

# Chapter 12

## Cosmopolitanism

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Based on the ancient Greek words *cosmos* (world) and *polites* (citizen), a *cosmopolitan* is a citizen of the world. The more common modern meaning closely reflects these ancient roots. Persons are called *cosmopolitans*, or *cosmopolitan*, when they are understanding and respectful of foreign cultures, travel widely, and can interact well with people from many societies. And cities or gatherings are called *cosmopolitan* when they bring together persons and groups with diverse ethnicities, languages, cultures, religions or lifestyles.

Like other -isms, *cosmopolitanism* is an intellectual position – or, more precisely, a family of such positions. With aesthetic considerations standing in the way of calling such a position and its adherents ‘cosmopolitanist’ (in analogy to ‘perfectionist’ and ‘materialist’), the word ‘cosmopolitan’ has assumed a second meaning: characterizing a theory or person committed to cosmopolitanism. Only this second meaning of ‘cosmopolitan’ concerns us here.

Unlike some other -isms, cosmopolitanism involves not merely views about how things are, but primarily views about how things ought to be. Cosmopolitan positions centrally include evaluative and normative views; they assess and prescribe. The central idea guiding these moral assessments and prescriptions is that of *including all human beings as equals*. This central idea can be understood and employed in diverse ways, and a variety of cosmopolitan positions can therefore be distinguished.

This variety can be reconstructed in two steps. In a first step, one distinguishes topically the various subject matters to which the central cosmopolitan idea can be applied. In a second step, one can then distinguish, within each subject matter, different ways of understanding and applying the central cosmopolitan idea. Focusing on the first step, let me distinguish four main kinds of cosmopolitanism, each of which will then be more fully discussed in a subsequent section.

To motivate this distinction, we can start out from the way moral conceptions are generally categorized according to the types of entities, or *iudicanda*, for which they provide assessments and prescriptions. Such *iudicanda* are of four main types: individual and collective *agents*, the *conduct* of such agents, *social institutions* (rules, practices) and *states of the world*.

Ways of assessing agents and their conduct are closely interrelated and therefore usually treated together in what may be called a *conception of ethics*. Such a conception

is cosmopolitan if its assessments and prescriptions are based on taking equal account of the interests of all human beings. Cosmopolitan conceptions of ethics exemplify our first kind of cosmopolitan position: *ethical cosmopolitanism*.

The subject matter of agents and their conduct can be further subdivided. One can formulate a conception of ethics specific to individual human beings and their conduct, for instance, or a conception of ethics specific to states and their conduct. When such a conception is animated by the central cosmopolitan idea, it can be said to exemplify, respectively, *interpersonal* or *international ethical cosmopolitanism*.

There are two prominent ways of applying the central cosmopolitan idea to the subject matter of social institutions. The more direct way is through the demand that social institutions ought to be designed so that they include all human beings as equals. A moral conception centring around this demand envisions one universal political society that includes, or at least is open to, all human beings. Invoking the ancient Greek word *polis* (city-state), such a universal polity is often called a *cosmopolis*. Any moral conception prescribing such a unified legal organization of the whole human world in preference to other institutional designs can be said to exemplify *legal cosmopolitanism*. This is our second kind of cosmopolitan position.

There is also a more indirect way for a moral conception to address the subject matter of social institutions. Rather than demand outright some particular institutional design, such a conception might instead endorse a moral criterion by reference to which alternative institutional designs ought to be assessed and ranked. Following John Rawls (1999a [1971]), moral conceptions of this sort have come to be known as conceptions of (social) justice. A conception of social justice is cosmopolitan if and only if its assessments and prescriptions are based on taking equal account of the interests of all human beings. Cosmopolitan conceptions of social justice exemplify our third kind of cosmopolitan position: *social justice cosmopolitanism*.

It is an open, partly empirical question whether a cosmopolitan conception of social justice (endorsing some specific moral criterion for assessing alternative institutional designs) supports some particular variant of legal cosmopolitanism (endorsing some particular type of world state). Whether it does depends on how it specifies the relevant interests of human beings and on whether the so-specified human interests, taken equally into account, are best served by some world state or by some alternative design of the global institutional order, such as a system of sovereign states.

While the evaluative component of any legal or social justice cosmopolitanism is focused on the design of social institutions, its prescriptive component addresses individual and collective agents, specifying their responsibilities in regard to social institutions. In this respect, such conceptions are complementary to conceptions of ethics – the former specifying the responsibilities human agents have specifically in regard to social institutions and the latter specifying their remaining responsibilities within a given social and institutional environment. Here a commitment to legal or social justice cosmopolitanism can be combined with a rejection of ethical cosmopolitanism: one can endorse a world state (legal cosmopolitanism) and/or a cosmopolitan conception of social justice – and simultaneously deny that human agents, even beyond their responsibilities in regard to social institutions, are required to take impartial account of the interests of all human beings worldwide.

The distinction between these two subject matters of morality – one centring on institutional design, the other on human conduct and character within a given social and institutional environment – has traditionally been seen as posing a problem of the unity and coherence of morality as a whole. Historically, different solutions to this problem have been proposed. One approach seeks to achieve unity through structural homologies, as when Plato theorized that justice in individuals has the same complex *structure* as justice in the city-state. Another approach seeks to achieve unity through subordination: by shaping the polity for the sake of ethical living or, conversely, by shaping human conduct and character for the sake of the polity. Yet another approach seeks to achieve unity instrumentally: by directing social institutions as well as the conduct and character of human agents to one common goal. It is within this last approach that the fourth iudicandum, states of the world, comes to the fore.

Moral conceptions focused on states of the world postulate a common goal or system of goals: that the world should go well by the lights of some evaluative standard. Such a common goal – which may involve a complex combination of interrelated desiderata – is often formulated in terms of justice: as the goal of a just world or of justice on earth. In such formulations, justice is understood as a property of states of affairs, *not* of social institutions. Though often conflated, these two understandings of justice are importantly different. A common-goal conception might diagnose as an injustice the sheer *fact* that some are born into affluence and others into poverty, while a corresponding social-justice conception would diagnose as unjust any *institutional order* that avoidably gives rise to such unequal starting positions. While the former is focused on the assessment and improvement of states of the world, the latter is focused on the assessment and reform of social institutions. I flag this important conceptual difference between two ways of understanding justice through selective use of the word ‘social’. The claim that the world ought to be such that people have equal opportunities is a claim about justice; the claim that social institutions ought to be designed so that people have equal opportunities is a claim about social justice.

