

# Sufficiency, Equality and the Consequences of Global Coercion\*

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## Abstract

In some discussions on global distributive justice, it is argued that the fact that the state exercises coercive authority over its own citizens explains why the state has egalitarian distributive obligations to its own but not to other individuals in the world at large. Two recent works make the case that the global order is indeed coercive in a morally significant way for generating certain global distributive obligations. Nicole Hassoun argues that the coercive character of the global order gives rise to global duties of humanitarian aid. Laura Valentini argues that the existence of global coercion triggers global distributive duties more demanding than mere humanitarianism, but not necessarily as demanding as cosmopolitan egalitarian duties. This review essay suggests that Hassoun's and Valentini's depictions of the global order as coercive entitle them to the stronger conclusion that there are global egalitarian duties.

**Keywords:** Egalitarianism, sufficientarianism, global justice, coercion, cosmopolitanism, statism.

## 1. INTRODUCTION

Coercion plays a prominent role in some current discussions on global justice. In these debates, the fact of coercion in the global domain, or its absence thereof, determines the kinds of global obligations we are said to have or not to have. Michael Blake, for instance, has argued that egalitarian distributive obligations take hold only among persons who need to justify to each other the coercive institutional arrangements that they are jointly supporting. According to Blake, such arrangements are justifiable only if they undertake egalitarian distribution commitments to those living under them.

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Since, so Blake argues, the relevant kind of coercion in need of justification occurs in the state or domestic context but not in the global arena, egalitarian obligations are state-centric and not global in scope.<sup>1</sup> In a similar vein, Thomas Nagel argues that egalitarian obligations are activated only among individuals who are members of a shared coercive political arrangement. Since the global order does not constitute a shared coercive political association, global egalitarian obligations have no place in the global arena.<sup>2</sup>

I will consider the above to be the standard form of what has been called “coercion-based theories” of global justice. This is not to ignore that there can be variations within the standard form. In fact, there is an important difference between Nagel’s and Blake’s positions worth noting. For Nagel it is not sufficient that one finds oneself institutionally coerced for justification to be owed to one. In addition, one must also be regarded as a co-author of the institutional system in order to enjoy the standing to demand justification for the coercion. The coercive character of political institutions presents a problem of justification to members because these institutions require an “active engagement of the will of each”; they are institutions supposedly created and imposed in their name. For Blake, the problem with coercive institutions that introduces the problem of justification is the more direct one of systematic restrictions on personal autonomy (Nagel 2005: 129). This important difference is reflected in the way each responds to the objection that (restrictive) immigration policies of countries are coercive of outsiders wanting in. Blake’s response is that this coercion is not systematic and ongoing since it is not affected via a global institutional order but through the policies of individual states. So while immigration policies can be coercive of some people, it does not constitute coercion of the relevant kind (Blake 2001: 280). In contrast, Nagel’s response is that while outsiders are coerced by the restrictive immigration rules of particular countries, they do not have the standing to demand justification for this coercion since they (as outsiders) are not considered to be co-authors of these policies (Nagel 2005: 129-30).<sup>3</sup> Despite this difference, however, both their arguments share the following form:

- (1) There is a standing moral duty to assist people deprived of basic needs.
- (2) Egalitarian obligations, however, take hold if and only if there is coercion of a relevant kind that needs to be justified.

1. Blake (2001); Blake further develops this account in his recent *Justice and Foreign Policy* (2013).

2. Nagel (2005). Blake’s and Nagel’s theses have attracted much discussion, including in the two books reviewed here. For one response, see Caney (2008). For a discussion on coercion and its connection to distributive equality, see Sangiovanni (2007).

3. A short way of seeing the difference between the two responses is that while Blake has to show that immigration restrictions are not systematically and legally enacted at the global level, Nagel has to show why outsiders are not properly co-authors of such policies.

- (3) The domestic order is coercive in this relevant way.
- (4) The global order is not.
- (5) Conclusion: there is a domestic egalitarian obligation but no global egalitarian obligation.

So while Nagel and Blake disagree about the conditions under which coercion becomes morally relevant (as specified under [2]), their arguments share the basic commitments that (a) coercion (under certain contexts) is necessary and sufficient for generating egalitarian obligation, and that (b) the global arena is not coercive in the relevant way. Two important points of the standard account are worth highlighting for my present purpose. One is that the claim that the global order is not a coercive order (of the right kind) is used to block attempts at extending egalitarian arguments to the global context. At issue is the specific matter of global egalitarian justice. The other is that it is not a point of contention that we have a humanitarian duty to assist people in dire need. More importantly, this humanitarian duty or duty of assistance is independent of facts of coercion. For Nagel, it is simply a “prepolitical” moral right persons have to be assisted under such conditions, and for Blake it is what respect for individual autonomy requires.<sup>4</sup>

It is not my objective to engage with Nagel’s and Blake’s theses in this review essay.<sup>5</sup> I outline them to provide a framework and context for discussing two recent books that attempt to derive obligations of global justice from claims about coercion.<sup>6</sup> What is common to both these works is their belief that the global order is a coercive order in a morally relevant sense. Although this is a rich claim in itself and deserving of extended discussion, I am more directly interested in the normative conclusions about global justice that these authors draw from their claims about global coercion.<sup>7</sup>

## 2. POVERTY AND GLOBAL INEQUALITY: HUMANITARIAN AND EGALITARIAN DUTIES

To start, let me clarify two different categories of global obligations, already alluded to above, that will be relevant to the present discussion. The brief remarks here will be mostly familiar but I rehearse them to make more concrete the backdrop of my discussion to come.

