

Global Justice

A response to John Rawls

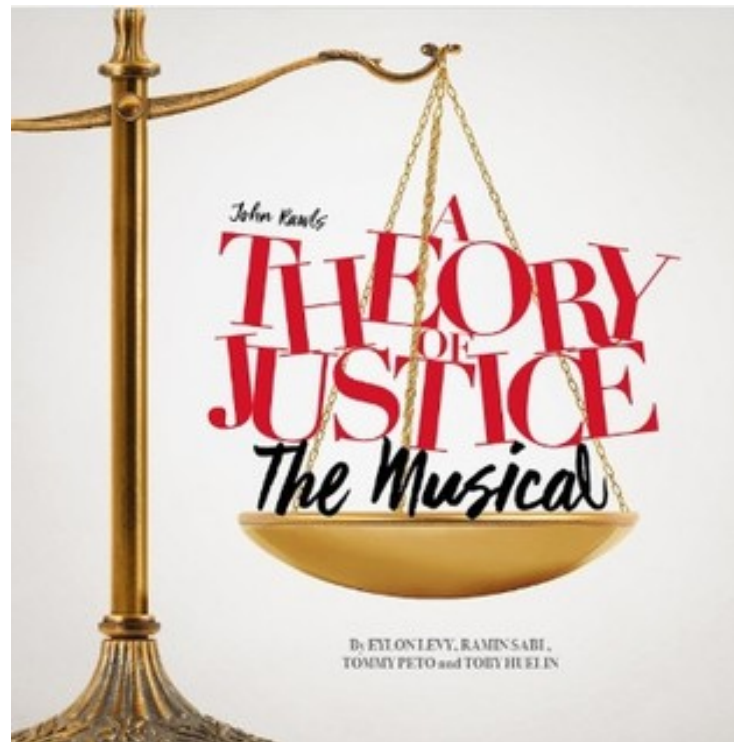
A Theory of Justice (1971)

Method for determining the principles that will govern a just society.

Radical ignorance in the Original Position.

Two principles:

- 1) Liberty Principle
- 2) Difference Principle



The Law of Peoples (1999)

People

Primary unit in the global original position.

Broadly understood as equivalent to a state/nation, though without some of the behaviour typically seen in currently existing states.

Society of Peoples

The international community of peoples.

Well ordered people

Umbrella term for liberal and non-liberal but decent peoples.

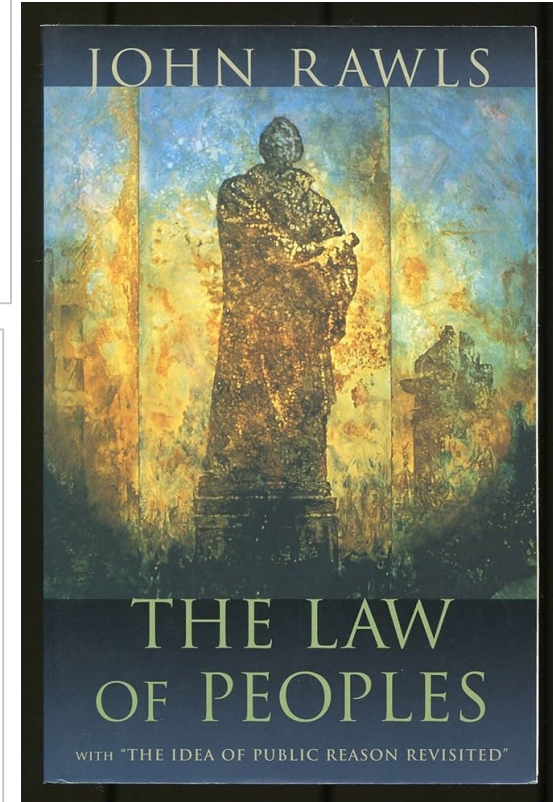
Burdened society

A people whose historical, economic and cultural conditions make it difficult for it to become well-ordered by itself.

Non-liberal but decent people

A people that does not accept a liberal conception of justice, yet minimum standards of justice and human rights apply.

E.g. 'Kazanistan'.



The international original position(s)

Participants: all liberal and non-liberal but decent peoples

Ignorant of:

Aware of:

Size of territory.