Any conception that unifies morality’s subject matters by postulating one common goal for all of them is *monistic* in the sense of Liam Murphy (1998). It applies to all moral questions – including the questions of how social institutions ought to be designed and of how human agents ought to conduct themselves within a given social and institutional context – and it answers them all in a unified, broadly consequentialist way by reference to a single evaluative standard. Such a monistic moral conception is cosmopolitan if and only if the standard in terms of which it assesses the world takes equal account of the interests of all human beings. If it does, then this conception exemplifies our fourth and final kind of cosmopolitan position: *monistic cosmopolitanism*.

### Legal Cosmopolitanism

Legal cosmopolitanism endorses a world state or *cosmopolis* which, invoking the ancient Greek word *polis* (city-state), is a political society that includes all human beings or at least is open to all. Endorsed by various Cynic and Stoic thinkers in antiquity and envisioned by Anarcharsis Cloots in the aftermath of the French Revolution, legal

cosmopolitanism has remained a fringe view that is today dismissed nearly universally (but see Nielsen, 1988; Wendt, 2003).

These dismissals tend to be quick, typically doing little more than point out that a world state would be dangerous and that Kant also thought it a bad idea. Rawls is fairly typical, writing: 'I follow Kant's lead in *Perpetual Peace* (1795) in thinking that a world government . . . would either be a global despotism or else would rule over a fragile empire torn by frequent civil strife as various regions and peoples tried to gain their political freedom and autonomy' (Rawls, 1999b, p. 36).

This appeal to Kant is questionable. Kant writes that a plurality of independent states 'is still to be preferred to their amalgamation under a single power which has overruled the rest and created a universal monarchy. For the laws progressively lose their impact as the government increases its range, and a soulless despotism, after crushing the germs of goodness, will finally lapse into anarchy' (Kant, 1923 [1795], p. 367). This passage expresses strong reservations about a universal monarchy achieved by conquest. Kant does not, here or elsewhere, express such reservations about a liberal world republic achieved through a peaceful merger of republics. To the contrary, he prefers such a world republic over a league of sovereign states, and thus seems to endorse the latter for merely strategic reasons:

For states in their relation to one another, there cannot be any reasonable way out of their lawless condition which entails only war except that they, like individual human beings, should give up their savage (lawless) freedom, adjust themselves to public coercive laws, and thus establish a continuously growing international state (*civitas gentium*), which will ultimately include all the nations of the world. But under their idea of the law of nations they absolutely do not wish to do this, and so reject in practice what is correct in theory. If all is not to be lost, there can be, then, in place of the positive idea of a world republic, only the negative surrogate of an alliance which averts war, endures, spreads, and checks the force of that hostile inclination away from law, though such an alliance is in constant peril of its breaking loose again. (Kant, 1923 [1795], p. 357)

Even granting, without textual support, that Kant believed any world state would invariably lead to despotism or civil strife, it is quite doubtful that his opinion is the best evidence one can have about whether a just world government is feasible in the twenty-first century and beyond. This is doubtful because the last 200 years have greatly expanded our historical experience relevant to this question and have vastly improved our social theorizing, especially in economics and political science. In particular we have learned from the federalist systems of the United States and the European Union that – Kant's contrary view notwithstanding – a genuine division of powers, even in the vertical dimension, is workable and no obstacle to stability and justice (Pogge, 1992).

While the common dismissals of legal cosmopolitanism are extraordinarily flimsy, they contain an important element of truth: endorsement or rejection of any specific world state model should depend in large part on an evaluation of how this model would actually work in the real world. A well-grounded expectation that such a model is associated with a substantial risk of despotism or civil strife is a solid moral reason for opposing its implementation. An unqualified commitment to any variant of legal cosmopolitanism should therefore be rejected.

Any systematic evaluation of world state models, assessing them against one another and against alternative global institutional designs (such as a system of sovereign states), requires some moral criterion or standard of assessment as formulated and defended by a conception of social justice. Let us then examine conceptions of this kind – and cosmopolitan conceptions of social justice in particular – that might possibly ground a qualified commitment to some variant of legal cosmopolitanism.

## Social Justice Cosmopolitanism

Legal cosmopolitanism is distinctive by advocating a cosmopolitan institutional order, while the other three kinds of cosmopolitanism advocate cosmopolitan moral standards or criteria – for assessing, respectively, human agents and their conduct, social institutions, states of the world. Following the more recent literature, we might say broadly that all three kinds of moral cosmopolitanism share four commitments in common:

- *Normative Individualism*: The ultimate units of moral concern are *human beings*, or *persons* – rather than, say, family lines, tribes, ethnic, cultural or religious communities, nations, or states (which may be units of moral concern only indirectly, in virtue of their individual members). A cosmopolitan moral criterion thus bases its assessments and prescriptions solely on information about how individual human beings fare or are treated.
- *Impartiality*: In processing such information, a cosmopolitan moral criterion takes each included human individual into account symmetrically. Economists call this the Anonymity Condition: that a certain number of included individuals experience a certain fate or treatment enters the assessment in the same way, regardless of who these individuals are.
- *All-Inclusiveness*: Every human being counts as an ultimate unit of moral concern and is therefore included in the information base on which a cosmopolitan moral criterion bases its assessments and prescriptions.
- *Generality*: This special status of every human being has global force. Persons are ultimate units of concern *for everyone* – not only for their compatriots, fellow religionists or suchlike. The assessments and prescriptions a cosmopolitan moral criterion delivers claim authority over all individual and collective human agents.

