference between equal respect and equal concern is clearest when a valuable special relationship to another leads to special concern. I am not equally concerned for the girl who lives across the street and for my daughter; for example, I am not inclined to do as much for this neighbor when she is just as needy as my daughter, even if her parents have reached their limit. But I do not regard this neighbor's life as less valuable than the life of my daughter; my unequal concern reflects a proper valuing of my special relationship to my daughter, not unequal respect." Ibid., 18.

¹²"Of course, these claims require further scrutiny in light of alternative interpretations of the fundamental moral perspective. If equal respect for all required equal concern for all, then the Principle of Sympathy would be much too permissive. I show much less concern for imperiled children in developing countries than for myself when I spend money on stylish clothes, nice restaurant meals and excellent stereo equipment that could be used to save a child from early death. But equal respect does not entail equal concern." Miller, *Globalizing Justice*, 18.

¹³He holds what could be described as a 'concentric' conception of morality - the closer the interactions persons have with each other, the more stringent the moral demands persons could make on one another. Ibid., 2.

approach” which privileges specific relationships but does not “require an extrapolation of principles of domestic justice,” to global justice.¹⁴

Both theorists emphasize equal moral respect for persons qua persons (which is reflected in human rights and correlative duties) and both acknowledge that special duties could be owed to co-nationals. They also agree that in cases of conflict, the latter duties do not override human rights duties. Miller would also agree with Pogge that duties to co-nationals must not override our duties to protect the human rights of foreigners. However, Miller insists that the relationship and interactions that we have with co-nationals and those who are subjected to our imperial dominion warrants some special consideration in the development of a global justice theory.¹⁵ In sum, while Miller thinks that relationships with fellow countrymen are a relevant moral consideration in global justice theorizing, Pogge disagrees.

Pogge’s position of the equal moral status of all human beings would cause him to disagree with Miller’s distinction of equal value and equal concern.¹⁶ Pogge also argues that current global relations severely limit the extent to which borders can continue to be considered “moral watersheds.”¹⁷ In general, Pogge regards narrow nationalism as a normative position,

¹⁴Ibid., 234.

¹⁵Ibid., 46.

¹⁶“A moral conception, such as a conception of social justice, can be to be universalistic if and only if (A) it subjects all persons to the same system of fundamental moral principles; (B) these principles assign the same fundamental moral benefits (e.g. claims, liberties, powers, and immunities) and burdens (e.g. duties and liabilities) to all; and (C) these fundamental moral benefits and burdens are formulated in general terms so as not to privilege or disadvantage certain persons or groups arbitrarily.” Pogge *World Poverty*, 92.

¹⁷“This double transformation of the traditional realm of international relations -the proliferation of international, supranational, and multinational actors, and the profound influence of transnational rules and of the systematic activities of these actors deep into the domestic life of national societies - is part of what is often meant by the vague term globalization. It helps explain why "global" is displacing "inter- national" in both explanatory and moral theorizing. This terminological shift reflects that much more is happening across national borders than before.

referring to positions like Miller's as "common nationalism." That is, showing more concern for the survival and flourishing of one's own state and compatriots than for those of other nations.¹⁸

Miller would consider this as an exaggeration of his position. Miller argues that it is wrong to globally extrapolate the political duty (to assist compatriots)¹⁹ in an attempt to find an adequate principle on which to base arguments in support of "helping needy foreigners."²⁰ The existence of global economic interdependence, as well as severe foreign neediness is not enough to override the political duty of loyalty to needy compatriots.²¹ To Miller, therefore, there is no moral violation in privileging the needs of members of one's own political community over those of even more needy foreigners.

Interactional and Human Rights Duties

To Miller, the mere fact of commercial interaction (between rich and poor societies) does not yield duties to help the foreign poor.²² He, however, acknowledges that rich countries might

It also reflects that the very distinction between the national and international realms is dissolving. With national borders losing their causal and explanatory significance, it appears increasingly incongruous and dogmatic to insist on their traditional role as moral watersheds." Pogge, *Politics as Usual*, 14.

¹⁸A more extreme version of this is what he describes as lofty nationalism, which entails an indifference to injustice in foreign lands, an accusation which he makes of most citizens of affluent countries. Pogge *World Poverty*, 119.

¹⁹He argues against the position that "duties to help disadvantaged compatriots are said to be duties of fairness towards associates in economic interdependence". Attributed to Charles Beitz, Thomas Pogge (in his earlier writings) and Darrel Moellendorf. *Ibid.*, 31-32. "Since boundaries are not coextensive with the scope of social cooperation, they do not mark the limits of social obligations." *Ibid.*, Note 2, 265.

²⁰This argument is a response to global justice arguments based on principles of sacrifice or sympathy, which Miller attributes to Peter Singer, Charles Beitz and Thomas Pogge's early works. However, with regards to duties of beneficence and ordinary distributive justice, Pogge's later work seems to agree with this position. *Ibid.*, 31.

²¹*Ibid.*, 46.

²²*Ibid.*, 31.

have to generalize the duty of concern (to ensure basic needs are met) in a way that might disadvantage poor compatriots.²³ However, economic interactions (alone) do not generate a duty from more privileged societies to ensure that basic needs are met in poor societies.²⁴ This is because if global interactions were conceived of as purely commercial, poverty complaints would be limited to local governments, and people in rich countries could thereby justifiably treat their advantages as the result of mere luck.²⁵

To Miller, the demand that citizens of more affluent countries be involved in poverty eradication should be determined by the extent of political interactions between them and the poor country in question.²⁶ Territorial dominion gives rise to duties of trusteeship (to the foreign power).²⁷ In such situations, the assumptions of priority for the needs of compatriots could be justifiably overridden. Pogge on his part insists that we have a negative moral duty to refrain from impeding others, including foreigners, in accessing goods vouchsafed to them by a human right.

Miller's seems to strike a middle ground between the two extremes of a universal cosmopolitanism and a narrow nationalism. He argues against the extrapolation of domestic principles of justice to the international arena but seems to approach the global arena from within

²³Miller, *Globalizing Justice*, 32.

²⁴This can be illustrated by an analogy. The owner of a rich grocery store that I patronize regularly is not morally obligated to provide me with items that I am unable to pay for, no matter how essential such items are to my survival. No matter how pressing my needs, the moral demand that the store owner helps me to meet my basic needs can only be made on the strength of considerations outside of the economic exchange.

²⁵Ibid., 52.

²⁶Miller, *Globalizing Justice*, 33, 210, 222, 223.

²⁷Ibid., 54, 57.

a nationalistic perspective. This is problematic because since most persons belong to some political unit, privileging or speaking from the perspective of one political unit will produce an inconsistent and/or biased theory.²⁸ Therefore, from the perspective of universality and general applicability, Pogge's cosmopolitanism seems superior to Miller's.

Pogge would respond to Miller's position by pointing out that the global order is politically skewed against the less powerful, in such a way that ensures that the rich (country, communities, and individuals), continue to amass more and more resources, to the detriment of the global poor.²⁹ Miller would agree with this position since he also argues that the global arena is politically skewed to favor rich countries who routinely use their political power to extract economic gains from the poor. However, while Miller emphasizes the political dimension in his approach, framing it as a political problem (that is, violation of duties that result from (political) interactions), Pogge frames his arguments as a violation of the human rights (to economic subsistence) of the global poor. In this regard, I agree more with Miller. Although global poverty is usually framed as an economic problem, that is, the problem of inadequate access to resources, it is in reality, a social justice problem, making it a problem that could only be addressed politically.

²⁸In addition, a post-Westphalian world in which some political units are bound to have more resources is another reason why global injustice should not be framed as a resource allocation problem. This is because this could lead to an over simplification of global injustice into a problem of how to move resources (or money) from the "rich" to the "poor". The economic, historical linguistic and cultural – to name a few, complexities of the real world makes the problem of global injustice one that cannot be accurately reduced to a problem of access to resources. Therefore, focusing on extreme poverty, which I argue is only one results of a more complex problem, could cause us to pay inadequate attention to the processes that led to the distributive injustice in question.

²⁹Treanor, "Half of World's Wealth."

Both Pogge and Miller agree that the global order unfairly allocates increasing benefits to some while depriving many others of needed basic resources.³⁰ However, Miller disagrees with some of the details of Pogge's position. Their first point of divergence is in their attitude towards social and economic rights. Those who advocate for economic and social rights do so in recognition of the fact that without a minimum level of resources, other human rights cannot be met. Such people also recognize that large income or wealth inequalities create the likelihood of a political environment skewed in favor of the more powerful, thereby increasing the risk of the violation of the (economic and possibly other), rights of the weak. Others, like Miller, argue that social, and particularly economic rights could only generate a positive (optional), and not a negative (non-optional) duty.³¹ Miller, therefore, thinks that Pogge's attempt to derive a negative duty, based on the violation of the human right to resources, is wrong.³²

However, Miller also acknowledges the importance of basic needs. Although he attributes such crushing poverty to political and economic exploitation, he also recognizes that it is a violation of the rights of poor people.³³ He sees global poverty as the result of rich countries, particularly imperial ones, shirking relational duties that arise from interactions with poor countries. He cites the global proliferation of sweat shops, as a result of trans-national manufacturing, as an example of how people from rich countries make "improper use of the

³⁰Miller *Globalizing Justice*, 58-59 and Pogge, *Politics as Usual*, 52.

³¹Miller argues that since there is no "single global standard of distributive justice", no one could be said to be entitled to any (minimum) amount of resources. Miller, *Globalizing Justice*, 226.

³²Ibid., 59.

³³Ibid., 151-152, 155-156.

desperate neediness of people in developing countries.”³⁴ He uses this example to illustrate how the duty not to exploit others’ “desperate neediness” is shirked by rich countries.³⁵ Another example he gives of the improper use of desperate neediness is iniquitous trade arrangements in the World Trade Organization (WTO).

To Miller, the duties that arise from these are “relational responsibilities” that result from “interactions.” He adds that nothing is added to global justice theorizing by designating the duty to mitigate such injustice as “positive” or “negative.”³⁶ He sees Pogge’s claim that the global order harms the poor by imposing poverty on them is an inaccurate exaggeration, except the statement is modified to mean a “negligent failure” to fulfill “positive responsibilities,” in the sense of not doing the best that could be done for the global poor.³⁷ Pogge would respond to this position by arguing that universal morality demands that we take seriously the human right to adequate resources for a decent life, without which all other rights are at risk of being unrealized. He considers the global institutional order as primarily responsible for the limitations which the global poor face in trying to access necessary resources, commensurate to “the ethical and personal value of human life” (as stipulated in article 25 of the UDHR).³⁸ He, therefore, argues

³⁴Ibid., 59.

³⁵Miller provides an analogy of a person who accepts to be rescued from being stranded in a desert, but on the condition of lifelong servitude to his rescuer. The fact that the rescuer has indeed saved the person from death does not justify extracting a payment of life-long servitude in exchange. He describes this as a case of “taking advantage while bettering” The only reason why the rescued party agreed to it was because the only other choice available to her was death. Therefore, she could not be said to have “chosen” lifelong servitude. The immorality of such arrangements lies in the fact that the powerful agent in this relationship gives “inadequate regard for the equal moral importance of (a person’s) interests and ... capacity for choice.” Ibid., 59-60.

³⁶Ibid., 59.

³⁷Ibid.

³⁸Article 25 - (1) Everyone has the right to a standard of living adequate for the health and well-being of

that the global order, (and more directly those who maintain it), is thereby in violation of the negative right of the global poor since its creation and maintenance stands in violation of Article 28 of the UDHR.³⁹

To this, Miller would respond that, even if the global institutional order did not exist as it does, “many people would still be unable to escape destitution” because “the primary problem of not having enough to offer in commerce would not be solved.”⁴⁰ And since global capitalism works through “creative destruction” of traditional and less efficient economies, few are those who are not harmed in some way by a dynamic market economy.⁴¹ Many developed countries, including the United States, are domestically receptive to such creative destruction through displacement.⁴² Therefore, Miller does not share Pogge’s position that global economic institutions harm the poor (except in the qualified sense that the order does not make their lives better off than it could under some alternative). And even granting Pogge’s argument that we are imposing harmful institutions on the poor since creative destruction is an inevitable component of markets, this would not suffice to generate a negative duty.

himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. Pogge, *Politics as Usual*, 28; Pogge, *World Poverty*, 49.

³⁹Article 28 - Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized. Pogge, *Politics as Usual*, 28, 30.

⁴⁰“Facing no trade barriers in developing countries, no prohibition, under the WTO, of any responsible policy option, gentler integration into world markets and no unjustifiable discrimination in resources offered by the IMF, many people would still be unable to escape destitution. The primary problem of not having enough to offer in commerce would not be solved.” Miller, *Globalizing Justice*, 82.

⁴¹“Developed countries, especially the united states, are, domestically, receptive to “creative destruction” through displacement.” Ibid., 75.

⁴²Ibid.

It seems to be contradictory to concede that political rights as Miller would probably do, while at the same time holding that the right to basic needs, not be regarded as a fundamental right. In addition, the UDHR makes it clear that no human right cancels another one out. This means that my pursuit of one right does not justify my being denied of another right, nor should the pursuit of my basic needs entitle me to deprive another person of any of his or her rights. Therefore, Article 28 (Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.), does not nullify, but presumes the fulfillment of Article 25 (Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family). Miller's argument that economic rights do not exist because there is no agreement as to what level of resources is adequate seems wrong because a lack of agreement over the level of economic rights does not negate the centrality nor the desirability of such a right.⁴³ It seems to me that Miller's reluctance to describe global poverty as a violation of negative rights comes from an unwillingness to assign responsibility for the detrimental effects of the global order. This is probably because this would, in turn, commit him to criticizing not just the global political order, but also the economic order. Such a position will also force him, on pains of contradiction, to assign responsibility for the violation of the negative rights of the poor, on those who benefit the most from global institutions.

⁴³"In answering the further question of over-all goals, one should not assume that the diverse, specific projects of help derive their moral importance from a single global standard of distributive justice. (I will ultimately reject such standards)." Ibid., 210. "Because of this diversity in the standards regulating politically responsible choice in global processes, there is no such thing as "global distributive justice," in the sense of a single, determinate unifying standard concerned with material well-being throughout the world that regulates choice of particular arrangements." Ibid., 226.

Responsibility for Global Injustice

Both writers diverge with regards to who should be held primarily responsible for global distributive injustice.⁴⁴ Pogge places primary responsibility for global injustice on citizens of rich countries, and only indirectly on their government (officials). Miller reverses this order. He frames the problem of global injustice as arising mostly from the dominative imperial relations that some rich western democracies have with many poor countries. He places primary responsibility for the detrimental effects of the global order on the global poor on the political class of such countries, and secondary responsibility on the citizens. However, like Pogge, he also argues that change can only come through the (political) actions of the citizens of the rich or imperialist countries. But, unlike Pogge, Miller does not think that such citizens are violating a negative moral duty if they either do nothing or too little to change the situation. The villains in Miller's story is the political class of imperialist countries.

Recommendations and Solutions

Both Miller and Pogge do not argue against the global economic order. Neither challenges the idea of export-driven trade as the *via regia* for improving the lot of the global poor. However, both believe that rules governing global trade should be made fairer. Although Pogge recognizes the geopolitical dimensions of the problem of global poverty, his prescriptions tend more towards the economic than Miller's. He says that the structure of the global order "is

⁴⁴Pogge argues that the governments of rich, Western countries set up and maintain global institutions. He thinks that since these countries are relatively democratic, their citizens have a least some power to influence their governments to create a more equitable economic order. Furthermore, such citizens also derive more benefits from the current global order, relative to citizens of other countries. It should however be noted that such placement rests on very dubious assumptions that are not supported by the defects of democracy in the relevant countries: extensive voter apathy, the influence on money on politics, class domination and hegemony of the ruling classes, patriotism, etc. Pogge, *Politics as Usual*, 3.

neither natural nor God given,”⁴⁵ which implies that in the same way the economic order was created, it could also be altered or adjusted. Miller, on the other hand, thinks that “export led growth” is “the only path by which developing countries have substantially reduced poverty.”⁴⁶ Therefore, we could begin to address poverty simply by ensuring that political power is wielded more responsibly.

Miller – Discourse

To Miller, irrespective of how a political relationship came about, political domination yields a duty of trusteeship to the occupying country to ensure that basic needs to lead a satisfactory life are met within the occupied territory.⁴⁷ A dominant country owes a duty of care to those under its dominion. Failure to meet this duty is negligent and imposes the additional duty to correct and repair.⁴⁸ This implies that economic policies should only be imposed if those who will be affected either willingly consent to it, or in their physical absence, be policies that they could have willingly consented to.⁴⁹

⁴⁵Pogge, *World Poverty*, 172.

⁴⁶Miller, *Globalizing Justice*, 59.

⁴⁷With the example of Structural adjustment policies, Miller argues that “By imposing a new direction on the national project of better meeting basic needs, the United States takes on a responsibility to help in the project.” Furthermore, “The responsibility to help of the United States is especially demanding if the local government is at least as competent in choosing the right course of development and more representative of local preferences. The government was compelled to accept policy conditions it would otherwise reject by its responsibility to its citizenry to get help in meeting urgent needs. By stipulating these conditions, the United States has arrogantly taken over the proper prerogatives of those who will live with the consequences of the development policies it has imposed. It has ignored the morally crucial difference between its citizenry and the citizens of another country. The proper indemnity for this usurpation is an effort to insure the successful escape from destitution to which their own government was rightly committed. Having treated those foreigners as if they really were its own citizens, the United States should, if need be, devote its own resources to their success in development. Miller, *Globalizing Justice*, 152-153.

⁴⁸Ibid., 151.

⁴⁹“This is the sort of political project – wide – ranging and unavoidable in impact, extending far beyond

This should be done through ethical discourse. Any form of interference is “only rightly imposed if it merits the willing support of all,”⁵⁰ and any policy that fails in this respect is *prima facie* unjust.⁵¹

However, Miller’s theory stops short of arguing against the injustice of political domination. By not making political relations, particularly political occupation or domination a subject of ethical discourse, his position seems to be based on an unjustifiable prioritization of the economic over the political.⁵² Miller could respond to me that his suggestion that policies provide what people could have consented to is not for ideal situations, but a minimum standard that should be demanded from policy makers. But such a response does not address my concern, which is that Miller’s ethical discourse seems focused on meeting at least a minimum level of basic needs. He seems not consider the possibility an occupied people could make the political demand for an end to the occupation, even when such a demand could lead to economic hardships. There is also little account for how to create favorable conditions for reasonable

uncontroversial protections of pre-political rights – that is only rightly imposed if it merits the willing support of all. A lack of commitment to meet basic needs among those whose lives will be shaped makes the project unworthy of support. Before, the responsibility to engage in this effort was the local governments. Now that the US has used fear of dire consequences to get its preferred direction imposed, it shares this responsibility.” Ibid., 152.

⁵⁰Ibid.

⁵¹As an example, he argues that whenever the United States uses the threat of dire consequences to get its preferred development method imposed in foreign countries, such an imposition creates the for the United States, the responsibility to ensure that the basic needs of people within such territories are met. Ibid., 152.

⁵²Provision of a higher quantity of material goods by a domineering country could be used as justification for invasion. An imperial nation could choose to ignore a weaker country’s desire to sacrifice material needs for political self-determination, by arguing that occupying the country led to an improvement of living standards. The occupying country could thus justify the violation of political rights of the occupied country by claiming that “we are meeting their basic needs better than in the past.”

discourse in the face of power differentials between countries. This oversight makes his proposal for ethical discourse seem unrealistic.

Miller – GCF and GSD

Miller recognizes that genuine cooperation is incompatible with inequalities, while sharp income disparities between countries increase the temptation to exploit weaknesses.⁵³ This means that addressing lack in poor countries will reduce the tendency toward exploitation and domination.⁵⁴ Therefore, the GCF proposal includes the aspiration to reduce neediness on the way to a just world without exploitation.⁵⁵ Seeking a world in which no country “must hope for help from abroad,” the GCF aspires to alter current global relations in which “the machinations of governments are far removed from friendship and official talk of cooperation is often a cover for subordination.”⁵⁶

The ideals of GCF requires that citizens of rich western democracies pressure their governments to “rein in” their powers and deal with weaker countries on more respectful terms. This ideal “combines a commitment to relieve suffering with a commitment to end

⁵³To buttress this argument, he references Aristotle’s analogy between genuine friendship and well-ordered political relationships: civic friendship holds a just polity together. But in addition, deep inequality is a barrier to friendship. *Ibid.*, 232.

⁵⁴However, the guiding principles of GCF are different from the pursuit of beneficence. *Ibid.*, 230.

⁵⁵Miller sees international relations as a form of (global) friendship between countries. He proposes that we should all aspire towards Global Civic Friendship (GCF), which like all genuine friendships, is non-coercive and based on respectful terms that all participants willingly and self-respectfully support. His vision is that we can develop political relations that will meet demands of justice like, compensatory (Iraq) distributive (returning fruits of manufacturing exploitation in China), and ensuring need satisfaction and development where US has imposed a regime of development. (Sub-Saharan Africa and Latin America). *Ibid.*, 226.

⁵⁶*Ibid.*, 230, 255.

domination.”⁵⁷ He sees these principles as adding up to “an inspiring positive goal” to which we should all aspire.⁵⁸ The principles of CCF will move the world closer to the political ideal of Global Social Democrats (GSDs), who accurately see the global poor as victims of unjust imperial policy, and who thereby “treat people in developing countries as victims of transnational domination, not just transnational neglect.”⁵⁹

Global political power is perceived by many as a zero-sum game, in which domination is an unfortunate but necessary device. The current structure of global relations is one in which countries see themselves as faced with a Hobbesian world in a global state of nature. Pogge would agree with Miller that poverty and other forms of institutional weakness are part of what militates against healthy, trans-national relations. Both are also in agreement that inequitable global relations are sustained in large part by countries acting in ways which they regard as protecting their interests and by extension, the interest of their citizens. Pogge would also agree with Miller that GSDs already exist but should be strengthened. And Miller would see Pogge as already practicing the principles of GSD. Pogge describes in detail, how global organizations, even those mandated to alleviate poverty, are not committed to their mandate.⁶⁰ Pogge would therefore also agree with Miller that a factor that militates against his GSD initiative is that

⁵⁷Ibid., 252-253, 257.

⁵⁸Ibid., 233.

⁵⁹“Participation in these movements overlaps, and those strongly committed to one typically wish the other movements well and derive comfort and support from their successes. So, the cluster is itself a movement composed of movements in specific causes.” Ibid., 247-251, 225.

⁶⁰Pogge, *Politics as Usual*, Ch. 3.

international agencies and corporations, as well as government agencies, are able to “absorb the damage” of the actions of protest movements.⁶¹

WTO Negotiations

Both Miller and Pogge agree about the injustice of WTO regulations. Miller complains that in place of the laudable goals of the WTO mandate,⁶² rich countries use these trade regimes to protect their own domestic industries while forcing poor countries to open up their markets, stop poor countries from subsidizing their products while they subsidize theirs; and also provide little financial resources as a safety net to protect people from the effects of the destabilization of local economies.⁶³ Pogge, would therefore, agree with Miller that for the global poor, the WTO leads to an “especially brutal path of economic globalization.”⁶⁴ Miller sees inequitable WTO rules as an example of imperial nations’ using multilateral institutions to “irresponsibly” reshape the political and economic structures of developing countries, as their (the rich countries’) “interests dictate.”⁶⁵ To both Miller and Pogge, the immorality of such negotiations cannot be excused because it yields material gains on behalf of rich country citizens.⁶⁶ Pogge sees this as a

⁶¹Protest movements, on the other hand, are made up of amateurs and volunteers, severely limited in resources, or comparatively small organizations focused on one or at most a few aspects of global injustice. Such pressure groups do not have the resources available to large organizations, thus making it harder to achieve their goals. Miller, *Globalizing Justice*, 250.

⁶²The mandate of the WTO includes “the pursuit of reciprocal reductions in barriers to free trade, modified as needed to guard against severe disruption of economic life in member countries” ...”and “to respect the special needs and vulnerabilities of developing countries.” Miller, *Globalizing Justice*, 77.

⁶³Ibid., 77-79.

⁶⁴Pogge, *World Poverty*, 19. Miller, *Globalizing Justice*, 75.

⁶⁵Miller, *Globalizing Justice*, 130.

⁶⁶Pogge, *World Poverty*, 20.

good illustration of the violation of the negative duty not to harm, while Miller describes it as a case of political “irresponsibility.”

I agree with both writers that less brutal WTO negotiations could relieve some of the economic pressures of poor countries. However, the WTO is an arena in which representatives have a duty to pursue the most favorable economic arrangements for their own citizens. As both theorists acknowledge political power greatly influences the economic outcomes of WTO deliberations. Another factor that contributes to negative outcomes for poor countries is that the global capitalist order functions on the twin imperatives of growth and efficiency (along with a built-in presumption that economic growth inevitably leads to increased well-being). Despite the awareness that we live in a world of finite resources, the global order compels us towards economic growth.⁶⁷

Economic growth is posited as a sign of a healthy economy and is demanded of individuals, countries, and organizations. Faced with the pressure to grow, it is understandable that the powerful (individuals, organizations, countries) use whatever advantage they already have, to achieve such growth. In a shared global economic arena, such growth will likely be at the expense of the weak. WTO inequities result from global economic and political power disparities. Therefore, I agree more with Miller against Pogge, that retaining the global order, while demanding that rich countries be charitable to poor countries in WTO negotiations, entails a contradiction.⁶⁸ Both Miller and Pogge could respond to my position by pointing out that the

⁶⁷“Infinite growth, they maintained, is based on self-delusion, because the world is a closed space, finite and of limited carrying capacity.” Wolfgang Sachs, “Environment,” in *The Development Dictionary: A Guide to Knowledge as Power*, ed. Wolfgang Sachs (London: Zed Books, 1992), 27.

⁶⁸“If, as Pogge is willing to concede, the existence of avoidable dire poverty does not, as such, entail a duty

fact that a rich country is able to use its power to get the most out of a situation – in this case to the detriment of the global poor - does not make such an action morally justified. But such an argument misses the point, which is that we live in a world where the logic of growth pervades economic and political interactions. We expect and in many cases demand, in both domestic and transnational economic transactions, that individuals, enterprises, and nations strive for the greatest possible benefits. Given such an environment, the detrimental results of our economic order should not come as a surprise.

Pogge GRD

To Pogge, the earth's resources belong equally to all, so no one person can assert a superior moral claim to any natural resource.⁶⁹ Therefore, the current situation in which the global poor are excluded and uncompensated from the use of the world's natural resources is unjust.⁷⁰ The GRD proposal, which is a tax to be imposed on all natural resources that can be destroyed, eroded, worn down or otherwise exploited, particularly, resources like fossil fuels whose consumption should be discouraged, is meant to rectify this.⁷¹ The GRD is aimed at the twin goals of eradicating poverty and compensating the world's poor for resources they don't currently use. Pogge suggests that both goals could be met simultaneously by using the funds generated by the GRD to fund development projects in poor communities around the world.⁷²

to eliminate it, it is not clear why its foreseeable persistence under current institutions entails a duty to eliminate it by institutional means." Miller, *Globalizing Justice*, 271, Note 4.

⁶⁹Pogge, *World Poverty*, 202-203.

⁷⁰Ibid.

⁷¹Ibid., 197.

⁷²Ibid., 210-214.

