Human Dignity, Associative Duties, and Egalitarian Global Justice

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In several papers and in *Global Inequality Matters* I have sought to develop and defend an account of global egalitarianism that is based upon the moral supposition of equal respect for human dignity and an account of duties of justice as associative duties. The moral supposition is the basis of the egalitarianism, while the account of associative duties renders the scope and content of duties and the kind of egalitarian ideal association-dependent. It seems to me that there are several virtues of such an account: It is a kind of middle ground between claims of universal justice on the basis of mere personhood and the claim that egalitarian social justice lives only in the domicile of the state; it is realistic about the multiple sources and standards of moral evaluation; it is based upon a plausible view of the relationship between empirical facts and the kinds of moral judgments that are licit given them; and it allows for judgments about the global economic association that are sensitive to the facts of partial globalization.

Nearly every feature of the view, however, is controversial within current discussions of global justice. And several of them have recently been the subject of very interesting criticisms in two papers, one by Michael Blake and another by Patti Tamar Lenard and Margaret Moore. I am not able here to reply to every important criticism that they have made, but I hope to respond adequately to the most important ones. In section 11.1 I discuss the conception of respect for human dignity that is the moral premise of my account. I seek to explain its role in international human rights documents. And I argue that the kind of respect that these documents are based on involves what I call *justificatory respect*. Section 11.2 argues that justificatory respect within certain kinds of associations, ones that I call *common good associations*, establishes a defeasible presumption that the rules of the association should treat members equally. In section 11.3 I discuss the kinds of
associations that generate duties of justice, and if common good associations, then egalitarian duties of justice. Blake is critical of this aspect of my account. So, I spend considerable time responding to his criticisms and his proposed alternative, namely that egalitarian distributive justice arises only within states because they are necessarily vertically coercive institutional orders. In section 11.4 I respond to Lenard and Moore’s criticism that the conception of reciprocity employed by my account of global egalitarian distributive justice is underdeveloped. This seems right to me; so I try to provide a more adequate account. Section 11.5 takes up a criticism of Lenard and Moore’s that my account fails because it does not, or cannot, say enough about the relationship between duties of justice that arise in different associations. I respond by drawing together what the account can say, which, I hope, the reader will judge to be saying enough.

11.1. RESPECT FOR HUMAN DIGNITY

On December 7, 1948 the United Nations General Assembly adopted and proclaimed the Universal Declaration of Human Rights (UDHR). In its preamble the UDHR recognizes “the inherent dignity and the equal and inalienable rights of all members of the human family.” This was the beginning of decades of invocations of the inherent dignity of persons in human rights documents. The 1965 International Covenant on the Elimination of All Forms of Racial Discrimination refers to “the dignity and equality inherent in all human beings.” Reference to inherent human dignity appears in the preamble of the 1966 International Covenants on Economic, Social, and Cultural Rights (ICESCR) and on Civil and Political Rights. The 1979 Convention on the Elimination of All Forms of Discrimination against Women rests on “the dignity and worth of the human person.” The 1984 Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment recognizes human rights as deriving from “the inherent dignity of the human person.” The 1989 Convention on the Rights of the Child (CRC) recognizes “the inherent dignity and of the equal and inalienable rights of all members of the human family.” And the process continues into the 21st century. The 2006 Convention on the Rights of Persons with Disabilities (CRPD) reaffirms “inherent dignity and worth and the equal and inalienable rights of all members of the human family.”

These documents do not clarify how human dignity is the basis of human rights. But a few matters seem clear. All humans are taken to be equal possessors of dignity. And appropriately valuing the dignity of persons is incompatible with seeing them as valuable only insofar as they serve some individual or social purpose. In offering protection to the dignity of persons,
human rights assume that persons are appropriately valued for their own sake. Valuing human dignity for its own sake is taken to require, inter alia, inclusive and non-discriminatory social and political processes, provisions for participation, protections against severe deprivation, and equal freedom of conscience.

What is it about dignity that requires all this? There can be no guarantee that there is an interpretation of the fundamental commitment of these human rights documents, written over several decades by various people around the world, which fully accounts for every right they contain. But I offer the following as a reasonably, if not fully, adequate account of what it is about dignity that requires human rights protection.