We can better understand what a criterion of *social justice* is by looking at the criterion proposed by Rawls. In his classic work *A Theory of Justice*, Rawls focuses on the institutional order ('basic structure') of a self-contained and self-sufficient society of human beings and argues for assessing alternative feasible designs of this institutional order on the basis of the distribution of social primary goods each such design would generate among the society's individual members. The criterion he formulates for the comparative assessment of such distributions – his famous two principles of justice (Rawls, 1999a, pp. 266–7) – contains both absolute and relative components: as far as possible, the basic structure is to be designed so that each person has a fully adequate scheme of equal basic liberties, so that fair equality of opportunity obtains, and so that

the difference principle is satisfied (socio-economic inequalities among citizens are generated exactly insofar as this optimizes the worst socio-economic position).

By taking the self-contained and self-sufficient society of Rawls's theory to be humankind at large, one arrives at a cosmopolitan interpretation of his theory. According to this interpretation, the global basic structure should, as far as possible, be designed so that each human being has a fully adequate scheme of equal basic liberties, so that fair equality of opportunity obtains worldwide, and so that the difference principle is satisfied globally (socio-economic inequalities among human beings are generated exactly insofar as this optimizes the globally worst socio-economic position).

Rejecting this cosmopolitan interpretation, Rawls wants his theory to be applied only to certain national societies, paradigmatically the United States. In fact, he rejects at the global level *any* substantive conception of social justice, cosmopolitan or otherwise. Transnational institutional arrangements are to be designed through agreements negotiated among liberal and decent societies (Rawls, 1999b, p. 37, laws 2 and 3). Left unconstrained by any substantive conception of social justice, such negotiations reflect the unequal expertise and bargaining power among negotiating governments and tend to sideline the interests of individuals, especially of those living in non-liberal or poorer societies.

Rawls does provide a moral conception that reaches beyond national borders. This conception applies not to transnational institutional arrangements, but to the foreign policy of liberal and decent societies. Beyond that, it differs from a cosmopolitan conception of social justice in three further respects. First, Rawls's international conception takes *peoples* rather than individual persons as the sole units of moral concern, stipulating each people's sole interest to be that it maintain itself as a well-ordered (i.e., liberal or decent) society. Second, Rawls takes this interest to support a moral concern only for the *absolute* deprivation of other societies. Well-ordered societies ought to help other willing societies reach a threshold level at which they, too, could be well ordered. They can do this by giving economic assistance to burdened societies and by promoting respect for human rights. Such help is humanitarian – not something a burdened society or its citizens could claim as their due. Third, inequality across national borders – *relative* deprivation – is a matter of moral indifference. No matter how large such inequality may be or become, well-ordered societies have no moral reason to rein it in.

Leaving aside the internal problems with this non-cosmopolitan conception of international ethics Rawls presents (Pogge, 1994), what reasons can be offered for rejecting *any* conception of social justice applying to transnational institutional arrangements? One reason Rawls gives is the supposed infeasibility of a world state. This is not a good reason. If a world state were indeed associated with great dangers of despotism and civil strife, then a cosmopolitan conception of social justice (e.g., the cosmopolitan interpretation of Rawls's theory) would correctly reject this institutional design in favour of other designs that better secure the fundamental interests of all human beings – perhaps a global federation on the model of the European Union, or a loose league of nations as Kant had described, or a states system like that existing now. The infeasibility of a world state counts against *legal* cosmopolitanism, but not against social justice cosmopolitanism.

Another reason Rawls gives is that his theory of social justice is too distinctively liberal to be acceptable across the diversity of human cultures. This may be a good



reason against the Rawlsian variant of social justice cosmopolitanism, but cultural diversity could be accommodated through a less demanding variant of social justice cosmopolitanism. We find an idea for a plausible such variant in Article 28 of the *Universal Declaration of Human Rights*: 'Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.' The basic idea here is that the design of all social institutions should be guided by the pre-eminent goal that the human rights of all human beings be fulfilled. If this goal cannot be fully achieved, we should come as close as possible. The principal imperative governing all institutional design is that of minimizing avoidable human rights deficits – with human rights deficits possibly weighted differentially on the basis of their causal genesis, giving greater weight to any deficits that social institutions require or authorize than to deficits these social institutions merely engender or fail to prevent.

A plausible and widely sharable cosmopolitan conception of social justice could contain, as an additional subsidiary directive for institutional design, a preference for more equal socio-economic distributions among human beings (the Pigou–Dalton condition is one prominent specification of this preference).

Such a conception of social justice is *individualistic* by focusing exclusively on how individual human beings fare or are treated: on each person's human rights and socio-economic share. It is *all-inclusive* by taking account of the human rights and socio-economic shares of all human beings worldwide. It is *impartial* by taking the human rights and socio-economic shares of all human beings symmetrically into account. And it is *general* by specifying all human agents' responsibilities in regard to social institutions.

Despite its emphasis on human rights, such a conception of social justice need not be excessively Western or liberal. To be fully realized, a human right must be fulfilled for all. It is fulfilled for any one human being when this person has secure access to its object (that which the human right is a right to). The pre-eminent goal of institutional design is then that all human beings have secure access to the objects of all their human rights. This goal is widely sharable in a world of diverse cultures. It does not incorporate global versions of fair equality of opportunity or the difference principle. Nor does it require a world state. Rather, it could be achieved through a plurality of territorial societies that might be quite diverse: some liberal societies might maintain secure access to the objects of human rights through pervasive use of judicial mechanisms, while some non-liberal societies could maintain secure access through other institutional arrangements more congenial to their cultures. All these societies could be free to adopt additional social justice goals for their national institutional order, provided these are suitably subordinated to the pre-eminent institutional goal of human rights fulfilment.

Our world is very far from realizing human rights, as billions of people, mostly in the poorer countries, lack secure access to basic foodstuffs and safe water, to minimal clothing and shelter, to physical safety, basic education and healthcare, and to vital civil and political freedoms. The social justice cosmopolitanism I have sketched supports a critique of the status quo insofar as the massive human rights deficits it displays are institutionally avoidable. Social institutions are unjust insofar as they foreseeably contribute to an avoidable human rights deficit.