Miller disagrees with the GRD policy, arguing that there is no reason “why the current value of natural resources should be shared among people whose technologies and commercial activities make very different contributions to this value.”⁷³ But this response seems to rest on a misunderstanding. Pogge’s argument is that currently, the benefits of natural resources tend to go to the better off members of the human society.⁷⁴ Pogge also does not argue for the sharing of the value of resources after processing, but that a dividend should be charged at the point of extraction, and not for finished or processed materials.⁷⁵ Lastly, proceeds of the GRD is meant to pay for development projects. The GRD is a small percentage of the value of natural resources to be set aside for the sole purpose of funding development projects to raise the global poor out of abject poverty.

One of the arguments Pogge makes in support of the GRD proposal is that the income disparities between rich and poor countries can in large part be explained by “morally tarnished” history. The “social starting positions of the worse-off and the better-off have emerged from a single historical process that was pervaded by massive, grievous wrongs.”⁷⁶ Miller responds to this by saying that compensation for past inter-social harms should be “severely limited by the moral equivalent of a statute of limitations” so that “people are not overly vulnerable to demands

⁷³Miller, *Globalizing Justice*, 271, Note 4.

⁷⁴Not just members of rich countries, but also to the elites of developing countries, like the Saudi ruling family and Nigerian oil elites. Pogge, *World Poverty*, 202.

⁷⁵*Ibid.*, 205.

⁷⁶“This is not to say (or to deny) that affluent descendants of those who took part in these crimes bear some special restitutive responsibility toward impoverished descendants of those who were victims of these crimes. The thought is rather that we must not uphold extreme inequality in social starting positions when the allocation of these positions depends upon historical processes in which moral and legal rules were massively violated. A morally tarnished history should not be allowed to result in *radical* inequality.” *Ibid.*, 203.

deriving from past wrongs over which they had no control.”⁷⁷ Thus, to Miller, it would be perverse to make current persons responsible for acts which happened too far into the past. But this does not address the crux of Pogge’s argument which is that the massive disparities in economic power between rich and poor countries can be explained by how much wealth each group started out with. To Pogge, an argument can be made for rectification because the present “inequality demonstrates the power of long-term compounding more powerful than centrifugal tendencies of our global market system.”⁷⁸

Purchase of Raw Materials

Pogge proposes that some minimum standards be demanded of governments as a condition to economic interactions like resource sales, arms purchases, and loans.⁷⁹ Against this position, Miller first notes that the records of economic sanctions indicate that such sanctions tend to harm poor citizens, rather than the rulers.⁸⁰ To him, therefore, a broad prohibition of purchases from oppressive governments would be unduly burdensome to both people in these territories and people needing the resources elsewhere. And despite the sacrifices that this policy demands, there is no indication that it will remove the incentives to oppress. He suggests that “A

⁷⁷“But compensation for the effects of bloody conquests in the past must be severely limited by the moral equivalent of a statute of limitations, so that people are not overly vulnerable to demands deriving from past wrongs over which they have no control.” Miller, *Globalizing Justice*, 272.

⁷⁸Pogge, *World Poverty*, 205.

⁷⁹Pogge also argues that poor people are made worse off by global rules that permit businesses and governments of rich countries purchase raw materials, supply arms and grant loans to oppressive leaders of poor countries. He offers this as an example of how current global institutional rules give dictators the power to further oppress their citizens. Pogge, *World Poverty*, 18-21. Pogge, *Politics as Usual*, 47-51, 112-117.

⁸⁰Miller, *Globalizing Justice*, 271.

narrow prohibition in extreme cases of ferocious tyranny might be useful, but the help to the global poor would be, correspondingly, limited.”⁸¹

I agree with Miller that economic sanctions tend to harm poor citizens of poor countries more than the ruling class. However, this does not justify the current practice of some rich countries either using sanctions either as a geopolitical tool or ignoring human rights violations if the regime is seen as beneficial. However, Pogge’s analysis and policy recommendation are also not an accurate representation of the global political order. As Miller notes, in many cases, sanctions are used by rich imperialist countries to achieve their political and strategic ends than to protect the rights of foreigners. It is not just that rich countries do not care about the moral records of the leaders of poor countries. Rather, rich countries are more inclined to pursue their own ‘strategic’ interests, irrespective of the negative consequences such policies to the global poor. This misunderstanding and misrepresentation of the global political structure weakens Pogge’s position and makes his analysis seem naïve. But all the same, the ineffectiveness of sanctions should not be an argument to end sanctions, but an invitation to work towards developing a more effective system to protect and further the interests of the global poor.

Self Interest and Greed

Both Miller and Pogge agree that it is immoral to benefit from an unjust order without making good faith effort to compensate its victims, and/or work to alter the system.⁸² They both hold the position that rich countries (and by extension their citizens) derive benefits from the global order to the detriment of poor countries (and by extension their citizens). A citizen of a

⁸¹Ibid., 271, Note 4.

⁸²Miller, *Globalizing Justice*, 62, 68. Pogge, *World Poverty*, 66. Pogge, *Politics as Usual*, 52.

developed country ought to use these benefits to relieve underlying neediness in poor countries.⁸³ This points to an aspect of global injustice that both theorists do not adequately emphasize – self-interest and greed. For example, when the U.S. imposes its political will on another country, it is usually to ensure that U.S. organizations continue to reap benefits from the country to the detriment of the citizens of said country. The economic benefits of such imperialist ventures usually make it back to the U.S. and is at least of indirect benefit to her citizens. This shows that it might not be in the long-term interest of citizens of an imperial country to “hem in” the excesses of their politicians. Both theorists are silent about the likelihood of such citizens rising above self-interest and greed to work towards reducing such privileges. However, it has been the case that citizens of imperialist countries have struggled to end imperialistic practices. Unfortunately, over time this has met with declining levels of success. It appears that the political class of these countries is getting better at fighting such movements. At the same time, people seem to be getting even more apathetic towards the behavior of their leaders.

The Global Market

Although both theorists complain about the global extreme poverty that results from the global order, they both make it clear that they are not opposed to the order as it is. Pogge cautions his readers not to mistake his complaints for “a leftist critique” of the global order.⁸⁴

⁸³“A politically responsible person in a developed country should support measures returning gains from exploitation, a framework for trade that could result from responsible deliberations...” Miller, *Globalizing Justice*, 62, 225.

⁸⁴“Mine is not, then, a leftist critique.” Pogge, *World Poverty*, 24; in another passage, he makes it clear in more general terms that he is not necessarily taking a stand against capitalism. “Many critics of the WTO regime are, and many more are dismissed as, opponents of open markets, free trade, or globalization. It is worth stressing then that my critique involves no such opposition. My complaint with the WTO regime is not that it opens markets too much, but that it opens *our* markets *too little* and thereby gains for us the benefits of free trade while withholding them from the global poor. I see the appalling trajectory of world poverty and global inequality since the end of the

Miller on his part makes it clear that the current global order is the best way to organize economic exchanges.⁸⁵ Pogge thinks that certain aspects of the global exchange system can, and should be altered. Miller does not argue for changes to the global economic order but thinks the material needs of the global poor could be better met if global (political) power is wielded more responsibly. Pogge's ideological stand commits him to the position that the problem is not with the economic order, but with the functioning of the order. Miller could agree with this position but would insist that although capitalism carries within it some dysfunction, it is an unavoidable price to pay for economic progress. Therefore, the problem is better located not in the economic arena, but in the global political order.

Their two positions are more similar than at first appears, since neither argue against the structure of the global economic or political order, but against abuses within the order. They both think that with a little tweaking and vigilance, global institutions could be made to function in a more equitable manner. They both thereby fall into the same contradiction: although they argue against the results of the global (economic and political) order, they do not argue against its structure. Both theorists thereby seem to be defending an unrealistic, ideal version of the global economic and political order. They both seem to be operating under the assumption that the current (neo-liberal) order functions economically as a genuinely free market, and politically, in a manner that respects the ideals of democracy and equality.

Cold War as a shocking indictment of one particular, especially brutal path of economic globalization which our governments have chosen to impose. But this is no reason to oppose any and all possible designs of an integrated global market economy under unified rules of universal scope." Pogge, *World Poverty*, 19.

⁸⁵"Export led growth, which contributes to and depends on globalization, has been the only path by which developing countries have substantially reduced poverty." Miller, *Globalizing Justice*, 59.

Both writers would agree that global distributive injustice results from powerful global actors using their power to extract the most benefits, thereby worsening the position of the global poor. They, therefore, seem to be correct in their conclusion that a large part of global distributive injustice is caused by the immoral wielding of political and economic power. They both defend the global economic order in a language that implies that it is identical to theoretical, or textbook capitalism. They both seem to understand the global economic order as determined by indifferent market forces like perfect competition, free entry and exit into markets, etc. This is a false assumption because the real world neoliberal global economic order differs in crucial respects from theoretical capitalism. In the current version of (late) capitalism, both domestic and global markets are determined by factors outside of the market, for example, legislation and advertisement in domestic markets, and global regulations, which are heavily influenced by political power in global trade and investment. These features of the market make assumptions of global 'free trade' both simplistic and unjustified. This is more so because it is precisely the artificial skew of the global market by factors outside of exchange relations that generates global distributive injustice.

It seems that we either take the global order as harmful or seek its eradication; or we accept it as our best option. The latter option would make the most that can be demanded of those who benefit from the order the duty of beneficence to relieve the burdens of those who must suffer its ills. Pogge's human rights position leads him to propose policies to mitigate the negative results, but not the structure of the economic system. Miller also offers suggestions of how to wield political power in a more benign manner, without telling us why those relations that lead to so much suffering should be retained. As Pogge regards the economic order as a

given, Miller also considers the global political order (including imperialism) as here to stay – at least in the foreseeable future. Without providing an explanation for why a global order that produces such negative effects should not be done away with, they both instead, provide arguments for how to mitigate its (inevitable) harmful effects.

In addition, a desideratum of the capitalist economic system is constantly increasing economic growth. To ensure economic growth, a ‘healthy’ economy must have some of what economists refer to as ‘excess capacity.’ This is a technical term for unemployed labor and idle technical capacity (land and machines). Capitalism thereby presumes some unemployment of not just resources, but people as well as. The problem is that increasing growth implies increasing or more intense idle capacity. Poverty and inequality will be a necessary feature of such a system. Therefore, even if Pogge’s suggested initiatives are successfully implemented, it can only be a temporary palliative to the structural unemployment that is inherent to capitalism.

Similarly, the global geopolitical system is one in which powerful countries regard using their power to derive the greatest benefits for their own citizens as one of their primary duties. This makes the temptation to dominate other less powerful countries, if not a necessary component of the global arena, at least a strong tendency of powerful countries. Miller suggests that global political domination should be curtailed, but he does not explicitly argue for the doing away of imperialism. The problem with this position is that since there is no such thing as “agency respecting” domination. Therefore, in this regard, both theorists provide justice theories that fall short of eradicating relations of domination.

Miller – Empire

Whether political or economic, the moral violation of a dominative relationship is that one party accords inadequate consideration or respect to the agency of the other – the dominated party is not free to make autonomous choices. In such a situation, the dominated party acts, but not freely. And herein lies the problem with Miller’s justice theory - he argues for ethical discourse (limited to economic demands) within relations of political domination.⁸⁶

Although resources are vital to human existence, the ability to freely express agency is at least as important, since this is what makes us persons. Therefore, the restriction of agentic autonomy in relations of imperialist political domination is at least as important as whatever material deprivation results from such relations. While I am not against Miller’s call for ethical discourse, his position is problematic for two reasons. The first is that ethical discourse implies that all agents are equal and free to make demands of one another. This is not the case with imperialist relations, which are relations of grossly unequal power. The second is that Miller conceives of ethical discourse as discourse limited to economic demands. He wants imperialist countries to be in open to discourse with the dominated (and presumably poor) society with regards to the provision of basic needs. However, he does not say the same about the political demands of the dominated.⁸⁷ I see this as a failing of Miller’s theory because just relations

⁸⁶The difficulty of coherently addressing the violation of political rights within the context of imperialistic relations seems to lead Miller to suggest minimum economic standards (ensuring that basic needs are met); for addressing a political problem (the imperialistic violation of political rights, which on many occasions lead to economic deprivation). Miller seems to think that the moral violation of imperialism is economic deprivation. But while basic needs are vital to human existence, economic deprivation is important only to the extent that it is a condition to the expression of agency. Therefore, the restriction of agentic autonomy is a deep moral violation which, in my opinion, Miller does not pay due consideration to.

⁸⁷In fact, he presumes that empire is here to stay, and this might not be catastrophic. He says of the imperialist practices of the U.S., that the desire to put an end to empire is usually made in the same spirit as people

between moral agents presume mutual respect for the agency and freedom of the other.

Imperialism disregards this. In fact, an imperialism that respects the agency of the dominated can no longer go by that name.

An adequate justice theory should take a stand against such relations. It is problematic that Miller provides a global justice theory argues against the violation of the economic rights of the global poor while remaining silent about the moral status of imperialism. In the same vein, to address the ills that are inevitable consequences of the ‘creative’ destruction aspect of the global order, Pogge argues for policies that are at best, cosmetic. Although neither Pogge nor Miller articulates it in this manner, political imperialism and economic creative destruction are ‘social problems’ precisely because they result in ills that are perpetuated by the powerful against the weak. This makes them inter-subjective violations, which must be addressed at the level of inter-subjectivity.

Conclusion

Although Pogge does not use the language of domination, his arguments against extreme poverty and wealth inequalities could be seen as a way of arguing against extreme income disparities which usually precedes domination. Miller likewise, also provide arguments which in some respects, are superior to Pogge’s. For instance, by calling for ethical discourse, and making discursive veto power a condition to it, he seems to take more consideration of the agency of the global poor. But both writers do not adequately engage with the moral violation at the root of

seek an end to racism – without the illusion that it will end soon. This seems to be a tacit acknowledgement of the desirability of ending imperialism but at the same time a realistic acceptance that it might not happen soon. Miller, *Globalizing Justice*, 207.

global injustice, which is that moral agents expressing agency in a manner that inhibits the expression of the agency of another.

And although both are justifiably outraged by the extent of global poverty, neither seems to appreciate the structural limits inherent in capitalism that prevent a significant advance toward economic (distributive) justice and (in the case of Miller), elimination or reduction of the excesses of imperialism and global social democracy. And although it is immoral to pursue gain to the detriment of already impoverished people, the provision of material resources does not in itself guarantee that the intersubjective relations are free of domination.⁸⁸ This illustrates the limitations of Pogge's position because by focusing on economic solutions to global distributive injustice, Pogge does not adequately account for the political foundations of such injustices. However, Miller's position is just as problematic. Imperialism ignores the agency of those under its power and is thereby by definition dominative. And although it is possible to wield imperial power in a responsible manner, this will not address the flawed inter-subjectivity that undergirds domination. Therefore, both Miller and Pogge develop theories that might be compatible with domination because they both do not address the flawed inter-subjectivity that is at the root of relations of domination.

Despite these criticisms, ethical discourse would be a positive addition to, and an improvement over, current global realities. As Pogge argues, human autonomy is best preserved by persons "having a purpose of one's own."⁸⁹ He would, therefore, agree with Miller's

⁸⁸Miller makes the interesting point that it is possible to dominate another without necessarily making the person worse off (in material terms). *Ibid.*, 84.

⁸⁹Pogge, *World Poverty*, 31.

discourse ethic proposal. But Pogge would also point out as Miller does, that grave economic lack militates against equality, which is a core assumption of ethical discourse.

The ability to express free agency is the basis of personhood, therefore the most basic right we have and are owed as persons, is the right to freely express agency, by not being restricted by the expression of the agency of another. Both writers recognize that global poverty is wrong because it violates human dignity, but neither seeks deeper deontological grounds for human rights, such as inter-subjective recognition and non-domination. Such a deontological ground must be based on the recognition of the person as worthy of dignity. Such a recognition will ground an argument for adequate resources to live a life worthy of human dignity, and will also be grounds for an argument for the protection of the political rights of persons. Lastly, the person so described, must be in specific kinds of (non-dominative) relations with others. Both Miller and Pogge allude to these, but they do not provide strong, deontological grounds, which would have given their prescriptions the force of a moral law. To provide deeper a deeper moral foundation and thereby sharpen the preceding arguments, in the next section, I engage with the theories of Axel Honneth and Nancy Fraser.

CHAPTER V

TRANSITION

The ability to express autonomous agency is central to personhood, and is an important part of the reason why persons are said to possess inviolable dignity. But as social beings, we encounter restrictions in our desire to express agency. Although such restrictions are usually experienced as an inconvenience, some seem justified, while some are seen as unjustified. In fact, the term ‘injustice’ could be defined as unjust restrictions in an agent’s ability to express autonomous agency. This raises the issue of how we are to distinguish just from unjust restrictions of agency. I propose that restrictions to human agency are just only when the restricted party has room for reasonable dissent and a veto power to end any restrictions that she or he does not agree with. Without these conditions being met, the restricted party is thereby acting under the will of another and is thereby dominated by that other. Restrictions to agency that do not meet the conditions of consent and veto power imply that the initial actor has thereby disrespected the agency of the restricted party. To the extent that the restricted party’s agency is thereby ignored or undervalued, such restrictions entail domination of the restricted party by the initial actor. Given the centrality of autonomous agency to personhood, I argue for the position that the most basic right all persons have is the right not to be dominated by others, which implies a commensurate duty not to dominate others.

I regard social injustice as domination because such injustice results when the actions and inactions of moral agents, leads to restrictions on some other person’s ability to express agency.

Since “unjust” social situations imply the existence of inter-subjective relations of domination, I propose an intersubjective conception of social injustice.¹ Global injustice is a form of social injustice, albeit with more layers of causation between the initial actor or actors and the restricted or harmed party. Therefore, an adequate theory of global justice should engage with the inter-subjective domination – both interpersonal and structural – that is the source of such injustice.

Rawlsian Contractarian Global Justice Theories

Living a minimally decent life requires an appropriate degree of agency, which social or political relations must not arbitrarily restrict. Social justice requires among other things, that persons have access to adequate resources to live a minimally decent life. The persistence of agency-inhibiting poverty in a society means that those who maintain such social arrangements at least implicitly do not adequately respect the agency of those who are thus harmed. This is more so the case when such poverty can be shown to be impervious, pervasive, but avoidable.²

Thomas Pogge and Richard Miller think that global poverty is wrong because it violates human dignity. Although they emphasize slightly different aspects of the problem of global poverty, their positions overlap and could be regarded as complementary. To Pogge, global institutional arrangements are the leading cause of extreme global poverty. To him, the global order thereby violates the social and economic rights of the ‘global poor,’ and particularly so under conditions of radical global economic inequality. Miller attributes global poverty to global

¹An accident or an act of nature that leads to a bad outcome for some person is not an injustice. It is only when the bad outcome or situation results from the actions (or inactions) of another person that the situation could be termed as “unjust.” Injustice can only arise when someone chooses to carry out an action that results in the restriction of the free agential expression of another person.

²Pogge, *World Poverty*, 198.

political processes like unfair trade agreements, exploitative sweatshops, draconian lending policies tied to structural adjustment programs, etc. To him, global poverty is the result of imperial powers dominating weaker states, via a global political arena that is structured in a manner designed to deprive the global poor of the political power to address poverty. Thus, with examples drawn from aspects of the global political environment, both try to show how global political power differentials contribute to global poverty. However, although they engage the political dimension of global poverty, it is only to the extent that it supports an argument that is grounded on an economic injustice.

I agree with Pogge and Miller that extreme global poverty is a grave injustice, and is the result of complex global factors. I also agree that the global poor suffer economic injustice because they are victims of a larger environment of injustice. However, their focus on the economic dimensions of global injustice limits their analysis and influences the kinds of recommendations they are able to develop. First, they posit lack of access to resources as the fundamental injustice, which increased access to material resources will correct. But despite the correlation between social and global injustice and poverty, global injustice involves more than distributive injustice. For instance, important global justice issues like indigenous group rights and the global sex trafficking are not caused by, or rectifiable through, increased access to resources. Secondly, the focus on resources leads to inadequate attention to the way economic injustice interacts with other forms of injustice. For instance, both Pogge and Miller do not adequately account for the importance of empowerment and the fact that capitalism, by its very structure, frustrates empowerment and human development. Furthermore, the structural limits

inherent in the global order of neo-liberal capitalism militates against global distributive justice, or the elimination or reduction of the excesses of political domination and imperialism.

Capitalism is one strand of the root cause of global injustice. The other related strand, which the global capitalist structure greatly contributes to, is harmed subjectivity. Both writers locate their analysis at the level of institutions. Pogge appeals to the social and economic rights that global institutions cause. While Miller appeals to social contractarian moral duties that concern fair cooperation, care over those under one's influence, emergency rescue, and beneficence. They thereby focus on global political and economic domination, including imperialism, but do not adequately theorize subjectivity. Since political power relations are intersubjective relations, Pogge and Miller must agree with me that the expression of agency is at the root of the problem of global injustice. The Rawlsian Contractarians thereby develop theories that do not get to the root cause of global injustice. Any policy recommendations grounded on such theories will at best provide temporary relief for the symptoms of the underlying problem.

However, of the two, Miller seems to account for inter-subjective domination more than Pogge does. Miller attributes global poverty to global power disparities, particularly imperialism, and the domination that it easily engenders. To mitigate such injustice, he recommends reasonable discourse between global actors. He argues against Pogge's call for 'fairer' global market exchanges, by pointing out that it is possible to dominate another without necessarily making the person worse off (in material terms). However, Miller is silent on the question of how to enforce his proviso of reasonable discourse in the face of deep power asymmetries and the temptation of the strong to dominate the weak.

Specifically, by calling for more reasonable relations between stronger countries and weaker ones, Miller communicates his disapproval of imperialistic policies. Although he stops short of calling for the abolition of imperialism, his recommendations could help mitigate a morally imperfect global situation. I agree with Miller that imperialist countries could certainly respect the moral duties that Miller argues for, for instance, such countries could wield their political powers in a more responsible manner. However, this might not be possible in practice because imperialism is, by definition, a relationship of domination.³ Therefore, given global power disparities, Miller's proposal for ethical discourse between rich and poor countries, seems like a morally desirable suggestion, not a morally demanded duty. The problem with this is that global or social justice theories are arguments for the rectification of the violation of moral duties. When such duties are violated, their rectification should be clear moral demands, and not moral appeals, nor as a matter of charity or humanitarian aid. For example, the duties that imperialistic relationships demand should not be presented as suggestions, but as moral demands.

Inter-Subjectivity

An adequate theory should identify social injustice, provide arguments for why it is an injustice, and make suggestions of how to rectify it. The moral violation of social or global injustice does not lie in the mere fact of the restriction of human agency, but in the fact that the restriction is either brought about or sustained by the actions of other moral agents in a manner that the restricted parties experience as arbitrary. For instance, extreme poverty, which inhibits

³Although domination could be understood as a scalar concept, I am arguing for a justice theory based on the principle of non-domination. With regards to inter-subjective relations, the principle of non-domination is either respected, or violated. In that sense, there is no such thing as "mild" domination. It is either a moral agent is adhering to the principle of non-domination or she is not.

the expression of agentic freedom of the poor is not just a 'social' problem, but a moral one, precisely because it is caused by the actions of others. Since social justice is premised on respect for the expression of agentic freedom, an adequate justice theory must be grounded on respect for the basic duty not to dominate others. Such a theory must, therefore, be based on an inter-subjective analysis.

To begin to address the problem of global injustice, Miller and Pogge both make recommendations for how certain people should act. Miller's call for discourse, as well as his, and Pogge's demand that citizens of rich countries engage in political action does address subjectivity, but not inter-subjectivity. The result is a one-sided analysis, which does not adequately account for the subjectivity of the dominated or the global poor who suffer injustice.⁴ The result is a global justice theory that is focused on the subjectivity of members of the global population who Miller and Pogge think have enough social resources to work towards the rectification of global injustice (or global poverty). That is, rich global citizens and citizens of imperialist countries, as well as global political elites.

Both theorists provide arguments and policies for why and how poor people could better meet their material needs. Miller's discourse ethic could also guard against relationships of domination by the strong, on account of the extreme material need of the weak. The Rawlsian Contractarians thereby provide arguments that could lead to an increase in the expression of agentic personhood. But they do not adequately emphasize that global injustice, even when limited to the injustice that results from the inequitable allocation of global resources, implies

⁴Miller does mention how poor countries should act in the face of unfair and dominative global lending, but this is a prescription of how best to cope with injustice, and not how to change the unjust relations.

flawed inter-subjective relations. This results in their making prescriptions that are not based on deontological grounds, such as recognition and unconstrained dialogue, which would have given their prescriptions the force of a moral law.⁵

I develop an alternative justice theory grounded on the duty of non-domination because healthy intersubjective relations, which are relations that are free of domination, are the basis of just social relations. Equal political participation and distributive injustice presume non-dominative social relations. Healthy intersubjective relations are the first steps towards a more equitable world because such relations preclude the relations of domination which are the basis of social injustice.

Critical Theory

In addition to my general position that global injustice should be understood as intersubjective domination, the foregoing also support the argument that, whether at the social or global levels, material deprivation is not simply a material condition or just a form of political domination. Rather, it is a certain intersubjective state that is mediated through certain socio-economic conditions. An economic or political explanation of global injustice is not wrong, but it could obscure the subjectivity of those who are implicated in the problem. An intersubjective account, on the other hand, does not deny the existence of economic or political forces. However, it has the added advantage of not allowing attention to such forces obscure the fact that social injustice is the result of the expression of individual agency, and is suffered as the inhibition or restriction of autonomous agency.

⁵As I discuss in Chapter 7 of this volume, Fraser provides a deontological account of social justice, which, because it is based on stronger principles, holds an advantage over Honneth's Hegelian, teleological account.

In the next section, I turn to the critical theorists that work in the tradition of the Frankfurt School.⁶ More specifically, I engage with the theories of Axel Honneth and Nancy Fraser. One of the notable features of critical theory is its emphasis on emancipation, non-domination and the need to bring about social reform or radical social reform of economic, social and legal institutions to accord with the ideal of radical emancipatory justice. It does this by developing arguments grounded on agency, freedom, and inter-subjectivity. Critical theory thereby provides deeper normative grounding in a prior social conception of free agency. For instance, by locating the root cause of poverty in the *structures* within capitalism, they provide a different kind of analysis from the individual-centered contractarian thinking. I engage with the field of critical theory in order to develop an alternative global justice theory that is located at the intersubjective level of analysis and framed around freedom, agency, and inter-subjectivity of the key agents implicated in global injustice.

Axel Honneth emphasizes injustices of recognition, which includes group- or identity - based injustices that affect, for example, indigenous people vis-à-vis globalization. He regards self-realization and social happiness, which includes rights and freedom, as the most important

⁶The project of a critical theory of (in)justice therefore consists in the following four points:

- a) It contains an analysis of given social relations, that is, their historical genesis and their contemporary character, especially the inequalities and power asymmetries they contain.
- b) It connects this with a critique of false justifications for these relations on the basis of the principle of justification, false justifications that hide social contradictions and relations of power.
- c) Furthermore, it points to the necessity and possibility of justifications that can stand the test of reciprocity and generality. Reciprocity means that none of the parties concerned may claim certain rights or privileges that they deny others and that the relevance and force of the claims at issue are not determined one-sidedly; generality means that all those affected have an equal right to demand justifications. Given this basic right, this has to be a real and not a merely hypothetical test: ultimately, only those affected can themselves carry out the justification of their *own* basic social structures. This is how critical theory links up with the claims and demands made by social actors themselves in concrete social contexts.
- d) Hence, critical theory calls not only for justifiable social relations, but for a practice of justification. This is the first step towards justice. Rainer Forst and Jeffrey Flynn, *The Right to Justification: Elements of a Constructivist Theory of Justice* (New York: Columbia University Press, 2012), 258-259.

part of modern self-realization. His account is a Hegelian, teleological and psychological account based on historical and contemporary struggles of recognition (which he sometimes formulates as an ahistorical philosophical anthropology).⁷

I conclude with Nancy Fraser who, contrary to Honneth, gives equal, non-reductive weight to both adequate distribution of resources as well as social recognition. In later work, Fraser adds (political) representation as a third requirement of social justice. She argues that social justice requires that all members of the society should be able to participate on a par with all other members. She refers to this as the principle of 'parity of participation,' which in turn demands that all moral agents have adequate social recognition and material resources, and be able to participate in the political arena.