The dignity of persons consists, at least in significant part, in their capacity for formulating, evaluating, and acting on practical reasons. For example, this conception of persons explains the UDHR’s Article 3 protection of the life, liberty, and the security of the person and the ICESCR’s Article 6 recognition of “the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts.” The capacity is recognized as emerging with physical maturity and appropriate education in the CRC’s Article 5 statement of “the evolving capacities of the child” requiring that adults provide her with “appropriate direction and guidance” as she exercises her rights. The various human rights documents offer protections for a person’s capacity for practical reasoning in the form of support in its formative stages, assurance against deprivations that would compromise it, and protections against inappropriate interference, including interference into joint activities of collective self-determination. It is in virtue of the protections afforded by the rights enumerated that it is plausible to interpret the human rights documents as declarations of respect for human dignity.10

This interpretation of the major international human rights documents as generally expressing respect for the capacity of practical reasoning does not entail that every article is best interpreted through that lens. There are some that are better taken as expressions of care or concern for human well-being.11 Article 3, paragraph 2, of CRC is an obvious example: “States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being.” And there are plenty of articles that express neither respect nor concern for persons, but that are devoted to necessary administrative measures, such as the CRPD Article 34. “There shall be established a Committee on the Rights of Persons . . . which shall carry out the functions hereinafter provided.” The interpretation offered regarding the human rights conventions is that the predominant, although not exclusive, moral purposes of these documents is best understood as expressing respect for humans as capable of practical reasoning.

The respect for human dignity declared in these human rights documents is indicative of broad elite support for both a conception of persons as having the capacity for practical reasoning and a moral attitude that such a capacity
should be valued for its own sake. In virtue of that capacity persons may not be manipulated in the pursuit of social and political ends. How deep is this international support? Evidently many states sign and ratify these documents for diplomatic and political reasons and not out of genuine respect for human dignity. But the currency of these treaties is often recognized in village and township organizations, labor federations, and mass protest movements.12

The moral attitude that the capacity for practical reasoning should be valued for its own sake supports the following view about the nature of the justification of moral principles and the institutions governed by such principles: Justification requires reasonable acceptance. A moral principle is not justified simply in virtue of being entailed by premises that its defender finds plausible. “Justified” is a relational predicate involving a principle, an audience, and a defender. “P is justified” is true only if there is an audience that, under the appropriate conditions for the consideration of P, would find the defense of P rationally compelling. Imposing institutions governed by P on an audience that, under the appropriate conditions, would not find the defense of P rationally compelling is to impose unjustified institutions on them. I don’t claim that this follows from analysis of the concept of justification. Rather, I am claiming that respect for human dignity as understood here requires this conception of justification. Justification, as John Rawls asserts, is different than mere proof. “A proof simply displays logical relations between propositions. But proofs become justification once the starting points are mutually recognized, or the conclusions so comprehensive and compelling as to persuade us of the soundness of the conception expressed by their premises.”13 Similarly, Jürgen Habermas takes “rational discourse as the unavoidable forum of possible justification.”14 We do not value the capacity for practical reasoning for its own sake if we impose unjustified principles on persons.

I refer to this respect-dependent account of justification as justificatory respect. Respect for human dignity requires that our institutions and their principles be capable of rationally motivated acceptance, under the right conditions, by persons who are made to live under them.15 A traditional way to characterize the failure to do this is that it amounts to using persons who are made to live under the institutions merely as a means towards the ends that the institutions and their architects pursue.

11.2. JUSTIFICATORY RESPECT AND PRESUMPTIVE EгалITARIANISM

Both Blake and Lenard and Moore are critical of my defense of egalitarianism in the global economic association. Blake offers the example of courtesy as an
institution that does not require distributive equality. The point, as I understand it, is twofold. First, not all institutions satisfying my conditions for associations that generate duties of justice (summarized in section 11.3) in fact generate duties to distribute resources equally. And second, the reason for this is that equality is important solely or mainly for the justification of certain kinds of institutions, namely vertically coercive ones. According to Blake, “An institution that does not define holdings of material shares is unlikely to find its justification through considerations of material equality.”

I agree. It seems to me that one cannot determine the distributive principle of an institution prior to offering an interpretation of the kind of association it is. And Blake’s example of courtesy is an example in which distributive equality is not demanded by justificatory respect. So, in response I try to clarify what I take to be the relationship between justificatory respect and egalitarianism. In section 11.3 I discuss the advantages that I take my account to have over Blake’s.