Many present institutional arrangements do so contribute. The organization of the North Korean economy foreseeably contributes to avoidable food insecurity in that

country, for instance. Similarly, the rules of the World Trade Organization (WTO) regime foreseeably contribute to the massive persistence of avoidable severe poverty in the world's poorer regions – by permitting affluent countries to 'protect' their markets through tariffs, quotas, anti-dumping duties, and huge subsidies and export credits to domestic producers, for example, and by enforcing costly intellectual property rights (IPRs) in seeds and essential medicines.

In the affluent countries, we typically see unfulfilled human rights abroad as an occasion for aid and assistance. We wonder whether we ought to do more to help and protect the poor and oppressed abroad and more also (as suggested by Rawls's 'duty of assistance') to enable their societies to govern themselves better. Social justice cosmopolitanism can relate us to the poor and oppressed abroad in a different way. Our failure is not merely that of helping too little, but that of designing and imposing transnational institutional arrangements that foreseeably produce and perpetuate avoidable human rights deficits on a massive scale.

Sympathetic to Rawls, a number of theorists have opposed this conclusion with the assertion that the concept of (social) justice does not apply to transnational social institutions – at least not yet. For Michael Blake (2001) the morally relevant difference between national and transnational institutional arrangements is that the former are coercive and the latter are not. He illustrates this point with a fable of two homogeneous societies consensually establishing trading relations. While the laws within each society are backed by coercion, the terms of trade are not coercive because either society is free to decline or discontinue this relationship. Blake concludes that it would not be morally objectionable for such trade to benefit those in the richer society much more than those in the poorer one.

Letting the fable stand, let me note that matters are importantly different in the real world. Consider, for instance, the ongoing globalization of IPRs through the WTO and many bilateral treaties. Such IPRs, typically held by corporations in rich societies, are effectively enforced worldwide. Citizens of WTO member states are coerced into compliance with the international IPR regime just as they are coerced to comply with purely domestic rules and regulations. This coercive element is an integral part of the global IPR regime, explicitly prescribed in it and fully intended by those who design and uphold it.

The coercively imposed global IPR regime has dramatic effects on individuals. Insofar as it requires the manufacture and sale of generic drugs to be prohibited and suppressed, for instance, it deprives many poor patients of access to existing life-saving medicines. It would seem then that – by Blake's own standard – some important actual international institutional arrangements are subject to social justice assessments. There is no morally relevant difference between *one* government coercively imposing certain rules on the people within its jurisdiction and *a group* of willing governments coercively imposing such rules on the people within the union of their jurisdictions.

Thomas Nagel (2005) gives a more complex reason for supposing that national social institutions are, and international social institutions are not, subject to requirements of social justice: unlike transnational social institutions, he holds, a national institutional order is imposed *with coercion claimed to be legitimate, in the name of its participants* (putative joint authors of these rules or at least intended beneficiaries), *with an expectation of acceptance of this order*.



To see how this line of thought is implausible, consider that national regimes may lack all three of these features: a ruler or ruling group may coercively impose its rules *without* claiming to be entitled to do so, *without* any pretension of ruling in the name of its subjects, and *without* any expectation that these subjects ought to accept the authority of the rules imposed upon them. If the concept of social justice were inapplicable to a national society in this condition, the rules imposed by some of the very worst tyrants, colonial powers and occupying armies would elude the requirements of social justice. And all other tyrants, colonial powers and occupying armies would have a splendid opportunity so to exempt their impositions as well. Any moral conception providing this opportunity and incentive is clearly unacceptable if not obnoxious.

It is disputable, moreover, that the three features Nagel highlights are lacking in the imposition of transnational social institutions. The international IPR regime with its coercive aspects is elaborately defended both procedurally and substantively – as fairly arrived at and beneficial to all. This regime is administered by agencies (WTO; World Intellectual Property Organization, WIPO) within the United Nations system and under its *We the Peoples* motto. And strong moral language – ‘piracy’, ‘counterfeiting’, etc. – is routinely used to express an expectation of compliance.

I conclude that Rawls, Blake and Nagel have given no good reasons for exempting transnational institutional arrangements from any and all social justice assessments. The failure of their arguments leaves open the path to a cosmopolitan conception of social justice that makes certain widely sharable demands on the design of any institutional order – for example, that it must not produce massive human rights deficits or huge socio-economic inequalities that are foreseeably avoidable. Such a conception would assign human agents various duties of social justice, that is, duties in regard to social institutions: insofar as we share responsibility for the design of social institutions, we must work towards their just design. Insofar as we participate in just social institutions, we must comply with them. Insofar as we participate in unjust social institutions, we must promote their reform. Cosmopolitan conceptions of social justice will differ in how they specify social justice and in how they specify human agents’ duties of social justice on this basis. They will also differ in regard to whether human agents have a duty of social justice to help *create* just social institutions where none as yet exist – for example, in a state of nature. Kant assigned such a duty to any human agents who cannot avoid affecting one another.

Cosmopolitanism is often dismissed as a view that leaves no room for any kind of partiality towards family, friends or personal projects (Scheffler, 2001; Miller, 2002). Any plausible variant of cosmopolitanism must be able to distance itself from this caricature. Variants of social justice cosmopolitanism do so by distinguishing different domains of human life and then prescribing cosmopolitan impartiality for only one of these: for the design and administration of social institutions. The general idea of such a division by domain is familiar from the case of judges and referees who must be scrupulously impartial, but only when acting in their respective roles. This idea extends to the rest of the population. All adults are supposed to be impartial in certain domains – when we serve as jurors, certainly, and also when we speak, act or vote as citizens. Thus, no matter how much a mother may love her children and no matter how committed she may be to their having the very best educational opportunities and employment prospects, we (normatively) expect her citizen’s judgement on affirmative action

in the education system not to be influenced by her children's gender or skin colour. Similarly, we would condemn a compatriot who bases her citizen's judgement about the invasion of Iraq on her beliefs about how this invasion would affect her private investments. Insofar as citizens speak, vote and act *as citizens*, we are expected to be impartially guided by justice and the common good without regard to our personal projects and loyalties. Outside this domain, we may give greatly disproportionate weight to our friends, family and personal projects in deciding where to live, whom to marry, which career to pursue, and so forth – all this without in any way compromising our commitment to social justice.