4. See Nagel (2005: 127, 131-32); and Blake (2001: 258), here marking the distinction between concerns of “relative deprivation” (i.e. equality) that arise only in the context of coercion, and concerns of “absolute deprivation” that arise directly from valuing personal autonomy.

5. I attempt this in Tan (2006).

6. The two books I will review are Nicole Hassoun’s *Globalization and Global Justice: Shrinking Distance, Expanding Obligations* (2012); and Laura Valentini’s *Justice In a Globalized World: A Normative Framework* (2011).

7. Parts of the present discussion expand on remarks in Tan (2013).

One global obligation is the duty to alleviate poverty; the other is the duty to regulate global economic inequality. We may call the former a humanitarian duty and the latter an egalitarian distributive duty. A humanitarian duty and an egalitarian duty are distinct kinds of obligations, both in their form or structure and in their objective. A humanitarian duty, the duty to counter poverty, is “sufficientarian” in form. It is non-comparative in that in that its benchmark is some non-relation threshold based on, for example, personal well-being, standard of living, or access to opportunities. And its objective is that of bringing individuals up to the defined standard of sufficiency. An egalitarian duty has a different structure. It is inherently relational, meaning by this that its benchmark is comparative. How well one is faring, from an egalitarian perspective, is not determined by reference to some non-relational threshold, but by reference to how well others are doing. And the objective of an egalitarian principle is to regulate the comparative gap between the advantaged and the less advantaged according to some ideal of distribution. So while a humanitarian duty is discharged when persons achieve the target of sufficiency (however that is defined), an egalitarian duty is continuous and remains in play so long as there remain inequalities to be regulated.

The distinction between humanitarian and egalitarian duties is not therefore merely semantic but in fact reflects the different forms and substantive goals of these duties.<sup>8</sup> In contemporary global justice discussions, there is a tendency to describe the latter as a duty of justice and a humanitarian duty to be different from duty of justice. Depending on how an author defines a duty of “justice”, such a characterization can often be helpful in reminding us of the different categories of these duties. So, what is more important is not how we label and classify these duties, but the awareness that these are structurally and substantively different kinds of duties (as described above). So for the present purpose, nothing turns on whether humanitarian duties are duties *of justice* or not. We can count these duties, humanitarian and egalitarian, as duties of global justice so long as their structural and substantive differences are kept in sight.

Now, taking an egalitarian duty to be conceptually distinct from a humanitarian duty does not mean that concerns of equality and poverty are independent of each other. It can well be the case that global poverty cannot be properly mitigated while significant global inequalities between

8. Thus a humanitarian duty in this context should not be wrongly equated with charity or an act of supererogation. It is a moral duty and hence in this sense not optional. What distinguishes it from duties of egalitarian justice is its form and objective. For more on the difference between sufficientarianism and egalitarianism, see Casal (2007). For completeness, I should note that on this understanding of egalitarianism (as comparative), prioritarianism (i.e., prioritizing the needs of the worst off) is non-egalitarian. Here see Parfit (1997).

persons or societies remain a fact. In this case, the commitment to eradicate poverty results in an instrumental commitment to limit inequalities. But it is, however, also imaginable that significant inequalities can persist between countries without anyone or any society being impoverished. Or, put another way, even when all persons in the world are lifted above the poverty line, it is still possible, and likely in practice, that significant inequalities remain.

Below, I will first consider a coercion-based theory that relies on the fact of global coercion to support a humanitarian duty to protect and provide for the basic needs of persons, and then I will look at another that makes the stronger claim that legitimizing global coercion will require an obligation more robust than a duty of humanitarianism but less demanding than an egalitarian distributive duty.

### 3. HUMANITARIAN DUTY

Nicole Hassoun's purpose, in her book *Globalization and Global Justice*, is to clarify the basis of the humanitarian duty to assist the global poor, and in so doing she hopes to provide a grounding of this duty that can overcome the libertarian objection that there are no positive duties to provide for people's basic needs.

Philosophers typically regard the problem of world poverty to be less of a philosophical challenge and more of a problem of the lack of political will. In a sense this is right, for few people, politicians included, will openly deny that world poverty represents a serious moral failing for humanity. It is a failure to do what many people would say is required as a matter of justice. Yet the seeming lack of political will in the global response to poverty is not entirely a non-philosophical one. This inaction has to do in large measure to disagreements about the causes of world poverty, and disagreements about the basis and therefore the content and limits of our humanitarian obligations to address a recognized global problem. Moreover, there remain philosophical hold-outs, in this case, global libertarians (as we can call them), who will deny that there is any obligation to assist the global poor. It is therefore not superfluous for philosophers to address and examine the source and content of the obligation to aid the global poor. At the very least, we can achieve greater clarity about obligations we believe we have.