⁷As a Hegelian, Honneth's sharp distinction between deontological and teleological doesn't make sense because the ultimate ground of a human rights regime and other duties for must reside in institutions that make possible healthy and happy social relations, which for Honneth, is the very definition of freedom.

CHAPTER VI

AXEL HONNETH – RECOGNITION THEORY

Introduction

In this project, I argue for the position that social injustice should be understood as the result of inter-subjective domination. I understand domination as the result of moral agents expressing autonomous agency in a manner that leads to the unjustifiable restriction of the ability of others to express agency. In modern societies, access to social goods is determined by social allocation patterns, which is in turn determined by social institutions. This makes the level of access a person has to tangible and intangible social goods relative to others, an important determinant of how much agency he or she is able to express. Social injustice results from allocation patterns that lead to agency-inhibiting lack for some members of society, relative to others.

To Axel Honneth, social injustice is always preceded by, and based upon, flawed relations of recognition.¹ Allocation patterns of social goods in modern social institutions are thereby a function of the society's recognition regimes or systems.² Therefore, social injustice

¹To Honneth, social justice and recognition mutually illuminate each other, since what counts as an injustice depends on our reasonable (and mutual) expectations from others. Therefore, an institution (say, a constitution) can disrespect (not adequately recognize) persons because institutions, besides effectively regulating behavior, always express—as well as reinforce—underlying attitudes of those who designed or keep on reproducing them. Iser, “Recognition.”

²Christopher Zurn explains the connection between social recognition and social injustice as follows: “For any specific society, there is a specific respect and esteem ‘dispositive’ or ‘recognition order.’ This recognition order is a reigning set of interpretations of the specific principles that society uses to accord respect and esteem – fair equality of opportunity and merited achievement for capitalist societies – and institutional structures that more or less imperfectly realize those interpretations of the moral principles – e.g., social welfare rights and merit based

(which I argue is always grounded on intersubjective domination), is a function of social misrecognition.³

In this chapter, I examine to what extent Honneth's theory of recognition could ground a global justice theory. In part 1, I provide a description of the theory of recognition. In part 2, I analyze the theory and highlight some of its drawbacks. In part 3, I provide a review of some attempts to globalize the theory of recognition. I conclude in part 4 by agreeing with Honneth that healthy intersubjective recognition relations are necessary to social justice. I argue, however, that Honneth's theory of recognition was developed to apply to a modern, western democracy. It is thereby not robust enough to account for many dimensions of global injustice, particularly the injustice that results from global economic and financial, neo-liberal, capitalist globalization.

Overview

Axel Honneth's theory of recognition is based on a concept of mutual recognition, which relies heavily on young (or early) Hegel's Jena writings, in which Hegel proposes an intersubjective concept of the person.⁴ But Honneth takes the concept further and develops not just

remuneration." Zurn, *Axel Honneth*, 112.

³Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts* (Cambridge, UK: Polity Press, 1995). Axel Honneth, "Grounding Recognition: A Rejoinder to Critical Questions," *Inquiry* 45, No. 4 (2002): 499-519.

⁴Hegel's "Jena period" was between 1801 to 1806. Honneth, *Struggle*, 1, 6. "Hegel's basic paradigm is the struggle for recognition, within which individuals gain a sense of what and who they are only through comprehending and internalizing their interaction partner's recognition of their own autonomous subjectivity." Zurn, *Axel Honneth*, 25. "This is in rather stark contrast to the individualistic assumptions of traditional forms of liberal and social contract theory which simply presuppose atomistic and asocial, instrumentally calculating rational actors, each looking out for their own interests with no intrinsic concern for emotional connections to others, and generally unaffected by ties of emotional and affection with particular others." *Ibid.*, 30. "Exemplary here is John Rawl's social contract theory of justice which states as one of its foundational assumptions that the individuals contracting together into a just society are "rational and mutually disinterested." This does not mean that the parties are egoists, that is, individuals with only certain kinds of interests, say in wealth, prestige, and domination. But they are conceived as not taking an interest in one another's interests... Moreover, the concept of rationality must be

preconditions for self-consciousness as Hegel does, but an analysis “for the practical conditions for the development of a positive relation-to-self.”⁵ He describes his project as an attempt to develop “the foundations for a social theory with normative content.”⁶ This entails the use of immanent critique, to identify, and attempt to close “normative gaps” between how institutions are supposed to function, and how they actually function.⁷ Thus he critiques social institutions in order to reveal their “normative surplus” – or where they fall short in delivering the ideals that produced them.

To Honneth, society’s moral progress can be measured by the extent to which more persons are accorded previously denied legal and social recognition. Increases in social acts of recognition increase individuality and social inclusion, and thereby jointly indicate social progress.⁸ He, therefore, understands social struggles as the means through which, previously unrecognized people demand recognition from their social interaction partners. Such demands

interpreted as far as possible in the narrow sense, standard in economic theory, of taking the most effective means to a given end.” Rawls, 1971, 13-14. Ibid., Footnote 24, 30.

⁵“The above attempt to update my theoretical work should not mislead anyone about the fact that initially, without really having thought through the methodology, I had set out to employ the young Hegel’s model of recognition as the key to specifying the universal conditions under which human beings can form an identity; the underlying intention was basically to conceptualize the structures of mutual recognition analysed by Hegel not merely as preconditions for self-consciousness but as practical conditions for the development of a positive relation-to-self.” Honneth, “Grounding Recognition,” 500.

⁶“In this present volume, I attempt to develop on the basis of Hegel’s model of a ‘struggle for recognition’, the foundations for a social theory with normative content.” Honneth, *Struggle*, 1.

⁷“From this perspective, since the requirement of reciprocity is always already built into the demand for recognition, social struggles for the expansion of patterns of recognition are best understood as attempts to realize the normative potential implicit in social interaction.” Ibid., xviii.

⁸Honneth insists that “history is made less at the level of structural evolution than at the level of individual experiences of suffering.” And “...the claims to recognition ... can only be met through greater inclusion, the logical extension of which is something like the state of society envisioned by the formal theory of ethical life.” Ibid., xviii. Danielle Petherbridge, *The Critical Theory of Axel Honneth* (Lexington Books, 2013), 173.

could be for more legal rights (as in the case of immigrants), or demands for greater esteem for social contributions (as in the case of women and child rearing). He identifies love, rights, and solidarity, as the three major modes of social recognition which persons need to develop an undistorted relation to self. These modes occur via emotional bonds, the granting of rights, and a shared orientation to (social) values respectively.⁹ If a person is adequately recognized in these three areas, it yields in her or him, self-respect, self-confidence and self-esteem, respectively.¹⁰

Love

Honneth defines ‘love’ as “affectional expression of care retained over distance.”¹¹ It is the psychological precondition for the development of all further attitudes of self-confidence.¹² This conception of love encompasses the set of relationships that provides the primary grounds that enable persons to develop the foundation not just of self-confidence, but also of self-respect. Although Honneth emphasizes, and grants a certain priority to the parent-child relationship, his conception of love also covers friendship and includes all cases of strong, emotional attachments,

⁹“It is evidently quite natural to distinguish forms of social integration according to whether they occur via emotional bonds, the granting of rights, or a shared orientation of values.” Honneth, *Struggle*, 94.

¹⁰ “... the arbitrary denial of rights is the paradigmatic form of disrespect negatively corresponding to self-respect, while systematic insult or denigration negatively correspond to self-esteem. But in all cases, the crucial claim for moral philosophy is that disrespect represents not only a form of harm to a person – insofar as disrespect impairs the person’s psychological integrity – but also a form of wrong, a disruption of the appropriate social relations we owe to other persons. And it is precisely the connection between individuals’ practical relation-to-self and specific forms of intersubjectivity that allows one to understand recognitional harms to persons as, at the same time, violations of what is owed to them, as injustices.” Zurn, *Axel Honneth*, 31. Honneth, *Struggle*, 1; Honneth, “Grounding Recognition,” 500.

¹¹Honneth, *Struggle*, 5, 118.

¹²“Thus for Hegel, love represents the first stage of reciprocal recognition, because in it subjects mutually confirm each other with regard to the concrete nature of their needs and thereby recognize each other as needy creatures.” *Ibid.*, 95, 107.

as well as erotic relationships.¹³ Love is conceptually and genetically prior to every other form of reciprocal recognition and is also essential to healthy personhood.¹⁴ Love is the first stage of reciprocal recognition and is thereby what enables us to learn to strike a healthy balance between symbiosis and self-assertion.

Two features of this conception of love are worth noting. First, love can only be expressed to a small number of people in each individual life.¹⁵ Secondly, self-confidence in this context is not used in the ordinary sense of the word, but to refer to a “basic sense of the stability and continuity of one’s self as a differentiated individual with particular needs and emotions,” which guides us through the rest of our lives.¹⁶

Rights or Legal Recognition

Self-respect is to legal relations what self-confidence is to love relationships.¹⁷ The difference between the two is that where love is universal and timeless, legal recognition finds

¹³“Love relationships are to be understood as referring to primary relationships insofar as they – on the model of friendships, parent-child relationships as well as erotic relationships between lovers – are constituted by strong emotional attachments among a small number of people.” *Ibid.*, 9, 95.

¹⁴“The payoff of this substantive analysis of love, from the perspective of Honneth’s broader theory, is that love is critical for one pillar of practical identity: self-confidence. ... intersubjective recognition in the mode of love is a necessary and irreplaceable condition for the development of healthy self-confidence. And further, basic self-confidence is a necessary and irreplaceable fundamental for the two other major modes of practical self-relation: self-respect and self-esteem. Because the development of a multi-faceted practical identity is necessary not only for self-realization but also for broader social interaction, it will even turn out that love is crucial for social and political participation.” Zurn, *Axel Honneth*, 29.

¹⁵Honneth, *Struggle*, 98, 106.

¹⁶“Moreover, because this relationship of recognition prepares the ground for a type of relation-to-self in which subjects mutually acquire basic confidence in themselves, it is both conceptually and genetically prior to every other form of reciprocal recognition. This fundamental level of emotional confidence - not only in the experience of needs and feelings, but also in their expression - which the intersubjective experience of love helps to bring about, constitutes the psychological precondition for the development of all further attitudes of self-respect.” *Ibid.*, 107. See also Zurn, *Axel Honneth*, 29.

¹⁷Honneth, *Struggle*, 118.

expression within specific social communities because rights depend on the specific nature of the prevailing legal system. However, modern legal systems are also premised on “a universalist conception of morality.”¹⁸ Thus while social struggles could expand the number of people who have legal rights, the legal principle of ‘equality before the law’ means that in principle, all members of a legal community have the same relationship to the legal system.¹⁹

Understanding ourselves as the possessors of legal rights is the condition under which we can understand ourselves to be legal persons, and be sure that our own claims will be met.²⁰ As a form of recognition, rights enables us to take on the perspective of the generalized other, by seeing him or her as the bearer of rights. Legal rights enable a person “to respect oneself because one deserves the respect of everyone else.”²¹ There are thus two important dimensions of legal recognition – awareness of our own legal obligations, and the knowledge of what legal rights apply to the concrete other.²² To Honneth, dignity is the recognizable capacity to socially assert claims, which derives from socially acknowledged legal rights, which he sees as “depersonalized

¹⁸“With the transition to modernity, the post-conventional principles that had already been developed in philosophy and political theory made their way into established law and submitted it to the constraints of justification associated with the idea of rational agreement on disputed norms. From this point on, the legal system can be understood as the expression of the universalizable interests of all members of society, so that, according to the demand internal to it, exceptions and privileges are no longer admissible.” Ibid., 109.

¹⁹Zurn refers to legal recognition as a “generic status,” because, “In virtue of having a generic legal status in a given community, an individual is afforded certain legal rights.” “This is not meant to imply that all persons have identical rights and obligations. Rather that all are understood to be equal before the law.” Zurn, *Axel Honneth*, 32.

²⁰Honneth, *Struggle*, 108.

²¹Ibid., 109, 118.

²²Ibid., 112-113.

symbols of social respect.”²³ Honneth agrees with Feinberg, that self-respect generated by rights is what enables us to “stand up like men” and “look others in the eye.”²⁴ This is because legal recognition demands that “self and other respect each other as legal subjects for the sole reason that they are both aware of the social norms by which rights and duties are distributed in their community.”²⁵ Legal rights are an expandable form of social recognition which could increase in inclusivity and precision over time.²⁶

Esteem

Honneth argues that in modern societies, what was known as honor in earlier European societies, is split into two parts - legal recognition and social esteem.²⁷ The former implies that every person is an end in itself, while the latter alludes to the social worth of a person, “measured according to the criteria of social relevance.”²⁸ Social esteem is the aspect of social interactions

²³Ibid., 118.

²⁴Ibid., 120.

²⁵Ibid., 109. “Insofar as a society employs the medium of legal rights in order to express a kind of cognitive respect for the inherent dignity of free and equal moral subjects, it commits itself to generalizable patterns of intersubjective recognition.” Zurn, *Axel Honneth*, 36.

²⁶The reciprocity of legal recognition emerges only in the course of a historical development, as can be shown by the fact that the character of what constitutes a legal person could, and has indeed changed over time. Honneth, *Struggle*, 108. “The respect involved here is not differential or graduated: it is not based on a comparative evaluation of a person’s traits, capabilities or achievements. Respect, rather, is for a person as an end-in-herself, as an irreplaceable source of intrinsic worth, just insofar as and because she is a moral agent. The object of the respect is not what differentiates her from others, but, rather, the personhood she shares equally with others on account of her moral autonomy: as a freely willing being, capable of reasoned insight into the moral requirements of social life (including the demands of law), and responsible for the choices and actions she makes in the light of that insight.” Zurn, *Axel Honneth*, 33. Honneth, *Struggle*, 110-113.

²⁷“In the course of these discussions, a tendency emerged of drawing the same dividing-line between the two semantic aspects of ‘respect’ that first arose with the uncoupling of legal recognition from social esteem. In this connection, the context of ‘law’ will occupy us with the first usage of the concept, whereas it is the second semantic concept that will be of interest for the explication of the form of recognition found in ‘communities of value’.” Honneth, *Struggle*, 111.

²⁸Ibid., 111.

that allows persons to relate positively to their specific traits and abilities. Esteem therefore presumes, and in fact, requires “an intersubjectively shared value horizon.”²⁹ An important difference between esteem recognition and legal recognition is that while legal recognition is the general feature that makes human beings persons at all, esteem is a matter of the particular characteristics that distinguish persons from other persons.³⁰ Also, while legal recognition of a person cannot admit of any further degrees, esteem for his or her traits and abilities appeals (at least implicitly), to a standard, in terms of which their 'more' or 'less' has to be determined.³¹ In addition, while legal recognition expands by expanding the people that are recognized as legal persons, social esteem expands the range of what counts as valuable for society’s self-reproduction. Social esteem thereby leads to solidarity because to esteem one another means to view one another in light of values that allow the abilities and traits of the other to “appear significant for shared praxis.”³² Social esteem can also take on historically variable forms because it is determined by the dominant conceptions of ethical goals in a society. But unlike legal recognition which is generic, esteem recognition is of a nature to accommodate levels and

²⁹“Both Hegel and Mead contrasted love and legal relations with a further form of mutual recognition and, although they chose to give different accounts of it, they were largely in agreement on its specific function: in order to be able to acquire an undistorted relation-to-self, human subjects always need - over and above the experience of affectionate care and legal recognition - a form of social esteem that allows them to relate positively to their concrete traits and abilities. In Hegel’s Jena writings, the concept of ‘ethical life’ was the term for this recognition relationship of mutual esteem. In Mead, by contrast, we found, instead of a purely formal conception of this form of recognition, the already institutionally concrete model of the cooperative division of labor. From the comparison between the two descriptive approaches, the conclusion could be drawn that this type of pattern of recognition could only be properly understood at all once one further supposed, as a prerequisite, the existence of an intersubjectively shared value horizon.” *Ibid.*, 113, 121.

³⁰Honneth, *Struggle*, 113.

³¹*Ibid.*, 112.

³²*Ibid.*, 129.

hierarchies. However, like legal recognition, this form of recognition is also expandable and could thereby also lead to social struggles for inclusion.

Antecedent Recognition

In an earlier work, Honneth theorized antecedent or primordial recognition, which is an aspect of recognition that is prior to social recognition.³³ This form of recognition is also known as affective sympathy or sympathetic engagement, which “enables a basic form of antecedent self-affirmation.”³⁴ It is the “spontaneous, non-rational recognition of others as fellow human beings.”³⁵ While it is a precondition to the three modes of recognition (love, rights, and solidarity), it as a morally neutral form of recognition, since an encounter with another person cannot be presumed to be normatively imbued. This form of recognition precedes cognition, but

³³Zurn, *Honneth*, 39.

³⁴“However, importantly for Honneth, these exchanges are not achieved in a cognitive manner: it is not a matter of the infant *understanding* and rationally processing the second person standpoint. Rather, it concerns a kind of sympathetic engagement with the interaction partner, where the other is encountered as an emotional and intentional creature with his or her own desires, goals, and projects. Such engagement differs fundamentally from interactions with the world of things which cannot have their desires and goals, their own emotional responsiveness, and their own perspectives which can be taken on by others. In short, this form of primordial sympathetic engagement with interacting alter involves the recognition of the other’s existence as a human being. Hence the object of antecedent recognition is precisely those characteristics of the other that identify it as a living human, a person with her or his own emotional and intentional life.” Zurn, *Axel Honneth*, 40. “Hence as with other forms of recognition, spontaneous non-rational engagement with another as a human enables the infant to encounter *her-or-himself* as an entity with the characteristics of personhood. Hence antecedent recognition enables a basic form of antecedent self-affirmation.” “The issue with antecedent self-affirmation, as with antecedent recognition of another, is simply the existential awareness that one is dealing here with a person, possessed of his or her own drives, desires, and independent existence.” Zurn, *Axel Honneth* 40.

³⁵I propose that the reason antecedent recognition is not demanded is because it is part of the structure of persons. Non-recognition is an additional layer over an automatically occurring antecedent recognition. Compared to social recognition, antecedent recognition could be said to be ‘automatic’. The former can only be demanded because it depends on the perceiver – it is of such a nature that it could be accorded or denied. The latter on the other hand cannot be demanded or legislated because as a necessary component of inter subjectivity, it will inevitably occur, its range and nature is not dependent on place and time. But as Honneth notes (*Reification*, 2008), primordial or antecedent recognition can be “forgotten” or distorted; e.g., we can objectify others. Axel Honneth, Judith Butler, and Martin Jay, *Reification: A New Look at an Old Idea* (Oxford: Oxford University Press, 2008), 152.

is morally neutral - it could generate positive, neutral or negative in the cognizer.³⁶ The encounter of antecedent recognition “is not taken to have any further normative implications for the moral infrastructure of human life.”³⁷

Additional Details of Recognition – Attributive and Perceptive

As of the publication of *Struggle for Recognition* (1995), Honneth had not yet settled two questions. The first is whether his theory of recognition describes (a) “constants of human nature,” or if they are (b) “the result of historical processes.”³⁸ The ambiguity arises from the fact that the theory is supposed to point out “universal conditions for positive human relation-to-self.”³⁹ At the same time, the concepts of legal respect and social esteem are socially, and thereby historically determined. In a later work (2002), he explains that while the requirement of social recognition is universal and timeless, its content (the modalities of love, rights, and esteem), is socially determined.⁴⁰ Recognition should thereby be understood as entailing ***both*** (a) and (b). The second question is precisely what it means to be “recognized”: What does the technical process of social recognition entail? To answer this question, he distinguishes between two possible explanations of recognition: the attribution model of recognition and the perceptive

³⁶Zurn illustrates with the example of the experience of encountering a fellow driver in traffic. Such an experience could be negative, positive or neutral. Zurn, *Axel Honneth*, 41.

³⁷*Ibid.*, 41

³⁸Honneth, “Grounding Recognition,” 501.

³⁹*Ibid.*, 501.

⁴⁰“I now distinguish much more sharply than in my original approach between ‘anthropological’ starting conditions and historical contingency: although the human form of life as a whole is marked by the fact that individuals can gain social membership and thus a positive relation- to-self only via mutual recognition, its form and content change during the differentiation of normatively regulated spheres of action.” *Ibid.*, 501.

or receptive model of recognition.⁴¹

Attributive Recognition

In the attributive model of recognition, on encountering a person, we “award or supplement the affected subject with something she had not had before.”⁴² That is, we attribute to the perceived subject certain qualities. In this model, we “would award or supplement the affected subject with something she had not had before.”⁴³ The subject thereby ‘acquires’ new, positive properties because we accept such properties as existent in the person. Thus, the (attribution) “model allows one to speak of recognition being constitutive in a direct sense,” thereby making recognition both a necessary and a sufficient condition for personhood.⁴⁴ Although this way of understanding recognition generates the relevant qualities to regard an agent as autonomous, Honneth sees some defects in this model. The first defect is that it places the cognizer in the lead, and thereby gives her too much power to determine the nature of the subject.⁴⁵ Secondly, and relatedly, the model lacks an internal criterion for judging the rightness

⁴¹He further differentiates the two modes as follows: “The affirmation effected by such an action can be understood *either* on the model of attributions as a result of which the other subject acquires a new, positive property, *or* on the model of perception, according to which an already-present property of a person is, as a secondary matter, merely strengthened or publicly manifested.” In the first case, what we call ‘recognition’ would award or supplement the affected subject with something she had not had before; in the second case, by contrast, it would be a matter of a certain kind of perception of an already independently existing status.” *Ibid.*, 506-507.

⁴²Honneth, “Grounding Recognition,” 506-507.

⁴³*Ibid.*, 507.

⁴⁴“...only the attribution model will allow one to speak of recognition being constitutive in a direct sense: if recognitional attitudes are understood as attributions, then they represent the necessary and sufficient conditions for human beings becoming autonomous persons with the relevant properties.” Honneth, “Grounding Recognition,” 509-510.

⁴⁵“On the one hand, if recognition is supposed to have a constitutive role in the recipient’s development of self, then it would appear that the recognizer takes the lead here, in some way or another constituting or constructing or determining the positive quality given positive regard.” Zurn, *Axel Honneth*, 47.

or appropriateness of recognitional ascriptions, without which anything could be “recognized.”⁴⁶

For instance, nothing in this conception of recognition as attribution prevents me from ‘recognizing’ my pet as a person. Honneth proposes that the model could be salvaged if the “normative quality of the process by which it emerges” is specified.⁴⁷ Such a specification enables boundaries to be set for what could be attributed with the traits of personhood.

The Evaluative, Perceptive or Response Model of Recognition

The second form of recognition is the evaluative or perceptive model, which involves the “perception of an already independently existing status.”⁴⁸ Recognition on this view is understood as responding to features that we cognize in an agent because we react correctly to features that he or she already possesses. Although the qualities already exist in the perceived subject, she or he can only affirm those capabilities if, and when his or her interaction partners

⁴⁶“The disadvantage I see with this way of viewing things lies in the same point that Laitinen considers the central defect of the attributive model: if the recognitional attitude were merely to attribute positive qualities to the other subject, we would no longer have an internal criterion for judging the rightness or appropriateness of such ascriptions; instead, the variability of recognition would then have no boundaries, since anything could end up having to count as a capacity or status, as long as it comes about through an act of attribution. One way out here could be found in the thesis that the legitimacy of recognition depends on the normative quality of the process by which it emerges; but then the concept of recognition would lose all the moral implications that distinguish it in the first place from a sociological ‘labeling approach’. Honneth, 2002, 507. According to Zurn, “If this *attributive* model is correct, then when Mia esteems Tom, she is in some way ascribing to Tom those positive characteristics of hard work and achievement, and thereby constituting those characteristics in the first place as characteristics of positive value, as being worthy of appropriate acknowledgement. On the other hand, it would seem that Tom would actually have to display real hard work and achievement in order for the act of recognition to be appropriate. For instance, Mia’s expression of esteem would simply be misplaced if Tom is lazy and has not contributed to the departmental report – she would have misperceived Tom’s actual characteristics.” Zurn, *Axel Honneth*, 47.

⁴⁷Honneth, “Grounding Recognition,” 507.

⁴⁸“Of course, ‘perception’ is not quite the right word here, since Laitinen prefers to speak, drawing on Joseph Raz, of a ‘responsive attitude’, in order to emphasize the practical features of ‘recognition’: in recognition we react correctly or appropriately to evaluative properties that human beings already possess in various ways.” Ibid., 507.

affirm those traits, when they are reinforced through recognitional behavior from others.⁴⁹ In the perceptual model, the perceiver ‘reasonably’ identifies positive traits in a subject, and thereby accord the person due respect. The perceiver is thereby understood as merely strengthening or publicly affirming a potential property of a person.⁵⁰ Honneth thinks the model of evaluative recognition is superior to the attributive model because in this case “we respond appropriately to potential qualities that humans possess, which becomes “available to them when they are able to identify with them”... “as a result of experiencing the recognition of these qualities” from others.⁵¹ Unlike the attributive model, the evaluative model is not directly constitutive, because what is ‘recognized and affirmed’ are potential, and not actual traits.⁵²

But like the attributive model, this (perceptive) conception of recognition also has a problem. Our perceptual abilities and the ‘positive’ traits that we are able to perceive in others are always a function of the time and place in which we have been socialized. Thus the perceptive model’s requirement of ‘reasonable assessment’ of the perceived subject seems to demand subscription to some form of value realism, by presupposing the objective existence of

⁴⁹Ibid., 510.

⁵⁰“... in the second case, by contrast, it would be a matter of a certain kind of perception of an already independently existing status.” Honneth, “Grounding Recognition,” 507.

⁵¹“...in our recognitional attitudes, we respond appropriately to evaluative qualities that, by the standards of our lifeworld, human subjects already possess but are actually available to them only once they can identify with them as a result of experiencing the recognition of these qualities.” Honneth, 2002, 510.