Social justice cosmopolitans apply this idea more generally, beyond the nation-state: when human agents weigh in on the design of transnational institutional arrangements, they ought to set aside their personal projects and allegiances as well as their national loyalties so as to take impartial account of the interests of all individuals affected by these institutional arrangements.

### Monistic Cosmopolitanism

According to social justice cosmopolitanism, injustice is *primarily* a property of institutional designs. Social institutions are unjust insofar as they foreseeably do worse by human beings than some alternative feasible institutional design would do. Human agents and their conduct can be called unjust in a *secondary* sense insofar as they violate their duties of social justice – by contributing to the design or imposition of unjust social institutions.

Monistic cosmopolitanism rejects this primary focus on the assessment of social institutions. It understands injustice as *primarily* a property of states of the world. This property is understood to supervene on properties of, or comparative relations among, human beings – one person's enslavement, for instance, or another's disadvantage from birth. Social institutions can then be called unjust in a *secondary* sense insofar as they contribute to injustice in the world. But social institutions are not unique in this regard. Human agents and their conduct, and all other causally relevant factors human agents may affect, can all be labelled unjust in the same *secondary* sense insofar as they avoidably contribute to injustice in the world. Monistic cosmopolitanism co-ordinates all human agents and all humanly shapeable factors towards one unitary goal: to make the world as just as we can make it.

The central contrast between social justice cosmopolitanism and monistic cosmopolitanism is that the former seeks to formulate a goal specifically for social institutions whereas the latter seeks a unitary goal for all iudicanda. This contrast in range is closely analogous to one much discussed in recent work on domestic justice. Rawls has formulated a goal meant to guide only the design of a society's major social institutions. Various critics (Cohen, 1997; Murphy, 1996) have rejected this focus as incoherent. They argue that if the goal specified in Rawls's principles of justice is one that social institutions ought to be designed to promote, then it must be worth promoting and thus valuable. And if it is valuable, then it ought to be promoted not merely through a society's institutional order, but also through its culture as well as by its associations and citizens in their personal lives. If the goal specified by the difference principle is the

correct goal for the design of a society's economic order, then it must also be the correct goal for social customs and conventions, for corporations, churches and organizations, and for individual economic agents: workers, consumers, investors, employers and executives.

Let me respond to this critique in two phases, showing *first* that the contrast is not as important as it may appear and then *second* that social justice cosmopolitanism escapes the threat of incoherence.

The contrast is less important than it appears because the way social institutions are shaped has very profound implications for iudicanda of all other kinds. One such implication has already been discussed: a conception of social justice focused on institutional design entails duties of social justice for all human agents in regard to social institutions. In addition, many of the most profound effects of institutional design on individual human lives are indirect. For example, the institutional order of a society influences its culture and conventions and, partly through these, the values and dispositions of its citizens. These indirect influences of institutional design must be taken into account *in* institutional design. Therefore, even if the moral standard guiding institutional design is not used for shaping iudicanda of other kinds directly, this standard will nonetheless have a considerable indirect impact on them. If a good design of the global institutional order maintained a very high level of human rights fulfilment and a reasonably balanced socio-economic distribution, it would do so in large part indirectly, by shaping political decisions and policies, cultures and conventions, values and dispositions (Pogge, 2000, pp. 164–5).

As for the remaining divergence, the anti-monism of Rawls's theory and of social justice cosmopolitanism can be defended against the charge of incoherence. One way of doing this appeals to the desirability of an *overlapping* rather than comprehensive consensus. It is highly desirable that those living together under a shared institutional order should morally agree on its design. Such morally based agreement presupposes a shared moral standard in light of which this institutional order can be justified and adjusted. Morally based coexistence does *not* presuppose, however, that people agree on all other aspects of morality – on what makes a human life worthwhile, on the best ways of shaping friendships or family life, on how to run religious organizations. Insofar as comprehensive moral agreement across all iudicanda cannot be achieved in the modern world without massive coercion, there is good reason then to agree on respectful disagreement insofar as such disagreement can be accommodated within a single institutional framework supported by a shared moral standard.

But how can we respect communities and citizens who endorse with us a certain goal (or system of goals) G for the domain of institutional design and then endorse some different goal(s) for other domains of human life? Endorsement of diverse goals for different domains need not indicate either incoherence or lack of real commitment. Morally important goals may be such that some iudicanda are good at promoting them and others not. This suggests a division of labour: some kinds of iudicanda are to be heavily devoted to a certain goal while others may largely ignore it. For example, the rules of the tax code are especially suitable for moderating socio-economic inequality – while individuals in their roles as customers, workers or managers are very poor at this task. It may then make good sense to design the tax code with extra heavy devotion to this goal while, in compensation, relieving economic agents from the responsibility

to consider it in their ordinary market transactions. It is entirely possible that the goal of moderating socio-economic inequality is best achieved by subjecting the design of the tax code to the powerful demand of Rawls's difference principle while asking of economic agents only that they politically support and personally comply with the optimal tax code.

Relatedly, goals are sometimes best achieved through iudicanda aiming at different, even conflicting goals. Thus, an efficient resource allocation may be best achieved in a market system whose participants do *not* aim for it. Punishment of all and only the guilty may best be achieved through a criminal justice system that involves defence lawyers working *against* such punishments. These considerations break both links in the incoherence argument: the fact that some class of iudicanda ought to be directed towards a certain goal does not show that this goal is of any ultimate importance. And the fact that some goal is of ultimate importance does not show that all iudicanda ought to be devoted to it.

These considerations do not merely defend social justice cosmopolitanism against the charge of incoherence. They also indicate a problem with monistic theorizing: there is not one goal or system of goals that can plausibly be assigned to iudicanda of all kinds. This is so not merely because iudicanda differ in what they are good at promoting, but also because it would be morally offensive to try to shape mothers, say, to be animated by the same impartial concern for all children that we rightly expect from social institutions. By calling for all iudicanda to be devoted to one common goal, monism indeed falls prey to the complaint that it leaves no room for any kind of partiality towards family, friends or personal projects.