Hassoun's basic claim is that since the global institutional order is coercive of virtually all individuals in the world, this institutional arrangement is illegitimate unless it also actively attends to the basic subsistence needs of individuals. For Hassoun, an institution is coercive if "individuals or groups violating its rules must be likely to face sanctions for the violation... Coercion usually creates conditions under which the coerced have no good alternative

except to do what their coercer wants them to do” (Hassoun 2012: 50).<sup>9</sup> She points out that institutions such as the WTO, NATO, and the UN create and enforce rules and arbitrate between rules, and hence are coercive on her account (ibid). These are institutions attendant to the phenomenon of economic globalization or whose significance and pervasive force are enhanced because of it.

Granting this description of the global order, why does this present a problem of justice? Why is there the need to legitimize the coercive global arrangement? That is, and this is what Hassoun means by to “legitimize”, why is it necessary that people living under this order and subject to its coercive authority can see it as justified?<sup>10</sup> Hassoun’s fundamental normative premise is that failure to make legitimate this arrangement to people living under it would amount to an unjustifiable restriction of their autonomy. Because individuals are autonomous agents, any coercive arrangements impacting them—since they restrict their choices on pain of sanctions—that cannot be justified *to them* is illegitimate. What is needed to rescue our arrangements from this crisis of legitimacy is the consent of those subject to them. However, to ensure that individuals can consent properly to these arrangements, we must do what we can to “ensure that their subjects secure food, water, and whatever else they need for autonomy” (Hassoun 2012: 89). In other words, the duty to provide for the needs of persons derives from the duty to protect the autonomous capacity of agents, and the duty to protect this autonomous capacity derives from the duty to ensure that persons are in a position to consent to their coercive situation. In turn, individuals must be able to so consent if our global order is to be rescued from the crisis of illegitimacy.

It seems to me that the ideal of autonomy does double-duty in Hassoun’s argument. First autonomy explains why, as a default, coercive arrangements are problematic absent consent. Coercion is problematic, unless justified, because of its restrictions on autonomy. Second, the value of autonomy identifies the preconditions for the exercise of proper consent. Persons could not consent if they are deprived of basic needs. In sum: if the global coercive order is to be legitimate, it must enjoy the consent of those it is coercing (first autonomy argument). Yet we cannot presume consent to be forthcoming, at

9. Now the differences among coercion theories will be affected by how each theory understands “coercion”. For instance, for Blake, the normatively relevant coercion he has in mind is one that is legal, systematic, and ongoing. Thus he is able to argue, against his opponents, that immigration policies of a country are not coercive of outsiders in the relevant sense. As he puts it, there is “no ongoing coercion of the sort observed in the domestic arena in the international legal arena” (Blake 2001: 280). But the interesting difference between Hassoun and Blake concerning the global arena is not ultimately conceptual but empirical: they disagree over facts of the global order. Hassoun thinks there are global institutions that impose systematic and ongoing restrictions on persons (Hassoun 2012: 77ff); Blake denies this.

10. For Hassoun, “Legitimacy ... is just a justification-right to exercise coercive force” against subjects who have a “natural right to freedom” (Hassoun 2015: 18).

the very least, unless the autonomous capacity of those whose consent we are seeking is developed and protected (second autonomy argument). One can't be exercising real choice for the purpose of expressing consent unless one is an autonomous moral agent. But because there are certain preconditions for agency without which we cannot possibly speak of autonomous agency, the legitimacy of coercive institutions remains in question if these institutions are imposed against a background where the preconditions for autonomy are clearly lacking. The lack of basic subsistence is just such a case. Thus it is important for the sake of winning legitimacy for our global institutional order that we accept an obligation to address basic needs deprivation.

As I will try to argue below, it is not clear what role exactly coercion has in Hassoun's argumentative strategy. It seems to me that either Hassoun begins with a sufficiently substantive conception of autonomy in order to generate a concern with coercion of the kind she has in mind, in which case, so I will suggest, that conception of autonomy is also sufficient to directly ground a commitment to poverty alleviation (thus rendering the idea of coercion redundant); or she begins with a less robust view of autonomy, in which case it is not clear how this notion of autonomy can ground a concern with coercion of the sort that her argument needs (thus rendering the idea of coercion inadequate to her cause).

To situate Hassoun's argumentative method in the larger philosophical literature, consider Thomas Pogge's account of our responsibility to address global poverty (Pogge 2001). For Pogge, it is the fact that the global advantaged are helping (in a variety of ways) to sustain a global economic order that is harming the poor that imposes a duty of justice on the rich to respond to the poor's plight. The duty to address poverty is, in Pogge's account, a duty based in justice to make good the harms that we the rich are inflicting or have inflicted on the poor. That is, the moral starting point for Pogge is the modest one that we have the negative duty not to do harm to others. It is our violating of this negative principle not to do harm that in turn generates our positive duties to address the plight of the global impoverished. So, the rationale for Pogge's focus on the "factual" claim that the world order is harming the poor is that he wants an as ecumenical as possible a normative starting point, one that the libertarian can also find agreeable. Any plausible moral position, Pogge believes, accepts that we have a fundamental duty not to harm others, and thus the uncontroversial auxiliary duty to make amends for any harm we have caused or are causing. Thus his argument turns on the empirical matter of whether and how the world order is indeed harming the poor, and how the global rich are implicated as class in this wrong. Consider, in contrast, a different normative starting point, say that of Henry Shue's which takes that we have as a basic moral obligation the positive duty to assist those deprived of basic needs (Shue 1979). On this account, it is immaterial whether the deprivation confronting us is caused by us or

not—the fact of its existence is *sufficient* for creating an obligation on those able to respond. My point here is not to get into the debate surrounding these two approaches, but to point out that it is significant for Pogge that he establishes the harmful or coercive character of the world order because of his modest normative presumption—that our sole responsibility to each other is to avoid interfering with one another.