⁵²“In this response model, features of persons are potentialities that recognition from the other merely actualizes. This makes it indirectly constitutive by actualizing a potential, making it a necessary (but not sufficient) condition. (Honneth, 2002, 510). On the one hand, if recognition is supposed to have a constitutive role in the recipient’s development of self, then it would appear that the recognizer takes the lead here in some way or another constituting or constructing or determining the positive quality given positive regard.” Zurn, *Axel Honneth*, 47.

values (it enables us to assess what is, or is not a valid trait).⁵³ Thus the problem with the (perceptive) conception of recognition is that, "... the valuable qualities for which we can appropriately recognize someone have reality only within the experiential horizon of a particular lifeworld."⁵⁴ But because values "represent lifeworld certitudes whose character can undergo historical change,"⁵⁵ valuable traits cannot be presumed to be "immutable and objective, but (are) historically alterable."⁵⁶ This creates the need to "...specify further the status of these evaluative reasons."⁵⁷

Honneth tries to address this challenge by arguing that since the goal of recognition is to "expand the domain of the moral," moral social recognition requires that we locate recognition in the "space of reasons."⁵⁸ But this does not address the problem - recognition as perception commits him to an indefensible value realism. He recognizes this problem, but sees his choices

⁵³"In order to be able to claim that someone is responding 'correctly' to the evaluative qualities of a person or group of persons, the objective existence of values must be presupposed in a way that is incompatible with what we know about the constitution of values." Honneth, "Grounding Recognition," 507.

⁵⁴Ibid., 507.

⁵⁵Ibid., 508.

⁵⁶"This gives rise, within this conception, to the danger of a form of relativism that is fundamentally incompatible with the normative aims of the concept of recognition; for the values in terms of which the appropriateness of acts of recognition would be assessed appear to have normative validity only for a single culture. Consequently, the relativism that accompanies the 'response' or 'receptivity' model would be indistinguishable from the 'attribution' model; in both cases the validity of the recognitional attitude, whether it is described as an attribution or as an appropriate response, would depend exclusively on the normative givens of the form of life in question." Ibid., 508.

⁵⁷Ibid., 508.

⁵⁸Honneth says, of Laitenen's position, "I think he is right to claim that we should locate recognition in the 'space of reasons', so that it is not deprived of its character as a moral action; for only if our recognition of other persons is motivated by reasons, which we can also try to articulate as necessary, can we understand it as a matter of acting on the basis of insight and thus, in a broad sense, expand the domain of the moral." Ibid., 507.

as limited between “completely ahistorical value realism and cultural value relativism.”⁵⁹ He attempts to inhabit a middle ground by arguing for “a moderate value realism,”⁶⁰ which he is best understood as a sociological, and not ontological realism.⁶¹ But this position exposes the theory to possible charges of ethnocentrism since the standards for assessing positive values will inevitably be confined to one, or at most a set of cultures.⁶²

Honneth recognizes that his position could expose the theory of recognition to accusations of cultural relativism, but he does not see this as a fatal flaw because he buttresses his position with a “robust conception of progress.”⁶³ He sees societies as being on “a developmental path that would allow for justified judgments regarding the trans-historical validity of a specific culture of recognition.”⁶⁴ Social progress entails the continued expansion of recognizable agents as well as a desirable endpoint, in this case, a world in which all human persons are able to enjoy full autonomy.⁶⁵ Since the goal of recognition is human autonomy, the

⁵⁹Ibid., 509.

⁶⁰Ibid., 508.

⁶¹Zurn, *Axel Honneth*, 48.

⁶²“This gives rise, within this conception, to the danger of a form of relativism that is fundamentally incompatible with the normative aims of the concept of recognition; for the values in terms of which the appropriateness of acts of recognition would be assessed appear to have normative validity only for a single culture. Consequently, the relativism that accompanies the ‘response’ or ‘receptivity’ model would be indistinguishable from the ‘attribution’ model; in both cases the validity of the recognitional attitude, whether it is described as an attribution or as an appropriate response, would depend exclusively on the normative givens of the form of life in question.” Honneth, “Grounding Recognition,” 508.

⁶³Ibid., 508.

⁶⁴Ibid., 509.

⁶⁵“Thus if the *responsive* model is correct, successful acts of recognition need to be something like the perceptions of the objective characteristics in the recipient that are evaluated. Honneth clearly endorses this second perceptual model, in large part because it is required in order to explain how we can often distinguish successful (true, right, appropriate, adequate) from unsuccessful (false, wrong, inappropriate, inadequate) recognition in terms

standard for assessing a valuable human trait is the extent to which such a trait could bring about increased the autonomy of all persons.⁶⁶ Thus this idea of progress, to Honneth, saves the model from accusations of value realism, or ethnocentrism.

Although Honneth leans more towards an understanding of recognition as perception and not attribution, he ends up endorsing aspects of both forms of recognition. The problem he wants to address with this straddling of the conceptions of recognition involves two conditions of accurate recognition⁶⁷ The first is that correct recognition must be “adequate” - it must accurately capture features of the subject. Secondly, it must meet the “mutuality” condition - the subject must acknowledge and internalize the recognitional attitude of the observer.⁶⁸

of whether it is properly responsive to the actual characteristics possessed by persons. This is easily seen in every day interactions where one person is unjustly disrespected by another: the injustice lies precisely in the fact that the former’s actual characteristics has not been given adequate regard by the latter. In the same vein, social struggles over recognition presuppose that there is truth of the matter about an instance of misrecognition: some persons are collectively being disrespected because the broader society is not giving due or appropriate regard to some morally significant characteristics or achievements that the disrespected persons objectively possess or have achieved.” Zurn, *Axel Honneth*, 47.

⁶⁶“The answer already suggested by Hegel (and subsequently proposed in ever-changing versions) reintroduces human autonomy as the goal of recognition: only the person who knows that she is recognized by others can relate to herself rationally in a way that can, in the full sense of the word, be called ‘free’.” Honneth, “Grounding Recognition,” 509.

⁶⁷“Although we make manifest, in our acts of recognition, only those evaluative qualities that are already present in the relevant individual, it is only as a result of our reactions that he comes to be in a position to be truly autonomous, because he is then able to identify with his capabilities.” We would have to say that this identification presupposes recognition by others: with regard to the capabilities to which, in virtue of my culture’s normative presuppositions, I am entitled as a subject, I can really affirm only those capabilities that are reinforced as valuable through the recognitional behaviour of those with whom I interact. To this extent, an explanatory model of this sort actually represents a middle position between pure constructivism and mere representationalism.” *Ibid.*, 510.

⁶⁸Zurn, *Axel Honneth*, 48-49.

Analysis

Attribution and Perception

The attributive model of recognition conceives of recognition as a person assigning positive traits to another. The problem with this conception of recognition is that it implies that any trait that is not recognized by the observer is in a sense non-existent in the observed agent. This makes the subject overly dependent on the cognizer. In the perceptive model, the agent is also dependent on the other for the accuracy of the other's vision of his or her 'potential' traits. Therefore, both forms of recognition privilege the observer. However, the attribution model seems more subjective, since the existence of traits seems to be entirely dependent on the observer – she chooses what traits exist in the subject. In the perceptive model of recognition seems to more accurately capture intersubjectivity. In acknowledging a potential trait, the observer, in a weak sense 'permits' its expression, in the weak sense of creating a space, for the subject to express the trait. This description of recognition accords just as much power to the observer, but because traits are potential, it leaves room for the ambiguity of intersubjective relations. Honneth concludes that "I can really affirm only those capabilities that are reinforced as valuable through the recognitional behavior of those with whom I interact."⁶⁹ In this way, he ends up straddling both the attributive and the perceptive explanations of recognition.⁷⁰

⁶⁹"To this extent, an explanatory model of this sort actually represents a middle position between pure constructivism and mere representationalism: although we make manifest, in our acts of recognition, only those evaluative qualities that are already present in the relevant individual, it is only as a result of our reactions that he comes to be in a position to be truly autonomous, because he is then able to identify with his capabilities." Honneth, "Grounding Recognition," 510.

⁷⁰"It seems to me that an exceptionally apt explanation emerges from an understanding that combines the insight into the constitutive role of recognition with the response model: in our recognitional attitudes, we respond appropriately to evaluative qualities that, by the standards of our lifeworld, human subjects already possess but are actually available to them only once they can identify with them as a result of experiencing the recognition of these

Recognition and Social Justice

Social injustice involves the inequitable distribution of social (tangible and intangible) goods. In modern societies, groups with more social power, relative to other groups, usually have more of a say with regards to how social institutions are maintained and sustained. This implies that relative to less dominant members of the social group, the more dominant members of society have more power over the determination of social distribution patterns. Social injustice is thereby an instance of the violation of the basic right not to be dominated by others. Many of the arguments that Honneth makes in support for his theory of recognition are similar to the arguments I present for the right to non-domination.

Honneth holds the position that social injustice, particularly when traceable to ‘normally’ functioning institutions, is based on flawed inter-subjective relations, between the more dominant members of society, against those with relatively lower social power. To him, such injustice implies that the dominant members of society do not adequately “recognize” the agency of the harmed group.⁷¹ I am therefore in agreement with Honneth that social injustice is preceded by the denial, or at best limited, or partial recognition from the powerful of weaker groups. This makes misrecognition a necessary prelude to social injustice, which I define as domination.

Whether or not they are acknowledged by others, human traits always already exist. It seems that no matter what traits an observer grants an agent, the observed agent remains a part of

qualities.” Honneth, 2002, 510; “Both recognizer and cognized are in the driver’s seat, as it were, for successful recognition: both have a constitutive role in the dialectic between other-regarding attitudes and practical relation-to-self.” Zurn, *Axel Honneth*, 49.

⁷¹This is based on the argument that, how much respect we have for the agency of another person is revealed in the amount of care we show not to express our agency in a manner that results in the restriction of his or her agency.

the process of determining his own traits. Therefore, what is missing in the theory of recognition, is the role (or the power), of the observed agent. What does he bring into the formation of himself (into a subject, with a healthy relation to self)? It seems that the observed agent has some power to either accept or reject the conception the other grants him. The former will lead to a healthy relation to self, and the latter to the sort of psychological harm that Honneth claims is at the root of social struggle. By straddling both conceptions, Honneth illustrates why recognition is so important to healthy inter-subjective relations, personal autonomy, and by extension, social justice.

Honneth sees social struggle as the demand for social recognition in the modes of emotional bonds, the granting of rights, and a shared orientation of social values. The granting of these forms of recognition yields, self-confidence, self-respect, and self-esteem.⁷² Lack of social recognition can only be experienced as an affront if the agent already knows himself to possess traits that society refuses to acknowledge. One could raise the question against Honneth's theory that: if denied social recognition prevents the development of these three traits, on what basis do the disenfranchised demand that they are recognized in the three modes?

The Role of Love

The foregoing implies that demand for social recognition indicates that denigrated persons already know themselves to possess the traits that they see society as denying them. This seems to indicate that recognition from the dominant groups in society might not be the only source and outlet for feelings of self-respect and self-esteem. When a disenfranchised person or group demands legal and esteem recognition, this would seem to indicate that such

⁷²Honneth, *Struggle*, 94.

‘unrecognized’ persons already ascribe those values to themselves. The feelings of humiliation that leads to struggles for recognition implies a violated sense of self-esteem and self-respect, in at least some members of the unrecognized group. This implies the existence of sources of respect and esteem outside of the dominant culture, which could be the basis on which denigrated members of society demand recognition. Honneth alludes to love (defined as a close network of emotionally supportive people), as the source of the self-confidence that forms the basis of all other forms of positive self-relation. The modality of love could thereby be a source of, and an outlet for, self-respect and self-esteem. This could explain how an unrecognized group or person could still ‘recognize’ herself as worthy of forms of recognition that the larger society denies her. It seems that (at least in modern pluralistic societies), most persons are aware that they already have positive traits, and thereby see the lack of social recognition as an affront.

Recognition and Social Power

In modern societies, the ability to influence the allocation pattern of tangible and intangible social goods is positively correlated to access to all forms of social power. In what follows, I want to highlight the relationship between social recognition and social power. Take the hypothetical example of a middle-aged female Indian who is of the Hindu religion. Assuming such a woman moves to Germany as an immigrant, she would probably hold strong (negative) opinions about people who eat meat in general, particularly the subset who eat beef. Such a woman will not have much respect (in Honneth’s terminology, will withhold, or will not grant adequate recognition), to meat eaters. It is, therefore, safe to assume that she will grant inadequate recognition, or ‘mis-recognize’ a non-vegetarian, German politician. Since her social position gives her little or no social power to affect the well-being of the politician, the fact that

she accords him little or no respect or esteem recognition does not count for much. Given her limited social power, the extent to which she could affect the well-being of the politician is severely limited. On the other hand, her social status (immigrant, and illiterate by German standards), creates a strong possibility for the politician to also ‘mis-recognize’ her. While the female immigrant’s misrecognition of the politician is harmless, the politician’s misrecognition could negatively affect her, since the politician is in a position to affect her well-being.

This example illustrates the fact that it is only when the person who mis-recognizes us has some social power to affect our well-being, does the accordance or withholding of recognition become a justice issue. Likewise, it is only when lack of adequate recognition leads to, or has the potential for harm does it become a moral (and in a more general sense, a social) problem. In the foregoing example, the female immigrant’s opinion is not available for moral scrutiny precisely because she is not in a position to carry out actions that could lead to detrimental effects against the politician. It could be argued that it would be wrong for her to think less of people who do not share her religious views. But this argument misses the point, which is that her social position renders her personal views and opinions of little or no relevance to social justice debates. Honneth, therefore, seems correct that with regards to social injustice, in modern societies, powerful parties ‘expand’ recognition to ‘include’ weaker and formerly excluded others. This analysis shows that the theory of recognition requires a theory of power. As Hegel said, it is only the recognition of those whom we deem worthy that matters to us.⁷³ To this, we can now add that misrecognition becomes a social justice issue only when such

⁷³Although Hegel makes this argument in a somewhat different context of inter-subjective recognition, the argument seems to also apply to contexts of power and the allocation of social goods. Honneth, *Struggle*, xviii.

misrecognition affects the allocation patterns, and by extension access to social goods.

Globalized Social Recognition or Global Injustice and Domination

Social existence means that our agency will inevitably be restricted as a result of the expression of the agency of another. Restrictions on agency are not unjust (dominative) if the restricted party has the option of reasonable dissent and the veto power over the restriction.⁷⁴ The persistence of inequitable distribution social goods in a society indicates that the marginalized live under the will of others, who do not accord them adequate recognition. Systemic, long term injustice indicates that the marginalized have neither veto power nor room for reasonable dissent. If indeed domination is the fundamental social injustice, and lack of recognition is always a prelude to domination, then the theory of recognition seems applicable to global injustice issues.

My position implies irrespective of distance and layers of causation; social injustice always derives from human agency. To Honneth, allocation patterns of social goods are determined in large part by the society's recognition regime. Therefore, misrecognition could arise not just inter-subjectively, but also through social institutions. This is because social institutions reflect the (recognition) attitudes of those who create, maintain and uphold them. A person could thereby be dominated (or suffer restricted agency as a result of the actions of another) irrespective of how many layers of causation lies between the two parties. This implies that in a world of interconnected social, economic and political relationships, due in large part to the operation of global institutions, global institutions could also misrecognize persons. Proximity (for instance, by belonging to a political unit) is therefore not a condition for social injustice.

⁷⁴See Forst and Flynn, *The Right to Justification*.

The foregoing would seem to support the position that the theory of recognition could ground a global justice theory. However, it should be borne in mind that Honneth developed this theory to apply to modern western democracies, and not the global community. Before exploring the applicability of this theory to global injustice, in what follows, I present a short literature review of attempts by some scholars to globalize the theory of recognition.

Globalizing the Theory of Recognition

Gottfried Schweiger agrees with Honneth that, “although self-realization is a formal concept that has to be fulfilled by the individual, it is often shaped by social, economic, political and technological possibilities.”⁷⁵ Schweiger notes that extreme poverty inevitably leads to debilitating lack, which usually leads to denial of social rights and lack of esteem, making it unlikely that victims could experience undistorted self-realization.⁷⁶ And because poverty severely limits a person’s ability to lead life the life of an equal and respected citizen, in many cases, poverty also leads to debilitating social invisibility.⁷⁷ From this perspective, what makes a social injustice like avoidable poverty a moral wrong is its correlation to severe forms of social disrespect (which we can presume causes victims psychological harm). To Volker Heins (2010), Honneth’s inclusion of victim’s self-understanding into his analysis makes it superior to many justice theories, because this provides more theoretical tools to understand additional dimensions of global injustices like extreme poverty.⁷⁸ But are the three modalities of recognition as

⁷⁵Gottfried Schweiger, “Globalizing Recognition: Global Justice and the Dialectic of Recognition,” *Public Reason* 4, No. 1-2 (2012): 78-91, 89.

⁷⁶ *Ibid.*, 87.

⁷⁷*Ibid.*, 88.

⁷⁸Volker Heins, “Of Persons and Peoples: Internationalizing the Critical Theory of Recognition,

presented by Honneth, expandable to questions of global injustice? To explore the possibility of expanding the theory, in what follows, I undertake an analysis of the three modalities of recognition.

Other-regarding models of action like global rights advocacy are usually based on an ethic of brotherliness. An example of this is what Heins refers to as, ‘Samaritan-type of love.’⁷⁹ Samaritans draw their very identity from assisting others, whereas the same cannot always be said of the beneficiaries of such brotherly love. The feelings of fraternity that drive many forms of global justice advocacy indicate that not all instances of love are symmetrical – in Honneth’s sense of symbiotic, self-confidence generating love.⁸⁰ Honneth seems to ignore the role that non-symmetrical love sometimes plays in social and global injustice struggles.

Honneth’s regards feelings of disrespect as a result of not being accorded the requisite recognition as what leads the victims of social injustice to fight for social change. But the Samaritan form of advocacy indicates that it is not just one’s own experience that could motivate social struggles. This could be seen as a fundamental weakness of the theory of recognition - it is unable to account for people who act vicariously for others without having themselves gone through an experience or history of disrespect. In many cases, the people who suffer from global injustice are extremely debilitated by aspects of such injustice which make it almost impossible

Contemporary Political Theory 9, No. 2 (2010): 149-170, 150.

⁷⁹Ibid., 147.

⁸⁰Heins reads Honneth’s recognitional love as being necessarily symmetrical. According to Heins, “Unlike other forms of mutual recognition, love is scale-neutral... close emotional relationships... that have little regard for boundaries.” In this case, “The object of personal love is distinguished by its particular, outstanding qualities, whereas a universalistic love ethos forsakes all distinctions in favor of recognizing all humans as ‘needy creatures’” (Honneth, 1995, 95) Ibid., 147. However, Honneth does seem to have room in his theory for asymmetrical love.

for them to be able to fight for justice. Precisely because they do not suffer from social injustice, advocates have the means (social power) to work as advocates for the victims of injustice. These issues seem to place a limit on the extent to which Honneth's recognition theory is a correct assessment of global justice advocacy.

Within moral foreign policy debates on issues such as child labor, legitimate uses of violence, women's rights or the place of religion in society, there is rarely consensus on what counts as a valid moral claim. It is, therefore, implausible to assume that activists in these areas confine themselves to redeeming the normative 'surplus' of already valid moral claims.⁸¹ This can be seen in the activities of global activists and International Non-Governmental Organizations (INGOs) involved in fighting to secure the legal or human rights of disenfranchised people. Such organizations are beginning to institutionalize forms of legal recognition beyond the state, thereby placing such issues even further beyond the control of the state.⁸² The activities of these trans-national social movements "threaten to disrupt the publicly communicable features of rights which the recognition model hinges."⁸³ And on the assumption that bilateral aid agencies and global financial or investment institutions are a source of improved access to resources, they also "erode the sense in which needy people as rights bearers claim those rights from their interaction partners."⁸⁴

Recognition theory conceives of poverty as the result of the poor members of society

⁸¹Ibid., 150.

⁸²Jonathan Seglow, "Rights, Contribution, Achievement and the World," *European Journal of Political Theory* 8, No. 1 (2009): 61-75, 66-67

⁸³Ibid., 66.

⁸⁴Ibid., 67.

denied social recognition (specifically, Honnethian legal recognition), which in turn leads to their also being deprived of socio-economic rights. There is a sense in which extreme global poverty and inequality could be conceived as a manifestation of inadequate recognition of the global poor. It also seems correct to assume that the global poor, wherever they might be located, probably suffer from low self-regard. Honneth argues that the feelings of disrespect brought about by social denigration will spur the disenfranchised to the pursuit of legal recognition. The crucial aspect is that this pursuit will be spearheaded by the misrecognized. But we see that in the global arena, the experience of poverty and the political advocacy that demands its rectification do not necessarily derive from the same political unit, or from those who directly suffer the social injustice. Such demands are on many occasions taken up by persons who have not suffered from the legal misrecognition (at least not in a way directly related to the one they try to rectify). This example also shows that the connection between lack of social recognition and the demand for recognition is not as linear as Honneth's theory implies.⁸⁵

In the theory of recognition, esteem is the third source of increased autonomy. Honneth makes esteem recognition dependent on the assumption that all parties exist in a social space with a "shared currency of esteem".⁸⁶ The two aspects of achievement esteem and contribution esteem further complicates and thereby limits the extent to which the theory of recognition could be globalized. According to Jonathan Seglow (2009), they are in tension with each other. This is

⁸⁵Moreover, the correlation among all forms of social power implies that those without economic power tend to also lack other forms of social power. Poor people are therefore unlikely to have enough tangible or intangible social surplus to commit to fighting for causes.

⁸⁶Ibid., 68.

because although these two aspects or kinds of esteem could overlap, “to esteem someone for their merit is not the same as to esteem them for their contribution.”⁸⁷

In addition to this, the global community does not share a currency of esteem. Global cultural differences greatly influence what counts as an esteemable trait. Furthermore, in our world of circular migration, guest workers and refugee inflows, stable communities of esteem are becoming even rarer.⁸⁸ Lastly, the distinction of esteem as merit and esteem as contribution further muddies the conceptual waters. What will count as esteemable is complicated by the attitudes that different societies hold towards the value of pure merit (for instance the achievement of a purely ceremonial title), and the attainment of tangible goods like money, which could, for instance, be donated to the society (as in the case of a millionaire endowing a museum). Thus, different societies will have different, and in many cases conflicting, values for each of these measures of esteem.

For esteem to be a source of increased autonomy, the esteem of others must be regarded as valuable, and vice versa. Seglow, therefore, argues that while global justice movements could be grounded on the modalities of love and legal rights, it would be more difficult to ground demands for global justice on social esteem. This should however not be taken as a fatal flaw but as the result of the attempt to globalize a theory that was developed to function within a national frame.⁸⁹ To Seglow therefore, attempting to globalize the theory of recognition risks severing

⁸⁷Ibid., 71.

⁸⁸Ibid., 68.

⁸⁹They might merely be illustrative of the fact that the Honneth develops the theory on a vision of a well-functioning political (and moral) community. Ibid., 67,73.

“the special connection between recognition and the modalities of self-regard.”⁹⁰ However, of the three modalities of recognition, fundamental human rights (legal recognition in Honneth’s language) should be globalized, because rights seem to best reflect the universal respect we owe every person.⁹¹

This is precisely what Schweiger (2012) attempts to do, by first arguing that globalization of the recognition approach is only possible when it is grounded on the dialectic of relative and absolute elements of recognition. Since “recognition as the intersubjective condition of a good life,”⁹² the absolute core of recognition is undistorted self-realization. Claims of recognition could, therefore, refer to this absolute core (which transcends any given society).⁹³ In this case, the demand would be that intersubjective conditions and social relations change in order to make undistorted self-realization possible. Since recognition is also determined by material and social forms such as income, housing or political participation, redistribution problems should also be reconstructed as materializations of (mis-) recognition.⁹⁴ Poverty or any other injustice is thereby morally wrong if it violates any implicit or explicit values or norms within the global society or the social relations of those affected. To him, therefore, a convincing critique of global poverty must be the major focus of a theory of global justice.⁹⁵

⁹⁰Ibid., 67.

⁹¹Ibid., 87.

⁹²Schweiger, “Globalizing Recognition,” 84.

⁹³Ibid., 79.

⁹⁴Ibid., 82.

⁹⁵Ibid., 85.

The foregoing analysis shows that the globalizability of a social justice theory that develops its concepts, and thereby inevitably conceives of persons as limited by, and in a sense confined to a specific geopolitical unit is severely limited.

The Global

Against Rawlsian Contractarian global justice theories (Pogge and Miller), I argue that distributive injustice is just one aspect or dimension of global injustice. There are other dimensions of global injustice which are prior, and therefore more important than global distributive injustice. Therefore, identifying and addressing these aspects of global injustice will be more effective in addressing the problem of inequitable allocation of global resources. However, in a world of globalizing neoliberal capitalism, global resource allocation is greatly determined by neo-liberal capitalist principles. In addition, economic power is strongly correlated to other forms of social power, like political voice and cultural valuation. This means that the level of comparative access a person has to resources could be taken as a proxy for her wellbeing.

Although neo-liberal globalization involves the use of both political and economic power, global resources are still allocated mostly through market exchanges.⁹⁶ Furthermore, the institutions that affect the lives of most of the global population are predominantly global financial and economic institutions. Many cases of global distributive injustice can be traced to

⁹⁶Allocation of resources is still determined by the market, with capital growth as a primary aim of economic activities. The growth imperative is predicated on the assumption that as more capital is accumulated, more people become better off. Whether one takes this feature as capitalism's greatest vice or greatest virtue, this is the central feature of capitalism.

policies that originate from such organizations.⁹⁷ An adequate global justice theory must, therefore, engage with global capitalism and the global institutions that determine how global markets function. Therefore, to be applicable to global injustice, the theory of recognition must be able to engage with the issue of global distributive injustice.

In an ideal (capitalist) market, goods are allocated anonymously, through an impartial (though efficient) price mechanism. Markets are indifferent to whether or not, or who, specifically, benefits or is harmed as a result of a market exchange. One of the most common complaint against capitalism is that the prioritization of economic growth leaves little room for considerations of human needs. To this, supporters of capitalism respond that economic growth leads to increased human well-being. As long as economic growth occurs, the benefits from such growth will inevitably trickle down to all persons, making the majority better off. Proponents of capitalism see the twin features of anonymity and indifference to outcomes, as some of the most advantageous features of a properly functioning market. They acknowledge the possible harms of market mechanisms but insist that such harms are the inevitable price to be paid for increased well-being of the majority. Such harms should be seen as an unfortunate, unavoidable, but tolerable result of efficiency and economic growth.

The foregoing could lead to the conclusion that demands for recognition in an economic exchange, or a market-based relationship, must be based on a contradiction. The concept of

⁹⁷One of the problematic features of neo-liberal globalization is that even more than previous versions of global capitalism, it further blurs the line between the pursuit of profit through economic exchanges and the pursuit of geo-political influence and power. As I tried to show in the sections of Pogge and particularly Miller, this version of globalization involves the use of global political power to achieve economic ends, and vice versa. Both Pogge and Miller argue that global economic and financial institutions fall short on their stated goals of allocating global resources in an equitable manner.

recognition seems to be more appropriate in legal, cultural or political contexts, but not in market exchanges. It, therefore, seems incorrect to claim that a global economic or financial institutions ‘misrecognized’ persons who suffer from lack of resources. This would seem to call into question, the applicability of the theory of recognition to global justice issues, particularly, the harms that come about as a result of the normal functioning of global markets, through the global institutions that regulate them. However, if Honneth is correct that social institutions could misrecognize persons, this implies that global institutions could also misrecognize persons. If such misrecognition is a necessary prelude to social injustice, then the injustice that is caused by global financial institutions should also be understood to be preceded by the misrecognition of those who suffer its detrimental effects.

To defend his position against such criticisms, Honneth proposes the idea of “moral economism.”⁹⁸ He argues that a deep cognitive ethos underlies markets. But while these social norms guide and sustain the market, they do not create the market, or cause markets to come into existence.⁹⁹ Markets are normative - economic outcomes have normative determinants, and functioning markets have normative preconditions.¹⁰⁰ To Honneth, markets have two important functions – meeting individual needs (in consumption) and recognition of individual achievement (in labor).¹⁰¹ A well-functioning market supplies human needs, while providing us

⁹⁸Zurn, *Axel Honneth*, 146.