Justificatory respect establishes a presumption of equal treatment under the institutional rules for certain kinds of institutions, those that I call *common good associations*. These are associations that produce and distribute goods and powers to which no one has a pre-associational moral entitlement. Here is the argument:

1. Justificatory respect requires that institutional rules be capable of rationally motivated acceptance, under the right conditions, by persons who are made to live under them.

2. In the absence of certain kinds of reasonable exceptions, rules that unequally distribute the powers and goods produced by common good associations would not be the object of rationally motivated acceptance, under the right conditions, by persons who are made to live under them.

3. Hence, justificatory respect requires that the rules of common good associations equally distribute the goods and powers that they produce.

The idea behind the second premise is that in the absence of special moral justification there is no reason for persons to accept institutional rules that treat them unequally. One kind of justification is a pre-associational entitlement to the goods and powers produced by the association. I do not rule that out as a matter of moral principle; it is simply excluded by the conception of a common good association. So, one question to ask in applying this argument is whether in a particular context there is a reason prior to the association to privilege some persons over others. The egalitarian political movements in North American and Europe of the 19th and 20th centuries that challenged political privileges on the basis of race and sex were based on a rejection of the special entitlements of white men to control the workings of the state.

A full evaluation of my argument is impossible without an account of the right conditions—appealed to in premise one—for rationally evaluating...
institutional rules. I leave that matter aside as a major project in ethics and the theory of justice. But it seems plausible that, whether as a result of deliberation in an original position suitably adjusted to the subject under discussion, or rational argument under ideal discourse conditions, or discussion in which people were motivated to reach agreement on the basis of reasons that others cannot reasonably reject, there will be a rejection of rules that distribute unequally goods and powers to which there are no pre-associational entitlements, unless the inequality is reasonable in light of differences in desert, need, voluntary choices, or potential improvements to the well-being of everyone.

The second premise refers to the powers and goods produced by common good associations. I argue that the association must be interpreted in order to have an account of these goods and powers. More about that in section 11.4. But we should not, in any case, suppose that these are always resources such as income and wealth or opportunities for such resources. So, the egalitarianism defended in the conclusion is not always an egalitarianism of distributive justice. I discuss the state as an example of a common good association in which justificatory respect requires equal and inclusive citizenship, not egalitarian distributive justice. So, although there is an appropriately egalitarian version of courtesy, required by equal respect for human dignity, it need not entail egalitarian distributive justice. Egalitarian courtesy involves a rejection of deference on the basis of race, sex, or social status. Arguably, we have recently experienced movements in that direction in gender relations in North America and Western Europe.

The equality required by political associations, states being the most important example, is also not an equal distribution of resources. Claims of racial, sexual, ethnic, and religious privilege to the contrary notwithstanding, states are common good associations that distribute the rights, powers, and obligations of the governance of a common life. The equal distribution of the powers of citizenship requires, among other things, the provision of sufficient resources to engage in democratic self-governance. This is broadly a sufficien-
tarian account of distributive justice dictated by the ideal of equal and inclusive citizenship.

11.3. ASSOCIATIONS, JUSTICE, AND COERCION

It is appropriate to ask of certain kinds of institutions whether they are socially just. We don’t normally ask this of a bridge club, even though we might find the reasons that the club fails to extend an invitation to someone, say because she is not an Ivy League graduate, morally repellant. There are moral standards that condemn this kind of decision, such as that it is elitist, that don’t
involve considerations of justice. There is a plurality of evaluative categories that appropriately do different kinds of work in our everyday moral life.17

How do we distinguish when justice is the appropriate evaluative category? If the elitism of such a bridge club is not an injustice, why not? What about Blake's example of courtesy? Is discourteous conduct unjust? I have proposed and discussed four conditions for institutions that, on the assumption of respect for human dignity, generate duties of justice. I call this the principle of associational justice. The institution should be (1) relatively strong, (2) largely non-voluntary, (3) constitutive of a significant part of the background rules of public life, and (4) governed by norms subject to human control. The moral principles that govern institutions that satisfy these conditions are principles of justice. When such institutions are common good institutions, respect for human dignity establishes a presumption in favor of an egalitarian distribution of the goods and power that the institutions distribute. The appropriate moral evaluation of institutions that fail to do so, in the absence of a compelling reason that defeats the presumption, is that they are unjust.