Hassoun adopts a similar methodology in making the case for humanitarian duties in light of the libertarian objection. Like Pogge, she does not want to butt heads with the libertarian. Instead, she prefers to engage the libertarian on the libertarian's own terms. But unlike Pogge who finds the meeting point to be the no-harm principle, Hassoun engages the libertarian's concern about legitimacy, in particular, the legitimacy of coercive institutions.<sup>11</sup>

But just as Pogge's argument has generated interesting and lively discussions about whether or not he is implicitly relying on a philosophically substantial notion of harm to advance his case (accordingly calling into question whether Pogge has in fact reduced the debate on world poverty to a simply factual one), so a parallel question arises whether Hassoun is not in fact relying on a rather substantive ideal of personal autonomy to carry her argument.<sup>12</sup> Hassoun's invocation of autonomy invites two possible queries: One is that her normative starting point need not be one that her opponent, the libertarian, will necessarily accept; and, second, given her substantive account of autonomy, her reliance on coercion seems normatively redundant. Let me elaborate on the latter first.

Hassoun takes it to be important that the world order be exposed as a coercive one; yet she justifies her conclusion that coercion stands in need of legitimization because its potential blow on individual autonomy (in the way I tried to explain above). Indeed, she takes what she calls "The Autonomy Argument" to be crucial to her argument. Without this understanding of autonomy, specifically the preconditions of autonomy as defined, the conclusion that legitimizing coercion requires attention to basic needs does not follow.

Here a question arises: if individual autonomy is that morally significant, why can't we just draw the conclusion that we have the obligation to ensure that persons have access to food, water and so on simply because autonomy is impeded without access to basic subsistence *without having to show that*

11. That libertarians should be consent theorists is of course a point of debate in the libertarian literature. Hassoun is aware of this, and engages the discussion on consent and libertarianism to defend her consent reading (96ff).

12. For some discussions on this and other matters of Pogge's approach to global justice (which I will leave aside here), see Jagger (2010). Hassoun herself notes that she is proposing an alternative to Pogge's account because of some difficulties surrounding what counts as "harming" the poor within Pogge's theory (42-43).



*they are also being coerced?* Indeed, several philosophers have made the case for a human right to basic needs on account of individual autonomy quite independently of facts about coercion or other prevailing possible wrongs.<sup>13</sup>

If respect for autonomy entails obligations to help provide subsistence in this more direct way, then the fact of coercion seems normatively superfluous for Hassoun's objective since the ideal of autonomy already features in the argument. What is relevant is that the global order provides for people's basic needs because individual autonomy is offended against otherwise. Indeed, Hassoun's own explication of her thesis suggests this much. Hassoun's argument proceeds in the following two steps that can be summarized as follows (Hassoun 2012: 89). First, autonomy means that persons have the "autonomy-based" human right to food, water and other means of subsistence they need "for sufficient autonomy". Second, "to be legitimate, *coercive* institutions must do what they can to ensure that their subjects secure food, water and whatever else they need for autonomy" (*ibid.*, emphasis added). But if there is an autonomy-based *human right to subsistence*, it is not clear why the presence of coercive institutions is seen as a necessary condition of the duty to provide subsistence. The fact of coercion seems normatively redundant. Anyone and any institution has the responsibility to assist those deprived, irrespective of coercion.

Indeed, in the dominant debate on global justice, the fact of coercion is often presumed to be sufficient for triggering not merely humanitarian duties but egalitarian duties. In this regard, it is helpful to recall Michael Blake's position for illustration. Blake takes respect for personal autonomy alone to be sufficient to ground the concern for people's "absolute deprivation" (Blake 2001). That is, the respect for autonomy straightforwardly engages a commitment to provide for people's basic needs. For Blake, the fact of coercion becomes significant not when we are asking about our duties in response to absolute deprivation but when we are considering a different question: do we have the duty to respond to inequality? That is, should we attend to people's "relative deprivation" as well? It is only with regard to this question that coercion makes a normative difference—the fact of institutional coercion for Blake, coupled with the fundamental concern for autonomy, is what generates distributive egalitarian obligations. Blake's point in his paper is that since there is institutional coercion in the domestic setting but not in the global setting, we can see how one can consistently be

13. For one recent attempt, see Gilibert 2012. Gilibert argues that the obligation to assist the global poor stems directly from a cosmopolitan humanitarian concern, an obligation we have he argues independently of facts of coercion, association and so on. Hassoun herself in her book (Chapter One) offers a human rights based defense of meeting basic needs. This thus reinforces my question: what argumentative role is coercion really playing in defense of the conclusion that there is an obligation to meet basic needs?

a domestic egalitarian and not a global egalitarian. One might push Blake on his claim there is no global systemic coercion, or even challenge him on the normative premise that coercion is the *sin qua non* of global egalitarian obligations, but none of this rejects his view that there is a non-coercion based duty to provide for basic needs in virtue of personal autonomy. Hassoun in effect seems to have (unintentionally) raised the justificatory bar for global justice for even duties of humanitarian assistance have to be premised on facts about global coercion, which someone like Blake will not deem necessary. In short, in the main discussions on global justice and coercion, the dispute is not about humanitarian assistance but the stronger claim about global egalitarian obligations. For this reason, Hassoun's method of argument —invoking coercion to ground not global egalitarian obligations but humanitarian ones— is a little disconnected from this main discussion and appears a bit like a self-imposed handicap.