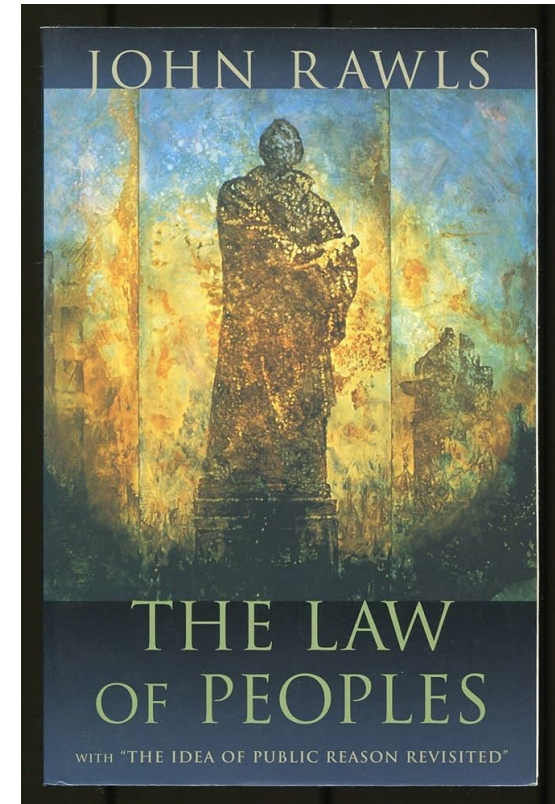
Nature of society (liberal or non-liberal but decent).

Size of population.

Need for self respect of themselves as a people.

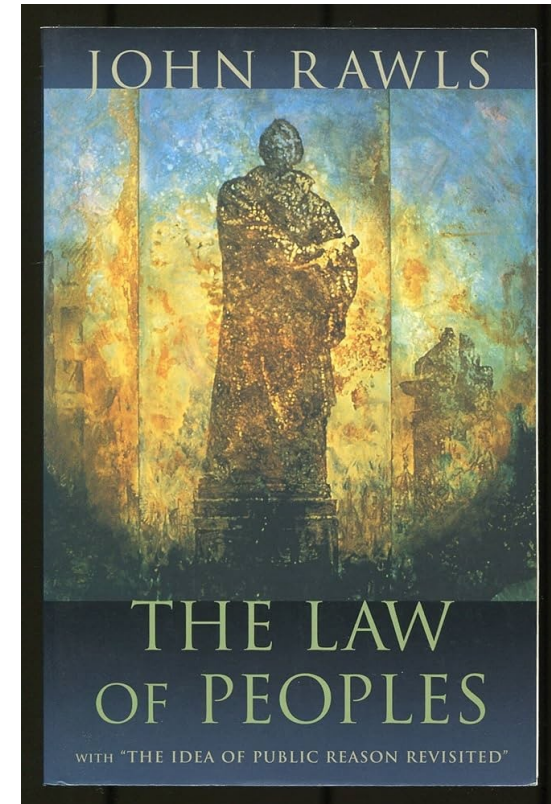
Relative strength of their people.

Need for respect and recognition of their equality.



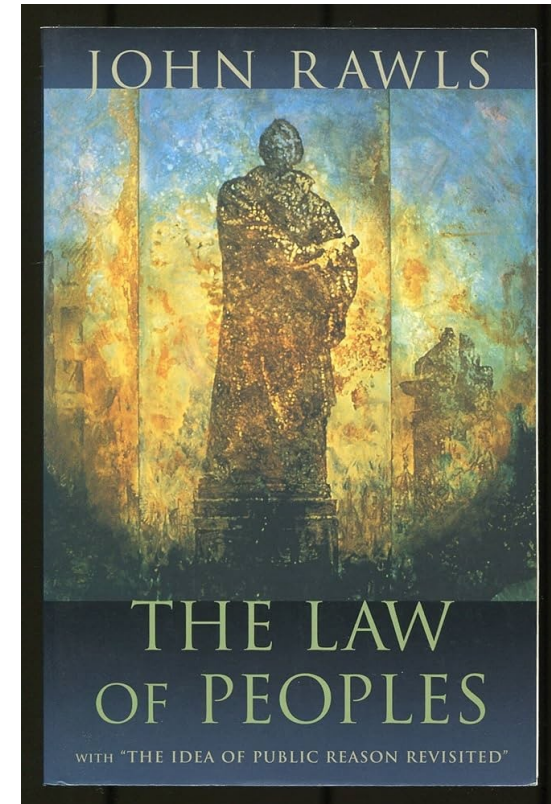
The Law of Peoples

1. Peoples are free and independent, and their freedom and independence are to be respected by other peoples.
2. Peoples are to observe treaties and undertakings.
3. Peoples are equal and are parties to the agreements that bind them.
4. Peoples are to observe a duty of non-intervention.
5. Peoples have the right of self-defense but no right to instigate war for reasons other than self-defense.
6. Peoples are to honor human rights.
7. Peoples are to observe certain specified restrictions in the conduct of war.
8. Peoples have a duty to assist other peoples living under unfavorable conditions that prevent their having a just or decent political and social regime. (P. 37)