⁹⁹“If market institutions do not realize, at least to some tolerable extent, the implicit norms that justify them in the first place, then people will simply withdraw their consent from them and stop participating in them or in the legal and social practices needed to sustain them. Thus, to the extent that markets do actually continue to operate, there must be some at least minimal moral consent to them on the part of participants.” *Ibid.*, 147.

¹⁰⁰*Ibid.*, 146.

¹⁰¹*Ibid.*

with avenues to express (and sell) our abilities and skills. To Honneth, ‘economic injustice’ entails a failure of one or both normative preconditions - inability to meet our needs in the marketplace, inability to sell our skills and abilities, or both.

He argues that despite the apparent acceptance of the market as an anonymous place in which goods are allocated by means of indifferent price mechanisms, markets in fact exist and subsist on implicit normative assumptions. Markets thereby function on the condition that this underlying ethos is fulfilled.¹⁰² The reason why social protests usually result whenever market outcomes create inequity or severe lack is because the failure of the market’s normative preconditions is taken as a violation of this ethos.¹⁰³ Protests occur because ‘market failure’ is experienced as a very subjective experience of inequity. Victims of economic inequity experience material lack as the market (as a component of society) having failed to fulfill those normative expectations.¹⁰⁴ Honneth thereby rejects the functionalist conception of markets, and argues instead for “*normative* functionalism.” This should be understood as a functionalism that is conditional to meeting certain non-market criteria.¹⁰⁵ At this point, one is justified to ask:

¹⁰²Honneth counters the argument that markets are functional and norm free by arguing that, “There is an intrinsic connection between the conditions of competition on the market and the norms of the lifeworld, because market competition can only be viewed as legitimate and justified on the condition that it take these norms into account.” Axel Honneth, *Freedom's Right: The Social Foundations of Democratic Life* (New York: Columbia University Press, 2014), 191.

¹⁰³This ethos is not strictly correlated with his earlier scheme of love, rights, and self-esteem but overlaps all three in interesting ways. “Because each person can legitimately demand to be treated as equally autonomous, in practice, each person deserves fair equality of opportunity to achieve their own goals and life projects.” “Economic dislocations in our society are, on this account, experienced in terms of violations of the principles either of equal opportunity or achievement.” Zurn, *Axel Honneth*, 146.

¹⁰⁴Ibid., 147.

¹⁰⁵“Markets are only *freely consented to* when they are embedded in specific social relations that meet pre- or non-market moral criteria.” Ibid., 147.

should economic injustice, particularly when it is the result of market-based exchanges, be understood as deriving from inadequate social recognition? Honneth answers this question in the affirmative.¹⁰⁶

While I agree in general with the major parts of Honneth's theory of recognition, the causal claim that misrecognition is the cause of or a prelude to economic misdistribution seems to be too strong a generalization. Although there is usually a strong correlation between forms of social power, like political voice, education, cultural valuation, etc. Honneth's tries to explain economic injustice as a form of economic or market misrecognition. He seems to be claiming that persons, expect to be recognized by society through the market. When a person is unable to sell her labor, or buy material resources, the person interprets this as her society not adequately recognizing her need for work and access to material resources, via the market. While this seems to be inaccurate at the social level, it seems even more so at the global level. Particularly at the global level of analysis, it might be more accurate to say that misrecognition accompanies most, and perhaps all instances of economic injustice. Such a formulation acknowledges the correlation of economic injustice and social recognition, without subordinating economic injustice to these other aspects of injustice. Honneth has been criticized precisely on this point by Nancy Fraser, who insists that the theory of recognition is not adequate to address both social and global justice issues.

The role to be accorded to social recognition and equitable distribution of resources and the relationship between the two forms the basis of an important debate between Axel Honneth

¹⁰⁶On Honneth's account, economic phenomena are seen as thoroughly shot-through with normative content, subject to human control and guided by moral concerns, in particular, moral concerns that can be traced back to the structures of intersubjective recognition. *Ibid.*, 110-111.

and Nancy Fraser. In the next chapter, I introduce the work of Fraser, who argues against Honneth, that an adequate social justice theory must include both recognition and redistribution. In the following chapter, I provide an analysis of this debate, in which the two writers address the question of whether social recognition (as described by Honneth), is sufficient to meet the demands of social justice, or whether justice requires both recognition and redistribution. If Fraser's objection is correct, that is, if misrecognition is not always the cause of economic injustice but nonetheless accompanies it, then the remedy for economic injustice will not necessarily take the route of improved social recognition, for example by anti-discrimination laws, but might require straightforward changes in the economy instead. Another way of putting this is that if indeed, inequitable allocation of social goods, but not subjective recognition, is morally relevant to justice theories, then global injustice is best addressed not by increased 'recognition', but by a more equitable allocation of material resources.

CHAPTER VII

FRASER

Introduction

Although there are some historical examples to the contrary, in the current global order, a positive correlation usually exists between social recognition and access to material resources.¹ Although “globalization,” understood as interactions, economic or otherwise, among societies is not a new phenomenon. However, its current form is more accurately, one of globalized neoliberal capitalism, whose distinguishing feature is even more intensive economic integration. Since access to resources is central to this form of globalization, an adequate global justice theory must engage with the question of resource allocation.

Thus, one of the aims of this project is to cut through the many layers of causation to provide an understanding of global injustice as the result of flawed intersubjective relations. In the previous chapter, I agreed with Honneth that lack of social recognition is a prelude to social injustice, and inadequate access to resources and indication of such injustice. If this is true then,

¹There have been cases in history where a denigrated subset of society has held substantial economic, but not political power. An example of this is the European Jews of the 18th century - although they usually held economic power, anti-Semitism meant that Jews were usually denied other forms of social (notably political) power. In more recent times, lack of social recognition is more likely to lead to limited access to resources for the misrecognized. An example of this is pre-Civil Rights period in southern United States where the non, or inadequate recognition of Black people severely limited the extent to which they were able to access social and economic resources.

a global justice theory will need to engage with the issue of the respective roles and relationships between social recognition and global patterns of resource allocation.²

In the previous chapter, I analyzed Honneth's Theory of Recognition and concluded on the question of the connection between social recognition and access to resources. Nancy Fraser holds the position that "social causes of recognitional and distributive injustices are different, neither can be reduced to the other."³ She disagrees with Honneth's position that adequate social recognition will automatically address all forms of social injustice. In this chapter, I provide an overview of Fraser's alternative social theory following 1. In section 2, I provide a synopsis of some major points in an important debate between Fraser and Honneth. In section 3, I conclude by siding more with Fraser's position that while social misrecognition accompanies in most, perhaps all cases of economic injustice, Honneth's claim that misrecognition is the cause of, or prelude to economic misdistribution is too strong a generalization.

Overview

To Fraser, although access to resources seems to be the touchstone to human welfare, it remains just one aspect of social injustice. The aspiration to social recognition is a second, equally important aspect. Therefore, social subordination should be understood as involving

²Embarking on such an enquiry does not detract from my position that injustice is better understood as intersubjective domination or that lack of social recognition is a prelude to domination. Rather, this makes access to resources an important dimension of the relationship between lack of recognition and domination.

³Zurn, *Axel Honneth*, 115. Nancy Fraser and Axel Honneth are both critical theorists of the Frankfurt school tradition, who develop their respective arguments to apply to bounded political units, like a modern nation state. I include this debate because as I will try to show, some important aspects of their theories are applicable to global injustice. In addition, combining some of their arguments to Rawlsian Contractarian global justice theories will provide stronger grounds for the conclusions derived by theorists like Richard Miller and Thomas Pogge.

aspects of *both* cultural misrecognition and unjust patterns of resource allocation.⁴ Social injustice could be *caused* by patterns of allocation of material resources (unjust class structure), but could also be *based* on institutional hierarchies of cultural value (unjust status order) of society.⁵ An adequate theory of justice will accord equal importance to the two aspects because although they tend to move in tandem, inequitable distribution of resources and inadequate social recognition remain analytically distinct dimensions of social injustice.⁶ Social justice thereby requires *both* redistribution *and* recognition, making the separation of justice claims between the demands for recognition and a more egalitarian allocation of resources “a false anti-thesis,”⁷

⁴“Both can be contrasted in the following ways: (1) First, the two paradigms assume different conceptions of injustice. The redistribution paradigm focuses on injustices it defines as socio-economic and presumes to be rooted in the economic structure of society. The recognition paradigm, in contrast, targets injustices it understands as cultural, which it presumes to be rooted in social patterns of representation, interpretation, and communication. (2) Second, the two folk paradigms propose different sorts of remedies for injustice. In the redistribution paradigm, the remedy for injustice is economic restructuring of some sort. In the recognition paradigm, in contrast, the remedy for injustice is cultural or symbolic change. (3) Third, the two folk paradigms assume different conceptions of the collectivities that suffer injustice. In the redistribution paradigm, the collective subjects of injustice are classes or class-like collectivities, which are defined economically by a distinctive relation to the market or the means of production. (4) It follows, and this is the fourth point, that the two folk paradigms assume different understandings of group differences. The redistribution paradigm treats such differences as unjust differentials. Far from being intrinsic properties of groups, they are the socially constructed results of an unjust political economy. The recognition paradigm, in contrast, treats differences in either of two ways. In one version, they are benign, pre-existing cultural variations, which an unjust interpretative schema has maliciously transformed into a value hierarchy. In another version, group differences do not pre-exist their hierarchical transvaluation, but are constructed contemporaneously with it. For the first version, justice requires that we revalue devalued traits; thus, we should celebrate, not eliminate, group differences. For the second version, however, celebration is counterproductive; rather, we should deconstruct the terms in which differences are currently elaborated.” Nancy Fraser and Axel Honneth, *Redistribution or Recognition?: A Political-Philosophical Exchange* (London: Verso, 2003), 3, 12-15.

⁵Nancy Fraser, *Scales of Justice: Reimagining Political Space in a Globalizing World* (New York: Columbia University Press, 2009), 16. According to Fraser, “An accurate social theory must account for two possible causes of injustice – cultural patterns institutionalized in the status hierarchy and economic mechanisms institutionalized in class structure – where neither form of injustice can be reduced to, nor is a result of, the other form.” Zurn, *Axel Honneth*, 116; Fraser and Honneth, *Redistribution or Recognition*, 34-35.

⁶Fraser and Honneth, *Redistribution or Recognition*, 3.

⁷*Ibid.*, 7, 9, 29. “The disagreement over whether or not distribution can be made to supervene on recognition arises from the differing interpretations of recognition. According to Fraser one can understand recognition as either (a) a matter of justice, connected to with the concept of a universal ‘right’ (Fraser’s position); or (b) a matter of self-realisation, connected with historically-relative cultural conceptions of the ‘good’ (Honneth’s

Fraser therefore proposes “a two-dimensional conception of justice that can accommodate both defensible claims for social equality and defensible claims for the recognition of difference.”⁸

Therefore, many forms of contemporary injustice, like class, gender, race, or ethnicity, cannot be adequately understood or assessed by what she sees as a “reductivist,” one-dimensional perspective.⁹ Rather, they are better viewed from “dual perspectives,” of both recognition and redistribution.¹⁰ Her “two-dimensional conception” of justice, combines distributive concerns rooted in economic structures (maldistribution), with recognition concerns rooted in status hierarchies (misrecognition).¹¹ This two-dimensional conception is able to accommodate defensible claims for both social equality and recognition of difference, without

position).” “Fraser believes that this binary opposition derives from the fact that, whereas recognition seems to promote differentiation, redistribution supposedly works to eliminate it. The recognition paradigm seems to target cultural injustice, which is rooted in the way people’s identities are positively or negatively valued. Individuals exist as members of a community based upon a shared horizon of meanings, norms and values. Conversely, the distribution paradigm targets economic injustice, which is rooted in one’s relation to the market or the means of production. Here, individuals exist in a hierarchically-differentiated collective class system which, from the perspective of the majority class who are constituted by a lack of resources, needs abolishing.” Paddy McQueen, “Social and Political Recognition,” *The Internet Encyclopaedia of Philosophy*, ISSN 2161-0002, accessed February 22, 2017, http://www.iep.utm.edu/recog_sp/#SH3c

⁸This also calls for the political task of “devising a programmatic political orientation that can integrate the best of the politics of redistribution with the best of the politics of recognition.” *Ibid.*, 9.

⁹*Ibid.*, 3. “While Honneth “reinterprets the socialist ideal of redistribution as a subvariety of the struggle for recognition”, Nancy Fraser, denies that distribution can be subsumed under recognition. Thus, she proposes a “perspectival dualist” analysis that casts the two categories as co-fundamental and mutually, irreducible dimensions of justice.” Thomas McCarthy, review of *Redistribution or Recognition? A Political-Philosophical Exchange*, by Nancy Fraser and Axel Honneth, trans. Joel Golb, James Ingram, and Christiane Wilke, *Ethics* 115, No. 2 (2005): 397-402, 398-399, 402.

¹⁰Fraser emphasizes that this is not a “substantive dualism,” which treats questions of economic distribution and cultural recognition as pertaining to two different domains of society, but a “perspectival dualism” that recognizes the pervasive “interpenetration” of the two dimensions: “the economy” is “always already permeated” with patterns of interpretation and evaluation, while “the cultural sphere” is deeply permeated by “the bottom line.” Fraser and Honneth, *Redistribution or Recognition*, 61-63. It is on this basis that she proposes that all social injustices be viewed from both perspectives. McCarthy, *Redistribution or Recognition*, 399.

¹¹*Ibid.*, 398.

reducing either dimension to the other.¹² An advantage of this dual perspective, which she conceives of as a perspectival, and not an analytic, is that it integrates into one comprehensive framework, two “analytically distinguishable” dimensions of the social order, requiring correspondingly different forms of remediation.¹³ It can thereby be “assumed with respect to any domain.”¹⁴

Fraser regards as a minimal standard of social justice, the principle that all members of society have “equal opportunity and ability to participate in the political system or the society’s decision-making process.”¹⁵ In modern societies, it is difficult for persons who lack a minimum level of resources, or who occupy a systematically denigrated social position to participate on equal standing with other members of society. To say that all persons must be on a par with others in the social interactions in which they participate does not imply that all members of society must be substantively equal.¹⁶ But it does imply that a just society should not have status

¹²She argues in addition, that, “Decoupling cultural injustices from economic injustices, cultural struggles from social struggles, it reproduces the very dissociation we are seeking to overcome. Substantive dualism is not a solution to, but a symptom of, our problem. It reflects, but does not critically interrogate, the institutional differentiations of modern capitalism.” Such a conception is thereby superior to, and should not be mistaken for “substantive dualism”, which treats, “redistribution and recognition as two different spheres of justice, pertaining to two different social domains.” Fraser and Honneth, *Redistribution or Recognition*, 62.

¹³Ibid., 63.

¹⁴Ibid.

¹⁵Fraser, *Scales of Justice*, 16.

¹⁶“This principle prohibits both institutionalized patterns of cultural value that assign subordinate standing to some groups of social actors in relation to others (i.e., status hierarchies) and economic arrangements that distribute material resources so as to entrench inequalities and dependencies (i.e., class divisions).” McCarthy, *Redistribution or Recognition*, 398. “The application of this principle to concrete problems or policies is not understood by Fraser as a “monological” process—on the part of either claimants or authorities—but as a “dialogical” process of democratic debate and deliberation. This has the important consequence that claims to the recognition of distinct identities must be evaluated publicly and with an eye to participatory parity. McCarthy, *Redistribution or Recognition*, 399.

hierarchies or class divisions. A society that does not have “social arrangements that permit all to participate as peers in social life” in place, inevitably deprives at least some of its members, the privilege of “participatory parity.”¹⁷ The principle of justice as ‘participatory parity’ implies that a just society pursues policies that prevent individuals or groups from suffering ‘participation impairing’ lack, or socially entrenched, systematic denigration.

To Fraser, the objective and intersubjective conditions of the principle of participatory parity precludes economic injustice and institutional deprecation of some persons. The principle is thereby conditional on just social recognition and fair distribution of resources.¹⁸ Thus injustice, whether in the form of misrecognition or maldistribution, is detrimental, because, and to the extent that it inhibits “participatory parity.”¹⁹

¹⁷“Dependence and inequality impede parity of participation. “Precluded, therefore, are social arrangements that institutionalize deprivation, exploitation, and gross disparities in wealth, income, and leisure time, thereby denying some people the means and opportunities to interact with others as peers. In contrast, the-second condition requires that institutionalized patterns of cultural value express equal respect for all participants and ensure equal opportunity for achieving social esteem. This I shall call the intersubjective condition of participatory parity. It precludes institutionalized norms that systematically depreciate some categories of people and the qualities associated with them. Precluded, therefore, are institutionalized value patterns that deny some people the status of full partners in interaction - whether by burdening them with excessive ascribed “difference” or by failing to acknowledge their distinctiveness.” Fraser, *Scales of Justice*, 60; Fraser and Honneth, *Redistribution or Recognition*, 36; McCarthy, *Redistribution or Recognition*, 398.

¹⁸“For participatory parity to be possible, I claim, at least two conditions must be satisfied. First, the distribution of material resources must be such as to ensure participants' independence and "voice." This I shall call the objective condition of participatory parity. It precludes forms and levels of economic dependence and inequality that impede parity of participation. “Precluded, therefore, are social arrangements that institutionalize deprivation, exploitation, and gross disparities in wealth, income, and leisure time, thereby denying some people the means and opportunities to interact with others as peers.” “In contrast, the-second condition requires that institutionalized patterns of cultural value express equal respect for all participants and ensure equal opportunity for achieving social esteem. This I shall call the intersubjective condition of participatory parity. It precludes institutionalized norms that systematically depreciate some categories of people and the qualities associated with them. Precluded, therefore, are institutionalized value patterns that deny some people the status of full partners in interaction - whether by burdening them with excessive ascribed “difference” or by failing to acknowledge their distinctiveness.” “Both objective condition and intersubjective condition are necessary for participatory parity. Neither alone is sufficient.” Fraser and Honneth, *Redistribution or Recognition*, 36.

¹⁹Fraser, *Scales of Justice*, 16; Fraser and Honneth, *Redistribution or Recognition*, 36.

Fraser Honneth Debate²⁰

Generally, the capitalist system is assumed to rely on anonymous, indifferent market mechanisms to allocate resources based almost entirely on the principle of efficiency. This would seem to support the position that maldistribution of material resources results from system errors, and could thereby be rectified by adjustments to the economic system. Both Fraser and Honneth would disagree with this conclusion. They would also agree that it is often the case that members of society who are not adequately recognized socially also tend to be economically marginalized. But they part ways with regards to how distributive injustice should be understood.

In the previous chapter, I provided an analysis of Honneth's theory of social interaction and socialization, in which he provided both a theoretical framework for social analysis and a normative framework for social critique.²¹ As we saw, Honneth's central argument is that, since all social interactions are normatively structured, distributional injustice is the institutional expression of social disrespect, grounded in "unjustified relations of recognition."²² On this view, mal-distribution results from social misrecognition, therefore, recognition should be the foundational category of social analysis. This implies that addressing problems of inequitable distribution requires the first step of establishing measures to establish a more just regime of social recognition. Fraser agrees with Honneth that the trend towards "growing impoverishment

²⁰It must be noted at this point that both theorists (at least at the time of the publication of Fraser and Honneth, *Redistribution or Recognition*, 1993), developed their respective arguments with the Westphalian national frame in mind. Therefore, their arguments seem to be of little relevance to global justice cases. However, I include this debate because there are aspects of the debate that I will argue are of relevance to global justice theorizing.

²¹McCarthy, *Redistribution or Recognition*, 401; Fraser and Honneth, *Redistribution or Recognition*, 213-216.

²²Fraser and Honneth, *Redistribution or Recognition*, 114.

of large parts of the population,” which is the result of “unbridled capitalism” as problematic.²³ She also agrees with him that “an adequate understanding of justice must encompass” recognition and redistribution.²⁴ Thus, they both reject “the economic view that would reduce recognition to a mere epiphenomenon of redistribution.”²⁵ However, Fraser takes issue with Honneth’s assumption that “capitalist societies differentiate a systemically integrated market order from value-regulated social orders.”²⁶ Therefore, their point of divergence is that while Honneth feels that mal-distribution is the result of misrecognition, Fraser disagrees.²⁷

²³In other words, it is not the case that social patterns of distribution of resources determine (whether understood in a strong or a weak sense), social recognitional patterns. Fraser and Honneth, *Redistribution or Recognition*, 2.

²⁴*Ibid.*, 114.

²⁵In other words, it is not the case that social patterns of distribution of resources determine (whether understood in a strong or a weak sense), social recognitional patterns. Fraser and Honneth, *Redistribution or Recognition*, 2.

²⁶*Ibid.*, 222, 235, Note 14.

²⁷*Ibid.*, 3.

Moral Philosophy²⁸

To Honneth, social injustice is always predicated and preceded by the withdrawal (or denial) of social recognition. Therefore, “a moral experience that can be meaningfully described as one of “disrespect” must be regarded as the motivational basis of all social conflicts,” which is experienced by the subject as humiliation and disrespect.²⁹ He sees social injustice as the experience of violations of such “deep-seated claims on the social order.”³⁰ The resultant psychological suffering is, therefore, best understood as possessing a “*normative core*.”³¹ Because all social conflicts arise from such feelings of disrespect, an adequate social-theoretical

²⁸Fraser divides the task that social injustice creates for the critical theorist into three categories: Moral philosophy, social theory, and political theory. I analyze the Fraser/Honneth debate from these three perspectives. Fraser explains the respective tasks as follows: Moral philosophy, - the task is to devise an over- arching conception of justice that can accommodate both defensible claims for social equality and defensible claims for the recognition of difference. Social theory, the task is to devise an account of contemporary society that can accommodate both the differentiation of class from status and also their mutual imbrication. In political theory, the task is to envision a set of institutional arrangements and policy reforms that can remedy both maldistribution and misrecognition, while minimizing the mutual interferences likely to arise when the two sorts of redress are sought simultaneously. Practical politics, the task is to foster democratic engagement across current divides in order to build a broad-based programmatic orientation that integrates the best of the politics of redistribution with the best of the politics of recognition. Fraser opens up the debate with the following questions, “Is recognition really a matter of justice, or is it a matter of self-realization? Do distributive justice and recognition constitute two distinct, sui generis (of its own kind), normative paradigms, or can either of them be subsumed within the other? How can we distinguish justified from unjustified claims for recognition? Does justice require the recognition of what is distinctive about individuals or groups, or is recognition of our common humanity sufficient?” Fraser and Honneth, *Redistribution or Recognition*, 26-27.

²⁹Fraser and Honneth, *Redistribution or Recognition*, 157.

³⁰To the moral agent, “social injustice is experienced the moment it can no longer be rationally understood why an institutional rule should count on agreement in accordance with generally accepted reasons.” Fraser and Honneth, *Redistribution or Recognition*, 130.

³¹“If the adjective “social” is to mean anything more than “typically found in society,” social suffering and discontent possess a *normative core*. It is a matter of the disappointment or violation of normative expectations of society considered justified by those concerned. Thus, such feelings of discontent and suffering, insofar as they are designated as “social,” coincide with the experience that society is doing something unjust, something unjustifiable.” Fraser and Honneth, *Redistribution or Recognition*, 129.

approach to social conflicts must be attentive to such “moral disappointments.”³² To him, this makes recognition “the appropriate tool for categorically unlocking social experiences of injustice,”³³ thereby making it the most important concept on which to construct a social justice theory.

Fraser disputes the adequacy of the social psychology of suffering as a basis for a justice theory.³⁴ She argues instead that the denial of social recognition is not wrong because it leads to “psychical deformation” or because it impedes “ethical self-realization.”³⁵ Neither is the wrong located in social relations, or in “individual or interpersonal psychology.”³⁶ Rather, misrecognition is “a violation of justice” and is wrong because it leads to persons having different social statuses.³⁷ The demand to be treated fairly, and not the demand for social

³²“What motivates individuals or social groups to call the prevailing social order into question and to engage in practical resistance is the moral conviction that, with respect their own situations or particularities, the recognition principles considered legitimate are incorrectly or inadequately applied. It follows from this, first of all contra Fraser, that a moral experience that can be meaningfully described as one of “disrespect” must be regarded as the motivational basis of all social conflicts: subjects and groups see themselves as disrespected in certain aspects of their capacities or characteristics because they have become convinced that the institutional practice of a legitimate principle of recognition unjustifiably fails to reflect these dispositions. In contrast, the opposition between “economic” and “cultural” conflicts could at most have a secondary significance, since it more precisely designates the respects in which disrespect is experienced.” Fraser and Honneth, *Redistribution or Recognition*, 15-18.

³³Fraser and Honneth, *Redistribution or Recognition*, 233.

³⁴Ibid., 202-204.

³⁵To Fraser, Honneth’s self-realization model construes, “misrecognition in terms of impaired subjectivity and damaged self-identity.” Fraser and Honneth, *Redistribution or Recognition*, 28, 30.

³⁶Fraser and Honneth, *Redistribution or Recognition*, 29. In addition, “The model accepts that misrecognition can have the sort of ethical - psychological effects described by Taylor and Honneth. But it maintains that the wrongness of misrecognition does not depend on the presence of such effects.” “One can show that a society whose institutionalized norms impede parity of participation is morally indefensible *whether or not they distort the subjectivity of the oppressed.*” Fraser and Honneth, *Redistribution or Recognition*, 32.

³⁷Fraser and Honneth, *Redistribution or Recognition*, 30.

recognition, is a more plausible explanation for the “rubric of daily discontent.”³⁸ Social misrecognition is unjust because it impairs the ability of denigrated members of society to participate on a par with other members of society.³⁹ Rather, redistributive justice should be pursued alongside recognition demands because the demand for social recognition alone is not adequate to achieve the goal of participatory parity for those who suffer social injustice.

Honneth counters this by first noting that the difference between his position and Fraser’s is that while Fraser finds an “empirical reference point” in present-day society,⁴⁰ he finds it “in the structure of social reality.”⁴¹ To Honneth, without locating the sources of social discontent in subjective feeling, one will be limited to seeing ‘injustice’ only in issues that are already articulated by publicly recognized social movements.⁴² He sees such a position as ‘dominative’ because a focus on visible social movements ignores embryonic, but morally relevant, forms of social discontent.⁴³ To Honneth, the theory of recognition is located “one level beneath” Fraser’s,

³⁸“But they are not best interpreted as violations of personal identity. To insist on construing them as such is to shift the focus away from society and onto the self, implanting an excessively personalized sense of injury. Far from clarifying matters, the net effect is to stretch the concept of recognition to breaking point.” Fraser and Honneth, *Redistribution or Recognition*, 203.

³⁹*Ibid.*, 29.

⁴⁰*Ibid.*, 244-245.

⁴¹*Ibid.*

⁴²“Bringing together these three abstractions, it becomes clear that Fraser’s initial diagnosis is a sociological artifact: first, from the multitude of current social contracts, only those are picked out that have attracted the attention of the political public sphere as social movements (in the USA) under the official title of “identity politics”; then, tacitly applying a normative criterion, from these identity-political movements precisely those are excluded that pursue aims by the illegitimate means of social exclusion and oppression; and finally, by leaving out historical forerunners, the small group of social movements that remain are stylized into the new key phenomenon of the post-socialist era, to which the normative conceptualization of critical social theory must feel partially bound.” Fraser and Honneth, *Redistribution or Recognition*, 124.