But this disconnect is understandable if we keep Hassoun's main target in mind. As mentioned, her concern is the libertarian who will reject even the modest duty of humanitarian aid. Blake's project to the contrary is explicitly directed at the *liberal egalitarian* who can accept the significance and implications of the ideal of autonomy. Such claims about autonomy will not hold sway with the libertarian, Hassoun's interlocutor, who will simply resist the claim that respect for autonomy enjoins the obligation to provide for persons' basic needs. The libertarian can of course endorse the importance of individual autonomy, but she will deny that this alone generates any positive obligations to provide for the conditions of the exercise of autonomy. So Hassoun thinks she needs to introduce the issues of coercion and consent in order to extend the normative implications of the libertarian ideal of autonomy.

Confronting and responding to the global libertarian is not without use, and this is Hassoun's motivating goal. Libertarians have been rather ignored in the debate on global justice for the most part since this debate, as mentioned, has largely focused on egalitarianism rather than humanitarian aid. Hassoun's discussion reminds us that global libertarianism remains a serious philosophical position that needs to be addressed.

In this regard, however, my second observation about autonomy's role in Hassoun's argument comes in. Unfortunately, it seems that Hassoun's notion of autonomy is not one that the libertarian can endorse. As said, Hassoun wants to make the case that libertarians, who are themselves concerned foremost about the legitimacy of authority, will have to acknowledge that the global order faces a certain legitimacy crises unless individuals under its sway are in a position to give consent, and to give consent one must be autonomous to some extent. But she adds, as noted, that respect for autonomy requires that persons' basic needs be met as a precondition for exercising autonomy.

Yet it is not clear in the end if Hassoun's invocation of autonomy is really modest (or libertarian) enough to placate the libertarian. Built into her notion of autonomous consent are precisely the preconditions for autonomous choice that I believe many libertarians will reject. Libertarians who are also consent-theorists will of course require that consent be given freely and be non-rights violating. So clearly all libertarians will agree that a verbal agreement forced out of me under torture is no consent at all. But what about consent made under unfavorable economic circumstance? Whether such a consent is or is not freely given, or whether it involves rights violation or not, will depend on some background conception of individual freedom and rights, and many libertarians will disagree with the liberal egalitarian that consent under some economic stress is not freely given or is rights violating. So while Hassoun is on track when she says that the libertarian (who is also a consent theorist) will not approve of consent given under duress, she is too optimistic in thinking that the libertarian will agree that economic deprivation per se constitutes a morally relevant kind of duress. Libertarians might concede that a famished individual has fewer options in terms of what she could consent to, compared to another in a more favorable condition, but they need not conclude that such consent is thereby void. Certainly they will resist the claim that we therefore have some duty to improve the condition of the famished just so that her contracting situation is improved. The latter entails positive rights and duties that libertarians will not sign-on to. Hassoun's conception of autonomy and the obligations that she attaches to it seems, in the end, to be characteristically liberal rather than classically libertarian. It includes positive rights that libertarians will find unacceptable. So in the end, it appears that a particular conception of autonomy, one which libertarians will find hard to endorse, bears the weight of her argument.

In sum, either we accept Hassoun's ideal of autonomy (which is really a liberal rather than a libertarian conception of autonomy) and conclude that there is a duty of humanitarian aid directly on account of what it means to take autonomy seriously, in which case coercion is dispensable to the argument; or we grant the libertarian notion of autonomy, in which case, even the fact global coercion is not sufficient to show that there is any reason to take on positive duties of aid.

But if Hassoun does not succeed in her primary task, her careful account of how the global order is coercive in an ongoing, legal and institutional way has useful implications for the global justice debate. For if coercion provides at the very least a sufficient condition (if not a necessary one) for engaging egalitarian obligations, then her depiction of the global order as coercive entails egalitarian global obligations beyond the humanitarian assistance she seeks to defend. This is not to say that Hassoun must resist this global

egalitarian implication of her argument, but it is a conclusion different from what she sets out to defend.

Indeed, on the matter of global egalitarianism, one might further wonder if true consent of the sort that Hassoun demands (for the purpose of legitimizing global coercion) is realizable in the presence of significant inequality between consenting parties. On her own understanding of the conditions for the exercise of autonomy (upon which true consent is predicated), which I have suggested is a characteristically liberal rather than a libertarian ideal of autonomy, one could make the argument that excessive global inequality will compromise the quality of any consent about the global order. One need not be impoverished—being disadvantaged can be enough—in order to be made an offer that is difficult to refuse. Thus the legitimacy of global coercion, on Hassoun's own principles, might demand more than a duty of humanitarian aid.

#### 4. BEYOND HUMANITARIANISM BUT NOT QUITE EGALITARIAN?

The second coercion-based theory I will discuss will agree with my suggestion above that legitimizing global coercive arrangements will require global duties of justice more robust than humanitarian duties. But this account will disagree that these will therefore be egalitarian duties. Instead, it attempts to show that there is a third category of obligation that is entailed by the need to justify coercive global arrangements, and that this duty falls in between humanitarian duties and egalitarian duties in terms of its substantive content and demandingness.