Blake suggests that because courtesy seems to satisfy these, but does not require distributive equality, we have good reasons to doubt that as a matter of general principle associations that satisfy these conditions give rise to duties of distributive equality. Instead, he argues that coercion is necessary for duties of distributive equality to exist. At the end of section 11.2 I noted my agreement with Blake that distributive equality is not required in all associations that generate duties of justice. Egalitarianism under institutional rules does not simply entail egalitarian distributive justice. But Blake's example of courtesy and his additional interesting claims about kinds of coercion merit a fuller response.

That courtesy does not entail egalitarian distributive justice between persons might be taken as a counterexample to my institutional account. According to Blake egalitarian duties in the distribution of resources arise within institutional complexes that are vertically coercive; and since courtesy is not such a complex it does not generate egalitarian distributive duties. Blake takes courtesy as a horizontally coercive institution, in which parties act as both coercers and coerced. In contrast the state is paradigmatically vertically coercive; the parties establish an agent who coerces them by subjecting them to its authority. According to Blake, giving autonomy its due requires that coercion be either justified or eliminated. For the state the former alternative is appropriate. "Domestically, we have the opportunity to justify the coercive force of the state, and material equality is part of the justification. Even in ideal theory, most of us accept the state as a necessary institution, and seek only to determine what would make that state justifiable."18

In earlier writing I had suggested that Blake seemed to be making a logical mistake by arguing that the state was sufficient for generating duties of egalitarian distributive justice but concluding that it was necessary.19 Perhaps
my previous characterization of his position was not fair, or at least not fair to how he now understands his argument. He says, “I understand myself, instead, to be offering what I take to be the best explanation for these [egalitarian] moral duties, by offering a hypothesis about why we might be inclined to want material equality in the domestic context.” The argument seems to be the following:

1. States of some kind are morally required.
2. States are necessarily vertically coercive.
3. Coercion requires either moral justification or elimination.
4. If a state is necessarily vertically coercive, its vertical coercion requires moral justification.
5. The vertical coercion necessary to states requires justification.
6. Duties of egalitarian distributive justice are justifiers for state coercion.
7. The best explanation of the existence (or validity) of duties of egalitarian justice within states is that they serve to justify the vertical coercion necessary to states.

As I understand it, the first inference, from 1 through 4 to 5, is deductive, and the second, from 5 and 6 to 7, is abductive (or an inference to the best explanation). This, I conjecture, makes sense of Blake’s claims that state coercion requires justification and that the argument to the best explanation for distributive duties supplies the needed justification.

Still, that the argument just stated is the most accurate and charitable reading of Blake’s argument is questionable for at least two reasons. First, the distinction between vertical and horizontal coercion that Blake takes care to introduce is not really put to work in the argument just stated. It is important that the coercion that exists in the state is a necessary property of the state since it cannot be eliminated; and therefore requires justification. But this does not obviously rely on it being vertical. Perhaps, the coercion is a necessary property of states because of the vertical command structure of states; legislation and enforcement is a process of sending obligations down to the citizenry from the legislative and executive offices of government. In certain kinds of horizontally coercive institutions, the coercion might not be necessary precisely because it is horizontal. Maybe relations between siblings need not be coercive. In any case, we should note that the distinction that is important for the argument stated earlier is between necessary and accidental coercion. Because state coercion is necessary, it must be justified or the state should be eliminated. Since the state is morally necessary, it should not be eliminated.