⁴³“Today, such a - surely unintended - complicity with political domination can only be undone by introducing a normative terminology for identifying social discontent independently of public recognition.” Fraser

and is thereby, “more comprehensive” because it is able to thematise social injustice as such. From this position which he thinks is more comprehensive, “even the “material” inequalities that most concern Fraser must be interpretable as expressing the violation of well- founded claims to recognition.”⁴⁴

Social Theory

Fraser concedes that distribution and recognition are sometimes correlated, but insists that it is not necessarily the case that addressing one form of injustice will automatically address the other.⁴⁵ Therefore, Honneth’s attempt to subsume distribution into recognition leads to an overly narrow monistic, and therefore, inaccurate social theory.⁴⁶ Since both forms of injustice have different causes, theories of social recognition cannot (adequately) subsume distribution issues or vice versa.⁴⁷ Therefore, Honneth’s conclusion, that “changing the cultural order is sufficient to preclude maldistribution,” is based on a faulty “reductive culturalist view of distribution.”⁴⁸ Fraser sees Honneth’s recognition theory as one that truncates the full range of

and Honneth, *Redistribution or Recognition*, 125.

⁴⁴Ibid., 134.

⁴⁵“From one side, the issue is whether standard theories of distributive justice can adequately subsume problems of recognition. In my view, the answer is no. To be sure, many distributive theorists appreciate the importance of status over and above material well-being and seek to accommodate it in their accounts. But the results are not wholly satisfactory.” Fraser and Honneth, *Redistribution or Recognition*, 34.

⁴⁶“He goes from the true premise that markets are always culturally embedded to the false conclusion that their behavior is wholly governed by the dynamics of recognition. Likewise, he goes from the valid insight that the capitalist economy is not a purely technical, culture-free system to the untenable proposition that it has no economic dynamics worth analyzing in their own right. Finally, he goes from the valid insight that all social struggles have a cultural dimension to the insupportable conclusion that all are cultural simpliciter, and in exactly the same way.” Fraser and Honneth, *Redistribution or Recognition*, 216.

⁴⁷“Economic outcomes”...“occur independently of any changes in society’s morally imbued patterns of intersubjective evaluation.” Zurn, *Axel Honneth*, 117.

⁴⁸“From one side, the issue is whether standard theories of distributive justice can adequately subsume

social processes, leading to an illegitimate totalization of society.”⁴⁹ For instance, Honneth obscures the key question of how, precisely, the recognition order interact with other modes of the social order to produce relations of social subordination?⁵⁰ She thinks that her two-dimensional approach to social justice that includes both aspects, but does not reduce one dimension to the other is able to answer this question.⁵¹

To illustrate, she cites two examples in which one form of injustice has little to do with the other. The first is that of an African-American Wall Street banker who cannot get a taxi to pick him up (a case of misrecognition without maldistribution). The second is the case of a skilled, white, male industrial worker who becomes unemployed due to a factory closing resulting from a speculative corporate merger (a case of maldistribution without misrecognition).⁵² Social justice, therefore, seems to require both subjective (access to a

problems of recognition. In my view, the answer is no. To be sure, many distributive theorists appreciate the importance of status over and above material well-being and seek to accommodate it in their accounts. But such results tend not to be wholly satisfactory.” “Axel Honneth, for example, assumes a reductive culturalist view of distribution, supposing that all economic inequalities are rooted in a cultural order that privileges some kinds of labor over others, he believes that changing that cultural order is sufficient to preclude maldistribution. In fact, however, as we saw, not all maldistribution is a by-product of misrecognition. It is rather a consequence of imperatives intrinsic to an order of specialized economic relations whose *raison d'etre* is the accumulation of profits. To handle such cases, a theory of justice must reach beyond cultural value patterns to examine the structure of capitalism. It must ask whether economic mechanisms that are relatively decoupled from structures of prestige and that operate in a relatively autonomous way impede parity of participation in social life.” Fraser and Honneth, *Redistribution or Recognition*, 34-35.

⁴⁹Fraser and Honneth, *Redistribution or Recognition*, 214.

⁵⁰Fraser insists that, “An adequate approach must theorize both the distinctive dynamics of the capitalist economy and its interaction with the status order.” Fraser and Honneth, *Redistribution or Recognition*, 214.

⁵¹Fraser and Honneth, *Redistribution or Recognition*, 35.

⁵²“Most such theorists assume a reductive economic-cum-legal-istic view of status, supposing that a just distribution of resources and rights is sufficient to preclude misrecognition. In fact, however, as we saw, not all misrecognition is a by-product of maldistribution, nor of maldistribution plus legal discrimination. To handle such cases, a theory of justice must reach beyond the distribution of rights and goods to examine institutionalized patterns of cultural value; it must ask whether such patterns impede parity of participation in social life. What, then, of the other side of the question? Can existing theories of recognition adequately subsume problems of distribution? Here

minimum level of material resources) and intersubjective (preclusion of “institutionalized value patterns that deny some people the status of full partners in interaction”⁵³) social conditions and institutions.

Since not every social recognition or redistribution claim is warranted, Fraser also raises the question of how we should decide on which social claims should be met. To Fraser, a good yardstick is that recognition (or redistribution) claimants must show that “...current arrangements prevent them from participating on a par with others in social life.”⁵⁴ They also must show that the demands they are making will not hamper others from participatory parity. While this question is salient for every social justice claim, she thinks it is a question that poses grave dangers for theories like Honneth’s, since he treats recognition “as a matter of self-realization.”⁵⁵ Subjective feelings of discontent, and other feelings of violated expectations are lacking in independent evaluative standards, and therefore precludes external standards for assessing justified from unjustified demands for recognition.⁵⁶

too, I contend the answer is no. To be sure, some theorists of recognition appreciate the importance of economic equality and seek to accommodate it in their accounts. But once again the results are not wholly satisfactory.” Fraser and Honneth, *Redistribution or Recognition*, 34.

⁵³Fraser and Honneth, *Redistribution or Recognition*, 36.

⁵⁴“Claimants must show, first, that the institutionalization of majority cultural norms denies them participatory parity and, second, that the practices whose recognition they seek do not themselves deny participatory parity – to some group members as well as to nonmembers. Fraser and Honneth, *Redistribution or Recognition*, 38-41. In general, then, the status model sets a stringent standard for warranting claims. Yet remains wholly deontological. Unlike the self-realization model, it can justify claims for recognition under modern conditions of value pluralism.” Fraser and Honneth, *Redistribution or Recognition*, 42.

⁵⁵To Fraser this makes social justice claims overly reliant on subjective feelings. Fraser and Honneth, *Redistribution or Recognition*, 37.

⁵⁶Zurn, *Axel Honneth*, 127.

Honneth counters this by noting that one of the important achievements of modern societies is that increases in human autonomy are one of the most desirable aims of social justice. He sees this as the culmination of a long learning process, with the result that justified claims for social recognition are those that increase *net* social inclusion and individuation for at least the claimant and some other.⁵⁷ In this regard, his position resembles Fraser's, which is that justice claims are justified if and only if it increases the *net* number of people in society (including the claimant), who enjoy greater participatory parity.

What then are the similarities and differences between inclusion and individuation (Honneth's position) on the one hand and participatory parity (Fraser's position) on the other? Honneth is in general agreement with Fraser on the desirability of participatory parity.⁵⁸ However, he notes that their positions differ with respect to the fact that he sees the goal of equality in "the good of personal identity-formation," while she sees it in the ability of persons to participate in society on a par with others.⁵⁹ Honneth thinks that Fraser's argumentation skips

⁵⁷"Autonomy means individuation (more opportunities to express unique aspects of human personalities) and inclusion (expanding the number of subjects considered as full members of society). But in order to now pick out morally justified particularities from the multitude of those typically asserted in social struggles for recognition, it is first necessary to apply a criterion of progress, however implicit. For only demands that potentially contribute to the expansion of social relations of recognition can be considered normatively grounded, since they point in the direction of a rise in the moral level of social integration. The two measures of individualization and inclusion, which I outlined above, represent the criteria by means of which this weighing can be accomplished." Fraser and Honneth, *Redistribution or Recognition*, 184-186, 187.

⁵⁸"Here the point of recognition is the same as that of participatory parity: the development and realization of individual autonomy is in a certain sense only possible when all subjects have the social preconditions for realizing their life goals without unjustifiable disadvantages and with the greatest possible freedom." Fraser and Honneth, *Redistribution or Recognition*, 259.

⁵⁹"Even if the idea of uncoerced participation in public life plays a prominent role in both intuitions, for Fraser it serves above all to explain what it now means to speak of social justice, while for me it serves to explain the fact that successful identity formation has a social, "public" side.'" Fraser and Honneth, *Redistribution or Recognition*, 176.

one step. Although they both provide an egalitarian account, Fraser moves directly from individual autonomy to the idea of social participation. Honneth on the other hand, moves from individual autonomy to “the most intact identity formation,” before moving to healthy intersubjective recognition, which is the condition to Fraser’s “parity of participation,” as a necessary presupposition.⁶⁰

Political Theory

Fraser thinks “Only a theory of justice that is simultaneously general and determinate can meet the challenges of globalization.”⁶¹ Therefore, an adequate social theory for a globalizing age must be able to accommodate a diversity of reasonable visions of the good life.⁶² She criticizes Honneth’s version of the primacy of the good over the right, that is, his reworking of the normative standards of critical theory through general conceptions of “human nature” and the “good life.”⁶³ To her, an adequate theory of justice must fulfill the conditions of determinacy (to enable it to adjudicate conflicts and resolve dilemmas). But at the same time, it must also be non-sectarian (to enable it to mediate conflicts across different value horizons).⁶⁴ Fraser thinks that

⁶⁰“It is the case that both Fraser and I proceed from the idea that under the conditions of modern societies, every conception of justice must have an egalitarian character from the start, in the sense that all members of society regard one another as having equal rights and each is therefore accorded equal autonomy. But the difference between our approaches consists essentially in the fact that Fraser moves immediately from this starting point in individual autonomy first to the goal of the most intact possible identity formation, in order to then bring in principles of mutual recognition as the goal’s necessary presupposition.” “Put in terms of an ethics of particular goods, Nancy Fraser defines the “why” or “what for” of equality with reference to the good of participation, whereas I understand this “what for” as the good of personal identity-formation, whose realization I see as dependent on relations of mutual recognition.” Fraser and Honneth, *Redistribution or Recognition*, 176.

⁶¹Ibid., 224.

⁶²Ibid., 223.

⁶³McCarthy, *Redistribution or Recognition*, 402.

⁶⁴Fraser and Honneth, *Redistribution or Recognition*, 225.

Honneth's reworking of normative standards causes him to end up with an approach that "can succeed in satisfying one of those requirements only by failing to meet the other."⁶⁵ She presents an alternative in her deontological and non-sectarian principle of participatory parity, which she sees as "a theory of justice that is compatible with a plurality of reasonable views of the good life."⁶⁶ In her view, Honneth purchases the close correspondences among his perfectionist ethical theory, his account of social integration, and his reading of political struggles at the cost of a certain homogenizing of normative expectations and political motivations.

To Fraser, Honneth's "teleological starting point" leads him to a monistic theory of justice. But more problematic is that his sectarian teleological perfectionist standards (as can be seen by the fact that he subscribes to a form of the good life), cannot be universalized.⁶⁷ Equal autonomy means participatory parity which is now understood to include not just formal rights, but the social conditions of their enjoyment.⁶⁸ The principle of participatory parity is also the outcome of "a rich, historical process that has enriched the meaning of liberal equality over

⁶⁵Ibid.

⁶⁶"Participatory parity constitutes a radical democratic interpretation of equal autonomy." Fraser and Honneth, *Redistribution or Recognition*, 228-229.

⁶⁷The root problem, I contend, is his teleological starting point. By grounding his account of justice in a theory of the good life, he is forced to take extraordinary steps to avoid capitulating to ethical sectarianism. Constrained to construe his normative principles formally, he must drain them of substantive content – hence, of normative force. In seeking to resist teleology's built-in temptation to sectarianism, he ends up succumbing to indeterminacy. Ironically, then, an ethical starting point designed to overcome empty formalism itself descends into moral vacuity. Fraser and Honneth, *Redistribution or Recognition*, 228.

⁶⁸No longer restricted to formal rights but also encompassing the social conditions for their exercise, equality is coming to mean participatory parity. Participatory parity, then, is the emergent historic "truth" of the liberal norm of the equal autonomy and moral worth of human beings. Fraser and Honneth, *Redistribution or Recognition*, 232.

time.”⁶⁹ And since equal participation *is* the meaning of equal autonomy, the principle of participatory parity is superior to Honneth’s because it is ethically pluralistic, and grounded on a “thick deontological liberalism.”⁷⁰

To this, Honneth responds that no matter how much a theorist attempts to provide a context independent theory, to the extent that theory must be informed by a vision of the ideal, anticipation of some form of social arrangement (or the good life) becomes unavoidable.⁷¹ Therefore, the social theorist has no choice but to subscribe, however tacitly, to an idea of the good life. He, therefore, sees nothing wrong with his goal of “teleological liberalism,” which defines only “the preconditions that must be available for individual subjects to realize their autonomy.”⁷² He adds that Fraser’s reluctance to specify a form of the good life makes her unable to clarify the precise role the good of participation is supposed to play in society.⁷³ He

⁶⁹As a result, it bursts the bounds of Honneth's account of the possible options in moral philosophy. In his account, there are only two possibilities: the thick “teleological liberalism” favored by and the thin “procedural liberalism” associated with Habermas and Rawls. Justice as parity of participation, however, fits neither of those two ideal types. It diverges from teleological liberalism in eschewing ethical foundations, while also parting company with liberal proceduralism in articulating substantive requirements of justice. Thus, this approach attests to a possibility overlooked by Honneth. Rejecting both teleological sectarianism and proceduralist formalism, justice as participatory parity exemplifies a third genre of moral philosophy, which could be called *thick deontological liberalism*. Fraser and Honneth, *Redistribution or Recognition*, 230.

⁷⁰Her three criticisms are that Honneth cannot make universally justifiable claims, 2) is unacceptably sectarian concerning the wide diversity of conceptions of the good acceptable in modern societies, and, 3) is insufficiently determinative when assessing actual social and political controversies. Zurn, *Axel Honneth*, 124.

⁷¹Fraser and Honneth, *Redistribution or Recognition*, 178.

⁷²“Now in my view, Nancy Fraser takes an unclear in-between position within the spectrum of these two alternatives. On the one hand, she seems to want to tie the idea of social equality to a goal she refers to with the concept of “participation”; here realizing equality corresponds to the goal of putting all members of society in a position to take part in social life without disadvantage. But on the other hand, Fraser does not want this goal to be understood as the result of a conception of the good life, but simply as an explanation of the social implications of the idea of individual autonomy. Thus, she can attack the ethical overload of recognition theory without being forced herself to call upon ethical elements.” Fraser and Honneth, *Redistribution or Recognition*, 178.

⁷³“We do not learn precisely why the right to equal participation in public life presupposes only the elimination of economic inequality and cultural humiliation, but not also self-respect with reference to individual

also notes that like Rawls and Habermas, Fraser also espouses values of individual autonomy and self-realization – a particular modern conception of the good life. Thus, she “smuggles” rights, political procedures, and specific kinds of social arrangements into her theory, and is thereby just as guilty of prescribing a form of the good life.⁷⁴

To Fraser, class structures and status hierarchies “represent analytically distinct orders of subordination, (that) typically cut across all social movements” of contemporary capitalist societies.⁷⁵ Since these are the two most important impediments to participatory parity, an adequate social theory must clarify, “the relations between maldistribution and recognition,” or the dimensions of *status subordination* and *economic class subordination*.⁷⁶ In contemporary societies, “... one cannot deduce maldistribution directly from misrecognition, nor misrecognition directly from maldistribution.”⁷⁷ This is because unlike past forms of status hierarchies, modern status is not fixed, but rather exists in hybrid forms. Furthermore, in a

achievements or ego strength acquired through socialization. And, on the same level, it is also uncertain why the economy and culture, but not the spheres of socialization or law, appear as possible obstacles to participation in social interaction. All these questions impose themselves because Fraser introduces her concept of “participation” without considering the functions it has to fulfill in view of the social preconditions of individual autonomy. Only a careful analysis of the connection between the realization of autonomy and forms of social interaction could have prevented this under –specification of her central normative concept.” “... normative theory depends on precisely the kinds of identity – and personality-theoretical set-pieces Fraser calls into question.” Fraser and Honneth, *Redistribution or Recognition*, 178.

⁷⁴Fraser and Honneth, *Redistribution or Recognition*, 176-179.

⁷⁵Ibid., 49.

⁷⁶“An adequate approach must allow for the full complexity of these relations. It must account *both for the differentiation of class from status and for the causal interactions between them*. It must accommodate, as well, *both the mutual irreducibility of maldistribution and misrecognition and their practical entwinement with each other*. Such an account must, moreover, be historical. “...while providing an explanation of why they, “have become decoupled and antagonistically counterposed” Fraser and Honneth, *Redistribution or Recognition*, 48.

⁷⁷Fraser and Honneth, *Redistribution or Recognition*, 54.

globalizing world, the interconnection between different societies further complicates the category of “social status.”⁷⁸ It follows that a social theory based on either culturalism or economism will not provide an adequate understanding of contemporary society.⁷⁹ Rather, “a critical theory of contemporary society must include an account of the relation of status subordination to class subordination, misrecognition to maldistribution.”⁸⁰ What is required is a theory that treats “every practice as simultaneously economic and cultural.”⁸¹ To Fraser, the perspectival dualism approach, which takes economy and culture as constituting “two analytical perspectives that can be assumed with respect to any domain,” is an approach that could meet the conditions for an adequate critical social theory.⁸²

To Honneth on the other hand, social “injustice is regularly associated with withheld (social) recognition.”⁸³ He sees Fraser’s position as one that wrongly “suggest(s) that experiences

⁷⁸“On the contrary, it is a presupposition of my approach that injustices of status are intrinsic to the social structure of modern capitalism, including in its contemporary globalizing phase.” Fraser and Honneth, *Redistribution or Recognition*, 54.

⁷⁹Fraser and Honneth, *Redistribution or Recognition*, 54. But neither will what Fraser refers to as, “post-structuralist anti dualism” do. As she says, “Instead of theorizing the relations between status and class, therefore, post-structuralist anti-dualists advocate deconstructing the distinction altogether.” The result is that, “...far from advancing efforts to join struggles for redistribution, this approach makes it impossible to entertain pressing political questions about how the two types of struggles might be synergized and harmonized, when at present they diverge and conflict.” Fraser and Honneth, *Redistribution or Recognition*, 60. Therefore, neither will approaches like post-structuralist anti dualism, which seeks to deconstruct the distinctions between class and status; nor will “substantive dualism”, which would treat distribution and recognition as “two different spheres of justice.” Fraser and Honneth, *Redistribution or Recognition*, 61.

⁸⁰But, “above all, it must clarify the prospects for emancipatory change for a time in which struggles for recognition are increasingly decoupled from struggles for egalitarian redistribution - even as justice requires that the two be joined.” Fraser and Honneth, *Redistribution or Recognition*, 59.

⁸¹Ibid., 63.

⁸²Ibid.

⁸³“To this extent, it seems to me inadvisable simply on the descriptive level to divide experiences of injustice into two diametrically opposed classes, the first comprising questions of distribution, the second questions

of "material" disadvantage can be described independently of individuals' and groups' problems with social recognition."⁸⁴ He thinks it is wrong to suggest that "demands for economic redistribution can be understood independently of any experience of social disrespect."⁸⁵ To him, Fraser's separation does not take adequate account of the correlation between misrecognition and maldistribution. Furthermore, her separation of social injustice into two, "diametrically opposed classes" creates an inaccurate "simple opposition" that does not exhaust the spectrum of social moral discontent.

In addition, separating social processes or privileging only economy and culture – seems arbitrary.⁸⁶ Not least because it excludes, or at least inadequately theorizes, important aspects of society like law and politics, which are aspects of society that should be of central concern to a critical theory of justice.⁸⁷ To him, the "legitimation of the social distribution order owes (much) to cultural views of the contribution of different status groups or strata to social reproduction."⁸⁸

of "cultural recognition." Fraser and Honneth, *Redistribution or Recognition*, 83, 135.

⁸⁵"Accordingly, in contemporary societies we can expect various types of morally substantive struggles or conflicts whose differences correspond to whether what is contested is the "just" application of the recognition principle of love, legal equality or the merit principle. Of course, a direct consequence of this consideration is that the opposition of "distribution conflicts" and "struggles for recognition" is not very helpful, since it creates the impression that demands for economic redistribution can be understood independently of any experience of social disrespect. It seems much more plausible to me, to the contrary, to interpret distribution conflicts as a specific kind of struggle for recognition in which the appropriate evaluation of the social contributions of individuals or groups is contested." Fraser and Honneth, *Redistribution or Recognition*, 170-171.

⁸⁶"In short, any kind of methodological perspectivism remains empty as long as it is not anchored in social-theoretical views about how social reproduction in capitalist societies is to be understood." Fraser and Honneth, *Redistribution or Recognition*, 156.

⁸⁷"As many of the signature struggles of the age are against legal discrimination and political domination, and for legal equality and political democracy, they would seem to merit special attention within a critical theory of justice." McCarthy, *Redistribution or Recognition*, 400.

⁸⁸"All this shows how much the legitimation of the social distribution order owes to cultural views of the contribution of different status groups or strata to social reproduction." Fraser and Honneth, *Redistribution or Recognition*, 153.

Hence, it is better for “experiences of injustice be conceived along a continuum of forms of withheld recognition – of disrespect – whose differences are determined by which qualities or capacities those affected take to be unjustifiably unrecognized or not respected.”⁸⁹ He points out that institutions (even those of capitalist societies) rely on moral consensus, through rational legitimation. Social recognition is, therefore, “the basis for the normative expectations of members of society as well as their readiness to conflict.”⁹⁰ Therefore instead of Fraser’s “dual perspective,” Honneth proposes a “moral-theoretical monism.”

Political Practice

With regards to politics, Fraser first notes that many injustices include both recognitional and distributional components – it is usually the case that when one perspective is privileged, attempts to address distribution injustice leads to increases in recognitional injustice or vice versa.⁹¹ Perspectival dualism has the advantage that “...it can help us anticipate, and hopefully avoid, the perverse effects of faulty political strategies.”⁹² But more important is that a critical theory that is adequate to a rapidly globalizing world must be able to provide a social justice account that can accommodate the many different peoples and societies that globalization is

⁸⁹Ibid., 135-136. Honneth notes at this point that, “Such an approach also allows us to consider that differences in the experience of injustice can be determined not only with regard to the object, but also by the form of the missing recognition. Thus, when it comes to the sorts of “identity conflicts” Fraser stresses, it makes a fundamental difference whether the culturally defined groups are demanding a kind of social appreciation or the legal recognition of their collective identity.” Fraser and Honneth, *Redistribution or Recognition*, 136.

⁹⁰Ibid., 157.

⁹¹Fraser cites the examples of welfare reform that has the unintended effect of adding “the insult of misrecognition to the injury of deprivation,” as well as recognition claims that produces adverse effects on the economic well-being of supposed beneficiaries. Fraser and Honneth, *Redistribution or Recognition*, 67.

⁹²An example of a dualist institutional effort is the “comparable worth” campaign, which was an attempt to “redress the cultural devaluation of the “feminine” precisely *within* the economy.” Fraser and Honneth, *Redistribution or Recognition*, 66-67.

bringing closer together. Fraser concedes that recognition is a valuable concept for such a project, but insists that it must be complimented with distribution.⁹³

To Honneth, “the opposition of “distribution conflicts” and “struggles for recognition” is not very helpful,”⁹⁴ because a society’s recognition structure is what leads to both injustice and demands for its rectification. Also, “the normative expectations subjects bring to society are oriented toward the social recognition of their capabilities by various generalized others.”⁹⁵ In addition, although other social considerations like efficiency or stability could be relevant, the most important measure for political conflicts are *normative*.⁹⁶ The legitimacy of all social struggles should be measured by whether they will result in increases or decreases in the

⁹³“Nevertheless, recognition alone cannot bear the entire burden of critical theorizing. By itself, it is not sufficient to capture the normative deficits of contemporary society, the societal processes that generate them, and the political challenges facing those seeking emancipatory change. To ask that of recognition is to overextend the concept, distorting it beyond recognition and depriving it of critical force. Such an approach, I have argued here, can provide neither a suitable empirical reference point, nor a viable account of culture, nor a defensible theory of justice. What is needed, in contrast, is clear: *Critical Theory should situate recognition as one dimension of a perspectival-dualist framework that also encompasses distribution.*” Fraser and Honneth, *Redistribution or Recognition*, 233.

⁹⁴Fraser and Honneth, *Redistribution or Recognition*, 170. “Only on this basis can it be shown with more than a merely relativistic claim to justification to what extent certain social demands can be regarded as normatively justified.” Fraser and Honneth, *Redistribution or Recognition*, 184.

⁹⁵“To this extent, every human subject depends essentially on a context of forms of social interaction governed by normative principles of mutual recognition; and the disappearance of such relations of recognition results in experiences of disrespect and humiliation that cannot fail to have damaging consequences for the individual’s identity - formation.” Fraser and Honneth, *Redistribution or Recognition*, 176.

⁹⁶“We only judge the objectives of such struggles positively when they point in the direction of social development that we can understand as approximating our ideas of a good or just society.” “To this extent, every evaluation of social conflict situation depends upon showing the normative principles in which social morality or political ethics are anchored and by which they are guided beneath the surface.”

a) What principles make up the normative kernel of a just and good society?
 b) How do we think our different conceptions of a good and just social order can be justified? {Must such a justification have recourse to the ethical idea of a good life?}
 c) How will each of the differently formulated guiding principles to be applied to social reality such that it can be called upon in moral judgements of social conflict situations. Fraser and Honneth, *Redistribution or Recognition*, 172.

expression of aspects of unique human traits, or whether it leads to the increase of the number of people that are socially recognized.⁹⁷ This implies that the best criterion to assess the normative value of a political ethic is whether it increases human autonomy, defined as “individualization or inclusion.”⁹⁸ This is also the normative yardstick to measure the desirable “development direction” of contemporary social conflicts.⁹⁹ Ideally, such a yardstick should lead us to anticipate “a lasting rise in the moral level of social integration.”¹⁰⁰ Political practice should, therefore, be oriented towards the goal of the best identity formation and individual self-realization, guided by the goal of increasing individual recognition in the three spheres of love, rights, and esteem.¹⁰¹

⁹⁷“But in order to now pick out morally justified particularities from the multitude of those typically asserted in social struggles for recognition, it is first necessary to apply a criterion of progress, however implicit. For only demands that potentially contribute to the expansion of social relations of recognition can be considered normatively grounded, since they point in the direction of a rise in the moral level of social integration. The two measures of individualization and inclusion, which I outlined above, represent the criteria by means of which this weighing can be accomplished.” Fraser and Honneth, *Redistribution or Recognition*, 187.

⁹⁸“Two criteria that together can justify talk of progress in the relations of recognition. On the one hand, we see here a process of individualization, i.e., the increase of opportunities to legitimately articulate parts of one's personality; on the other hand, we see a process of social inclusion, i.e., the expanding inclusion of subjects into the circle of full members of society. Fraser and Honneth, *Redistribution or Recognition*, 184-185 either new parts of the personality are opened up to mutual recognition, so that the extent of socially confirmed individuality rises; or more persons are included into existing recognition relations, so that the circle of subjects who recognize one another grows.” Fraser and Honneth, *Redistribution or Recognition*, 186.