In her *Justice in a Globalized World*, Laura Valentini makes the case for this middle alternative. She calls this the “third wave” in global justice which she takes to be distinct on the one side from “statism” that supports only humanitarian duties, and on the other from “cosmopolitanism” that enjoins global egalitarian duties. On her approach, “global justice requires more than statist assistance, but less than full-blown cosmopolitan equality” (Valentini 2011: 20).<sup>14</sup>

As with Hassoun, the problem of coercion is a crucial part of Valentini's account. Principles of justice are principles that establish “when coercion is justified” (Valentini 2011: 4). But while Hassoun begins from the ideal of autonomous consent, Valentini begins from the notion of freedom as independence. For Valentini, principles of justice are those principles that specify the conditions under which coercion is acceptable, and coercion introduces this consideration because it “involves non-trivial restrictions of freedom as independence” (Valentini 2011:178). Since

14. There is affinity of views here with Cohen and Sabel (2006).

principles of justice have the function of regulating and justifying coercion, justice-considerations kick-in only among agents who are interacting or institutionally engaged with each other and thus liable to be coercing one another. The key claim in Valentini's account is that the forms of coercion that provide the circumstance of justice include not just systematic coercion (i.e., coercion due to shared institutions people are imposing on each other) but also interactional coercion (i.e., direct agent-to-agent coercion) (Valentini 2011: 15). As she puts it, understanding coercion more broadly to cover both interactional and systematic forms better captures "the multiplicity of constraints on freedom" (Valentini 2011: 154).

The significance of this distinction between the two kinds of coercion is that each requires different kinds of moral principles for its regulation. Systematic forms of coercion are formalized and institutionalized. They shape the moral terrain in which individuals interact with each other on terms of freedom. To make acceptable this background condition to all participants, the coercive formal system of rules must be regulated by some egalitarian principles in the spirit of ensuring that it equally respects the freedom of all participants. Interactional coercion, which is coercion at the inter-personal or agential level, demands different conditions of acceptability. Since the concern here is not with a background structure that is presumed to regard the freedom of all with equal consideration, egalitarian considerations don't arise. Rather, since individual freedom can be preserved in case of interactional coercion in other ways—such as by interpersonal principles restricting or limiting intervention and by principles barring exploitation—egalitarian principles do not get activated.

Valentini agrees with those statist who hold that principles of justice play the role of legitimizing coercion within the state. But her broader reading of the forms of coercion that matter for justice also allows her to regard the global arena as a coercive one in a normatively significant way as well, and therefore also an arena in which concerns of justice have a place. Thus she departs from statist who tend, as she correctly sees it, to limit concerns of justice to the domestic state. But because the moral condition (the forms of coercion, i.e.) in the global arena is quite different from the domestic one, the content of global principles of justice will be different from domestic principles. Specifically while domestic principles of justice will include egalitarian obligations, global principles will not. Thus her "third wave" of global justice that lies in between an overly modest statism and a too demanding "all out" cosmopolitan egalitarianism.

We will better appreciate Valentini's broader reading of coercion and its significance to the debate by contrasting it with Blake's, whom she regards as a representative statist theorist. As mentioned, Blake limits egalitarian justice commitments to the state because he takes *systematic* coercion to be the normatively salient form of coercion in need of justification. Thus while the

global arena, Blake can concede, is coercive, it is coercive in an interactional way and so does not present a normatively significant (for purposes of egalitarian justice) form of coercion. On this matter of the coercive character of the global order, Valentini departs from Blake for two reasons. One is that, contra Blake, she believes that the global order involves *systematic* coercion even if not in as encompassing a way as domestic institutions. She gives the example of the global economic system, which is an institutional order that systematically constrains the freedom of some people through its laws and regulations (Valentini 2011: 193ff). Second, as already noted, she utilizes a broader understanding of the types of coercion that create conditions for justice. Unlike Blake who limits his analysis to systematic coercion, Valentini regards interactional coercion as normatively salient as well. Accordingly, since the global order (as Blake will also agree) exhibits *interactional* or agent-to-agent coercion, as when one state intervenes or imposes sanctions on other, it is coercive in a normatively relevant sense for Valentini. In short, Valentini's disagreement with Blake on the coercive character of the global order is on one front empirical (there is in fact systematic coercion) and on the other normative (interactional coercion morally matters too from the perspective of justice). The basic implication of all this is that the global order is one wherein concerns of coercion do arise as to generate considerations of justice.

Granting Valentini her broader understanding of coercion (which is instructive and illuminating) and her description of the global order as both interactionally and systematically coercive, I confine myself to this question: why aren't global egalitarian obligations generated as a result? What is the moral difference in the forms of coercion in the domestic order and the global plane that can account for this difference?

The basic difference as Valentini sees it is that there is an encompassing institutional order or a basic structure (in the Rawlsian sense) in the domestic case that regulates and restraints individuals' lives in a pervasive and profound way (Rawls 1971). Given the pervasiveness and profundity of this coercive structure, it itself needs to be justified as an entity. To render this shared system acceptable to all subject to it, society must guarantee all members equal political rights, equal opportunities, and adequate economic rights (Valentini 2011: 176). That is, domestic justice must include some egalitarian commitments (as noted for example by the equal opportunity commitment) if the systematic coercion that is inevitable in the state is to be acceptable to all. This is where Valentini concurs generally with the main statist accounts of domestic coercion and egalitarian justice.