Monism can avoid this problem by understanding differently the role it assigns to the common goal it postulates. So far, we have thought of this role inspirationally, of the goal as a common object of overt commitment. Such a *supergoal* is one to which all iudicanda ought to be devoted – a goal that animates human agents to strive to serve it and one that is recognized and celebrated in our culture, conventions, laws and institutional order.

The other way of making a goal normative involves an instrumental relation. Employing this understanding, monism would demand not that all iudicanda be overtly committed to one common goal, but that their respective overt commitments be shaped so that these iudicanda optimally co-operate towards fulfilling one common goal which, so understood, I call the *mastergoal*. As is well known from discussions of utilitarianism, a mastergoal may not be optimally fulfilled through overt devotion: happiness will not be maximized by devoting all to happiness maximization – and analogously for other mastergoal specifications. A mastergoal is then likely to entail that the various iudicanda be overtly devoted to different and possibly diverse goals.

Such differentiation of goals is welcome insofar as it allows reconciliation of an impartial common goal with partiality of some (and impartiality of other) iudicanda. The optimal co-operation of all iudicanda towards fulfilling the impartial mastergoal may well permit or even require that individual human agents be biased towards their own family, friends or personal projects. This is so because human beings – children, for instance – tend to thrive better with focused love from a few than with impartial concern from billions of adults (Goodin, 1988). Similar inspirational departures from the common goal may be licensed for other iudicanda as well: our culture, conventions,

laws and institutional order need not be shaped overtly to recognize and celebrate the mastergoal. Rather, each iudicandum ought to be shaped and designed in whatever way will cause them all optimally to co-operate towards fulfilling the mastergoal.

But this reconciliation is problematic in two ways. What approval it bestows on our personal loyalties and commitments is half-heartedly instrumental: a mother's love for her own children is a good thing – but only because and insofar as such love contributes to, or at least does not detract from, the justice of the world impartially conceived. Moreover, such approval is also precariously contingent: it is entirely possible that a very different division of devotions across iudicanda would – now or in the future – do better by the impartial mastergoal. If so, monism would mandate that our social world be re-engineered so as to inculcate the combination of optimal commitments in human beings and all other iudicanda we can affect. Persons, associations, human conventions, cultures and subcultures – the worlds of art, music, sport, cooking, poetry, tourism – all ought to be fine-tuned so that they, together, optimally promote the mastergoal.

These rather totalitarian implications of monistic cosmopolitanism can be mitigated. One can specify the common goal not as an optimum (such as the largest attainable aggregate happiness or the most equal attainable distribution of freedom), but as some comfortably attainable threshold. An example would be a sufficientarian conception that regards justice on earth as fully achieved when all human beings worldwide have secure access to the objects of their human rights. Such a specification would leave open many diverse ways in which iudicanda might permissibly be shaped – the universal fulfilment of human rights is compatible with a wide diversity of cultures, partialities and modes of economic organization.

This mitigation may render the goal of justice on earth implausibly modest, however. Can we really accept as fully just a world in which the poor (though their human rights are fulfilled) have such inferior opportunities that the gap between them and the more affluent is inexorably increasing beyond all reasonable bounds? A further problem with the mitigation is that it cannot solve the problem in a world like ours, which, due to widespread non-compliance, displays massive human rights deficits. In such a world, partiality towards family, friends or personal projects is not for the best, impartially conceived. The basic human rights of children worldwide would be better fulfilled, for instance, if the partiality of the more affluent adults towards their own children were greatly reduced in favour of impartial concern for all children. This point remains valid even when 'receiving love from one's own parents' is incorporated into the mastergoal: in a world like ours, affluent adults can add far more such love by combating the destructive influences of disease, starvation and overwork on poor families than by giving love to their own children.

Seeing that mastergoal cosmopolitanism offers little prospect for a plausible moral theory that can accommodate the partiality objection, one may be tempted by a dilution of supergoal monism. The basic idea is to affirm that all iudicanda should be devoted to the cosmopolitan supergoal without affirming that this must be their only goal. Human persons, for example, should be inspirationally committed to justice on earth impartially conceived, but may also have other morally mandatory or worthwhile or at least permissible goals besides. Among these other morally acceptable goals are agent-relative ones that lead persons to show special concern for their loved ones



and personal projects. Showing such special concern, persons are *permissibly* compromising cosmopolitan justice. So diluted, a common-goal theory is no longer monistic. With the dilution, certain additional goals are deemed permissible for human beings in order to leave room for partiality. These additional goals are not suitable for all iudicanda. And there will then, in a diluted theory, not be *one* goal or set of goals to which all iudicanda ought to be devoted or directed. Dilution thus trades away monism's attractive unity, simplicity and elegance.

Asserting merely that all iudicanda ought to be devoted to the cosmopolitan supergoal as one goal among others, diluted cosmopolitanism has precious little content. Dilution, after all, is a matter of degree: moral conceptions and persons become ever less cosmopolitan the more distant they are from full and exclusive devotion to the monistic goal of justice on earth – much like a man becomes ever less bald as we imagine hairs on his head to increase in length or number. People may have justice on earth among their goals even while this goal is routinely outweighed, marginalized or drowned out by other goals.

To have any bite, diluted cosmopolitanism must then be specified: by laying down what other loyalties and ambitions (moral or non-moral, personal, agent-relative or agent-neutral) are permissible for human beings and how much weight each may merit relative to the supergoal. And likewise in regard to all other iudicanda for which diverse competing goals are deemed admissible. A great difficulty here is to justify weights or weight limitations for the various competing moral and morally significant considerations. No moral theory along these lines has been worked out in any detail.

I conclude that monistic cosmopolitanism fails in both its supergoal and mastergoal versions. Whether a plausible moral theory can be constructed by diluting a variant of monistic cosmopolitanism remains to be seen. Compared to such a dilution, social justice cosmopolitanism enjoys the advantage of greater elegance. It restrains not the *strength*, but the *range* of the cosmopolitan goal. This goal applies only to the design of social institutions – but reigns supreme in this domain. Human agents are then to be guided by this goal indirectly: they must see to it that social institutions are appropriately related to the goal. Thus it is only in respect to their responsibilities in regard to social institutions that human agents must completely set aside their personal goals and agent-relative moral concerns (which is not to say, of course, that it would be wrong for them to promote the cosmopolitan goal in other ways as well – more on this in the next section).