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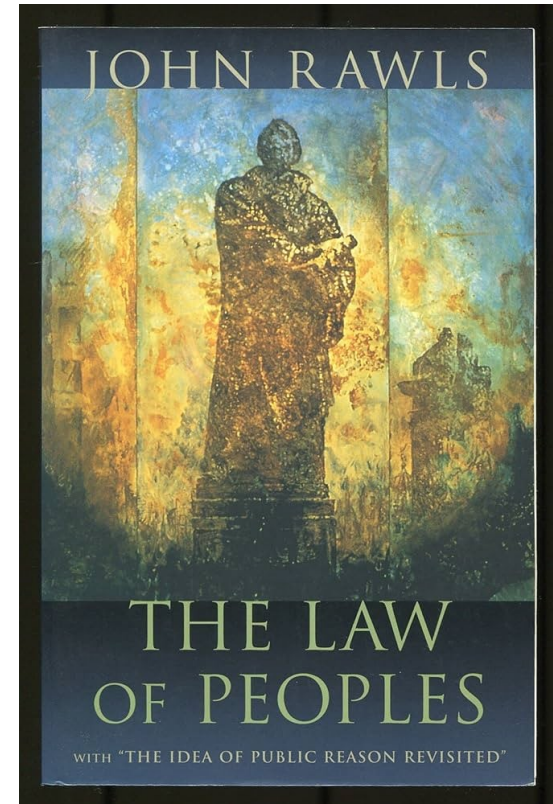
Rawls' first argument

Rawls' first claim: the principal determinant of a society's wealth is its political culture.

I believe that the causes of the wealth of a people and the forms it takes lie in their political culture and in the religious, philosophical, and moral traditions that support the basic structure of their political and social institutions, as well as the industriousness and cooperative talents of its members, all supported by their political virtues. (p. 108)

Once a people is well-ordered, it will be able to generate wealth itself - if it so chooses.

Additional assistance is, therefore, unnecessary.



Pogge's response

Rawls' view is one-sided.

Political culture is important, but...

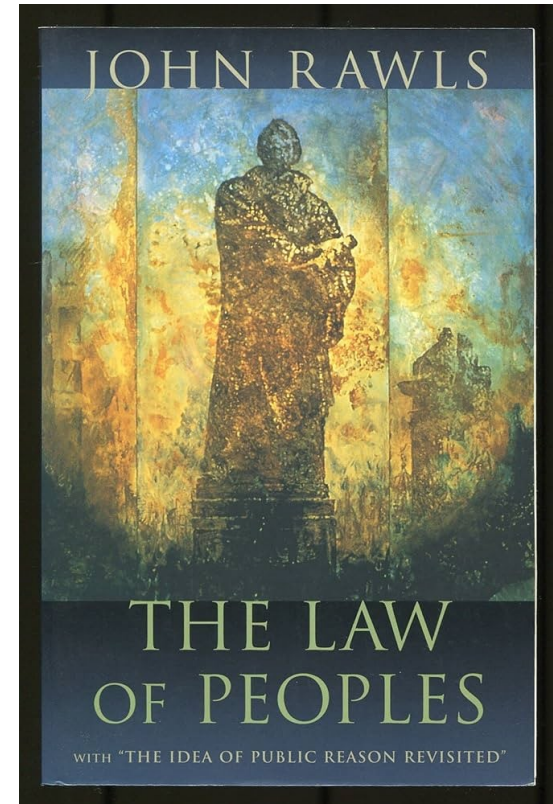
...global economic institutions play a major role in keeping poor countries poor.



Rawls' second argument

If two peoples make free decisions about how to develop, it is **counterintuitive** to say that the wealthier one ought to be taxed to support the poorer one.

According to the duty of assistance there would be no tax, and that seems right; whereas with a global egalitarian principle without target, there would always be a flow of taxes as long as the wealth of one people was less than that of the other. This seems unacceptable. (p117).



Beitz's response

Rawls' argument is based on a false analogy between individuals and peoples.

Although individuals are responsible for the consequences of their behaviour, they are not responsible for the current (or past) decisions of their representatives.



Rawls' third argument

Reason to reduce domestic inequality	International analogue
To relieve the suffering and hardship of the poor.	Once a society is well-ordered, it can do this by itself.
To reduce the stigmatisation of the poor and the sense of inferiority that accompanies significant inequality.	If decisions are made freely by peoples, any sense of inferiority or stigmatisation is unjustified.
To secure fair foundations for democratic politics.	Once a society is well-ordered, it can play an equal role in the Society of Peoples.

Rawls' third argument

Reason to reduce domestic inequality	International analogue	However...
To relieve the suffering and hardship of the poor.	Once a society is well-ordered, it can do this by itself.	This assumes that the principal determinant of wealth is political culture.
To reduce the stigmatisation of the poor and the sense of inferiority that accompanies significant inequality.	If decisions are made freely by peoples, any sense of inferiority or stigmatisation is unjustified.	This assumes that the principal determinant of wealth is political culture.
To secure fair foundations for democratic politics.	Once a society is well-ordered, it can play an equal role in the Society of Peoples.	Formal legal equality does not ensure equal treatment.

Conclusion

- The international original position is a promising tool with which concerns of global justice can be formulated.
- Unfortunately, Rawls' assumptions about the causes of a society's wealth and the responsibility of individual members for the practices of their society, prevent it from living up to its full potential.