On the other hand, the global order exhibits a more limited case of institutionalized coercion, for example, through the global economic order mixed with more common instances of interactional coercion (as mentioned earlier) that occur outside of a legal structure. Since the systematic coercion

is limited and since the main form of coercion is interactional, the moral necessity here is not so much to justify a global institutional order as such (since there isn't one) as to regulate the specific global systems (like the global economic system) and the various inter-state or personal conduct. So there must be principles of justice to render this condition acceptable to all living in it, but the level justification called for in this situation is, so to say, weaker and does not include egalitarian commitments to render it acceptable to all involved. Indeed, one might think that global egalitarianism will run counter to legitimate statist interests such as the independence and self-determination of states which are the preconditions for ensuring the freedom of citizens. So while statist are wrong to think that the global order is one in which justice has no place, cosmopolitan egalitarians are mistaken in thinking that global principles will just be domestic egalitarian principles writ large.

Valentini outlines some possible implications for global justice under this systematically coercive scenario that are plausible and sensible. They include ensuring symmetrical rules of interaction "with no profit exception for the powerful", trade rules skewed to favor the less advantaged, certain redistributive commitments, compensating poor countries for "otherwise adverse effects of liberalization" for instance, greater accountability and regulation of global economic institutions and so on (Valentini 2011: 200-201). These are just indications of what global justice would require and not meant as a complete articulation of the principles of global justice. They can be seen as a first sketch of what global justice would require minimally under her framework. But Valentini is also firm that whatever else will be required for global justice, it will not include egalitarian commitments.

Valentini does a thorough job pointing out how the global order is coercive both interactionally and systematically even if in a circumscribed way. But what seems a bit quick is her conclusion that the character of global coercion unlike domestic coercion does not activate egalitarian principles of justice. Why should this be so? Now it might be the case that *interactional* coercion is sufficiently regulated by principles of compensation, of forbearance, of non-exploitation and so on, and so there is no cause to introduce egalitarian commitments. That might very well be the case, and I will not pursue this point here. But what about the presence of global *systematic coercion* that Valentini also accepts? If systematic coercion in the domestic case generates egalitarian commitments (as she agrees), why does it not do the same in the global case?

It might be because global systematic coercion is *limited* and so is affected through specific systems or particular institutional orders and not through an all encompassing global basic institutional structure. But why would that translate into no egalitarian commitments? Why can't these particular and limited systems or arrangements be regulated by egalitarian principles? For example, why can't the global trade regime be governed by a principle that

says that the gains of trade should be equally distributed among the relevant parties as a default (with specifications on when departure from this default is admissible, as when it advantages the less advantaged)? This egalitarian obligation will no doubt be specific to the order or system being regulated, but it is still a global egalitarian commitment. So the fact that the institutional site that we want to justify and regulate is limited in its purview (regulating trade but not other aspects of global relations) does not alone tell us that this site cannot be regulated on egalitarian terms. It will just mean the global trade regime as a global institutional order should be governed by egalitarian principles. Why isn't this a global egalitarian commitment? A principle of distribution can be egalitarian in pattern independently of the pervasiveness of the site that is applied to. There may be something about site-limitation of this sort that precludes egalitarian regulation but arguments must be given for this. The requirement that egalitarian justice must have an institutional site is not contradicted just because the relevant global institutions to which an egalitarian principle can apply are less pervasive and encompassing than the basic structure of domestic society.

It is not implausible that global distributive obligations will have different content from domestic egalitarian distributive principles, that global justice will not simply be domestic justice extended to the world. But, again as with differences in site, that there is a difference in content alone does not render global principles non-egalitarian. There are different ways of specifying an egalitarian distributive commitment, and a global principle even though differing in content from a domestic egalitarian one can still be egalitarian. Different egalitarian principles can establish different conditions and limitations of acceptable inequality. For example, Rawls's difference principle is one articulation of an egalitarian obligation, and G. A. Cohen's "equal access to advantage" is another (Rawls 1971; Cohen 1989). Thus, just as there can be different sufficientarian principles that will propose different conceptions of the threshold of entitlements or flourishing persons are entitled to, so there can be different kinds of egalitarian distributive principles with different understandings of the limits of admissible inequalities. A global distributive principle grounded on the fundamental commitment to individual freedom from domination can, we grant, limit inequality differently than a domestic principle grounded on the same fundamental commitment given the different ways personal freedom is at risk in these settings. But if this principle is in the business of regulating inequality for the sake of ensuring freedom, it is formally an egalitarian principle.

One implication of the above is that it is important not to assume that cosmopolitan egalitarians necessarily hold that global principles must be identical to domestic egalitarian principles. Some cosmopolitans may indeed have so argued but that is not what defines their position as cosmopolitan egalitarian. Cosmopolitanism is not a thesis about the content of equality



(to wit that global egalitarian principles must be extensions of domestic egalitarian principles) but a thesis about the reach or scope of egalitarian commitments. But egalitarian commitments can take different shapes, and there is nothing in the ideal that egalitarian justice has global reach that requires global principles to be replicas of domestic principles. One does not forfeit one's cosmopolitan egalitarian credentials just because one offers a global principle that specifies the limits of acceptable inequality differently from a domestic principle.