Monistic cosmopolitanism is consequentialist in spirit. What ultimately matters is success in regard to the common goal. All iudicanda ought to be devoted (supergoal) or designed (mastergoal) optimally to contribute to such success. What a iudicandum's optimal contribution is depends on its impact on other iudicanda and on how its effects interact with those of other iudicanda. Whether a human agent ought to promote justice on earth by giving money to the poor, by supporting a political campaign in Uganda, or by helping to reform agricultural production in North Korea, say, depends then on expected impact alone, regardless of how the agent is related to the human beings potentially affected by her conduct.

Social justice cosmopolitanism, by contrast, because it renounces the idea of a common goal, coheres well with a non-consequentialist understanding of morality. It can assign agents an especially weighty responsibility in regard to social institutions in



whose design or imposition they participate, thereby rendering the concern for social justice agent-relative. And it can also (as we have seen) give greater weight to harms that social institutions require or authorize than to harms they merely engender or fail to prevent. Monistic cosmopolitans reject the incorporation of these two non-consequentialist elements along with the confinement of impartial concern for the interests of all human beings to the domain of institutional design. They might protest as follows: all these elements detract from the optimal promotion of justice on earth. What if the greatest injustices in the world, and ones that I could well mitigate, are not traceable to social institutions in whose design or imposition I participate? Social justice cosmopolitanism then perversely implies that I should focus on lesser injustices that are so traceable.

Of course, the implication is perverse only on the assumption of a thoroughgoing consequentialist morality. And this assumption is quite disputable. It is more fruitful for our topic, however, if we leave this well-known debate aside to examine instead how our two kinds of cosmopolitanism might differ in their implications for the actual world. This examination is especially important if we think of moral conceptions not as value theories covering all possible worlds but as cultural products with a practical social task.

In the actual world, the social justice cosmopolitans' focus on institutional design is not a significant limitation because nearly all serious harm that human beings suffer is, insofar as it is humanly avoidable at all, avoidable through institutional design. Social institutions are all-pervasive and profoundly shape the human world in large part through their influence on other iudicanda. Nor is it a significant limitation if agents give special weight to harms traceable to social institutions in whose design or imposition they participate. All the more powerful agents in a position to effect meaningful change are participants in a highly consequential global institutional network that is deeply involved in most of the great harms we are witnessing. As one example, I have already mentioned the global IPR regime with its dramatic effects on poor people's access to advanced medicines. Here global rules accepted by nearly all the world's governments *require* what obviously harms the global poor: that cheap generic versions of even life-saving medicines under patent must not be manufactured or sold without authorization from the patent holder. By incentivizing pharmaceutical innovation through monopoly pricing powers, the same rules also *engender* dramatic neglect of diseases that disproportionately affect the poor. Of the 1393 new medicines approved between 1975 and 1999, only 13 were specifically indicated for tropical diseases and, of these 13, five were by-products of veterinary research and two had been commissioned by the military.

Another example illustrates how the design of global institutions can do great harm by influencing profoundly how national regimes are structured. Consider the global rules *authorizing* any person or group holding effective power in a country – regardless of how they acquired or exercise it – to sell the country's resources and to dispose of the proceeds of such sales; to borrow in the country's name and thereby to impose debt service obligations upon it; to sign treaties on the country's behalf and thus to bind its present and future population; and to use state revenues to buy the means of internal repression. This global practice goes a long way towards explaining why so many countries are so badly governed. The practice enables even the most hated, brutal,

oppressive, corrupt, undemocratic and unconstitutional juntas or dictators to entrench themselves. Such rulers can violently repress the people's efforts towards good governance with weapons they buy abroad and pay for by selling the people's resources to foreigners and by mortgaging the people's future to foreign banks and governments. Greatly enhancing the rewards of *de facto* power, the practice also encourages coup attempts and civil wars, both of which often provoke opportunistic military interventions from neighbouring countries. And in many (especially resource-rich) countries, this practice makes it all but impossible, even for democratically elected and well-intentioned leaders, to rein in the embezzlement of state revenues: any attempt to hold military officers to the law is fraught with danger, because these officers know well that a coup can restore and enhance their access to state funds which, after such a coup, would still be replenished through resource sales and still be exchangeable for the means of domestic repression.

I conclude that most of the harm human beings suffer in our world could be avoided through reforms of the global institutional order for whose design and imposition all the more powerful human agents bear some direct or indirect responsibility. (Governments and inter-governmental organizations negotiate and impose the rules and thus are directly responsible; citizens, corporations and other associations influence governments and inter-governmental organizations and thus are indirectly responsible.) It is then not correct, in the world as it is, that social justice cosmopolitanism disconnects or diverts the more powerful human agents from the greatest harms suffered by human beings.

In fact, social justice cosmopolitanism may attribute *greater* moral significance to this connection. Monistic cosmopolitanism faults powerful human agents for doing too little to address the great injustices in the world. Social justice cosmopolitanism faults these agents for doing too much to contribute to these monumental harms. By contributing to the imposition of global institutions that, especially through what they require and authorize, foreseeably and avoidably cause great harms to human beings, powerful human agents are not merely letting harm happen, but inflicting it. The distinction between positive duties to avert harm and negative duties not to inflict harm is, to be sure, one that consequentialists find morally insignificant. Still, to those who do find it morally significant, the social justice cosmopolitan critique will appeal more powerfully.