⁹⁹“But the decisive question concerns the problem of how, beyond mere affirmation, such a recognition-theoretical conception of justice can take on a role that is critical and indeed progressive. For what above is at issue between Fraser and myself is the extent to which, with the help of an appropriate theory, something normative can be said about the development direction present-day social conflicts should take.” Fraser and Honneth, *Redistribution or Recognition*, 182-183.

¹⁰⁰*Ibid.*, 183.

¹⁰¹“The justice or well-being of a society is proportionate to its ability to secure conditions of mutual recognition under which personal identity-formation, hence individual self-realization, can proceed adequately.” Fraser and Honneth, *Redistribution or Recognition*, 172. “But for the purposes of my response to Nancy Fraser, it is only necessary to assert here that the fundamental interest in social recognition is always substantively shaped by the normative principles determined by the elementary structures of mutual recognition within a given social formation. From this follows the conclusion that at present we should orient a political ethics or social morality by three

From the foregoing, one of the most important areas of disagreement between Honneth and Fraser is how the relationship between social norms and market mechanisms should be understood. To Fraser, capitalist societies have “a quasi-objective, anonymous, impersonal market order that follows a logic of its own.”¹⁰² Although culturally embedded, markets are “not directly governed by cultural schemas of evaluation. Rather, the economic logic of the market interacts in complex ways with the cultural logic of recognition.”¹⁰³

In contrast, Honneth maintains that the economic dimension of social subjugation does not negate the fact that economic structures and mechanisms are always normatively embedded. From this perspective, maldistribution reveals patterns of social esteem prevalent of the society.¹⁰⁴ To him, markets are not an “amoral and norm free domain,”¹⁰⁵ there is, therefore, no

principles of recognition that, within our society govern what legitimate expectations of recognition there can be among members of society. Hence, it is the three principles of love, equality, and merit that together determined what should now be understood by the idea of social justice.” Fraser and Honneth, *Redistribution or Recognition*, 175.

¹⁰²Ibid., 214.

¹⁰³“This market order is culturally embedded, to be sure. But it is not directly governed by cultural schemas of evaluation. Rather, the economic logic of the market interacts in complex ways with the cultural logic of recognition, sometimes instrumentalizing existing status distinctions, sometimes dissolving or circumventing them, and sometimes creating new ones. As a result, market mechanisms give rise to economic class relations that are not mere reflections of status hierarchies. Neither those relations nor the mechanisms that generate them can be understood by recognition monism.” Fraser and Honneth, *Redistribution or Recognition*, 214.

¹⁰⁴McCarthy, *Redistribution or Recognition*, 401.

¹⁰⁵“The central ambition of Honneth’s RoR account of a capitalist economy is to show the plausibility of a theory that is thoroughly grounded in recognition, rather than in other non-recognitional normative principles or in functionalist accounts of the economy. Thus, the account aims to show how issues focused on distribution-focused theories of justice – e.g., systematic impoverishment, increasing material inequality, structural unemployment, the concentration of oligarchic power, global economic inequality – can be comprehended and normatively evaluated with the same recognitional concepts applied to other forms of injustice, misrecognition and social pathology. Accordingly, he must develop a social theory of modern capitalist economies that rejects the methods of functionalism and systems theory, while economies are theorized as amoral, norm-free domains of interaction with more or less automatic processes happening behind the backs of participants, largely out of their control and understanding.” Zurn, *Axel Honneth*, 110.

need to develop a different set of theoretical tools to explain the economic domain.¹⁰⁶ Rather, the “normative preconditions of functioning markets” and “Normative determinants of economic outcomes,” makes capitalist markets normative.¹⁰⁷

Fraser concedes to Honneth that some social demands for redistribution “contest reigning interpretations of achievement.”¹⁰⁸ However, this does not mean that economic processes follow normative paths. She agrees that recognition can *influence* some economic outcomes, but recognitional factors alone do not fully – or even mostly – *determine* those outcomes.¹⁰⁹ To buttress her position that capitalist markets are best understood in system theoretic terms, she cites examples of places around the world “where profit maximizing imperatives interact with status distinctions and with legacies of past depredations,” to create “economic-system mechanisms that exclude many from labor markets altogether.”¹¹⁰

¹⁰⁶“Rather, on Honneth’s account, economic phenomena are seen as thoroughly shot-through with normative content, subject to human control and guided by moral concerns, in particular, moral concerns that can be traced back to the structures of intersubjective recognition.” Zurn, *Axel Honneth*, 110-111.

¹⁰⁷“On this view, justice in the political economy is a demand arising from individuals’ legitimate recognition expectations to the appropriate social bases of self-respect and self-esteem.” Zurn, *Axel Honneth*, 110. “With regards to the former precondition, Honneth argues that economic dislocations are experienced subjectively by victims as a violation of their self-respect and self-esteem, and thereby as a form of social misrecognition. With regards to the latter precondition, a functional market requires individuals that have been socialized into having goals and values that sustains markets.” Zurn, *Axel Honneth*, 113-114.

¹⁰⁸Fraser and Honneth, *Redistribution or Recognition*, 215.

¹⁰⁹“Against Fraser’s attributions, Honneth claims that he is not giving a full explanation of economic developments, nor dismissing the role of economic imperatives such as profit and utility in accounting for economic outcomes.” Zurn thinks that the reason for this argument is that, “there is an ambiguity centering on words such as ‘determines’ and ‘determinants’: do they mean ‘dictates’ – as the sole or overwhelmingly significant causal factor – or do they mean ‘influences’ – as one among several significant factors?” Zurn, *Axel Honneth*, 117.

¹¹⁰“Contra Honneth, this sort of maldistribution is no less paradigmatic of contemporary capitalism than the sort fuelled by nonrecognition of women’s carework - witness the fate of much of sub-Saharan Africa, eastern Germany, and the south Bronx. The vast deprivation in question here stems not from undervaluation of labor contributions, but from economic-system mechanisms that exclude many from labor markets altogether.” Fraser and Honneth, *Redistribution or Recognition*, 215-216.

While global injustice involves more than global distributive injustice, the correlation between the levels of access to all forms of social goods makes a lack of resources indicative of the existence of social injustice. Both Fraser and Honneth are aware of the harms of distributional injustice. Both theorists accept that there is a recognition ethos that underlies (all social relations including) market exchanges. However, Fraser regards Honneth's occasional causal claim that misrecognition underlies *all* forms of economic misdistribution as too strong as a generalization. It might be more accurate to say that misrecognition accompanies in most, perhaps all cases of economic injustice. This, in turn, implies that, if misrecognition is not always the cause of economic injustice but nonetheless accompanies it, then the remedy for economic injustice will not necessarily take the route of improved recognition, for instance by implementing anti-discrimination laws, but might require straightforward changes in the economy instead.

Late Fraser

The intensification of economic relations brought about by globalization has created a situation in which many cases of distributional injustices are likely to be caused by transnational factors.¹¹¹ If the causes and results of economic harms in a globalized economy can no longer be assumed to be contained in one political unit, a critical social theory for this age should be attentive to the global economic environment. Both Fraser and Honneth originally developed their theories to apply to bounded political units, like modern, Western democracies. In later

¹¹¹“In particular, many of the material harms heaped upon various groups by economic globalization result from the workings of markets, mergers, out-sourcing, currency fluctuations, technological innovations—and, I would add, of powerful national and international agencies—which cannot adequately be grasped by a theory of social integration constructed around norms of recognition.” McCarthy, *Redistribution or Recognition*, 401.

work, Fraser has developed her arguments to account more for social justice in a rapidly globalizing world.

The idea that a person should not be obligated to live under rules he or she was not involved in making, is a basic tenet of modern justice. This principle rests on the notion that living under rules that one was not involved in making implies that a person is living under the will of those who are able to make such rules. In her earlier work, Fraser considered the possibility of including a third category of “the political” (in addition to redistribution and recognition), which she refers to as “representation.”¹¹² To justify this, she first notes that “there can be distinctively political obstacles to parity, not reducible to mal-distribution or misrecognition although (again) interwoven with them.”¹¹³ She adds that representation or

¹¹²“But I did not rule out the possibility of additional modes. On the contrary, I left open the question of whether there might exist other modes of social ordering corresponding to other types of subordination and other dimensions of justice. The most plausible candidate for a third dimension is “the political.” “Political” obstacles to participatory parity would include decision-making procedures that systematically marginalize some people even in the absence of maldistribution and misrecognition - for example, single-member district winner-take-all electoral rules that deny voice to quasi-permanent minorities. The corresponding injustice would be “political marginalization” or “exclusion,” the corresponding remedy, “democratization.”” Fraser and Honneth, *Redistribution or Recognition*, 68. “I should note that the incorporation of political representation as a third dimension of justice constitutes a major revision of my framework, which was originally two-dimensional.” *Frames of Justice* Pg. 145. “The third dimension of justice is the political. Of course, distribution and recognition are themselves political in the sense of being contested and power-laden; and they have usually been seen as requiring adjudication by the state. But I mean political in a more specific, constitutive sense, which concerns the state’s jurisdiction and the decision rules by which it structures contestation. The political in this sense furnishes the stage on which struggles over distribution and recognition are played out. Establishing criteria of social belonging, and thus determining who counts as a member, the political dimension of justice specifies the reach of those other dimensions: it tells us who is included in, and who excluded from, the circle of those entitled to a just distribution and reciprocal recognition. Establishing decision rules, the political dimension likewise sets the procedures for staging and resolving contests, in both the economic and cultural dimensions: it tells us not only who can make for distribution and recognition, but also how such claims are to be mooted and adjudicated.” Fraser, *Scales of Justice*, 17.

¹¹³Fraser, *Scales of Justice*, 18. “From the beginning it was clear to me that there could exist (and did!) economic and cultural obstacles to parity, which is why I originally conceived justice in just two dimensions. Later, however, I began to ask myself whether political obstacles to parity could exist, even in the absence of maldistribution and misrecognition. For example, could an electoral system, operating in the context of relatively fair distribution and reciprocal recognition, leave ideological minorities permanently voiceless?” Fraser and Honneth, *Redistribution or Recognition*, 146.

political justice, is essential to the pursuit of distributive or recognitional justice because it creates a space in which questions not just about the “who” of justice, or, who justice should pertain to, but also about the “how,” or the procedure of justice.¹¹⁴ And since dialogue is “the proper standard for warranting claims,” the condition of representation can only be met “through a “dialogical” process of debate and deliberation.”¹¹⁵

Frames of Justice

The arena of representation or the political dimension is “the intersection of symbolic framing and democratic voice.”¹¹⁶ Political “frame setting” is the arena that determines right and wrong political inclusion and exclusion. This is the arena in which we raise questions of whose voice should be heard, but it is also where the selection process or the “frame” of justice could also be contested.¹¹⁷ This makes society’s choice of a frame of justice “among the most

¹¹⁴But there can be no redistribution or recognition without representation. “Struggles for justice in a globalizing world cannot succeed unless they go hand in hand with struggles for meta-political democracy.” Fraser, *Scales of Justice*, 27. “At this meta-level, the term calls attention to the patterning of the broader space within which bounded polities are embedded and, so, to the question of who is included, and who excluded, from the circle of those entitled to participate within them.” Fraser, *Scales of Justice*, 147. First order claims (of recognition and redistribution), and second-order or meta-level claims about the conditions in which first-order claims are adjudicated are made within the political frame. Therefore, although it could be seen as independent of distribution and recognition, representation, which presumes parity of participation, is an indispensable dimension of social justice.”

¹¹⁵Fraser and Honneth, *Redistribution or Recognition*, 42.

¹¹⁶Fraser, *Scales of Justice*, 147.

¹¹⁷Representation thereby provides the space to question not just what social goods I am allowed, but also creates room for me to contest the process by which how much (recognition and resources) I should get, was decided.

consequential of political decisions,”¹¹⁸ and misframing the “defining injustice of a globalizing age.”¹¹⁹

Fraser admits that she originally took the “Keynesian-Westphalian” frame for granted, but she later identifies three levels or kinds of political misframing.¹²⁰ She refers to the first category as, “intra-frame.” This involves ordinary political injustice, like unjust electoral rules and structures, or unfair policies, such as when gender-blind rules exacerbate gender-based maldistribution and misrecognition.¹²¹ The second kind of political injustice is the “boundary-setting aspect of the political.”¹²² This form of misframing is even more important because, “Constituting both members and non-members in a single stroke, this decision effectively excludes the latter from the universe of those entitled to consideration within the community in matters of distribution, recognition, and ordinary political representation.”¹²³

So long as it leaves “some relevant aspects of justice beyond their reach,” the injustice of this second kind of misframing is not mitigated even when people who become excluded as a result are re-absorbed into some other political community.¹²⁴ The last sort of misframing is

¹¹⁸Fraser, *Scales of Justice*, 19.

¹¹⁹*Ibid.*, 21.

¹²⁰“That, at least, is the view of justice I defended in the past. And this two-dimensional understanding of justice still seems right to me as far as it goes. But I now believe that it does not go far enough. Distribution and recognition could appear to constitute the sole dimensions of justice only so long as the Keynesian-Westphalian frame was taken for granted.” Fraser, *Scales of Justice*, 17.

¹²¹*Ibid.*, 19.

¹²²*Ibid.*

¹²³*Ibid.*

¹²⁴*Ibid.*

even more extreme. An example is a case in which people are denied membership from any and all political communities,¹²⁵ making them “non-persons, with respect to justice.”¹²⁶ In addition to such cases, the global division of countries into discrete political units has the consequence of preventing “the poor and despised from challenging the forces that oppress them.”¹²⁷ The injustice in this kind of misframing, has become even more evident in a globalizing age.¹²⁸ The Keynesian-Westphalian frame partitions the global political space “in ways that block many who are poor and despised from challenging the forces that oppress them.”¹²⁹ By effectively

¹²⁵Still more serious, of course, is the case in which one is excluded from membership in any political community. Akin to the loss of what Hannah Arendt called “the right to have rights,” that sort of mis-framing is a kind of “political death.” Those who suffer it may become objects of charity or benevolence. But deprived of the possibility of authoring first-order claims, they become non-persons with respect to justice. Fraser, *Scales of Justice*, 19-20.

¹²⁶Fraser, *Scales of Justice*, 20.

¹²⁷“Today in contrast, globalization has put the question of the frame squarely on the political agenda. Increasingly subject to contestation, the Keynesian-Westphalian frame is now considered by many to be a major vehicle of injustice, as it partitions political space in ways that block many who are poor and despised from challenging the forces that oppress them. Channeling their claims into the domestic political spaces of relatively powerless, if not failed, states, this frame insulates offshore powers from critique and control. Among those shielded from the reach of justice are more powerful predator states and transnational private powers, including foreign investors and creditors, international currency speculators, and transnational corporations. Also protected are the governance structures of the global economy, which set exploitative terms of interaction and then exempt them from democratic control. Finally, the Keynesian-Westphalian frame is self-insulating: the architecture of the interstate system protects the very partitioning of political space that it institutionalizes, effectively excluding transnational decision-making on issues of justice.” Fraser, *Scales of Justice*, 20.

¹²⁸“First, given present levels of economic integration and ecological interdependence, we face political problems that cannot be handled by the Westphalian frame – such as the problem of global warming. In such cases, we have no choice but to look for other frames, which will often (though not always) mean bigger frames, including, for some issues global frames. Second, there is the problem of power. The fact is some interests derive substantial benefit from a world in which others have no venues where they can lodge claims against offshore powers and be taken seriously. In these situations, it makes perfect sense to ask: Is there a better frame?”

¹²⁹Fraser, *Scales of Justice*, 20.

insulating oppressive forces from the democratic reach of those whom they oppress, global political frames have become “a major vehicle of injustice.”¹³⁰

One of the consequences of globalized capitalism is that we are all subject to simultaneous local, national, regional and global rules.¹³¹ This raises the need to ask: “How can we integrate struggles against maldistribution, misrecognition, and misrepresentation within a post-Westphalian frame” of global justice?¹³² To respond to this question, Fraser first distinguishes between “affirmative” and “transformative” approaches of contesting global frames of justice. While both approaches do not challenge “the underlying grammar of the Westphalian order,”¹³³ the former “contests the boundaries of existing frames while accepting the Westphalian grammar of frame setting.”¹³⁴ The latter on the other hand holds that the grammar of the modern state “is out of sync with the structural causes of many injustices in a globalizing world, which are not territorial in character.”¹³⁵ Given the undemocratic manner that the global political frames

¹³⁰Ibid

¹³¹“Setting aside the question of whether or not, or to what extent we consented to be a part of such structures, it is worth noting that some of the most powerful elements of these structures are individuals, acting in their private capacities.” Fraser, *Scales of Justice*, 21. This alludes to the inter-subjective nature of whatever ill that comes about as a result of the ‘normal operation’ of such organizations.

¹³²Fraser, *Scales of Justice*, 21.

¹³³Ibid., 23.

¹³⁴“But they still assume the territorial state is the appropriate unit within which to pose and resolve disputes about justice. For them accordingly, injustices of mis-framing are not a function of the general principle according to which the Westphalian order partitions political space. They arise, rather, as a result of the faulty way in which that principle has been applied. Thus, those who practice the affirmative politics of framing accept that the principle of state-territoriality is the proper basis for constituting the “who” of justice.” Fraser, *Scales of Justice*, 22.

¹³⁵“Precisely that principle is contested, however, in a second version of the politics of framing, which I shall call the transformative approach. For proponents of this approach, the state territorial principle no longer affords an adequate basis for determining the “who” of justice in every case. They concede, of course, that that principle remains relevant for many purposes; thus, supporters of transformation do not propose to eliminate state territoriality entirely. They contend that its grammar is out of sync with the structural causes of many injustices in a

of justice have been set, there is a need to democratize the process by which the frames are chosen.

Fraser argues for the need to “establish a post-territorial mode of political differentiation,”¹³⁶ because the conflation of state-territoriality with social effectivity is no longer plausible. In the first place, it is now evident that a state’s constitutional order cannot address all the justice concerns of its subjects. Secondly, the detrimental effects of the Westphalian order are not limited to the citizens of any state.

In the search for a principle that could guide the development of a “Post-Westphalian frame,” Fraser first considers the *membership principle*, which appeals to the criteria of political membership to settle the question of how to determine the “who” that global injustice remedies should apply to. She rejects this criterion, because such a principle would be based on nationality, and could all too easily “ratify the exclusionary nationalisms of the privileged and powerful.”¹³⁷ She next considers the principle of humanism, which “resolves questions of the “who” by appealing to the criteria of personhood.”¹³⁸ She discards this principle because its lofty abstraction makes it “oblivious to actual or historical social relations.”¹³⁹

globalizing world, which are not territorial in character. Examples include the financial markets, “offshore factories,” investment regimes, governance structures of the global economy, which determine who works for wages and who does not; the information networks of global media and cybertechnology, which determine who is included in the circuits of communicative power and who is not; and the bio-politics of climate, disease, drugs, weapons, and biotechnology, which determine who will live long and who will die young.” In these matters, so fundamental to human well-being, the forces that perpetrate injustice belong not to “the spaces of places,” but to “the spaces of flows.”” Fraser, *Scales of Justice*, 22.

¹³⁶Ibid., 24.

¹³⁷Ibid., 64.

¹³⁸Ibid.

¹³⁹Ibid.

Next, she suggests that “all those affected by a given social structure or institution have moral standing as subjects of justice in relation to it.”¹⁴⁰ This seems like a better alternative because a post-Westphalian political frame of justice guided by an “all-affected principle” could “provide a critical check on self-serving notions of membership, while also taking cognizance of social relations.”¹⁴¹ But this principle has two disadvantages. The first is that “it effectively relegates the choice of the “who” to mainstream social science,”¹⁴² making it undemocratic. This is wrong because human beings are not passive objects. Therefore, the operationalization of an adequate principle must not be left to science but must be as political as it is epistemic.¹⁴³ And to leave it to be ‘discovered’ by social scientists is not to discover independent sociological facts, but is in fact, to “ratify previous framing decisions.”¹⁴⁴ Secondly, since it could be argued that all persons are “affected” by all things, the principle is “unable to identify *morally relevant* social

¹⁴⁰“Until recently, the all-affected principle seemed to coincide with many with the state-territorial principle. It was assumed, in keeping with the Westphalian world picture, that the common framework that determined patterns of advantage and disadvantage was precisely the constitutional and order of the modern territorial state. As a result, it seemed that in applying the state territorial principle, one simultaneously captured the normative force of the all-affected principle.” “On this view, what turns a collection of people into fellow subjects of justice is not geographical proximity, but their co-imbrication in a common structural or institutional framework, which sets the ground rules that govern their social interaction, thereby shaping their respective life possibilities in patterns of advantage or disadvantage.” Fraser, *Scales of Justice*, 24-25.

¹⁴¹Ibid., 64.

¹⁴²Ibid. “Analogous complexities surround the all-affected principle. It is intuitively possible, to be sure to hold that all those affected by a given structure should have moral standing as subjects of justice in relation to it. But it does not follow that we can operationalize the principle by appealing to uncontroversial, social scientific fact. The problem is that, given the so called butterfly-effect, one can adduce empirical evidence that just about everyone is affected by just about everything. What is needed, therefore, is a way of distinguishing those levels and kinds of effectivity that are deemed sufficient to confer moral standing from those that are not. Normal social science cannot supply such criteria.” Fraser, *Scales of Justice*, 40.

¹⁴³Ibid., 41.

¹⁴⁴Ibid., 40-41.

relations.”¹⁴⁵ To Fraser, the relevant “who” of social justice must be discovered in political discourse, which implies that the best principle would be one that entails a dialogue.

So far, Fraser has rejected the principles of membership as too narrow, humanism as too abstract, and the “all affected” principle as unable to account for salient social relations. But we are all “subject to a plurality of different governance structures, some local, some national, some regional, and some global.”¹⁴⁶ This is because we live in a globalized world in which we are subject to numerous, simultaneous, and in many cases, intersecting frames. This raises the need to delimit a variety of different frames for different issues. And because justice requires that “all – subjected” are “accorded equal consideration,”¹⁴⁷ she proposes the “all-subjected” principle, as adequate to “submit allegations of misframing.”¹⁴⁸

According to this principle, all those who are subject to a given governance structure have moral standing as subjects of justice in relation to it. On this view, what turns a collection of people into fellow subjects of justice is neither shared citizenship or nationality, nor common possession of abstract personhood, nor the sheer fact of causal interdependence, but rather their joint subjection to a structure of governance, which sets the ground rules that govern their

¹⁴⁵“... the all-affected principle falls prey to the *reduction ad absurdum* of the butterfly effect, which holds that everyone is affected by everything.” Fraser, *Scales of Justice*, 64.

¹⁴⁶Ibid., 65.

¹⁴⁷Ibid.

¹⁴⁸Ibid. “In addition, the all-subjected principle remedies the major defects of the previous principles. Unlike membership, it pierces the self-serving shield of exclusionary nationalism so as to contemplate injustices of mis-framing. Unlike humanism, it overcomes abstract, all- embracing globalism by taking notice of social relationships. Unlike affectedness, it avoids the indiscriminateness of the butterfly effect by identifying the morally relevant type of social relation, namely, joint subjection to a governance structure.” Fraser, *Scales of Justice*, 66.

interaction. For any governance structure, the all-subjected principle matches the scope of moral concern to that of subjection.¹⁴⁹

“Subjection” should be understood as including not just the state, but also “the coercive power of non-state and trans-state forms of governmentality.”¹⁵⁰ For instance, non-state actors like INGOs and MNCs, so long as they regulate the interaction of large transnational populations, could be said to subject the latter, even though the rule-makers are not accountable to those whom they govern. The all-subjected principle is able to provide guidance for assessing the different constituents of relevant political actors, and also capable of delimiting a variety of different frames for different issues. Thus, it could serve as an accurate guide in locating precisely who a specific global institution has harmed, and by whom, thereby making justice demands more precise.

Conclusion

I concluded part 1 of this project by arguing that partly because of their economic point of departure, Rawlsian Contractarians lay too much emphasis on the distributive dimension of global injustice. Although Pogge holds a human rights perspective and conceives of the primary

¹⁴⁹She adds that, “I understand this expression broadly, as encompassing relations to powers of various types. Not restricted to states, governance structures also comprise nonstate agencies that generate enforceable rules that structure important swaths of social interaction. The most obvious examples are the agencies that set the ground rules of the global economy, such as the World Trade Organization and the International Monetary Fund. But many other examples could also be cited, including transnational agencies governing environmental regulation, atomic and nuclear power, policing, security, health, intellectual property, and the administration of civil and criminal law. Insofar as such agencies regulate the interaction of large transnational populations, they can be said to subject the latter, even though the rule makers are not accountable to those whom they govern. Given this broad understanding of governance structures, the term “subjection” should be understood broadly as well. Not restricted to formal citizenship, or even to the broader condition of falling within the jurisdiction of such a state, this notion also encompasses the further condition of being subject to the coercive power of nonstate and trans-state forms of governmentality.” Fraser, *Scales of Justice*, 65.

¹⁵⁰Ibid.

injustice of the global arena is distributive, he is aware of the political dimensions of global poverty. Although Miller engages more with the political dimensions of global poverty than Pogge does, he also sees extreme poverty as the primary global injustice. Both focus on institutions, leading them to prescribe policies that do not get to the intersubjective relations that lie at the root of global injustice. The result is a set of policy prescriptions which are not based on deontological grounds, such as inter-subjective recognition and non-domination, which would have given their prescriptions the force of a moral law.

I moved from Rawlsian Contractarian theory to Critical Theory because the former do not adequately emphasize the flawed inter-subjective relations which I argue are the grounds of social and global injustice. I began section 2 with Honneth's theory of recognition, which is framed around social recognition within a bounded political unit, specifically a modern, Western nation state. His central argument is that a society's distribution pattern (for all social goods) is determined by its recognition structure. Therefore, addressing social injustice requires improving its underlying recognitional structure.

One of Fraser's arguments against Honneth is that Honneth subsumes economic injustice into the category of (social) recognition, which leads to a theory that does not adequately account for distributive injustices that could result from the normal functioning of markets. To her, social injustice involves dimensions of both misrecognition and maldistribution, and an adequate social justice theory must include the dimensions of social recognition as well as fair redistribution of resources, without subsuming one dimension into the other. To this she later adds the dimension of representation, the three dimensions being what will guarantee that all persons are able to participate on a par with others, and thereby guaranteeing justice for all.

She adds that justice debates usually presume ‘normal’ discourse.¹⁵¹ Political members (i.e., citizens) were presumed to be the agents of justice, and the Westphalian frame was taken for granted. It was presumed that citizens debated among themselves, in reference to a constitutional state, which was the primary agent for addressing their needs. But intensified globalization has increased the incidence of legal and illegal, temporary and permanent migration. In addition to this, the activities multi-national corporations and international organizations make it inaccurate to continue to assume that the only candidates of justice within a political unit are its citizens. It is therefore no longer tenable to presume that citizenship automatically guarantees that person’s rights are protected.