To clarify, I am not arguing that global egalitarianism is the only defensible or plausible option. And certainly I have not suggested independent reasons for why a concern with coercion should create obligations of egalitarian justice. My claim is that given Valentini's concern with coercion and her engagement with the statist for whom systematic coercion is sufficient for grounding egalitarian obligations, one would want to know more why she is able to resist egalitarian conclusions under these terms.

Let me connect these remarks to the opening comments on the difference between egalitarianism and sufficientarianism. A duty of basic humanitarianism will have a lower target whereas a more robust duty of assistance will have a more demanding requirement, but both are essentially versions of sufficientarianism. Given that so-called statist in fact have different humanitarian targets in mind when they speak of "humanitarian duty", their position as a whole is more helpfully described as a sufficientarian rather than humanitarian. One can disagree with a particular statist's account of our humanitarian duty because it is too weak (covering only basic needs), and advocate instead a more demanding threshold (ensuring, in addition to basic needs, that members of a society can support functioning institutions of their own). But this does not introduce a new category of distributive duty—it is still a duty of sufficiency albeit a more demanding one. And just as there can be more or less demanding forms of sufficientarianism, so there can be more or less demanding kinds of egalitarian distributive justice. Just because one thinks that more economic inequality is tolerable globally than domestically (and therefore global distributive principles will have a different content from domestic ones) does not mean that one is not a global egalitarian if one is still in the business of regulating global inequality. Egalitarian principles are egalitarian because of their basic form—their comparative character and objective of regulating inequality—not because of their content or the way the limits of admissible inequality are specified.

Presenting the contrast more fundamentally in terms of sufficientarianism versus egalitarianism, the interesting question is, contra Valentini, not whether there is a third alternative but what particular versions of sufficientarianism or egalitarianism to endorse. In the end, Valentini may well be able to resist the egalitarian impulse I gesture at, but this will mean that she is opting for a stronger version of sufficientarianism than basic humanitarianism (perhaps

something closer to Rawls's duty of assistance) (Rawls 1999). Ultimately the dispute concerning global distributive justice remains a dispute between two basic forms of global obligations —egalitarianism versus sufficientarianism. Although this basic dispute is further complicated because there are different theories of sufficientarianism (some more demanding than others) and different theories of global egalitarianism (some more demanding than others), it remains essentially a disagreement between two different forms of obligations. There is no third category or third wave of global distributive justice.

## 5. CONCLUDING REFLECTIONS

Coercion-based theories are often invoked for the purpose of marking a morally significant difference between domestic justice and global justice in order to explain why it is that certain duties obtain domestically but not globally. These theories introduce both a normative premise, namely, that coercion is a *sine qua non* for certain obligations of justice to take hold, and an empirical premise, namely, that the morally relevant kind of coercion obtains domestically but not globally. In particular, in the current debate on global justice, these theories are invoked to explain why *egalitarian commitments* obtain domestically but not globally. On what I call the standard form of these theories, the premise that the global order is not a coercive institutional order in the relevant sense is in the service of an anti-global egalitarian conclusion.<sup>15</sup>

Against these anti-global egalitarian arguments, some commentators have questioned the normative premise and have argued that there are other sufficient conditions for caring about distributive equality besides the need to legitimize coercion (mitigating misfortune, for example). So even if the global order is not coercive in the right way, there could be other reasons for taking on global egalitarian commitments. Another available response is to put pressure on the factual premise, and make the case for global egalitarianism by denying the observation that the global order is not a coercive order.

In their stimulating books, Hassoun and Valentini opt largely for the second route.<sup>16</sup> But what is interesting is that they do not go on to oppose the anti-egalitarianism of the standard accounts. They deny the empirical premise, but they arrive at conclusions that are not, so they say, global egalitarian. In Valentini's case, however, the engagement with the standard accounts is

15. Again, I am referring to Blake (2001) and Nagel (2005).

16. So, although Valentini has a normatively broader reading of coercion, she also disagrees with the empirical claim of statist that there is no significant systematic coercion in the global domain. It is this particular observation of hers about the global order that I have focused on in my discussion of her book.

clear in one respect. She wants to reject the statism that is characteristic of the standard accounts. The question I pose above, however, is whether she succeeds also in resisting the anti-egalitarianism as shared by the standard view. Hassoun's coercion-theory fits with the standard debate less neatly. As said, the standard coercion theories almost always accept that there is a humanitarian duty in response to poverty. Their purpose is not to deny that there are such duties but to deny that there is an egalitarian duty in addition. Rejecting the empirical premise that there is no global coercion in order to derive a duty of humanitarian aid is to argue for that which the main coercive accounts already affirm. But if Hassoun's project does not engage neatly with the coercion-based literature (as represented by Blake and Nagel), she also extends the coercion theory outside its normal confines, to challenge the libertarian who will deny that there is a straightforward duty of assistance.

Yet I noted that if the global order is in fact coercive in the different ways Hassoun and Valentini say it is, then on the understanding of the standard versions of coercion theories, global *egalitarian* commitments ought to be generated. Within this debate, making the case that the global order is coercive has more significant normative implications for our global obligations than what they argued for.

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