Because most privileged and powerful human actors show very little concern, if any, for the great avoidable harms human beings suffer, some who do care may find themselves unable to effect any reform of global institutions that would render them less harmful. Social justice cosmopolitanism is not reduced to telling such agents that, if they cannot effect change through institutional reform, they need do nothing. Instead, it can affirm that those who contribute to the design or imposition of, or profit from, unjust institutions – even when they have no reasonable alternative – have a compensatory duty of justice. The more powerful human agents, affluent citizens in the rich countries, for instance, will be in this position. Even if we cannot effectively influence our government to help bring about meaningful reform of global institutions, we should at least make up for the benefits we derive from unjust global institutions and/or for our indirect contributions to the harms these unjust institutions cause. Through our taxes, labour, and in many other ways, we strengthen our state which then, with others, designs and imposes unjust global institutions in our name. And we often

benefit from such injustice. In doing so, we violate negative duties of justice, unless we compensate by also working to protect some of the victims of this injustice.

### Ethical Cosmopolitanism

The foregoing discussion of monistic cosmopolitanism contains the reasons why a cosmopolitan conception of ethics is implausible. Human beings need to have the option, at least, to have special relationships with friends and family that cause their conduct to be at variance with the cosmopolitan requirement of impartiality. Similarly, collective human agents, such as cities, churches, associations and states need to have the option, at least, to show special concern for their members as against outsiders. So, ethical cosmopolitanism strictly conceived is a non-starter.

If individual or collective human agents cannot plausibly be required to have an *exclusive* commitment to a cosmopolitan conception of ethics, then the live question may seem to be one of degree: ought individual and collective human agents be *more* cosmopolitan than they are now by reducing, in their ordinary conduct, the difference between the concern they show for the interests of their nearest and dearest and the concern they show for the interests of distant strangers?

Martha Nussbaum (Nussbaum and Cohen, 1996) takes up these questions in her critique of US patriotism as celebrated by Richard Rorty (1998) and others. She explicates her critique primarily in regard to education: children should be taught that foreigners, too, are citizens of this world, equal to us in dignity and human rights. And they should also be taught concretely about foreigners, about the history, culture, problems and prospects of their societies. This point is also stressed and defended by Jeremy Waldron (2000), who associates (ethical) cosmopolitanism especially with the willingness to engage with those who are not members of our own community, culture and state, who do not share our own values and habits, in an open dialogue about how we might live well together in this one world we must share.

As can be learned from our examination of social justice cosmopolitanism, there is another way of restraining a cosmopolitan conception of ethics. Rather than reduce its *strength* (through dilution), one might limit its *range*. One might hold, for instance, that all human agents have certain most stringent negative duties not to harm human beings in certain ways – not to violate their human rights, let us say – and that these negative duties are exceptional in two ways: first, they are exempt from the moral privilege otherwise enjoyed by human agents to show greater concern for the interests of the nearer and dearer. Holding circumstances fixed, it is perfectly acceptable to be far more willing to help a family member than a neighbour, a neighbour than a compatriot stranger, a compatriot stranger than a stranger abroad. But it is not acceptable to have such a sliding scale in one's concern not to violate human rights. It is not acceptable, for example, to take greater drink-driving risks abroad on the ground that those one is endangering there are only foreigners. In seeking to avoid violating human rights, any agent must give exactly the same high weight to the human rights of every human being. Human rights as side constraints on human conduct come with the same very strong imperative of compliance, regardless of how the agent is related to the potential victims of this agent's conduct.

The second exceptional feature of these negative duties is their exclusionary force. In decision contexts where these duties are in play, lesser reasons lose their standing. We described this model earlier in regard to certain public roles bearing on social justice. A public official, deciding among competing tenders, must not allow herself to be influenced *at all* by her own or her friends' financial interests. Her duty to make this decision for the public good is not one that, in virtue of its stringency, usually leaves her competing partialities with little influence on her decision. Rather, her duty is exclusionary by completely banishing such partialities from consideration. We can extend this model to human agents' duty to avoid violating human rights in their personal conduct. When this duty is in play, all reasons unrelated to human rights, even when they involve the agent's most cherished commitments, are to be left out of account.

This model provides a telling response to Miller and Scheffler, who assume that an agent's partialities must be dilutive: if special responsibilities and associative duties *increase* what an agent owes to some, then they necessarily *decrease* what this agent owes to others. For 'part of what it is to have [special] responsibilities to one's associates is to be required, within limits, to give their interests priority over the interests of non-associates, in cases where the two conflict' (Scheffler, 2001, p. 87). This is right, of course. But it does not follow from the fact that the agent owes outsiders less than she owes her associates that she owes outsiders less than she would owe them in the absence of her special commitments. For involvement in special relationships might increase what one owes one's associates without decreasing what one owes outsiders.

It may be objected that the increase and the decrease are inseparable. Owing greater consideration to some, one can no longer be required to give equal consideration to the rest. This objection succeeds if, in the absence of special relationships, human agents owe equal consideration. But this can be denied: it seems perfectly permissible for someone to help one needy stranger and not another (even when the latter's needs are somewhat greater), to give to one beggar and not to another, to pay one poor stranger's medical treatment and not another's, and so on. And one may do this because one likes the story of the one, or her face, or because one is in a good mood, or for no reason at all. In short, within certain limits one may give priority, in one's beneficial conduct, to some human beings over others even when there is no special relationship that could rationalize this unequal treatment. When a special relationship, say friendship with Jane, enters the picture, this moral discretion may disappear. One then owes it to Jane to help her in preference to a stranger. But this does not show that one has come to owe the stranger less if, even in the absence of the friendship, one would have been morally free to prefer Jane.

Maybe this response to the objection is too strong. Perhaps special relationships and projects *do* sometimes decrease what an agent owes to distant strangers. Even then, there could still be some duties to distant strangers whose stringency is wholly unaffected. One owes them just social institutions, whose design takes equal account of the interests of all human beings affected (social justice cosmopolitanism). And, pursuant to a plausibly restrained ethical cosmopolitanism, one also owes them the non-violation of their human rights.

Our world is very far from acceptance of these duties – let alone compliance. Those who design the rules of the world economy give more weight to the interests of the

100,000 richest shareholders in Europe and the USA than to the poorest 3 billion human beings. And governments habitually bomb foreign civilians to promote their policy objectives – not to speak of the grotesque human rights violations they have made routine since 9/11. Far from refuting cosmopolitan values, these facts show the urgency of better cosmopolitan theorizing.

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