The second and more important reason to wonder about the charity of the interpretation of the argument offered earlier concerns the abductive part. So stated, it explains the validity of duties of egalitarian distributive justice because they justify state coercion. Explanations in standard cases are causal. They take a form like the following: The observed mean atmospheric
temperature increase (explanandum) is explained by the emission of greenhouse gases (explanans). An abductive argument maintains that the explanans is the best causal explanation of the explanandum. But there are two noteworthy oddities in comparing Blake’s argument to the best explanation to the climate change example. First, notice that in the climate change example, the explanans *causes* the explanandum. This is not remarkable; rather it’s a standard feature of arguments to the best explanation. We are looking for the best causal account, and the argument aims to provide that. What is the parallel in Blake’s argument? It seems to be the following. The validity of duties of egalitarian distributive justice (explanandum) is explained by their justification of state coercion (explanans). But it would be strange to construe the relationship between the validity of a moral claim and its capacity to offer logical support to some other claim as causal. The latter might be a reason to believe the former, but it is not a reason for the existence of the former. Absent a causal relation between the explanandum and the explanans the nature of the explanation in standard cases is obscure. Second, unlike the climate change explanation, Blake’s argument seems to take as an explanandum what is in fact controversial, namely the validity of duties of egalitarian distributive justice within the state.

In light of the problems noted in the previous paragraph we might want to interpret Blake as using a less restricted notion of what an explanation is. He might be offering something like an argument to the best justification. He could be taken as arguing that the best justification of duties of egalitarian distributive justice is that they justify state coercion. But how do duties of egalitarian justice justify state coercion? And if they did why would that be the best justification for such duties? Answering the first question might involve a story about how vertical state coercion is in need of justification and an equal distribution of resources is either necessary or sufficient for that justification. Suppose the point is that an egalitarian distribution is necessary to justify state coercion. On the face of it, that is implausible. Coercive institutions of, say, equal voting rights do not seem to require distributive egalitarianism to be justified. Suppose, then, the view is that egalitarian distributive justice is sufficient for the justification of institutions of vertical state coercion. It also seems doubtful that distributive equality could be sufficient to justify vertical coercion if the coercion were otherwise unjust. Institutions that deny equal opportunity for participation in government are not rendered just by the difference principle incidentally being satisfied.

The upshot is that I cannot find a plausible rendering of the abductive argument or anything resembling it. It makes sense to ask whether there are rival hypotheses that better explain observed mean temperature increase. But because the putative capacity of duties of egalitarian justice to justify state coercion do not plausibly cause the validity of such duties, engaging in the process of comparing alternative explanations in order to find the best one is
senseless. Nor does it seem plausible that the justification for the validity of duties of egalitarian justice is that they are necessary or sufficient to justify state coercion.

Still, Blake’s claims that courtesy seems to fulfill my four conditions for institutions generating duties of justice and that courtesy manifestly does not generate duties of distributive egalitarianism may seem to cast doubt on my claim that (vertical) coercion is not needed for duties of distributive justice to exist. I think that it should not. I have noted that I assume that there is a plurality of evaluative standards. The claims of courtesy, while important, are not the claims of justice. Moreover, I have given a brief account of the state as an association that generates duties of equal and inclusive citizenship and attendant duties of distributive sufﬁcientarianism. Distributive duties in the state arise only as instrumental to equalizing citizenship status. Therefore, they need not be egalitarian. So, even if the duties of courtesy were duties of justice, there would be no reason to suppose that the equality that they required was distributive.

But why on my account aren’t duties of courtesy duties of justice? Blake suggests that courtesy satisﬁes the four conditions of being (1) relatively strong, (2) largely non-voluntary, (3) constitutive of a significant part of the background rules of public life, and (4) governed by norms subject to human control. If so, they should be duties of justice, and that alone would be reason enough to doubt my account for anyone who argues that there is a plurality of evaluative standards. Employing these considerations requires considerable attention to empirical detail as well as moral judgment. My view is that although the institution of courtesy might well satisfy conditions (2)–(4), it does not seem to satisfy (1). In earlier writings I have argued that assessing the strength of an association requires attention to the extent to which it is (a) enduring, (b) comprehensively governed by institutional norms, and (c) regularly affecting our highest-order moral interests. The last of these concerns an aspect of importance. The strength of an association depends, in part, on the importance of the interests it affects. Here I doubt that courtesy is important enough. Although acts of courtesy can certainly be important expressions of respect, a systematic absence of courtesy would not be devastating to practical reasoning. Persons could still rationally consider reasons and live lives guided by the ones they ﬁnd the most important. On this basis the associative account has the resources to distinguish the institution of courtesy and their duties from institutions that generate duties of justice.