Furthermore, in today’s globalizing world, many social problems are trans-national in nature.¹⁵² Trans-national social justice problems are those that originate from and affect people in separate political units. The global structure of political divisions creates a situation in which trans-national actors like the World Bank, International Finance Corporation, and Multi-national corporations as well as International NGOs subject persons to global rules which the current state

¹⁵¹“In some contexts, public debates about justice assume the guise of normal discourse. However fiercely they disagree about what exactly justice requires in a given case, the contestants share some underlying presuppositions about what an intelligible justice claim looks like. These include ontological assumptions about the kind(s) of actors who are entitled to make such claims (usually, individuals) and about the kind of agency from which they should seek redress (typically, a territorial state). Also included are assumptions about scope, which fix the circle of interlocutors to whom claims for justice should be addressed (usually, the citizenry of a bounded political community) and which delimit the universe of those whose interests and concerns deserve consideration (ditto). Finally, the disputants share social-theoretical assumptions about the space in which questions of justice can intelligibly arise (often, the economic space of distribution) and about the social cleavages that can harbor injustices (typically, class and ethnicity). In such contexts, where those who argue about justice share a set of underlying assumptions, their contests assume a relatively regular, recognizable shape. Constituted through a set of organizing principles, and manifesting a discernible grammar, such conflicts take the form of “normal justice.” Fraser, *Scales of Justice*, 49.

¹⁵²The manifestations, causes, and possible solutions of a ‘trans-national’ social problems are usually located in more than one political unit. Fraser and Honneth, *Redistribution or Recognition*, 91-93.

structure does not provide arenas in which they could question or contest such rules. Since consistency demands that a theory of justice account for all persons, an adequate justice theory must, in an important sense, be trans-national. Fraser, therefore, argues that increased and intensified globalization makes these “abnormal times” requiring abnormal justice.

Fraser’s theory could be summarized as follows: Justice demands that all persons have adequate resources (distributive justice), be adequately recognized (social recognition) and be co-authors of social institutions that affect them (political participation). Adhering to these three principles best guarantees that the standard of parity of participation is met. Fraser’s theory is superior to Honneth’s for three reasons. First, she does not presume a national frame but develops a theory that accounts for the impact of globalization within and among societies. Secondly, more than Honneth, she theorizes distributional injustice as a separate category of social injustice. Thirdly, by proposing that justice demands that the process of making (or contesting) rules be available to all who are subjected to any system of social rules, she includes representation or the political as a third important dimension of social injustice.

Thus, of all the theories examined so far, Fraser’s arguments for participatory parity, based on the three conditions of distribution, recognition, and representation, and the all-subjected principle seem to be the best theory to guarantee global non-domination. However, Fraser is unclear about the role that the principle of participatory parity is supposed to play as a normative social justice rule. That is, if a theory of justice implies a situation of injustice, how can the principle of participatory parity be simultaneously demanded and applied? In other words, does it serve as a means or an end to social justice?

In the following concluding section, I present some features that should be part of a theory of global justice that precludes non-domination. To do this, I will briefly summarize each of the theorists I have discussed, highlighting whether and to the extent that it accommodates or precludes domination. After which I will suggest some possible directions for future work.

CHAPTER VIII

CONCLUSION

Introduction

Sweat-shops, human trafficking, the marginalization of indigenous groups, environmental damage, and global poverty are some examples of trans-national social problems. These problems indicate that although the intensification of globalization could be advantageous to the global community, it also creates unique social problems while exacerbating others.¹ Global justice theories seek to articulate and address such trans-national social justice problems. It must, however, be borne in mind that justice and injustice are relational concepts that only occur in the course of human interactions.² Therefore, whether considered at the social or global level, injustice is always the result of flawed inter-subjective relations, which leads to the violation of the negative duty of non-domination.

¹The manifestations, causes, and possible solutions of a ‘trans-national’ social problems are usually located in more than one political unit. ‘Trans-national’ problems usually originate in one country, and lead to results in at least one other country, sometimes more. Although these problems manifest in specific societies, but they are also instances of trans-national problems. Nancy Fraser and Axel Honneth, *Redistribution or Recognition?: A Political-Philosophical Exchange* (London: Verso, 2003), 3, 12-15, 91-93.

²“Justice is a relational, as well as an institutional, virtue; it does not refer to all asymmetrical relations between human beings without discrimination, but it does refer to those exhibiting forms of domination and social arbitrariness – whether in contexts involving only sparse legal regulation or in thicker institutional contexts, within and beyond the state.” Transnational Justice and Domination Rainer Forst, 101. There is a difference between an inevitable occurrence and an injustice. An unfortunate occurrence can however lead to relational injustice, only when the person that suffered the unfortunate incident is *entitled* to actions to mitigate the event. Forst and Flynn, *The Right to Justification*, 7.

Domination occurs when one party expresses agency in a manner that results in restrictions in another party's ability to express his or her agency. A rule, institution or social system is non-dominative if and only if the people who live under it have the option of reasonable dissent and veto power.³ The absence of this condition implies a violation of the right of the persons who must live under such laws, by those who make and uphold such laws, institutions or social systems.⁴ Social domination is usually not a contingent or accidental event, but a structural and intentional relationship between persons or groups.⁵

An adequate global or social justice argument must be based on a moral demand for some party to stop acting in a way that leads to harmful results to others. This means that the required changes to global institutions and practices that will address global injustice must be grounded on a strong negative duty, and not on optional positive duties like charity or sympathy. Generating such a duty will require looking beyond duties that attach to particular institutions or practices, to the inter-subjective relations between moral agents. By way of conclusion, in what

³“Thus, what matters in a republican account of non-domination is freedom as autonomy; that is, freedom *from* unjustifiable subjection or coercion and freedom *as* a self-determining agent of moral (as well as political) justification. Only where practices of justification exist that prevent some from dominating others is freedom as non-domination guaranteed. Rather than focusing on the “robust” legal state of enjoying freedom of choice, we should focus on the relational freedom of being a codetermining agent of justification within the normative order that binds us.” Rainer Forst, “Transnational Justice and Domination.” In *Domination and Global Political Justice Conceptual, Historical, and Institutional Perspectives*, ed. Barbara C. J. Buckinx, Jonathan Trejo-Mathys, and Timothy Waligore, (New York: Routledge, 2015), 98.

⁴“If interference or rule by others is justifiable between equals, it is not seen as an infringement of freedom. The notion of *justice* referring to the quality of the relations between free and equal participants in the basic structure of justification is thus central and *normatively prior* to that of freedom of choice. Justice as justification determines which freedoms are justified and what an arbitrary interference is in the first place.” Forst, “Transnational Justice and Domination,” 97.

⁵Philip Pettit, “Freedom as Antipower,” *Ethics* 106, No. 3 (1996): 580, 586.

follows, I will examine each social or global justice theory for whether, and to what extent its principles allows or precludes intersubjective domination.

The Rawlsian Contractarians – Pogge and Miller

The ability to live what Pogge refers to as an ethical life is dependent on the ability to gain access to some minimal level of material resources. Without this minimum level of resources (development parlance refers to this as ‘basic needs’), enjoyment of other rights become if not impossible, at least precarious. Therefore, it is understandable that the Rawlsian Contractarian theorists (Pogge and Miller) frame their analysis of global injustice around the question of how best to mitigate global poverty.

Pogge’s central argument is that, to the extent that global economic and financial order creates extreme global poverty, the order violates the social and economic human rights of the global poor. He develops an institutional and not interactional justice theory, based on assessing institutions, and not individual actors. He proposes that citizens of societies that create and uphold poverty-creating global institutions are shirking their negative duty not to harm those who are poor. I agree with Pogge’s argument that debilitating, extreme global poverty is an injustice which should concern all moral persons. He is also correct that the persistence of such poverty implies inadequate respect for the social and economic human rights of the global poor, particularly on the part of those who maintain global institutions.

Pogge argues that the global poor should be compensated, and some aspects of global institutions should be reformed. He ends his analysis by suggesting policy options that leave the structure of the global economic and financial order in place. However, Pogge does not argue

against the global economic and financial order per se.⁶ Global poverty is not the result of deliberate measures designed to keep people poor, but the result of the normal functioning of the global financial and economic order. Therefore, to the extent that the structure of neo-liberal capitalism generates poverty and inequality, his suggested reforms can only provide a temporary palliative to global poverty. Such reforms will always be needed to address the poverty that the global order inevitably generates.

Extreme poverty severely limits the ability to live what Pogge refers to as, an ethical life - a life worth living. Poor people face severe limits in their relative and absolute ability to act in the world. That the poor exist in national or global environments, in which they are unable to freely express agency is what makes poverty a grave moral problem. The harm of extreme poverty is to the human autonomous agency. Although Pogge's primary concern seems to be for the global poor, his institutional analysis provides little account for the subjectivity of this category of people.

Justice and injustice are relational concepts that derive from inter-subjective relations. Pogge is right that the fact that moral agents suffer crushing poverty as a result of the normal functioning of the global order indicates that those who create, maintain, and benefit most from

⁶"I believe that today's vast human-rights deficit, especially among the global poor, is best addressed through efforts at global (and national) institutional reform. Relatively small reforms of little consequence to the world's affluent would suffice to eliminate most of its human-rights deficit, whose magnitude makes such reforms our most important moral task." PAU, 56. This moral demand could be met in one of three ways - individual donations, national donations (bilateral aid), or institutional reform. PAU, 52. Pogge proposes three initiatives, which he argues will improve the livelihood of the global poor, while reducing global inequality. The first is the Global Resources Dividend (GRD). This is a tax to be imposed on all natural resources at the point of extraction, and the revenues utilized for development projects, in poor societies and communities. The second initiative is to stop Western firms and governments from buying raw materials from corrupt leaders of poor countries. Lastly, Pogge proposes that rich countries desist from using their political and economic might to strike harsh bargains to the detriment of poor countries, as is currently the case in The World Trade (WTO) negotiations." Thomas Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms* (Cambridge: Polity, 2002), 17-19.

the order do not give adequate consideration to those who suffer from it. Global injustice, even when limited to global poverty, is the result of some moral agents expressing agency in a manner that leads to restrictions on the ability of other people to express their own agency. Furthermore, the measure of tangible or intangible social power is relative – how much of it a person has is related to how much others lack. This shows that access to social goods is determined by intersubjective relations.

An adequate global justice theory should include a relational account that adequately theorizes the role of human agency and the flawed intersubjective relations that lead to the domination of some parties by others. Partly as a result of choosing to locate his analysis at the level of institutions, and not interactions, Pogge does not provide an intersubjective, relational account of global injustice (or global poverty). Although there is some account of the agency of those who create and maintain global institutions (generally, citizens of rich, western democracies), there is little theorization of the agency of the “global poor.” This is problematic for two reasons.

The first is that although Pogge is right to propose that the global economic and financial order should be altered to provide better outcomes for the poor, his analysis problematically constructs the global poor as recipients, and not authors of justice. They are constructed as people who have been deprived of material resources and should, as a matter of morality, be granted more resources. Like the material deprivation which was ‘done’ to them, Pogge’s suggested reforms will also be “done for” the poor. They do not demand their own justice, but rather have to rely on others to act in a just manner towards them. In Pogge’s analysis and

policies, the poor have no input in the process of addressing the injustice that they face. They have no say in the construction of justice.⁷

Secondly, this leads to a theory in which global poverty is depoliticized. Pogge does acknowledge the role that global political power differentials play in creating and perpetuating the injustice of global poverty. However, the political dimension of his theory remains at the level of states and global institutions. There is little acknowledgment of the fact that the persistence of poverty implies that the global poor lack the political power to alter their social circumstances. Given the correlation political power and access to material resources, a theory that de-politicizes global poverty will be inaccurate, or at best, incomplete.

No matter how much resources a person has access to, without the political voice to influence social arrangements, he or she remains in an important respect subject to decisions made by those with more political power. Therefore, the most effective way to guarantee secure access to adequate material resources is for people to be agents of justice. This calls for the creation of social relations in which all moral agents who are subject to social institutions also have the political voice or power to influence such arrangements.

Therefore, Pogge suggests reforms does not adequately address social injustice, which I define as inter-subjective domination. Although his suggested policies could alleviate global poverty, they will not alter the intersubjective, dominative relations that ground such injustice. Therefore, even if his policy recommendations are successfully implemented, the ends of justice would still not have been met. Therefore, a theory of global justice that creates room for the disenfranchised to make demands of those who oppress them seems superior to Pogge's theory.

⁷Forst and Flynn, *The Right to Justification*, 243-244.

In what follows, I analyze Richard Miller's alternative global justice theory which, as I will try to show, contains more inter-subjective elements than Pogge's.

Like Pogge, Miller also approaches global injustice from the perspective of global extreme poverty. Miller attributes a large proportion of global poverty to oppression and abuses of power by powerful (particularly imperialist) countries, like the United States, against weaker countries.⁸ He argues that such interactions yield negative duties not to harm, as well as positive duties to alleviate at least some of such harms. Miller recognizes that power asymmetries create the temptation for abuse, but he does not recommend that abuses of global power, of which imperialism is an example, should be done away with.⁹ Rather, he advocates for more responsible wielding of such power, and that the basic needs of those under imperial dominion be met.

Miller notes that in many countries, extreme poverty is the result of economic, military, and political domination. He complains that the well-being of people under imperial dominion is not taken as an important consideration in the political dealings of imperialist countries. And although rich countries could, and should be charitable to the global poor, countries whose direct actions create poverty have a stronger moral duty (beyond benevolence) to alleviate the poverty they create.¹⁰ Miller proposes that both powerful and weaker countries should aim for relations based on cooperation and respect GCF (Global Civic Friendship). Such relations will lead to

⁸Richard W. Miller, *Globalizing Justice: The Ethics of Poverty and Power* (Oxford: Oxford University Press, 2010), 1-3.

⁹According to him, the loss of US imperialism will simply hasten the rise of China. This reveals his philosophical anthropology – persons are dominative by nature, so the question is whether you will dominate, or be dominated by others. Miller, *Globalizing Justice*, 208.

¹⁰Miller, *Globalizing Justice*, 3.

global relations in which all parties would be able to give non-coercive consent to any institution, rule or policy that affects them.¹¹ This will pave the way for Global Social Democracy (GSD), which will make global institutions function in a more equitable and just way.

Miller's analysis holds some advantages over Pogge's because he extends his analysis to cover issues like global warming and geopolitical relations. More importantly, by calling for discourse ethic, his account engages more with the intersubjective dimensions of global injustice.¹² However, by taking the neo-liberal order and asymmetric global power relations as a given, not only could his justice theory accommodate relations of domination, it also harbors contradictions.

The first contradiction is that Miller thinks that in spite of its flaws, neo-liberal capitalism is the best way to generate and allocate global resources, and is thereby also the most effective way to address global poverty. This position is contradictory because growth (which increases inequality), and unemployment (which increases poverty) are essential features of capitalism. These two features mean that global capitalism will inevitably generate poverty.

¹¹He envisions such global cooperation as a force that will move all parties towards the goal of equitable cooperation, which he says will ensure that even those subject to imperial power will have their needs met Miller, *Globalizing Justice*, 153-154.

¹²Miller recommends a Discourse-Ethical principle for regulating global interactions in trade negotiations global manufacturing, and even geopolitical relations: mutual respect for interests leading to reasonable deliberation oriented to principled compromises that all could accept without constraint (71). The conditions to "reasonable deliberations" entail three duties:

1. Reciprocity towards other representatives, both regarding good faith consideration of each party's interests and the giving and weighing of reasons acceptable to all.
2. Towards one's own compatriots by justifying agreements by reasons they could accept.
3. Duty to live up to responsibilities to both locals and foreigners, which entails taking the interests of vulnerable locals and foreigners into account. Miller, *Globalizing Justice*, 71-72.

Dominating and imperialist countries are mostly rich, while dominated countries are mostly poor. In the current global order, economic power is easily converted to or utilized for political ends and vice versa. It is, therefore, contradictory to call for fairer economic relations from within relations of political domination since economic domination usually relies on political domination. Miller ignores the strong possibility that economic domination is usually part of the geopolitical strategy of the dominating country. Therefore, the demand that dominating countries act in a minimally fair manner, by at the very least providing the basic needs of those they dominate, ignores the relationship between political and economic domination.

Miller also calls for reasonable, ethical discourse between imperialist countries that dominate and the countries that are dominated. Ethical discourse presumes equality between interlocutors and a veto right, particularly on the part of the weaker party. It also presumes that decisions will be respected, and if need be, enforced. More importantly, such discourse is not limited to any area or dimension of social life. However, Miller does not explain how to achieve such reasonable discourse from within grave asymmetrical trans-national power.

Furthermore, if ethical discourse is ever available to politically dominated people, one would expect that the dominated party would immediately end the relationship of political domination. Miller says that justice demands that dominated people should be subjected only to policies they have, or could have consented to. However, he does not mean his discourse ethics to apply to external political policies, but only economic ones. Miller's idea of discourse is thereby not free, ethical discourse, but discourse limited to economic relations.

And although he acknowledges that bullying and domination easily arise within asymmetric power relations, he does not argue for doing away with imperial power. Rather, he takes such asymmetric power relations as a given, arguing instead that the demise of U.S. hegemony will simply lead to the rise of another world power – like China, which might turn out to be worse for everyone. Miller’s theory allows for the continued domination of powerful and imperialist countries, so long as they meet the basic needs of those under their dominion. Thus, his global justice theory also accommodates inter-subjective domination.

Pogge’s human rights argument while not wrong, devolves into suggestions of how to make the lot of the global poor better, while retaining the global capitalist system, which will inevitably continue to produce poverty and inequality. To the extent that Miller also does not criticize, but rather endorses neoliberal global capitalism, his theory carries within it the same drawback as Pogge’s. However, despite my criticisms of Rawlsian Contractarians, respecting the socio-economic rights of those who suffer extreme poverty, and/or providing room for ethical discourse between poor and dominant countries would be an improvement over current global relations. Pogge would agree with Miller’s discourse ethic proposal, but would also agree with Miller, that grave economic lack militates against equality, which is necessary for ethical discourse.

Transition to Critical Theory

In a world of interconnection and mutuality, economic inequality, particularly when it can be connected to extreme poverty is seen by morally sensitive people as a moral violation. Our moral intuitions of the wrong of extreme global poverty and inequality derive from the prior notion of justice and injustice as relational concepts. However, social relations are intersubjective

relations, therefore the objective wrong of inequitable social conditions is exacerbated by the fact that it is the result of someone's action or inaction. The intersubjective component of social injustice makes not just a bad situation, but also a moral problem. Therefore, while it is correct to consider social injustice as objectively bad, it is also important to bear in mind that such situations are the result of the expression of autonomous agency by some parties that leads to such adverse results for others.

Both Pogge and Miller regard growing global distributive injustice and global poverty as a violation of human dignity, and thereby a moral problem. But neither seeks deeper deontological grounds for human rights, such as inter-subjective recognition and non-domination. To fill some of the gaps I have identified, I introduce the works of Axel Honneth, Nancy Fraser.

To Axel Honneth, a society's recognition regimes express prevalent social attitudes.¹³ To him, justice and recognition mutually illuminate each other because what counts as an injustice depends on our reasonable expectations of (social) recognition.¹⁴ The denial of social recognition is a prelude to injustice since the prevailing recognition order determines patterns in which social goods are allocated. Therefore, a just recognition order will go a long way to addressing social justice problems. I criticized Honneth's theory for not providing an explanation for how the disenfranchised get the initial recognition which prompts struggles for increased social

¹³Mattias Iser, "Recognition," *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, No. 3 (2013), accessed April 29, 2015, <<http://plato.stanford.edu/archives/fall2013/entries/recognition/>>.

¹⁴Ibid.

recognition. I also agreed with Fraser's criticism of Honneth's inclusion of distribution problems under the category of recognition.

Despite these criticisms, the idea of a justice theory grounded on recognition seems to capture the intuition that an adequate global justice theory be universal, that is, applicable to all persons qua persons. However, Honneth's theory of recognition is reliant on principles that are developed to apply to the social or national environment, which severely limits the extent to which his theory could be extrapolated to the global environment.¹⁵ However, some of his central ideas, notably the relationship between social recognition and social justice, could be modified for a global justice theory. To what extent can global injustice be understood as the result of a flawed global recognition regime?

I defined social injustice as based on inter-subjective domination. Domination implies that the dominating agent does not accord adequate regard to the subjectivity of the dominated party. Domination, therefore, presumes flawed intersubjective relations. Justice as non-domination presumes 'healthy' intersubjective relations, which in turn presumes healthy relations of recognition between moral agents. While I agree with Honneth that social injustice is usually preceded by the denial of social recognition, my conception of recognition is not social, but inter-subjective. It is thereby different from Honneth's conception because recognition does not derive

¹⁵Zurn says of Honneth's view, "The general structure of both his recognition theory and his theory of social freedom is more or less nationally or culturally-bounded. Recall that his analysis centrally supposes that social integration occurs through a general background consensus on some abstract norms and ideals. An implication of this view, though never explicitly thematized as such, is that the boundaries of any given society are drawn around this consensus; groups of people with fundamentally distinct norms and values constitute distinct societies. Honneth's social theory is centrally focused on the structure and dynamics internal to 'our' society, but gives little attention to understanding the relationships between societies." Zurn, *Axel Honneth*, 176. To this I will add that there is also little account for the interactions between persons that belong different societies.

from societal arrangements. In addition, reliance on the national frame leaves little room to account for the international relations between states.

As Fraser argues, in many cases, existing socio-political frames hide unjust social relations. An adequate global justice theory must not only be independent of existing frames, it must also be able to interrogate those frames. Partly because it relies so heavily on the national frame, Honneth's theory of recognition has little to say about global phenomena like trans-national and international organizations, global finance and immigration.

Since justice is a relational concept, the standards of justice can be used to interrogate any interaction between moral agents. Demands for justice could be made in any context of social cooperation (including those of negative cooperation, as in cases of social domination). Given the many, sometimes overlapping contexts of justice in the modern, globalizing world, Honneth's reliance on a national frame limits the applicability of his theory to global injustice. Therefore, an unmodified theory of recognition is not applicable to the global arena, it could thereby also harbor domination.

Fraser argues that the most important principle of social justice is that all members of a society be able to participate on a par with all other persons. She argued that Honneth's recognition theory is overly monistic because he stretches the concept of social recognition to cover all dimensions of social reality. Partly in response to Honneth's theory of recognition, in earlier work, Fraser argued for social recognition and adequate distribution of resources, as the two dimensions needed to meet the demands of justice in modern nation-states. In later work, she includes a third category of representation or political participation. She now argues that these three dimensions (recognition, distribution, and representation) should be pursued because this

will best guarantee the principle of participatory parity for all members of the polity. In addition, she argues for the ‘all subjected’ principle, which is that all those subjected to a social system or structure should have the political power or voice over the structure.

In addition, Fraser argues that the assumption that the ends of justice are best served by the ability of the state to protect the interests of her citizens is wrong. Among other factors, the intensification of globalization – through the actions of multi-national companies and international organizations, as well as the increase in both legal and illegal migration – has drastically altered this traditional frame of justice. It is, therefore, wrong to continue to take the modern state as the primary frame of justice, and citizens as the primary candidates for justice. Insisting on the old picture, by relying on the old frame of justice, will unjustly exclude both persons and issues. For instance, such a frame will exclude those who live within the state but are not citizens (e.g., guest workers, asylum seekers and illegal immigrants). It is also incapable of accounting for forms of social injustice that originate from one country but affects people in other societies (for instance, environmental damage). Therefore, presuming the old frame in developing a justice theory will lead to a theory that harbors injustice.

Like the Rawlsian Contractarians, Fraser gives some priority to access to material resources. However, her explicit reference to recognition and political participation adds more to the Rawlsian contractarian theories. Her theory is also superior to Honneth’s because of her emphasis on not just social recognition and redistribution of resources, but more importantly, political participation.¹⁶ Lastly, unlike Honneth, Fraser starts out with the assumption that all

¹⁶As mentioned earlier, the inclusion of the political into her original two-dimensional theory could be in response to earlier criticisms (specifically from Honneth and Forst) of her original theory. See Rainer Forst, “First Things First,” *European Journal of Political Theory* 6, No. 3 (2007): 291-304.

persons are already entitled to something which unjust social arrangements deprive them, rather than Honneth's account of social justice as something which people are granted by others, as he says, through the expansion of the 'ray of recognition' to include others. Her deontological theory is thereby superior to Honneth's teleological theory because it grounds a more urgent moral demand: social change is not implied to be a gradually increasing process. Rather, she strongly argues that social institutions should be altered so as to provide all persons with an equal political voice as an essential component of the principle of parity of participation. Therefore, of all the theories I have discussed, Fraser's theory is the one that best precludes inter-subjective domination.

Project Conclusion – Suggestions of Possible Ways Forward

To develop a global justice theory grounded on the protection of this right and its correlative duty not to dominate other persons, I have redefined social injustice as the result of moral agents expressing their autonomous agency in a manner that results in restrictions in other agent's ability to also express autonomous agency. Although social existence leads to such restrictions, I take restrictions to agency as 'just' when the restricted party has room for reasonable dissent and a veto right to stop any restriction that he or she cannot reasonably consent to.¹⁷ Therefore a rule, institution or social system is non-dominative if and only if those who live under it have the option of reasonable dissent and veto power.¹⁸ Failure to meet this

¹⁷As I note in the introduction, the republican conception of non-domination conflates notions of predictability and justifiability, and posits this conflation as freedom from arbitrariness. I however argued that the fact that a law is predictable does not mean that it is thereby justified or justifiable. Arbitrary laws are not just laws that cannot be predicted or anticipated, but those that are not, or could not be justified to those who must obey them. Lovett, "Republicanism."

¹⁸"Thus what matters in a republican account of non-domination is freedom as autonomy; that is, freedom *from* unjustifiable subjection or coercion and freedom *as* a self-determining agent of moral (as well as political)

condition means that such a rule, institution or social system is a violation of the rights of the persons who must live under it, by those who make and uphold such laws, institutions or social systems, and is thereby unjust.¹⁹ Of all the theorists considered, Fraser's social justice theory provides principles that are least likely to accommodate relations of social and inter-subjective domination. Therefore, she best captures the requirements and demands of justice.

Although I am in basic agreement with Fraser's theory, however, in future work I would like to examine questions like the precise role that the principle of participatory parity is to play in the pursuit of social justice. It is yet unclear whether Fraser sees this principle as the means of justice or the ends of justice.²⁰ Another area of future work is in the category of gender injustice. Although Pogge, Honneth, and Fraser mention aspects of gender injustice, it is with regards to how women tend to suffer more from distributive injustice than men. In future work, I would like to examine gender injustice at the global level. Such an exploration will be aimed at examining the underlying relations that make it the case that disruptions in social life as in the case of collective poverty or war, ends up affecting women more than men. Lastly, future research

justification. Only where practices of justification exist that prevent some from dominating others is freedom as non-domination guaranteed. Rather than focusing on the "robust" legal state of enjoying freedom of choice, we should focus on the relational freedom of being a codetermining agent of justification within the normative order that binds us." Forst, "Transnational Justice and Domination," 98.

¹⁹"If interference or rule by others is justifiable between equals, it is not seen as an infringement of freedom. The notion of *justice* referring to the quality of the relations between free and equal participants in the basic structure of justification is thus central and *normatively prior* to that of freedom of choice. Justice as justification determines which freedoms are justified and what an arbitrary interference is in the first place." Forst, "Transnational Justice and Domination," 97.

²⁰This is similar to a criticism leveled against her work by both Rainer Forst and Axel Honneth. Forst, "First Things First," 296.

should also include the development of a global political theory as a result of the foregoing analysis.

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