11.4. MARKETS, RECIPROCITY, AND INTERPRETATION

Blake takes international relations to suffer from forms of horizontal coercion, due to the hegemony of the United States, and he contends that justice
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requires eliminating such coercion. Be that as it may, I believe that there is another important consideration of justice. I defend the view that markets can be a distinct source of duties of justice and that the global market is one such source. In earlier publications I offered evidence (that I will not rehearse here) of the globalization of trade, foreign direct investment, and finance to support the view that there is a global economic association that satisfies the four conditions stated in section 11.3. The conclusion that I draw is that presumptively egalitarian duties of distributive justice exist between persons globally. The argument depends upon distinguishing political associations, such as states, from the sorts of economic associations that some market institutional complexes comprise. The distinction is made by means of interpretive arguments about the kinds of goods and powers that the two kinds of associations produce and distribute and the egalitarian ideals appropriate to each. Justice is not one thing. Different claims are appropriate to different kinds of associations governed by considerations of justice.

I would like to try to respond to three criticisms that Lenard and Moore make of this account. The first is a challenge to the role of the egalitarian presumption in the interpretive arguments. The second doubts the adequacy of the interpretive account of reciprocity that I employ in the argument for duties of egalitarian distributive justice. And the third doubts that I have sufficiently accounted for the many claims of justice arising from multiple associations. Because of the close relationship between the first two criticisms, I consider them together in this section. And in section 11.5 I address the third one.

In the first of these criticisms Lenard and Moore invoke Michael Walzer’s views to suggest, “that the appropriate distributive principle...cannot be determined in advance, since it depends on the specific good being created by the common good association as well as the contributions of the different members of the association.”21 The account that I defend is in partial agreement with this claim. I maintain different accounts of equality apply to states and markets. And this is done by means of an interpretive argument.

I understand Lenard and Moore’s invocation of Walzer’s view to be suggesting a stronger claim than my view that different egalitarian principles apply to different kinds of associations. Rather the suggestion, I take it, is that to the extent that my account relies on interpreting associations to give an account of the requirements of justice, it is unclear how I can maintain that an egalitarian presumption will apply across interpretations. It may not be simply that different egalitarian considerations apply to different associations, but that different kinds of considerations, egalitarian in some cases but not in others, apply in different kinds of associations. After all, Walzer’s conception of complex equality requires a kind of equality across spheres of justice, but not necessarily within them.22
There is a trivial sense in which I am in agreement even with the stronger claim. Associations that are not common good ones do not contain a presumption of equality. But if an association is a common good association, respect for human dignity establishes an egalitarian presumption in the rules of the association. This is the non-contextual moral basis of my account. Understanding the demands of morality in an association is not contextualist all the way down. Respect for human dignity requires that the reasons that justify moral principles be acceptable to the persons affected; and in common good associations generating duties of justice this establishes an egalitarian presumption. This is a formal condition of a justified principle of justice. It tells us nothing about what justice concerns or how equality should be conceived. For these we need an interpretation of the association.

Determining what justice concerns and how equality should be conceived is, as I understand it, an interpretive matter. Consider the two cases of states and economies. Our common life together requires governance. Political associations, including state institutions, contain various deliberative processes for establishing and enforcing rules to govern the common life of citizens. There are various privileges, prerogatives, and obligations of citizenship and office-holding. Equal treatment under these rules requires equal and inclusive citizenship, including equal political and civil rights, as well as equal opportunity for political influence. Insofar as the political association is a common good association, these basic rights of citizenship should not be dependent upon pre-existing entitlements on the basis of social status or natural talents. This is the ideal of democratic equality. Realizing democratic equality requires insulating the political process from economic inequality. Means for doing this include public financing of political campaigns and requirements of equitable media coverage of campaigns. These means are unlikely to be sufficient, however, since participation can be deterred by unequal educational opportunity, overwork, and poverty. Equality of educational opportunity and sufficient resources to shield against poverty and overwork are requirements of political justice that are derived from the ideal of equal and inclusive citizenship.

The production of desirable goods and services requires institutional organization. Economic associations organize the division of labor and entitlements to capital assets and deploy labor and capital for the production of goods and services. In market associations these are based upon consensual contractual and quasi-contractual informal relations between producers and consumers on the basis of the supply of products, services, and skills and effective demand. The production of these goods and services in a joint process relies on the industry, skills, and talents of each member. Insofar as the economic association is a common good association, reward for participation in the process of production should not be based upon pre-existing entitlements to one’s skills and talents as a system that simply rewarded these on the
basis of their market value would do. On the contrary, arrangements should encourage the development and exercise of talents, skills, and industry in ways that benefit all members of the economic association. This is the ideal of reciprocity.

Lenard and Moore express the second criticism as follows: “[I]t is by no means clear what he means by reciprocity and how exactly he defends his particular interpretation of that principle as appropriate to the global economic association.”24 The ideal of reciprocity is applicable because the economy is a common good association. That conception of the economy is inconsistent with claims to natural rights in persons and products. My argument assumes that such claims can be shown to be implausible. To the extent that that is the case, economic institutions should not establish returns simply on the basis of the market value of one’s skills and talents. One has no entitlement to privileges simply on that basis. Instead the rules for the distribution of the goods and powers of joint production should ensure that everyone benefits. Rawls expresses the ideal as including the requirements that, “social institutions are not to take advantage of contingencies of native endowment, or of initial social position, of good or bad luck over the course of life, except in ways that benefit everyone, including the least favored.”25

Reciprocity requires economic institutions to produce generalized benefit. Application of this conception of reciprocity in non-ideal circumstances should not employ current holdings as the baseline against which to measure benefit since that would be to assume an entitlement to existing holdings that is unjustified in a common good association. Justificatory respect requires that the rules of an economic association be subject to rationally motivated acceptance, under the right conditions, by persons who are made to live under their rule. In moving towards the establishment of a more just institutional order it is implausible that a rule that employed a baseline of existing holdings, regardless of whether the association satisfied principles of justice, would meet with such acceptance. It would be refused on grounds that without justification it establishes an entitlement that subordinates the interests of those who currently have less to those who have more.26 The more appropriate baseline would seem to be one of distributive equality.

11.5. THE GLOBAL ECONOMIC ASSOCIATION AND MULTIPLE ASSOCIATIONS

Lenard and Moore contend that my account does, “not fully address the problem that there are in fact multiple global associations, transactions, and relations, each of which might give rise to different kinds of duties.”27 Again,
I’d like to register agreement with the substantive moral point about the plurality of evaluative considerations for different subject matters. Because my concern is the justice of the institutional structures that constitute associations of the relevant kind, I do not pretend to offer an account of the morality of transactions and relations within those structures. With respect to associations, I argued in section 11.4 that an associative account of duties of justice can take account of the different considerations of justice that arise in different kinds of justice-relevant associations. The state and the economy are sources of distinct duties of justice, both egalitarian with respect to their respective goods and powers.

In a partially globalized world there are multiple kinds of associations: state, regional, and global. Sub-global associations can affect privileges in the global economic association. In earlier work I discuss how an account of global distributive justice should treat potential privileges within the global economic association caused by these sub-global associations. My view is that an analogy to familial privileges within the state is helpful in thinking through the matter. Children should not be denied the access to culture and understanding that some families are able to provide. But fair equality of opportunity in education requires that states mitigate inequality in educational outcomes that might result from such familial privilege. Country of birth and mother tongue can provide significant increases in opportunities for advancement within the global economy. But liberalized immigration in wealthy states and instruction in English as a foreign language would help to mitigate these inequalities of opportunity.

A related matter concerns the transfer of advantages across various economic associations. Success in a national economy can create advantages in the global economy and success in the global economy can create advantages in a national economy. Even if a person has no pre-institutional entitlement to the goods and powers produced by a particular association, there is the matter of the entitlement to privileges that she brings to the association from another. Analogies to distributive justice within the state are helpful here as well. Some people bring natural talents to an economic association. Democratic equality seeks to mitigate advantages on the basis of these and seeks means consistent with the rights and liberties of persons to use talents for the benefit of everyone. The same idea applies to an economy that is a common good association with respect to such talents. In earlier writings I have argued that the global economic association should treat wealth gained in national economies on the analogy of natural talents.

One objection to this view is that, unlike natural talents, persons who have been successful in national economies are morally entitled to the wealth they have acquired. That, of course, may or may not be the case. Let’s imagine a different world than that in which we currently live, one in which we have roughly the same pattern of partial globalization, but in which state economies
more or less satisfy the requirements of egalitarian distributive justice. In such a world, I assume that the claim cited in the objection would be true. But even in such a world, the moral import of the claim is not obvious. If one is entitled to what one has in one association, it does not follow that it should be a source of privilege in another. Once again the family is a good example. A child may be entitled to the personal-development-enhancing love and education that she receives at home, but it does not follow that these should be the basis of privileges in the broader society. But given the unjust inequalities that all or nearly all states allow and even facilitate, it is implausible that persons are morally entitled to the wealth they have acquired in state economies. If that is the case, then morally the situation is similar to undeserved talents; and social policies should not recognize such wealth as a legitimate source of privilege. For example, an international financial transaction tax that placed a levy on transactions within the borders of states might be used to fund global projects because the wealth generated from financial transaction within a state is not a legitimate basis of global privileges.

One limitation that the existence of multiple state economic associations places on global distributive justice concerns the justification of policies for institutional change. Neither policy makers nor activists currently have at their disposal many means with sufficiently broad effective scope. Our partially globalized economic association is very different than Rawls’s idealization of a closed society. An institutional scheme that would maximize the well-being of the least advantaged is not the plausible effect of any existing policy levers taken alone or in some combination. An international financial transaction tax would be some progress in this direction, but it hardly comprises the multiple institutions of an effective order that is directed towards satisfying the difference principle. Still, in a partially globalized world we have good moral reason to pursue institutions that provide less than demanded by the ideal of the difference principle in a closed society.

Lenard and Moore are skeptical that a general reconciliation of these various sources of distributive justice are possible: They suggest I have done “a great deal to recognize the importance of associational duties . . . [but still] attempts to accommodate them are ultimately unpersuasive, for one key reason: they do not acknowledge that conflicts and tensions will inevitably emerge between general and associational duties, and will therefore fail to offer concrete guidance for cases where they do.” Again, I largely agree. I hope to have provided some clarity on a few disparate matters in which conflicts arise between various associations generating duties of justice. This is a far cry from a general reconciliation. I have never sought to provide that.

I am grateful for the careful attention that Blake and Lenard and Moore have directed towards my account and for their criticisms, which have helped me to understand better several of the issues that are important to these debates and have provided me the opportunity of improving my account.
I have no doubt failed in various ways to improve the account sufficiently to make it rationally compelling in every aspect. But I am confident that it would be a worse account without such insightful criticism.

NOTES


10. I defended this position in Global Inequality Matters, ch. 1. A similar position has also been defended by Jürgen Habermas in “Das Konzept der Menschenwürde und die realistische Utopie der Menschenrechte,” Deutsche Zeitschrift für Philosophie, 58 (2010), 343–57.

11. I have something like Stephen Darwall’s distinction in mind; “In so far as we care for someone, we want what is good for her. Insofar as we respect someone, we regulate our conduct toward her by her dignity.” Stephen Darwall, Welfare and Rational Care (Princeton: Princeton University Press, 2002), 14.
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12. For example consider Tostan, a Senegalese organization that organizes to oppose female genital cutting, by laying emphasis on the dignity and human rights of girls and women. See <http://www.tostan.org>.


15. The idea bears a family resemblance to T.M. Scanlon’s account of the requirements of respecting rational human life. T.M. Scanlon, *What We Owe to Each Other* (Cambridge, MA: Harvard University Press, 1998), 106.


23. This is, I think, to disagree with Walzer’s view of interpretation and moral argument. He seems to think the contextualism goes all the way down. “[T]he best account of the difference principle would be one that rendered it coherent with other American values . . . and connected it to some plausible view of incentives and productivity.” Michael Walzer, *Interpretation and Social Criticism* (Cambridge, MA: Harvard University Press, 1985), 28.


26. Rainer Forst distinguishes between reciprocity of content and reciprocity of rationale (my translation), where the former rules out principles that others reject and the latter rules out principles that subordinate the interests of others. See Rainer Forst, *Kritik der Rechtfertigungsverhältnisse: Perspektiven einer kritische Theorie der Politik* (Berlin: Suhrkamp Verlag, 2001), 125. I argue that the baseline of existing holdings would be rejected because it subordinates the interests of some to those of others in a common good association.

27. Lenard and Moore, “Cosmopolitanism and Special Duties,” 622.


29. Lenard and Moore, “Cosmopolitanism and Special Duties,” 626.